

8th February 2024

Planning Section,
Mayo County Council,
Aras an Chontae
The Mall,
Castlebar,
Co Mayo,
F23 WF90.

Re: Draft Ballina Local Area Plan, 2024-2030

A chara,

Thank you for your authority's work on preparing the Draft Ballina Local Area Plan 2024-2030, (the draft LAP).

The Office of the Planning Regulator (the Office) wishes to acknowledge the considerable and evident work your authority has put into the preparation of the draft LAP against the backdrop of an evolving national and regional planning policy and regulatory context and the need to balance competing pressures within an increasingly complex system.

As your authority is aware, a key function of the Office is the assessment of statutory plans to ensure consistency with legislative and policy requirements relating to planning.

The Office has evaluated and assessed the draft LAP under the provisions of sections 31AO(1) and 31AO(2) of the *Planning and Development Act 2000*, as amended (the Act) and this submission has been prepared accordingly.

The Office's evaluation and assessment has had regard to the current Mayo County Development Plan 2022-2028 (the Development Plan), the Northern and Western Regional Spatial and Economic Strategy (RSES) and relevant section 28 guidelines. This submission makes six recommendations and five observations.

Recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework and/or of the policy of Government, as set out in the Ministerial guidelines under section 28. As such, the planning authority is required to implement or address recommendation(s) made by the Office in order to ensure consistency with the relevant policy and legislative provisions.

Observations take the form of a request for further information, justification on a particular matter, or clarification regarding particular provisions of a plan on issues that are required to ensure alignment with policy and legislative provisions. The planning authority is requested by the Office to action an observation.

A submission can include advice on matters that the Office considers would contribute positively to the proper planning and sustainable development of the area. The planning authority is requested by the Office to give full consideration to the advice contained in a submission.

Overview

The Office welcomes the preparation of the draft LAP, having regard to the statutory requirements for same under section 19 of the Act. Ballina has been identified as a key town under the RSES, which notes that Ballina functions as the main economic driver for a large area of north Mayo, and as main economic, commercial and social/educational centre for parts of west Sligo. The LAP will play an important role in ensuring the sustainable development and expansion of the settlement, and the realisation of its potential as a stand-alone economic driver in the coming period.

In general, the Office considers that the draft LAP sets out a positive, evidence-based, planning strategy to guide the development of Ballina over the six-year plan-period.

In particular the identification of eleven Opportunity Sites is welcomed, as the redevelopment of these sites over the course of the LAP has the potential to achieve compact growth. Further, the redevelopment of these Opportunity Sites will allow for increased use of sustainable modes of transport and will ensure a transition to a low carbon energy efficient transport system, which will be a significant challenge over the course of the LAP-period. Moreover, Ballina has a high level of commercial vacancy and it will be important for the draft LAP to set out actions and policies to proactively address this issue, and to include measurable targets for the LAP period.

The Office considers, however, that greater clarity and transparency is required in the LAP to align the projected housing land requirements in the core strategy of the Development Plan, and in particular, to promote compact forms of development, consistent with the newly published *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)* (Sustainable Residential and Compact Settlement Guidelines), and which will facilitates active travel modes.

In relation to employment and enterprise, the Office welcomes the inclusion of zoned land to ensure that the settlement becomes more self-sustaining and facilitates people to work near where they live. However, the Office is concerned in relation to the quantum of land zoned for employment uses, and in particular employment sites located in relatively peripheral areas, that are deficient in terms of public transport provision, and are accessed off national routes with the potential to undermine the carrying capacity of this strategic road infrastructure. This would be contrary to the guidance set out in section 2.7 of the *Spatial Planning and National Roads Guidelines for Planning Authorities (2012)* (National Roads Guidelines). Such an approach in the draft LAP is not consistent with an integrated approach to land use and transport planning, or with the *Town Centre First: A Policy Approach for Irish Towns (2022)* (Town Centre First) approach.

