Oifig an Rialaitheora Pleanála
Office of the Planning Regulator

15th October 2026

Senior Planner,
Planning Department,
City Hall,
College Road,
Galway,
H91X4K8.

Re: Proposed Variation No. 4 to the Galway City Development Plan 2023-2029

A chara,

Thank you for your authority's work in preparing the Proposed Variation No. 4 (proposed Variation) to the Galway City Development Plan 2023-2029 (Development Plan).

As Galway City Council (Planning Authority) is aware, a key function of the Office of the Planning Regulator (Office) is to evaluate and assess statutory plans to ensure consistency with legislative requirements and national and regional planning policy. The Office has undertaken this evaluation and assessment pursuant to Part 3 of the Planning and Development Act 2024 (Act) and its functions under section 546, and this submission sets out the outcome.

In this context, submissions may include recommendations and observations. Recommendations arise where the Office identifies clear inconsistencies with legislative provisions or policy frameworks and are intended to be addressed to ensure compliance. Observations highlight areas where further clarification, justification, or refinement would strengthen the plan. The submission may also include advice to support the proper planning and sustainable development of the area.

Following adoption of the Variation, the Office will carry out a further assessment under section 63 of the Act.

1. Overview

The proposed Variation seeks to amend the following elements of the Development Plan:

- change the land use zoning of Planning Authority-owned lands that formerly operated as a Tourist Office in Salthill from Natural Heritage, Recreation and Amenity (RA) to Commercial/Industrial (CI);
- change the land use zoning of lands in Ballinfoile from Natural Heritage, Recreation and Amenity (RA) to Institutional and Community (CF) for the development of a new fire station; and
- add a specific objective in relation to the Old Galway Waterworks site.

The Office welcomes the work undertaken by the Planning Authority, particularly in relation to preparing the addendum to the Strategic Flood Risk Assessment (SFRA), an Appropriate Assessment (AA) Screening Report, and a Strategic Environmental Assessment (SEA) with associated screening. In particular, the Office welcomes that the Specific Objective for the Old Galway Waterworks site acknowledges the presence of two regionally significant protected structures (Reg. Nos. 30408208 and 30408209) and ensures that any future development is appropriately responsive to the site's environmental and built heritage significance.

Two elements of the proposed Variation have however been identified which should be addressed to ensure material consistency with the objectives of the National Planning Framework First Revision (2025) (NPF) and the Regional Spatial and Economic Strategy (RSES) for the Northern and Western Regional Assembly, and to be in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines) and Spatial Planning and National Roads Guidelines for Planning Authorities (2012) (National Roads Guidelines).

The recommendations set out below are intended to support the Planning Authority in further strengthening the proposed Variation and ensuring its effective implementation:

Subject	Recommendation	Observation
Flood risk management	Recommendation 1	-
National roads	Recommendation 2	-

2. Flood risk management

It is proposed to change the zoning of the former Salthill Tourist Office site from a Natural Heritage, Recreation and Amenity (RA) zoning to a Commercial/Industrial (CI) zoning in order to widen its redevelopment potential. The proposed Specific Objectives for the site state that it will provide for a mix of commercial, enterprise and community-oriented uses, including retail, hospitality (excluding sleeping accommodation), cultural, educational and complementary commercial activities.

As highlighted in the SFRA, the land is situated within Flood Zone A where the Flood Guidelines consider only water-compatible development to be appropriate without a Plan Making Justification Test (Justification Test). The Justification Test requires a robust evidence base which clearly demonstrates to an appropriate level of detail that all criteria of the Justification Test are satisfied.

While a Justification Test has been provided in relation to this proposal, in terms of criteria 2 of the test, the Office considers that it does not adequately demonstrate that the zoning is required to achieve the proper planning and sustainable development of the settlement (criteria 2(iv)) or that there are no suitable alternative lands for the particular identified uses or development types in areas at lower risk of flooding within or adjoining the core of the settlement (criteria 2(v)).

The Office also considers that it has not been adequately demonstrated that criteria 3 of the Justification Test has been met in terms of demonstrating that a flood risk assessment to an appropriate level of detail has been carried out as part of the SEA during the preparation of the plan. Furthermore, it has not been demonstrated that future development can be effectively managed. The identified mitigation measures are generic and insufficiently detailed in terms of providing a zoning-level assessment demonstrating that flood risk to development facilitated under the

proposed zoning can be appropriately managed or that the use or development of the lands will not cause unacceptable adverse impacts elsewhere.

The requirement for a future Site Specific Flood Risk Assessment (SSFRA) does not address the fundamental question at the plan-making stage as to whether highly vulnerable or less vulnerable developments are appropriate on these lands. Under the Flood Guidelines, the requirements of the Justification Test cannot be circumvented by deferring matters to any future assessment at the development management stage.

In addition, it is not apparent whether there has been cognisance of the Coirib go Cósta Flood Relief Scheme in the assessment of the subject lands.

