

14th October 2025

Forward Planning,
Áras an Chontae,
The Mall,
Castlebar,
Mayo,
F23 WF90.

Re: Proposed Variation No. 1 to the Mayo County Development Plan 2022-2028

A chara,

Thank you for your authority's work in preparing the Proposed Variation No. 1 (proposed Variation) to the Mayo County Development Plan 2022-2028 (County Development Plan).

As Mayo County Council (Planning Authority) is aware, a key function of the Office of the Planning Regulator (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 proposed Variation under the provisions of sections 31AM(1) and 31AM(2) of the Planning and Development Act 2000, as amended (Act) and this submission has been prepared accordingly.

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, planning authorities are requested 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. Planning authorities are advised by the Office to action an observation.

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

On adoption of the Variation, the Office will consider whether the Variation has been made in a manner consistent with the recommendations of the Office and whether the plan sets out an overall strategy for the proper planning and development of the area concerned.

Overview

The proposed Variation includes a change to the County Development Plan in response to the section 28 Guidelines for the National Planning Framework implementation relating to the revised Housing Growth Requirements. The proposed Variation includes several changes to the County Development Plan with regard to the implementation of the Housing Growth Requirements, including the following elements:

- revised core strategy table;
- revised Policy Approach to Strategic Reserve Tier 1 lands; and
- inclusion of zoning maps for Key Towns and Self-Sustaining Growth Towns.

The Office is generally satisfied that the strategy to facilitate development on Strategic Residential Reserve Tier 1 lands is consistent with the objectives of the National Planning Framework First Revision (2025) (NPF), and the NPF Implementation: Housing Growth Requirements (2025) (Housing Growth Requirements).

The Office notes however, that the environmental assessments included as part of the proposed Variation and the contents of the revised core strategy table do not comply with the statutory obligations as set out in the Act. The Planning Authority is required to review these elements as set out in the recommendations below.

The submission below has been prepared to provide a strategic level input to your authority in finalising the proposed Variation. It is within the above context that the submission sets out three [3] recommendations and two [2] observations under the following key themes:

Key theme	Recommendation	Observation
Implementation of the housing growth requirements	Recommendation 1	-
Settlement capacity audit	-	Observation 1
Environmental assessments	Recommendation 2	Observation 2
Land use zoning maps	Recommendation 3	-

1. Implementation of the housing growth requirements

The Office welcomes the incorporation of the new housing growth requirements into the core strategy in accordance with Policy and Objective 1 of Housing Growth Requirements. The revised policy approach to facilitate appropriate development on Strategic Residential Reserve Tier 1 lands and the new supporting objective, CSO 10, of the proposed Variation is supported in response to implementing these requirements.

The Office has previously reviewed and accepted the zoning of the Strategic Residential Reserve Tier 1 Lands during the evaluation of the County Development Plan and the subsequent local area plans for Ballina, Castlebar and Westport. The Office remains satisfied that the zoning of these lands is appropriate.

Based on the Housing Growth Requirements, the Planning Authority has correctly calculated the housing growth requirement for Mayo for the remainder of the plan period as 4,444 (1,111 per annum). Although the application of additional provision (as per Policy and Objective 2 of the Housing Growth Requirements) is not specified in the proposed Variation, the Strategic Residential Reserve Tier 1 lands have the capacity to facilitate c.6,825 units¹ which is consistent with the requirement for additional provision set out in the Housing Growth Requirements. This is in addition to the c.135 ha of New Residential lands previously zoned in the County Development Plan and the local area plans which have the capacity to facilitate c.4,737 units².

The Office notes that the revised core strategy table does not include all the statutory requirements as set out in section 10(2A) of the Act including, national and regional

¹ Applying a density of 35 units to the hectare

² Applying a density of 35 units to the hectare

population targets, details of existing zoned lands housing yield, details of proposed zoned land housing yield and phasing of residential zoned lands.

In this regard, the Planning Authority is required to review the information provided in the core strategy table to ensure compliance with the Act. The Planning Authority is advised to also consider the approach set out in appendix A of the Development Plans, Guidelines for Planning Authorities (2022) (Development Plans Guidelines) as a best practice guide.

Recommendation 1 – Core strategy table

Having regard to the statutory requirements for the preparation of a core strategy, in particular:

- section 10(2A) of the Planning and Development Act 2000, as amended (Act) for the preparation of the development plan core strategy;
- the Development Plans, Guidelines for Planning Authorities 2022; and
- the NPF Implementation: Housing Growth Requirements (2025),

the Planning Authority is recommended to review and revise the core strategy table to ensure all statutory requirements under section 10(2A) of the Act are included.

2. Settlement Capacity Audit

The Housing Growth Requirements also state that planning authorities should prepare a Settlement Capacity Audit (SCA) as part of a review or variation process in line with the provisions of the Development Plans Guidelines to identify whether the lands are serviced or serviceable and to highlight infrastructural requirements.

Although an SCA has been prepared for both New Residential and Strategic Residential Reserve lands in the local area plans for Ballina, Castlebar and Westport, the Office notes that the County Development Plan did not include a site-specific infrastructure capacity assessment for the strategic reserve lands. The Office notes the proposed Objective CSO 10 of the proposed Variation requires that adequate infrastructure capacity is available, however, it would be preferable if this assessment was carried out as part of the zoning process to provide for the co-ordination of land use zoning, infrastructure and services

consistent with the objectives of the NPF, and having regard to the policy and objective of the Development Plans Guidelines, and section 2.4 of the Housing Growth Requirements.

