

**DIRECTION IN THE MATTER OF SECTION 31
OF THE PLANNING AND DEVELOPMENT ACT 2000
(AS AMENDED BY S.21 OF THE PLANNING AND DEVELOPMENT
(AMENDMENT) ACT 2010)**

HEADFORD LOCAL AREA PLAN 2015-2021 DIRECTION 2015

“Local Area Plan” means the Headford Local Area Plan 2015-2021

“The Planning Authority” means Galway County Council

WHEREAS the functions of the Minister for the Environment, Community and Local Government under the Planning and Development Acts 2000 to 2014, other than Chapter 1 of Part VI of the Planning and Development Act 2000, have been delegated to the Minister of State at the Department of the Environment, Community and Local Government pursuant to the Environment, Community and Local Government (Delegation of Ministerial Functions) Order 2014 (S.I. 524 of 2014).

WHEREAS the Minister of State at the Department of the Environment, Community and Local Government is, for the reasons set out in the Statement of Reasons hereto, of the Opinion that

- (i) Galway County Council in making the Headford Local Area Plan 2015-2021 has ignored or has not taken sufficient account of the submissions made by the Minister for the Environment, Community and Local Government in August 2015,

and

- (ii) the Headford Local Area Plan 2015-2021 is not in compliance with the requirements of s.19, s.20 and s.28 of the Planning and Development Act 2000 (as amended).

NOW, THEREFORE in exercise of the powers conferred on him by s.31 of the Planning and Development Act 2000 (as amended), the Minister of State at the Department of the Environment, Community and Local Government hereby directs as follows:

- (1) This Direction may be cited as the Planning and Development (Headford Local Area Plan 2015-2021) Direction 2015.
- (2) The County Council Galway County is hereby directed to take the following steps with regard to the Headford Local Area Plan 2015-2021 (“the Local Area Plan”).
 - i. The map entitled Headford LAP 2015 – 2021 Map 1A Land Use Zoning of October 2015 which sets out the zoning objectives for the town of Headford in the Headford Local Area Plan 2015-2021 is to be amended by:
 - a. Removing the zoning objective for lands zoned Residential (Phase 2) as part of the adopted material alterations, namely part of MA1, MA5, MA8 and the entirety of MA7, MA10, MA12 – MA13 and MA15 – MA16. For ease of reference the Department has superimposed the specific lands on to adopted Map 1A Land Use Zoning Map. Refer to Map in Appendix 1, the blue outline and hatching identifies Residential (Phase 2) to be removed and the green outline and hatching identifies the Business & Enterprise zoning to be removed.

and

Reverting to the zoning objectives on these specific land parcels as per Headford LAP 2015 – 2021 Draft Map 1A entitled “Land Use Zoning” of the Draft Headford Local Area Plan 2015-2021 (published January 2015) as set out in the table below. The effect of this amendment will be that the zoning objective for the lands outlined in blue and green hatching will revert to the zoning objective as *per* the map included in the draft Headford Local Area Plan 2015-2021 of January 2015. The Draft Headford LAP Map 1A Land Use Zoning is attached at Appendix 2 for ease of reference.

In addition Map 1B of the Headford Local Area Plan 2015-2021 is to be amended to reflect the above amendments.

The Local Area Plan boundary as shown in Map 1A, 1B, 2A and 3A is to be amended to reflect the above amendments.

MA's	Adopted Plan	Draft Plan (Published January 2015)
	Current Zoning	Revert to
MA1	Residential (Phase 2)	No Zoning. Outside draft plan boundary.
MA2	Business and Enterprise	No Zoning. Outside draft plan boundary.
MA5	Residential (Phase 2)	Open Space / Recreation & Amenity
MA7	Residential (Phase 2)	Open Space / Recreation & Amenity
MA8	Residential (Phase 2)	No Zoning. Outside draft plan boundary.
MA10	Residential (Phase 2)	No Zoning. Outside draft plan boundary.
MA11	Business and Enterprise	No Zoning. Outside draft plan boundary.
MA12	Residential (Phase 2)	No Zoning. Outside draft plan boundary.
MA13	Residential (Phase 2)	Community Facilities
MA15	Residential (Phase 2)	No Zoning. Outside draft plan boundary.
MA16	Residential (Phase 2)	No Zoning. Outside draft plan boundary.