The Office welcomes the inclusion of a Settlement Capacity Assessment (SCA), for both residential and employment, to inform land use zoning objectives in the LAP, and co-ordinate land use zoning and infrastructure and services. Notwithstanding, the Office considers the SCA would benefit from further enhancements.

The Office also welcomes the preparation of the draft Local Transport Plan (draft LTP). However, it would have been preferable if the timing of the draft LTP was co-ordinated with the draft LAP process so that it could fully inform the zoning strategy and policies and objectives in the draft LAP. The material alterations stage will, however, provide an opportunity for changes that ensure better alignment between the final LTP and LAP.

A clear and robust rationale for the inclusion of the entire Eastern by-pass in the draft LAP will also be required given that the full extent of this project is not identified as an objective of the draft LTP.

It is within this context the submission below sets out six (6) recommendations and five (5) observations under the following ten (10) themes:

Key theme	Recommendation	Observation
Consistency with development plan and core Strategy	Recommendation 1	-
Tiered approach to zoning and infrastructural services	Recommendation 2	-
Town centre and regeneration	Recommendation 3	Observation 1
Transport and accessibility	Recommendation 4	
Climate action	-	Observation 2
Flood risk management	Recommendation 5	
Environment, heritage and amenity	-	Observation 3
Economy and employment	Recommendation 6	
Implementation and monitoring	-	Observation 4
General and procedural matters	-	Observation 5

1. Consistency with the regional, spatial and economic strategy

With the exception of the matters raised below, the Office considers the draft LAP to be generally consistent with the regional policy objectives of the RSES for the Northern and Western Region.

2. Consistency with development plan and core strategy

The Office considers the housing targets and the policies and objectives of the draft LAP to be generally consistent with the Development Plan and its core strategy.

Notwithstanding this, the Office notes that there are issues with regard to the presentation of the information, and clarifications are advised in relation to this. In particular section 2.8 of the draft LAP states that by 2028 it is anticipated that the population of Ballina will increase to 12,348 persons, and the target for additional dwellings is 511 additional units. These figures are included in the written statement, preceding Table 2.1, and refer to Table 2.1 of the draft LAP. The Office however notes that this text of the written statement is inconsistent with the information in Table 2.1.

In this regard the Office advises that Table 2.1 is amended to provide for the population and housing growth for the LAP. As such, the planning authority should include a figure for the 2028 population in Table 2.1 and also provide clarity of the housing target which is quoted in the text as 511 units and in Table 2.1 as 551 units. This will ensure that the draft LAP is consistent with CSO 2 of the Development Plan as well as the *Local Area Plans, Guidelines for Planning Authorities* (2013) (LAP Guidelines).

Furthermore, and in relation to Table 2.1 of the draft LAP, the Office is concerned in relation to the density assumptions used to calculate the quantum of lands zoned New Residential. Having reviewed the quantum of lands indicated for new residential and the number of additional units required up to 2028, it is estimated that the planning authority is using an indicative density of between c.17.2 uph and c.18.5 uph. These densities are low relative to those recommended in the recently published Sustainable Residential and Compact Settlement Guidelines . A consistent approach with the new guidelines would be to indicate the density assumptions used to calculate the housing and zoned lands requirements and include same as part of Table 2.1 of the core strategy.

Although this is likely to result in a lower requirement for zoned land, the Office generally considers that the land zoned as New Residential is located in accordance with the principles of compact and sequential growth within the existing built up area. However, the Office cautions against the need to zone additional, less preferably located, lands at the material alterations stage.

The Office notes that the Development Strategy (section 2.6) of the draft LAP sets out that new residential development will be accommodated within the existing built up footprint of the town on brownfield/vacant/infill sites in the town centre, existing and new residential areas, at appropriate densities. The draft LAP outlines that this approach will focus on optimising social and physical infrastructure. The Office notes however that the LAP does not include any density standards for the development of land and only refers to a flexible approach to the development of land. The Development Plan has also adopted a similar approach. Given the recently published Sustainable Residential and Compact Settlement Guidelines, it is considered that a new objective should be introduced confirming that development will be approved at densities which are consistent with the newly published guidelines.