A new fire station, which is defined as a highly vulnerable development within the Flood Guidelines, is proposed on a site which is currently zoned for Natural Heritage, Recreation and Amenity (RA) use. Approximately half of the site however is located within Flood Zone B where highly vulnerable development requires a Justification Test. No such Justification Test has been provided to demonstrate that the sequential approach has been applied and that such a test can be satisfied for the development concerned. Although the Planning Authority states that any uses within Flood Zone B and other parts of the site identified as being at risk under future climate scenarios shall be limited to less vulnerable uses, it has not been demonstrated how the proposed highly vulnerable development can be accommodated within the area not susceptible to flooding.

Recommendation 1 - Flood Risk Management
Having regard to and having considered: • NPO 78 of the NPF (in relation to flood risk management); • RPO 3.10 of the RSES (in relation to planning system and flood risk management); • section 11.28 of the Galway City Development Plan 2023-2029 (in relation to flood risk management and assessment); and

- The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines),

the Office recommends that the Planning Authority:

(i) ensures that the proposed Specific Objectives at the Salthill Tourist Office site do not facilitate highly and less vulnerable development within Flood Zone A unless the sequential approach has been applied and a Plan Making Justification Test (Justification Test) has been satisfied for those uses in accordance with the Flood Guidelines; and

(ii) ensure that the highly vulnerable fire station development is not located within Flood Zone B unless the sequential approach has been applied and a Justification Test has been satisfied in accordance with the Floods Guidelines.

3. National roads

National Policy Objective 107 of the NPF seeks to ensure the alignment of the NPF and the National Development Plan through the delivery of the National Strategic Outcomes (NSO) which includes NSO 2 of the NPF to enhance regional accessibility. This is further supported by Regional Policy Objective 6.5 of the RSES which stresses the importance of maintaining the strategic capacity and safety of the national roads network. Section 2.5 of National Roads Guidelines states that the policy of planning authorities will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 kmph apply. Policy 4.6 within the Development Plan states that the Planning Authority will be supportive of the National Roads Guidelines.

The proposed Variation seeks to rezone a Natural Heritage, Recreation and Amenity (RA) zoning to Institutional and Community (CF) in order to facilitate the development of a fire station on the site. The land in question adjoins the N6 Bóthar na dTreabh which is a national road at a location where Transport Infrastructure Ireland records indicate that an 80 kmph speed limit applies. Exceptional circumstances have not been presented by the Planning Authority to support a less

restrictive approach along this stretch of the national road. The rezoning may therefore undermine the strategic function of the national road network, therefore compromising the carrying capacity, operational efficiency and safety of the national road. The Office therefore recommends that the Planning Authority reviews the fire station site to ensure that it adheres with the requirements of section 2.6 of the National Roads Guidelines. If it is the Planning Authority's intention that an alternative form of access be provided, this should be clearly stated.

Recommendation 2 - National Roads

Having regard to the need to maintain the strategic carrying capacity and safety of the national road network and having considered:

- NPO 107 of the NPF to support the delivery of National Strategic Outcomes;
- RPO 6.5 of the RSES to maintain and enhance the strategic function of the national road network;
- NSO 2 of the NPF Enhanced Regional Accessibility;
- the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) (National Roads Guidelines); and
- Policy 4.6 of the Galway City Development Plan 2023-2029 (in relation to Road and Street Network and Accessibility),

it is recommended that the Planning Authority reviews the access arrangements associated with the fire station site to ensure that any future development meets the requirements of section 2.6 of the National Roads Guidelines. If access cannot be provided in accordance with the above policy framework, the rezoning should be omitted.

The Planning Authority should consult with Transport Infrastructure Ireland in relation to this recommendation in accordance with the National Roads Guidelines.

4. Next steps

The Office requests that the Planning Authority addresses the recommendations set out above.

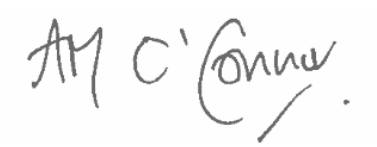
As part of this process, the Chief Executive's report to the elected members, prepared under section 58(11) of the Act should summarise the Office's recommendations and outline how it is proposed to address them.

Following adoption of the Variation, the Planning Authority is required to:

- provide the Office with a copy of the adopted Variation, together with any submissions received from the Minister, regional assemblies, and the National Transport Authority during the plan preparation process, within **one week** of adoption;
- inform the Office, **as soon as practicable**, where the elected members decide not to comply with a recommendation, including the reasons of the elected members for this decision; and
- publish notice of the Variation within **one week** of adoption, confirming that the Development Plan as varied will be available for inspection (online and at a specified location) no later than **five weeks** after adoption.

The Office looks forward to continued constructive engagement with the Planning Authority. If further clarification or discussion would be helpful, the Office would be pleased to assist and can be contacted at plans@opr.ie.

Is mise le meas,



Anne Marie O'Connor

Deputy Regulator and Director of Planning Policy Implementation

Designated Public Official under the Regulation of Lobbying Act 2015