STATEMENT OF REASONS

- 1) A written submission on the on the proposed material alterations to the draft Headford local area plan was made to Galway County Council on behalf of the Minister for the Environment, Community and Local Government in August 2015.

The submission identified three significant issues of concern as regards compliance of the local area plan with the Galway County Development Plan 2015 - 2021, the Planning Act and certain guidelines published by the Minister under Section 28 of the Act. The Planning Authority was asked to reconsider these and uphold the alignment of the Headford Local Area Plan with the planning authority's own Galway County Development Plan.

The Planning Authority was advised that failure to address the issues satisfactorily in line with its statutory and policy responsibilities could result in the Minister using the powers available to him under the Planning and Development Act to ensure that the relevant statutory and policy requirements are upheld.

Despite this, on 28 September 2015, the Elected Members voted by resolution to adopt 11 of the proposed Material Alterations, as previously placed on public display.

Additional allocation of phase 2 residential zoned land

Nine of the material amendments adopted, namely, MA1, MA5, MA7, MA8, MA10, MA12, MA13, MA15 and MA16 provide for additional zoning of land for residential phase 2 development (approx. 12ha). This additional residential phase 2 zoning constitutes excessive zoning of land for housing and is inconsistent with the core strategy of the County Development Plan and contrary to Section 19(2) of the Planning Act as regards a local area plan being consistent with the objectives of the development plan, its core strategy and regional planning guidelines.

Additional allocation of Business & Enterprise (B&E) zoned land

Two land parcels totaling 7.02ha were zoned for B&E in the material alterations of the Draft Headford Plan. These lands are disconnected and disjointed from the main zonings of the rest of the town.

Material amendments MA2 and MA11 were deemed not to be in compliance with Section 6.3(b) of the Planning Guidelines on Sustainable Urban Development because they constitute 'leapfrogging' and would not support the orderly development of Headford. Accordingly, the Department recommended that these Material Alterations were not adopted and that the Plan should revert back to the Draft Plan as published in January 2015.

In conclusion, the additional land zoned for Residential (phase 2) by way of material alterations, namely part of MA1, MA5, MA8 and the entirety of MA7, MA10, MA12 – MA13 and MA15 – MA16 is not consistent with the Galway County Development Plan 2015 – 2021 Core Strategy statutory and policy requirements relating to the Headford Local Area Plan at both national and local levels which would have significant adverse

implications for this town and its current and future inhabitants. Significantly, the infrastructure requirements of such additional development as regards public services, does not appear to have been factored in to the decision to materially amend the local area plan.

Also the additional allocation of Business & Enterprise (B&E) zoned land by way of material alterations, namely part of MA2 and the entirety of MA11 is not in compliance with Section 6.3(b) of the Planning Guidelines on Sustainable Urban Development.

In light of the above the Minister is of the opinion that the Planning Authority has ignored, or has not taken sufficient account of the said written submission, in that the Planning Authority proceeded to adopt a policy objective which would be inconsistent with national Government policy (Galway County Development Plan Core Strategy, the Regional Planning Guidelines, National Spatial Strategy and National policy statutory guidelines).

- 2) The decision by the members to alter the policy in regard to the zoning objectives as outlined in this direction do not provide for proper planning and sustainable development and therefore the Headford Local Area Plan 2015-2021 is not in compliance with the requirements of s.19, s.20 and s.28 of the Planning and Development Act 2000 (as amended).