Finally, while the Office notes that the approach of the core strategy in the draft LAP is consistent with the lifetime of the Development Plan, it is considered that it would be beneficial for the draft LAP to clarify how this will be dealt with during the lifetime of the LAP, when adopted.

Recommendation 1 – Core Strategy

Having regard to:

- The provisions under section 19(2) of the *Planning and Development Act 2000*, as amended, (the Act);
- Objectives CSO 1, CSO 2, CSO 3, CSO 4 and CSO 5 of the Mayo County Development Plan 2022-2028;
- RPO 3.1 and RPO 3.2 RSES;
- The *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)*; and
- The *Local Area Plans, Guidelines for Planning Authorities (2013)*,

the planning authority is required to:

- (i) provide a clear core strategy table (Table 2.1) which sets out the population growth target as well as the housing target. The figures in Table 2.1 should be consistent with the supporting text, preceding Table 2.1, included in the draft LAP;
- (ii) as part of the revised core strategy table (Table 2.1), as well as the chapter relating to the core strategy, the planning authority should provide details of density assumptions used in relation to determining the quantum of residential land that is required to meet the housing targets. The planning authority should review these density assumptions to ensure consistency with the recently published *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)*; and
- (iii) provide an objective in the draft LAP which sets out the appropriate density for development and/or that development will be considered as per the newly

published *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)*.

3. Tiered approach to zoning and infrastructural services

Section 19(2) of the Act requires a local area plan to be consistent with the objectives of the development plan and its core strategy. This requirement also applies under section 20(5) of the Act. The Office is generally satisfied that the New Residential zoned lands are within the existing built up footprint of the settlement and consolidate the existing pattern of development.

With regard to the New Residential zoned lands, the LAP includes a SCA in Appendix 1, which identifies 11 potential sites that are zoned New Residential (NR), as well as 3 sites identified as Strategic Residential Reserve (SRR).

The SCA is welcomed and provides an assessment of these lands. It is noted that none of the lands are identified as either Tier 1 or Tier 2 in line with NPO 72 (a-c) and having regard to Section 6.2 of the LAP Guidelines and the policy and objective under section 3.3.3 of the *Development Plans, Guidelines for Planning Authorities (2022)* (Development Plans Guidelines).

Moreover the Office considers that the SCA would be enhanced further with the inclusion of information on infrastructure in relation to individual sites, in terms of whether sites require infrastructure, and the type infrastructure required and the cost of that infrastructure provision. In this regard, the planning authority will be requested to review the SCA and provide clarifications in relation to same.

Recommendation 2 – Infrastructure Assessment

Having regard to:

- the provisions under section 19(2) of the *Planning and Development Act 2000*, as amended, (the Act);
- section 6.2 of the *Local Area Plans, Guidelines for Planning Authorities (2013)*; and

- the policy and objective to adopt the Settlement Capacity Audit approach to the zoning of land under the *Development Plans, Guidelines for Planning Authorities (2022)*;

the planning authority is required to provide further detail in relation to the Settlement Capacity Assessment in relation to the infrastructure that may be required for the development of zoned lands during the lifetime of the plan and identify if lands are designated Tier 1 or Tier 2. Following the inclusion of this additional detail, the planning authority should review lands zoned New Residential to ensure that lands that are not serviced or serviceable within the lifetime of the LAP are not zoned for development.

4. Town centre and regeneration

The approach and the inclusion of a dedicated chapter in relation town centre regeneration, with the provision policy objectives in the draft LAP, to regenerate and revitalise the town centre is acknowledged and welcomed, and in particular, the identification of 11 Opportunity Sites.

The identification of these Opportunity Sites, which are centrally located, will allow the planning authority to plan strategically for the sustainable growth of the town in a coordinated manner. Further the Opportunity Sites, by reason of their location and character, have the potential to deliver more compact growth and enhance the urban area making it a more desirable place in which people want to live, work and visit.

