

Chief Executive's Report on the Proposed Variation (No. 1) to the Galway City Development Plan 2023-2029

Planning Department

January 2026



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1. Introduction and Overview

1.0 Introduction

This report forms part of the statutory procedure for the making of variation 1 to the Galway City Development Plan 2023-2029 (the Development Plan). It addresses the submissions received during the consultation period in relation to the proposed variation.

The purpose of this report is to:

- summarise the written submissions/observations received in relation to the proposed variation during the public consultation period
- set out the Chief Executive's response to the issues raised in the submissions/observations, and
- make recommendations to the Elected Members on the issues arising from the consultation process

1.1 Requirements under the Planning and Development Acts

Section 13 of the Planning and Development Act 2000 (as amended) (the 2000 Act) allows for planning authorities to make variations to their development plan. On 31st December 2025, Part 3 of the Planning and Development Act 2024 (the 2024 Act) was commenced which supersedes the provisions of Section 13 of the 2000 Act. However, transitional provisions allow for variations commenced under the 2000 Act can continue under that Act when the relevant provisions of the 2024 Act are commenced. As such this variation, having commenced prior to the commencement of Part 3 of the 2024 Act, can continue under the provisions of the 2000 Act.

Section 13(2) of the 2000 Act requires that public consultation is undertaken for any variation to development plans, during which members of the public and interested parties may make submissions in respect of the proposed variation.

This report has been prepared under Section 13(4) of 2000 Act, which requires the Chief Executive to prepare a CE Report on the proposed variations and to include details of any Submissions/Observations received and to give the response of the CE to each submission. The report has been prepared in the context of the proper planning and sustainable development of the area, taking account of the statutory obligations of the Planning Authority and all relevant national and ministerial policies and objectives.

1.2 Context

The Residential Zoned Land Tax (RZLT) applies to land that is both zoned for residential or mixed-use development (including residential) and is serviced with necessary public infrastructure including roads, footpaths, public lighting, drainage systems, and water supply.

Having regard to the commencement of the operation of the tax on 1 February 2025, an opportunity was afforded for landowners to request a change in zoning of their land, where that land is identified on the annual final maps for 2025, which were published by local authorities by 31 January 2025. The policy intention, set out on Budget Day 2025 and supported by the Section 28 Guidelines, is for landowners who are carrying out an ongoing economic activity to be facilitated to make requests to change the zoning of their land to allow for the economic activity to continue without being subject to the tax.

Between February 1 and April 1, 2025 (inclusive), Galway City Council received five valid submissions from landowners requesting the rezoning of their lands from Residential R2 to Agriculture, as they stated that the current economic activity on this land both now and for the foreseeable future is farming.

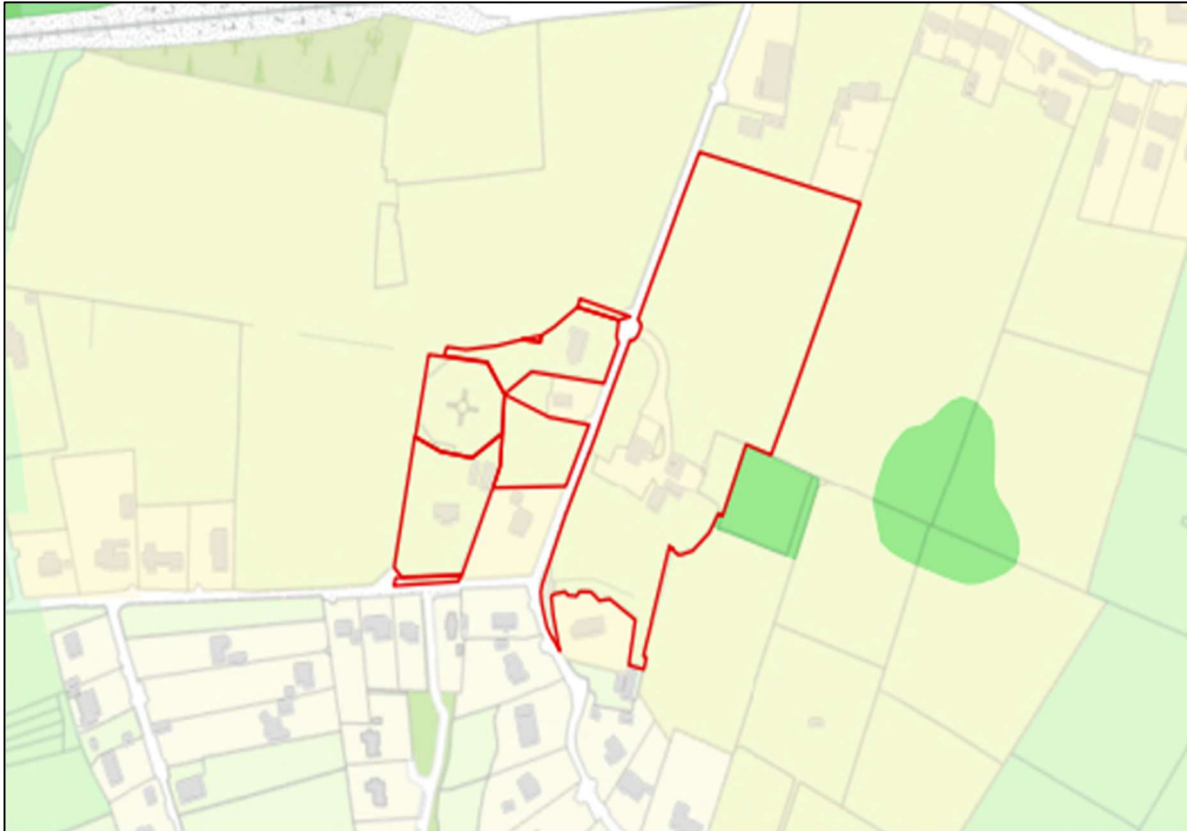
Galway City Council has recommended that the requested change of zoning from Residential R2 to Agriculture A should be facilitated for the following reasons:

1. The land has an existing bona fide economic activity (agriculture) other than to serve the purposes of residential development;
2. The land is zoned for the purposes of residential development (R2) in the Galway City Development Plan 2023-2029.
3. The land is not required to meet the housing targets as set out in the core strategy of Galway City Development Plan 2023-2029.

The subject lands are physically removed from existing transportation infrastructure, active travel networks, and other services. Their development for residential use (R2), at the density required within the current development plan period, does not support the overall growth strategy, which is based on the principles of compact development and sustainable settlement patterns set out in the National Planning Framework (First Revision, April 2025) and the Galway City Development Plan 2023–2029

Proposed Variation

The proposal is to vary the zoning on an area of approx. 4.96 hectares located at Roscam, Galway City, from Residential R2 to Agriculture A land use zoning, as part of the Residential Zoned Land Tax in Galway City. This variation is to the zoning map only and does not impact on the written statement.



Having considered the guidance set out in the “Ministerial Planning Guidelines under Section 28 of the Planning and Development Act 2000 (as amended), consideration of proposals to amend the zoning of lands subject to existing economic activity”, the Chief Executive is satisfied that the rezoning of these lands would not undermine the proper planning and sustainable development of the area, including the core strategy and housing supply targets for Galway City, having particular regard to the quantum of residential land zoned in Galway City in the Development Plan and the location of the lands removed from existing infrastructure and services.

1.3 Consultation Process

Notice of the proposed variation was published in the Galway Advertiser / online on 27/11/2025 and sent to the Office of the Public Regulator, the Regional Assembly and the Minister for Housing, Local Government & Heritage and other prescribed bodies in accordance with section 13 of the 2000 Act. Documents were made available online, and hard copies were on public display at City Hall and libraries / community centres around Galway City.

The consultation period for the proposed variation was between 28th November 2025 and 5th January 2026. The aim of this consultation was to enable the public and interested parties to give their observations on the proposed variation.

A total of six submissions were received during the consultation period with respect to the proposed variation. The table below lists the submission references and name of each person/organisation who made submissions. Section 2 of this report gives summaries of the submissions and the response of the CE to any issues raised.

1.4 List of Submissions to the Proposed Variation No. 1

| Submission Reference | Name of the Person/Organisation |
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| GLWC-C33-1 | Office of Public Works |
| GLWC-C33-2 | Office of the Planning Regulator |
| GLWC-C33-3 | Uisce Éireann |
| GLWC-C33-4 | Save Roscam Peninsula |
| GLWC-C33-5 | Transport Infrastructure Ireland |
| GLWC-C33-6 | Dr. James McCarthy |

1.5 Next Steps

The Elected Members on receipt of this CE Report are obliged to consider the proposed variation and the contents of the CE Report. The legislation requires this to be completed not later than 6 weeks after the submission of the CE Report to the Members. The Members may then by resolution make the variation with or without modification, or the Members can refuse to make the variation.