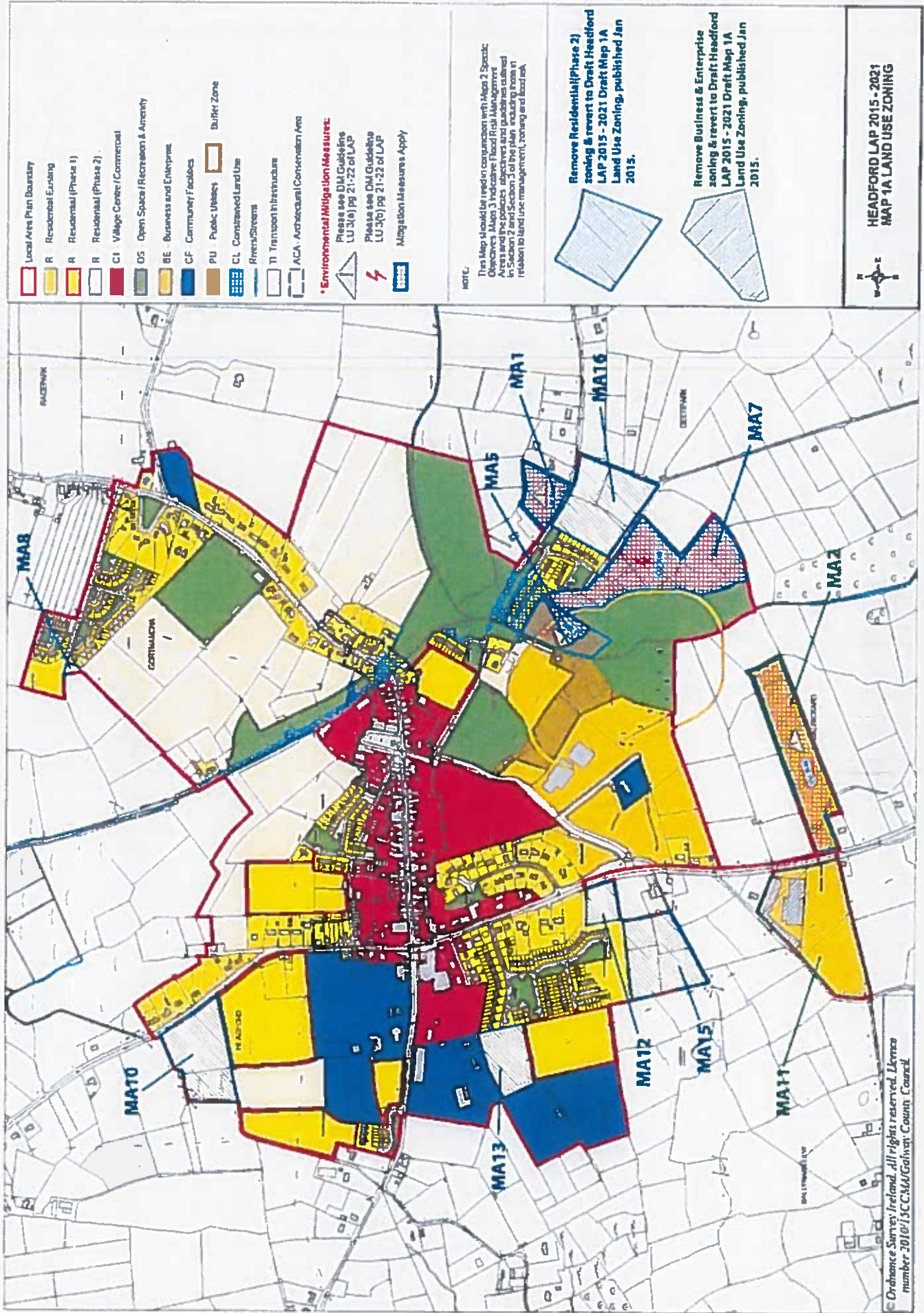
GIVEN under my hand,



Minister for Housing, Planning and
Co-ordination of Construction 2020

this 17th day of December 2015.

APPENDIX 1



APPENDIX 2