While the Office welcomes the content in relation to the 11 opportunity sites, including mapping and aerial images, it is considered that in order to ensure the prioritisation of the town centre for regeneration, to harness potential funding opportunities including Town Centre First funds, and to promote quality design and healthy place making, that the planning authority should set out a clearer urban design brief for the key flagship sites in accordance with section 5.7 of LAP Guidelines.

Furthermore, it is important that the planning authority can demonstrate the effectiveness of its approach through the inclusion of measurable targets for the resolution of vacancy and proposals for the monitoring of same.

Recommendation 3 – Town Centre Regeneration

Having regard to:

- Objectives SO 11, SSO 3, SSO 7, BEP 26, BEP 29 and BEO 34 of the Mayo County Development Plan 2022-2028;
- RPO 3.9 of RSES; and
- *Town Centre First, A Policy Approach for Irish Towns (2022)*,

the planning authority is required to include measurable targets for the reduction of vacancy for the plan period and a strategy for the monitoring of same.

Observation 1 – Town Centre Regeneration

Having regard to:

- Objectives SO 11, SSO 3, SSO 7, BEP 26, BEP 29 and BEO 34 of the Mayo County Development Plan 2022-2028;
- RPO 3.9 of RSES
- Section 5.7 of *Local Area Plans Guidelines for Planning Authorities (2013)*; and
- *Town Centre First, A Policy Approach for Irish Towns (2022)*,

the planning authority is advised to review and revise the development framework for the key Opportunity Sites to provide clearer parameters for their future development including guidance regarding layout, massing, materials, permeability etc.

5. Transport and accessibility

The Office welcomes the preparation of the draft LTP for Ballina, as required by RPO 6.27, and that the draft LAP has been informed by the emerging proposals in the draft LTP. This approach will ensure that new development areas will be permeable for walking and cycling, and will allow for increased use of sustainable modes of transport, ensuring a transition to a low carbon energy efficient transport system, consistent with RPO 6.30.

In this regard a significant shift to active and sustainable modes will be necessary to enable Ireland to achieve its mandatory climate action targets under the *Climate Action Plan 2023* to reduce Greenhouse Gas emissions by 51% by 2030, with a commitment to achieving carbon neutrality by 2050. As such the Office welcomes the provision of Modal Shift Ambitions to 2029 as part of Table 7.3 of the draft LAP. It is considered that this approach is consistent with the provisions of MTO 7 of the Development Plan.

The preparation of an LTP in advance of the LAP is the preferable approach, to fully inform the strategic zoning objectives in a co-ordinated manner. The final LAP will need better integration between the final LAP and the final LTP. Further a clearer policy approach that provides more explicit support to the four key proposals therein will be required.

The Office notes that a map and table of the interventions to be undertaken has been provided, however, additional policies/objectives to support the implementation of these interventions would be beneficial. The provision of clear policies/objectives to ensure compliance with the active travel interventions as proposed under section 8 of the draft LTP would provide better clarity for the public. This would also provide an improved statutory effect to the proposals outlined in the draft LTP.

As outlined above, while mapping is provided as part of the draft LAP, improved mapping of the interventions outlined in the draft LTP (i.e. public transport, active travel, etc.) could be provided in the draft LAP. In this regard, the Office notes good practice LTPs, such as that undertaken for the draft Kildare Town Local Area Plan 2023-2029, provide an individual reference that can be cross referenced with the relevant maps. Such an approach would enhance the draft LAP and make the document more transparent. Objectives to support the key projects should also be included, particularly those that will deliver improvements to the walking and cycling network, as this will ensure that sustainable transport options can be delivered in the town.

As part of the TII submission, it is specifically noted that a new objective to '*progress the N26 Ballina Bypass Phase 1...*' should be included as part of the draft LAP. The Office would support this approach to provide greater certainty in the delivery of the project.

As well as the N26 Bypass, the draft LAP also includes proposals for a future eastern bypass and other road interventions in the town. The Office notes that some information has been provided in relation to these projects in the draft LTP. While it is outlined in the

draft LTP that the N26 Bypass project has been progressed and there is a commitment for the project to be undertaken, the same commitment does not apply to the other proposed road projects.