The Elected Members are in receipt of the CE Report as of 26th January 2026. Under the relevant legislation the decision whether or not to vary the Plan must be decided by Members within 6 weeks of this date.

In advance of a decision on the proposed variation, it is a statutory requirement to determine if a Strategic Environmental Assessment (SEA) and/or an Appropriate Assessment (AA) are required. SEA and AA screening assessments were carried out and concluded that full SEA/AA assessments were not required in relation to the proposed variation. All environmental assessment documentation was made available for consultation in tandem with the details of the proposed variation. Screening Determinations are included in Appendix Two.

2. Submission Summaries and Chief Executive's Response and Recommendations

Summaries of the submissions received in respect of variation 1 are set out below followed by the response and recommendation of the Chief Executive.

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| Reference | GLWC-C33-1 |
| Submission By | Office of Public Works |
| Submission Summary | The OPW made a submission in relation to flooding and flood risk management. The review carried out the OPW noted that any changes in this variation will unlikely impact the level or nature of flood risk. |
| Response | Noted. |
| Recommendation | No change to the proposed variation. |

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| Reference | GLWC-C33-2 |
| Submission By | Office of the Planning Regulator (OPR) |
| Submission Summary | <p>The OPR accepts the rationale for the proposed variation and is of the view that it does not raise any concerns in relation to consistency with the legislative and policy requirements.</p> <p>The OPR notes that the land has an existing economic activity (agriculture) other than residential development, and despite the land being currently zoned as residential, it is not required to meet the housing targets set out in the core strategy of the Development Plan. The OPR accepts the reasoning of ongoing economic activity in this regard and notes that a request for an alternative zoning of land should be facilitated by the planning authority under the provisions of section 13.</p> <p>The OPR notes that the lands are not serviced and are not considered to be accessible, due to the absence of pedestrian and cycle infrastructure and public transport.</p> <p>The OPR acknowledges that Galway City Council is currently preparing its Chief Executive Report to vary the City Development Plan to reflect the housing targets set out in the Housing Growth Requirements Guidelines for Planning Authorities (July 2025), issued as Ministerial</p> |

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| | <p>Guidelines under Section 28 of the Planning and Development Act 2000 (as amended).</p> <p>The OPR is satisfied that the appropriate screening has taken place, and a full SEA or a Natura Impact Report is not required.</p> |
| Response | Noted |
| Recommendation | No change to the proposed variation |

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| Reference | GLWC-C33-3 |
| Submission By | Uisce Éireann |
| Submission Summary | Uisce Éireann noted that they have no comments on Proposed Variation No. 1. |
| Response | Noted |
| Recommendation | No change to the proposed variation |

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| Reference | GLWC-C33-4 |
| Submission By | Save Roscam Peninsula |
| Submission Summary | <p>The submission makes the following observations:</p> <ol style="list-style-type: none"> 1. The lands to be rezoned are owned by multiple landowners. Case law including <i>Ballindoooley Developments Limited v The Minister for Housing Local Government and Heritage</i>, <i>The Office of the Planning Regulator and Galway City Council</i>, 2023/745 JR requires decision-makers to unambiguously identify the reason(s) for zoning alterations affecting individual properties. <p>The variation consultation documentation does not provide adequate and unambiguous rationale for the proposed zoning of each individual site. As a result, it is not possible for members of the public to formulate an informed response on the proposed variation.</p> <ol style="list-style-type: none"> 2. Save Roscam Peninsula considers that the variation is consistent with the Core Strategy and housing supply of the 2023-2029 Galway City Development Plan, reiterating points raised in the consultation report. The submission goes on to state that Galway is one of the slowest growing local authorities in terms of population growth, and that the local authority has overestimated the likely future growth of the city. |

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| | <p>3. Requests that the land be rezoned from Residential (R2) to Agriculture and High Amenity (G) rather than to Agriculture (A) as proposed for the following reasons:</p> <ul style="list-style-type: none"> • A G zoning would not interfere with the landowners' requests to rezone their lands in order not to be subject to the RZLT on account of their current use of the lands. • It would not interfere with their ability to continue their agricultural activity or develop the lands. • Rezoning from U (unzoned) to G would be consistent with policies of the City Development Plan and national policies and guidance. • The lands are not required to meet the housing targets as set out in the Core Strategy as they are physically removed from transportation networks and essential services and facilities and are situated in an area that is rural in character on the outskirts of the city. • The lands were historically zoned G until the Development Plan 2005-2011 and are part of the Rosshill House Desmone and as such are of a very high amenity value. • The lands are located in an area of known archaeological/historic remains/value with high archaeological potential, and adjacent to a Roscam Folly, a recorded protected structure. • A recent survey indicated bats foraging on the sites. |
| Response | <p>1. While the Ballindooley Order determined that the removal of zoning was unlawful in respect of the Ballindooley site, it does not, in and of itself, provide a basis for questioning the legal status/validity of the un-zoned status of other lands under the Development Plan. The requirement to provide reasons discussed in the Ballindooley case was with respect to Ministerial Directions under section 31 of the Planning and Development Act 2000 (as amended), rather than development plan variations under section 13 of the Act.</p> |