Observation 1 – Settlement Capacity Audit

Having regard to the co-ordination of land use zoning, infrastructure and services, and in particular to:

- NPO 101, 102 and 103 of the NPF to consider the serviceability of land zoned for development;
- the NPF Implementation: Housing Growth Requirements (2025) (Housing Growth Requirements) to prepare a Settlement Capacity Audit (SCA) for Residential zoned lands; and
- the Policy and Objective in section 6.2.1 of the Development Plans, Guidelines for Planning Authorities (2022),

the Planning Authority is advised to prepare an SCA for the Strategic Residential Reserve (Tier 1) lands for all Self-Sustaining Growth Towns and Self-Sustaining Towns. Lands that cannot be serviced or are not serviceable within the plan period should not be zoned for development.

3. Environmental assessments

The Office notes the inclusion of the Strategic Environmental Assessment (SEA), and Appropriate Assessment (AA) with the proposed Variation. The assessments, however, do not take account of the specific amendments proposed as part of the Variation.

It is a statutory requirement under section 13(13) of the Act that an appropriate assessment of a draft variation of a development plan be carried out. Further, article 13K(1) of the Planning and Development Regulations (2001), states that where a planning authority proposes to make a variation to a development plan under section 13 of the Act, it shall, consider whether the proposed variation would likely to have significant effects on the environment, taking account of relevant criteria set out in schedule 2A.

In addition, National Policy Objective 1 of the NPF states that all plans and activities arising from the NPF are subject to the relevant environmental assessment requirements including, SEA, EIA, SFRA and AA as appropriate.

In this regard, the Planning Authority is required to prepare both SEA and AA screening assessments for the proposed Variation to determine whether significant effects are likely.

With regard to the Strategic Flood Risk Assessment (SFRA), the Office accepts that there is no material change to the assessments prepared as part of the County Development Plan and local area plans as no new zoning is proposed. However, it is recommended that the SFRA for Castlebar, Ballina and Westport be included as an appendix to the SFRA for the county for the purposes of clarity.

Recommendation 2 – Environmental assessments

Having regard to the need to ensure all plans and projects are appropriately assessed for significant effects on the environment, in particular:

- the statutory requirements under section 13 of the Planning and Development Act 2000, as amended; and
- NPO 1 which requires all plans and activities arising from the NPF to be subject to the relevant environmental assessment requirements including, SEA, EIA, SFRA and AA as appropriate,

the Planning Authority is recommended to undertake the processes required to carry out:

- (i) Strategic Environmental Assessment Screening; and
- (ii) Appropriate Assessment Screening.

The Planning Authority is recommended to consider the Strategic Environmental Assessment, Guidelines for Regional Assemblies and Planning Authorities (2022) in preparing the assessments.

Observation 2 – Strategic Flood Risk Assessment

For the interests of clarity, the Planning Authority is advised to include the Strategic Flood Risk Assessments (SFRAs) previously prepared for Ballina, Castlebar and Westport local area plans as an appendix to the SFRA for the county.

4. Land use zoning maps

The Office notes and welcomes the inclusion of the land use zoning maps, prepared as part of the local area plans for Ballina, Castlebar and Westport. Land use zoning plans for the Self-Sustaining Growth Towns, which are already included in the County Development Plan have also been included in the proposed Variation, however no explanation for the inclusion of these maps has been provided. The Planning Authority should confirm the rationale for the inclusion of the Self-Sustaining Growth Towns zoning maps in the proposed Variation.

The Office notes that the land use zoning map for Claremorris includes Strategic Residential Reserve Tier II zoned lands, and the land use zoning map for Ballinrobe includes Enterprise and Employment zoned lands which were the subject of the Ministerial Direction on the County Development Plan. No reference to a proposed change to the zoning objective is made in the text of the proposed Variation.

While the inclusion of these lands is understood to be a technical error, failure to comply with the Ministerial Direction is a direct breach in the statutory obligations of the Planning Authority as per section 31(2) of the Act.

In this regard, the Planning Authority is required to replace the proposed zoning map for Claremorris and Ballinrobe with the correct County Development Plan version as per the requirements of Ministerial Direction on the County Development Plan.

Recommendation 3 – Land Use Zoning Map for Claremorris and Ballinrobe

Having regard to the statutory requirement to comply with the Ministerial Direction on the Mayo County Development Plan 2022-2028 (County Development Plan), in particular, section 31(2) of the Planning and Development Act 2000, as amended,

the Planning Authority is recommended to replace the proposed zoning map for Claremorris and Ballinrobe with the correct land use zoning map as per the Ministerial Direction to the County Development Plan.

Summary

The Office requests that your authority addresses the recommendations outlined above. As you are aware, the report of the Chief Executive of your authority prepared for the elected members under section 13 of the Act must summarise these recommendations and the manner in which they will be addressed.

At the end of the process, your authority is required to notify this Office within five working days of the decision of the Planning Authority in relation to the proposed Variation. Where your authority decides not to comply with the recommendations of the Office or otherwise makes the plan in such a manner as to be inconsistent with the recommendations made by this Office, then the Chief Executive shall inform the Office and give reasons for this decision.

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,



Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluation

Designated Public Official under the Regulation of Lobbying Act 2015