Having reviewed the draft LAP and the draft LTP, the Office is concerned that insufficient evidence has been provided to justify the inclusion of the route for the proposed eastern bypass on the land use zoning maps. In the absence of an appropriate evidence base to justify the realistic progression of the project, it is recommended that the route should not be indicated on the land use zoning maps. If the route is retained on the land use zoning maps as part of the draft LAP, a clearer and more robust policy provision and justification should be provided.

Recommendation 4 - Transport and Mobility

Having regard to:

- SO 4, SO 12 and MTO 1 of the Mayo County Development Plan 2022-2028; and
- RPO 6.26, 6.27 and 6.28,

the planning authority is required to:

- (i) review Chapter 7 Movement and Transport, to provide clearer policies and objectives regarding the delivery and phasing of the key infrastructural requirements of the draft LTP, particularly those interventions and measures required to enhance pedestrian and cycling in the town. All mapping should be clearly legible. In particular, a clear map should be provided of the key active travel schemes to be delivered over the life of the LAP; and
- (ii) in the absence of a robust evidence base to support the proposed eastern bypass, the planning authority is required to review the justification for this route and if necessary, omit reference to same in table 7.1 of the LAP and amend the land use zoning map accordingly.

The planning authority should consult with the National Transport Authority (NTA) and Transport Infrastructure Ireland (TII) regarding this recommendation.

6. Climate action

The draft LAP includes a dedicated chapter on climate action which is commended. Section 3.5 includes a range of policies and objectives regarding climate action. The Office welcomes that considerations regarding climate mitigation and adaptation are integrated in the draft LAP. These measures are important in terms of the objective to reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives. The Office welcomes the inclusion Nature Based Solutions (NBS) in this this chapter, and specifically policy objective CAP 1 (h) relating specifically to NBS.

6.1 Nature based solutions and SuDS and opportunity sites

The approach in the Strategic Flood Risk Assessment (SFRA) and the draft LAP in respect of *Sustainable urban Drainage Systems* (SuDS) and Nature Based Solutions is welcomed. However, the Office considers there is an opportunity to strengthen the draft LAP in relation to implementing section 7.7.5 of the SRFA and section 3.4.7 of the draft LAP, particularly in relation to the eleven Opportunity Sites identified in section 4.6.1 of the draft LAP.

Observation 2 – Nature Based Solutions and SuDS

Having regard to the integration of climate action into the planning system, the planning authority is requested to include robust guidance and a framework in relation to the use of nature based solutions and SuDS, including green infrastructure techniques and objectives, in the eleven Opportunity Sites identified in section 4.6.1 of the draft LAP.

7. Flood risk management

The Office welcomes the preparation of an SFRA to inform the draft LAP. The SFRA identifies lands within Flood Zone A and Flood Zone B, which is welcomed, however the map used (Figure 8-1 in the SFRA) is a low resolution map. The planning authority should overlay the extent of Flood Zones A and B on the land use zoning maps (Map 1 – Land Use Zoning) for greater transparency and to clearly demonstrate whether any

zoned land, that can accommodate vulnerable uses, encroaches into the defined Flood Risk Assessment areas.

In this regard, it is worth considering the approach in the Newcastle West Local Area Plan 2023-2029, which is a good example for such an approach. Consultation with the Office of Public Works (OPW) is advised in relation to this matter.

The Office notes from the submission by the OPW that the SFRA associated with the draft LAP confirms that there is '*no NIFM watercourse within the settlement boundary*', however there is a small area of the National Indicative Fluvial Mapping (NIFM) extents within the LAP area which has not been considered in establishing the flood zones. The planning authority should engage with the OPW to ensure that a suitable level of flood risk assessment is carried out for all areas in the plan boundary, in accordance with *The Planning System and Flood Risk Management Guidelines for Planning Authorities* (2009) (Flood Guidelines).