Notwithstanding the above, it is highlighted that Section 3.6 of the variation report clearly outlines the reasoning for Variation No. 1, with the first paragraph specifically stating “*Between February 1 and April 1, 2025 (inclusive), Galway City Council received five valid submissions from landowners requesting the rezoning of their lands from Residential R2 to Agriculture, as they stated that the current economic activity on this land both now and for the foreseeable future is farming*”. A detailed map of the lands in question is shown in Figures 1 and 2, as well as Table 1 and 2.

Additional reasoning is provided throughout the variation report, which is considered to be clear and unambiguous. It is considered that the information provided was sufficient to enable members of the public to make a submission with respect to the proposed variation.

2. Noted.

3. As set out in the variation consultation report, submissions were made from landowners requesting that their lands be rezoned from Residential (R2) to Agriculture (A), stating that the current economic activity on the land both now and for the foreseeable future is farming. The submission appears to support the change from Residential, but requests that the land be changed to Agriculture (G) rather than Agriculture (A).

The landowners in this case specifically requested the rezoning of the lands, from R2 to A. In this regard it is highlighted that, whilst both A and G land use designations allow for agricultural development, as outlined under Section 5.9 and 11.2.3 of the City Development Plan, the A designation allows for a broader range of related development than that of the G designation. Under Section 5.9, it is stated “The policy of the Council for agricultural zones is to facilitate the continued use of these lands for agricultural purposes and limited development, subject to the protection of designated ecological sites, environmental considerations and to control non-

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| | <p>agricultural development”. In this regard it is considered that the zoning of the subject lands to A, would allow for the continued use of the lands for farming and related uses, whilst ensuring the adequate protection, in terms of environmental, ecological and visual amenity considerations.</p> <p>4. As set out in section 5.9 and 11.2.4 of the City Development Plan, lands designated as G are lands that have important landscape and aesthetic value, which distinguishes them from less visually sensitive A zoned agricultural lands. It is acknowledged that these and nearby lands have historic and archaeological amenity value, however these elements have protection from harmful development as set out in Chapter 6 of the development plan, and do not preclude an Agricultural A use.</p> <p>The historic zoning of these lands in previous development plans is not considered to be relevant, and Section 10(8) of the Planning and Development Act 2000 provides that there is no presumption in law that the zoning of their land will persist from one development plan to the next.</p> <p>Bats and their habitats are also protected under other policies which would be implemented through the development management process.</p> <p>Having regard to the nature of the site and its current use it is considered that the proposed Agricultural A use is the most appropriate zoning of these lands.</p> |
| Recommendation | No change to the proposed variation. |

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| Reference | GLWC-C33-5 |
| Submission By | Transport Infrastructure Ireland |

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| Submission Summary | TII welcomes consultation on this variation but has no specific observations to make in relation to potential impacts on the existing national road network in the area. |
| Response | Noted. |
| Recommendation | No change to the proposed variation. |

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| Reference | GLWC-C33-6 |
| Submission By | Dr. James McCarthy |
| Submission Summary | <p>This submission provides observations on Proposed Variation No. 1 and Variation No. 2 to the Galway City Development Plan 2023–2029, focused on the Roscam Peninsula. The submission also proposes an additional zoning variation to restore long-standing protections for Greenfield and City Green Network lands, especially the remaining undeveloped areas of the former Rosshill 3-Hole Golf Course. These lands currently hold an ambiguous R2 zoning, lacking biodiversity protections despite their proximity to the EU-protected Galway Bay SAC and SPA and their importance to the City’s Green Network.</p> <p>1. Variation No. 1 – Rezone R2 to A (4.92 ha):</p> <p>The submission requests that the proposed rezoning from R2 to A be amended instead to G zoning, which historically applied to these lands until the 2005–2011 Development Plan. As part of the Rosshill House Demesne, the lands have amenity and heritage value. G zoning better supports agricultural use and restores stronger nature and biodiversity protections aligned with City climate goals.</p> <p>2. Variation No. 2 – Material Alteration A.9 (Rezone U to G):</p> <p>The submission supports rezoning the 0.95 ha northern and 1.145 ha southern sites from U to G. These areas are vital components of the Galway City Green Network, containing rich biodiversity, high visual amenity, and significant archaeological potential. The southern site may form part of the 6th-century Roscam Monastic Domain and possibly an earlier Bronze Age settlement. The submission requests clarification of the actual land size, suggesting it may be closer to 1.65 ha.</p> <p>3. Variation No. 2 – Material Alteration A.10 (Rezone U to A):</p> <p>The submission argues that both the 12.68 ha northern and 0.91 ha southern sites should be zoned G rather than A. The area is largely surrounded by G-zoned land, contains existing dwellings, and forms part of the Galway Greenway Network. The remaining Greenfield lands lack essential infrastructure and are not required to meet housing targets. The area also contains heritage features, including the former Roscam Village site and a derelict brownfield area needing restoration.</p> |

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| | <p>Additional Proposed Variation – Restore G Zoning to Roscam Peninsula Lands:</p> <p>The submission urges the City Council and state planning bodies to introduce a new variation restoring G zoning to all remaining undeveloped golf course lands. This supports climate, biodiversity, heritage, and sustainable transport objectives .</p> <p>This proposal is reinforced by:</p> <ul style="list-style-type: none"> • Note 1: Logical restoration of proper planning and zoning • Note 2: The lands lie beside EU-protected SAC and SPA habitats requiring strong ecological buffers. • Note 3: Rezoning was previously blocked by a Judicial Review of the 2021 SHD permission. • Note 4: Heritage features, including a historic dovecote, lack independent assessment and face construction impacts. Works outside the 20/21 Planning Permission red-line boundary were deemed “temporary,” raising concerns about long-term landscape damage. • Note 5: The lands are essential for delivering the Oranmore–Galway Greenway. • Note 6: They form a critical link in the Galway City Green Network, necessary for a functional coastal wildlife corridor. |
| <p>Response</p> | <p>It is noted that this submission addresses both Variation No. 1 and Variation No. 2. The response provided here will focus on the aspects relating to Variation No. 1, while the elements pertaining to Variation No. 2 will be addressed in the Chief Executive’s Report for Variation No. 2.</p> <p>The Residential Zoned Land Tax (RZLT) applies to land zoned for residential or mixed-use development and serviced with essential public infrastructure. Under the Finance Act 2024, landowners whose land appears on the 2025 RZLT map could seek rezoning between 1 February and 1 April 2025, with written acknowledgment by 30 April 2025 enabling potential tax exemptions. Galway City Council (GCC) reviewed submissions in line with Section 28 Guidelines and strategic planning principles, including housing targets, compact growth, and infrastructure availability.</p> <p>Submissions received sought rezoning from Residential R2 to Agriculture (A), citing ongoing farming activity. GCC recommended facilitating these requests under Section 13 (Variation) of the Planning and Development Act 2000, as the lands are not required to meet housing targets, are removed from existing services and public transport, and, within the lifetime of the current plan, do not align with compact growth objectives. The rationale emphasises maintaining bona fide economic activity and compliance with the development plan’s core strategy.</p> <p>While both A and G zoning objectives allow agricultural use, G zoning applies to lands of significant landscape and visual amenity value. This</p> |

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| | <p>distinguishes them from A-zoned lands, which are intended for general agricultural purposes and are less sensitive in aesthetic terms.</p> <p>The previous zoning of these lands in earlier development plans is not relevant. Section 10(8) of the Planning and Development Act 2000 (as amended) makes it clear that there is no legal presumption that zoning will remain the same from one development plan to the next.</p> <p>Regarding nature and biodiversity protections, Agricultural A-zoned lands are frequently included within these areas where appropriate. Similarly, an Agricultural A zoning does not prevent lands from having satisfactory nature and biodiversity protections.</p> <p>It is acknowledged that these and adjoining lands have historic and archaeological amenity value. However, such features are safeguarded under existing policies in the City Development Plan and do not preclude an Agricultural A zoning objective.</p> |
| Recommendation | No change to the proposed variation. |

Appendix 1 - Proposed Variation (No. 1) Consultation Report

Appendix 2 – Screening Determination