Furthermore, and in respect to Justification Test A.2.1, the planning authority is advised to review whether the Justification Test also covers the area of Existing Residential, which overlaps with Flood Zone A and B to the north of the Existing Residential to ensure that it is fully consistent with Plan Making Justification Test contained in the Flood Guidelines.

It is also noted that the SFRA has considered climate change scenarios, however, there is an opportunity to clarify how climate change scenarios have been considered in the draft LAP. Consultation with the OPW is recommended in relation to this matter.

Finally, it is noted that there have been minor flood works undertaken in Ballina in the last decade. As such, it is considered that the inclusion of a register of flood risk infrastructure would be beneficial in the draft LAP.

Recommendation 5 – Flood Risk Management

Having regard to:

- INP 14 and INO 28 of the Mayo County Development Plan 2022-2028;
- RPO 3.10 of RSES; and

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

the planning authority is required to:

- (i) review and amend the Strategic Flood Risk Assessment of the draft LAP to:
 - a) ensure that it is fully consistent with the Plan Making Justification Test as set out in the Guidelines. The review shall clarify whether the Justification Test also covers the area of '*Existing Residential*' which overlaps with Flood Zone A and B to the north of the '*Existing Residential*' area shown in the A.2.1 of the SFRA;
 - b) include the most up to date flooding extents available, including NIFM extents within the Plan area which has not been considered in establishing the flood zones; and
 - c) review the climate change scenarios outlined as part of the SFRA;
- (ii) amend the draft LAP, including zoning objectives as necessary, having regard to the revisions to the SFRA required under part (a), including zoning lands within Flood Zone A for water compatible uses, only, and zoning lands within Flood Zone B for less vulnerable uses, only, unless the subject zoning and/or infrastructure have each first passed the Plan Making Justification Test, including taking full account of future climate change scenarios as identified in the OPW Flood Mapping (floodinfo.ie);
- (iii) overlay the extent of Flood Zones A and B (separately) on the land use zoning maps in the draft LAP to clearly inform zoning decisions and provide for greater transparency; and
- (iv) include a register of flood risk infrastructure with the LAP.

The planning authority should consult with the Office of Public Works regarding this recommendation.

8. Environment, heritage and amenity

The Office acknowledges the preparation of an Environmental Report and Natura Impact Report for the draft LAP, and welcomes the positive policies and objectives set out in the draft LAP to support the protection of the natural environment, and further in relation to the built environment. In particular the inclusion of Map 9.1 is commended, which relates to identified green infrastructure in the town.

The Office notes and welcomes the inclusion of the built heritage map, identifying protected structures, Architectural Conservation Areas (ACA) and recorded monuments. The Office notes however that an enhancement of the map would ensure that all protected structures and the ACA Zone Ballina are presented clearly. All references should be updated in the final LAP map to refer all protected structures and the inclusion of the ACA, consistent with the Development Plan.

Observation 3 – Conservation of Built and Natural Heritage

Having regard to:

- the provisions under section 19(2) of the *Planning and Development Act 2000*, as amended, (the Act),

the planning authority is requested to amend the built heritage map to ensure all protected structures and the ACA Zone Ballina are clearly identified on the map, in order to ensure their continued conservation and preservation.

9. Economy and employment

The Office acknowledges, as noted in RSES, that Ballina has a strong town centre as well as a focus on commerce and manufacturing. In this regard the draft LAP targets a minimum of 1,306 additional jobs by 2028. The Office is aware of the intention of the planning authority to fulfil the strategic objectives of the RSES, however, there are concerns regarding the lack of a detailed evidence base to underpin the quantity of land zoned Enterprise and Employment in the draft LAP.

The Office understands that there is approximately 169 ha of land zoned Enterprise and Employment and approximately 23ha of land zoned Strategic Enterprise and

Employment in the draft LAP. Of the 169 ha zoned Enterprise and Employment, there are large amounts of undeveloped land.

The Office welcomes the preparation of an infrastructure assessment supporting the lands zoned for enterprise and employment, however no evidence base has been carried out to justify the quantum of lands zoned for enterprise and employment. Moreover, no analysis has been carried out to justify the quantum, location or servicing capacity of the lands. Further the Strategic Enterprise and Employment lands have not been included in the SCA.

The Office acknowledges that an infrastructural capacity assessment has been provided, as required under NPO 72, however, as noted above, in relation to residential zoned lands additional information could be provided on the infrastructure required for some sites. In this regard a recommendation will be included addressing the needs for additional information on the SCA as well as ensuring that the Strategic Enterprise and Employment lands are included in the assessment.

The Office has particular concerns regarding the large parcel of land to the south of the town that is accessed off the N26, which bounds the west of the site. In the SCA, the site is referenced as NEE 8. The extent of these lands, likely to be accessed and serviced off the N26 near the junction of the proposed N26 bypass, has the capacity to accommodate a significant intensity of employment. Having reviewed the location of the site, it is noted that this site is peripheral in relation to the town centre. In this regard, the site is noted as being outside of the CSO built up area (BUA) boundary. In the absence of an evidence base to support the zoning, the Office is concerned that these lands, located in a relatively peripheral area, being accessed off a national route near the junction of a proposed bypass could generate significant additional traffic with the potential to undermine the carrying capacity of this strategic road infrastructure. This would be contrary to the guidance set out in section 2.7 of the National Roads Guidelines. This concern has also been raised by TII.

The Office also has similar concerns regarding the large parcel of land to the north-east of the town that is zoned Strategic Enterprise and Employment accessed off the N59, which bounds the east of the site. It is noted above that this site is not included in the SCA, even though to it is referenced on the map as part of Appendix 1 (SEE). The extent of these lands, likely to be accessed and serviced off the N59, has the capacity to

accommodate a significant intensity of employment and a number of car based trips. Having reviewed the location of the site, it is noted that this site is peripheral, relative to the town centre and other enterprise and employment zonings. In this regard, the vast majority of the site is noted as being outside of the CSO built up area (BUA) boundary. In the absence of an evidence base to support the zoning, the Office is concerned that these lands, located in a relatively peripheral area, being accessed off a national route near the junction of a proposed bypass could generate significant additional traffic with the potential to undermine the carrying capacity of this strategic road infrastructure. This would again be contrary to the guidance set out in section 2.7 of the National Roads Guidelines.

In the absence of an appropriate evidence base to the approach adopted for these two parcels of land, the Office considers that zoning of these above mentioned lands for employment purposes would conflict with the principles of compact growth, and are deficient in terms public transport provision and/or their accessibility in terms of walking and cycling distances to residential areas. There is also a concern that both sites could impact on the capacity of the national road network respectively, which TII has also raised in its submission. The location of these two land parcels would encourage primarily car based development that will not support the modal shift to active modes contrary to RPO 6.30 and 6.31 and the goals under the *National Sustainable Mobility Policy (2022)*. Further, the development approach is contrary to the *Climate Action and Low Carbon (Amendment) Act 2021* and the *Climate Action Plan 2023* to reduce the climate impacts arising from car journeys and the transition to climate neutrality.

Moreover, the zoning of these lands is considered to be inconsistent with the objectives of the Development Plan and, in particular, Objective SO 12 Integrated Land Use and Transportation Planning which seeks to integrate land use planning and sustainable transportation planning, encourage sustainable travel patterns by reducing the reliance on private cars.

Furthermore, the Office also considers that these zonings do not follow the sequential approach to zoning given their peripheral location and limited opportunities for direct linkages into the town centre. The Development Plans Guidelines state that the sequential approach to land-use zoning will also apply.

In light of the above, the LAP needs to provide a focused and evidence-based approach to employment zonings in the interest of efficiency and of maximising return on infrastructural investments. The planning authority must demonstrate that an appropriate sequential approach to zoning and an integrated approach to land use and transport planning has been adopted.

Recommendation 6 - Enterprise and Employment Zoning

Having regard to:

- Objective SO 12 of the Mayo County Development Plan 2022-2028; and
- RPO 6.30 and 6.31 active travel;
- RPO 6.5 national roads;
- section 2.7 of the *Spatial Planning and National Roads Guidelines for Planning Authorities* (2012);
- RPO 8.12 of RSES
- section 6.2.1 of the *Development Plans, Guidelines for Planning Authorities* (2022);
- provisions for the sequential approach to zoning and section 6.2.5 Zoning for Employment Uses and the principles of the sequential approach to zoning and accessibility set out in section 1.4 of Appendix A of the *Development Plans, Guidelines for Planning Authorities* (2022); and
- provisions of the *Climate Action and Low Carbon (Amendment) Act 2021* and the *Climate Action Plan 2023* and the goals of the *National Sustainable Mobility Policy* (2022), and *Town Centre First, A Policy Approach for Irish Towns* (2022),

the planning authority is required to

- (i) provide further detail in relation to the Settlement Capacity Assessment with regard to the infrastructure that may be required for the development of enterprise and employment zoned lands, including the provision of an assessment for the Enterprise and Employment – Strategic lands, during the lifetime of the plan. Identify if lands are designated Tier 1 or Tier 2.

Following the inclusion of this additional detail, the planning authority should review lands zoned Enterprise and Employment and consider if the zoning of any lands should be altered; and

- (ii) having undertaken this assessment the planning authority should review and specifically consider omitting the following Enterprise and Employment land use zonings due to its peripheral and inadequately serviced location; the need to prioritise lands that are sequentially preferable; to ensure that lands will be served by public transport and active travel networks necessary to facilitate sustainable travel over the lifetime of the LAP and to protect the capacity and strategic nature of the national road network.
 - a) the Enterprise and Employment land use zoning located to the south of the town noted as site NEE 8 as part of the Settlement Capacity Assessment; and
 - b) the Strategic Enterprise and Employment land use zoning located to the north-east of the town noted as site SEE as part of the Settlement Capacity Assessment.

10. Implementation and monitoring

The Office welcomes the planning authority's commitment to plan implementation and monitoring of the LAP, in Chapter 12.

The Office advises that Chapter 12 would benefit from the inclusion of tangible indicators. The LAP Guidelines strongly advise that LAPs should include an implementation and infrastructural delivery schedule which would require planning authorities to work closely with all relevant departments, agencies and stakeholders involved in securing the delivery of the formulation, adaptation, implementation and monitoring of the policies and objectives of the local area plan. The Office considers that greater clarity in this regard is required.

Observation 4 – Monitoring and Implementation

Having regard to section 6.2 of the *Local Area Plans Guidelines for Planning Authorities* (2013) the planning authority is advised to include a clear implementation and infrastructural delivery schedule in the draft LAP to ensure that the implementation of the policy objectives of the local area plan will take place and to ensure that development progress is consistent with the core strategy of the plan.

11. General and procedural matters

Having reviewed the draft LAP, the Office notes that there are a number of incorrect references in the document such as the reference in MTO 6, which refers to roads projects that are not listed in Table 7.3. Having reviewed table 7.3, it is noted that this table relates to ‘*Current Mode Share and Modal Shift Ambitions to 2029*’. As such, the Office advises that the planning authority should review the referencing in the draft LAP so as to ensure that references throughout the draft LAP are accurate.

Observation 5 – Documentation Referencing

The Office advises that the planning authority review the references to tables and images throughout the document to ensure that the text is referring to the appropriate table, image, etc. Where necessary, the planning authority should also include additional tables, images, etc. to ensure that the draft LAP is as legible as possible so as to assist the general public in reviewing the document.

Summary

The Office requests that your authority addresses the Recommendations and Observations outlined above. As you are aware, the report of the chief executive of your authority prepared for the elected members under section 20 of the Act must summarise these Recommendations and the manner in which they will be addressed.

Where your authority decides not to comply with the Recommendations of the Office, made in the draft LAP and report, please outline the reasons for the decision in the Chief Executive’s report.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through plans@opr.ie.

Is mise le meas,

A handwritten signature in black ink that reads "AM O'Connor". The signature is written in a cursive style with a diagonal slash at the end.

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations
