



Oifig an  
Rialaitheora Pleanála  
Office of the  
Planning Regulator

21<sup>st</sup> June 2024

Alan Dillon TD,  
Minister of State,  
Department of Housing, Local Government and Heritage,  
Custom House,  
Dublin 1,  
D01 W6X0.

**BY HAND AND BY EMAIL**

**Re: Notice Pursuant to section 31AO(7) of the Planning and Development Act  
2000 (as amended) – Westport Local Area Plan 2024-2030**

A chara,

I am writing to you in relation to the recent adoption by the elected members of the Westport Local Area Plan 2024-2030 (the 'Local Area Plan') by the elected members of Mayo County Council (the 'Council').

In particular, I am writing to you in the context of the statutory duty of the Office of the Planning Regulator (the 'Office') pursuant to section 31AO(7) of the *Planning and Development Act 2000* (as amended) (the 'Act') to issue a Notice to you on the basis that, having considered the Local Area Plan, the Office is of the opinion that:

- a) the Local Area Plan has not been made in a manner consistent with recommendations of the Office, made in its submissions at draft plan and material alterations stages, dated the 7<sup>th</sup> November 2023 and the 16<sup>th</sup> April 2024 respectively, which required specific changes to the Local Area Plan:
  - i. to ensure consistency with the core strategy of the Mayo County Development Plan 2022-2028 (the 'County Development Plan') and Core Strategy Policy 4 to support the compact growth of towns and villages to ensure that development proceeds sustainably and at an appropriate scale, density and sequence and in line with the Core

Strategy Table; and to ensure consistency with the objectives of the County Development Plan to promote new housing within the existing built up footprint under objectives CSO 5 and CSO 6, and Regional Policy Objectives (RPO) RPO 3.1, RPO 3.2(c) and RPO 3.3 of the Northern and Western Regional Assembly (NWRA) Regional Spatial and Economic Strategy (2020-2032) (RSES) for compact growth and to target new housing within the existing built up footprint and to brownfield sites; and RPO 3.1 and RPO 7.20 to support regeneration and renewal and increase population living within settlements.

Specifically, the Local Area Plan includes material alterations to the Draft Westport Local Area Plan 2024-2030 (the 'draft Local Area Plan') which introduced provisions to facilitate single houses in a haphazard and piecemeal manner, exacerbating urban sprawl and inconsistent with the compact and sustainable development of the town. The said material alterations are: MA 2 which introduced Policy DSP 10 to facilitate single houses on serviced non New Residential and Strategic Residential Reserve lands within the Local Area Plan boundary; and MA 31 to change Footnote 2 in the Land Use Zoning Matrix Table<sup>1</sup> (Footnote 2) such that single houses on Agriculture zoned lands are Open for Consideration subject to the aforementioned Policy DSP 10 which widens the qualifying criteria on Agriculture lands beyond the housing need criteria in the rural housing policy of the County Development Plan.

- ii. to ensure consistency with the core strategy of the County Development Plan and the objectives of the County Development Plan to promote compact growth and a transition to a greener, low carbon and climate resilient county with a focus on reduced travel demand

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<sup>1</sup> The Land Use Zoning Matrix Table is referenced as both Table 11.2 and 12.2 in the draft Local Area Plan and the adopted Local Area Plan. For clarity, reference to Table 11.2 and 12.2 refer to the Land Use Zoning Matrix Table. Reference to 'Footnote 2' relates to Footnote 2 to the Land Use Zoning Matrix Table which is subject of MA 31.

through the promotion of sustainable settlement patterns under Objectives CSO 4 and CSO 7 of the County Development Plan.

Specifically, the Local Area Plan includes a material alteration to extend the plan boundary to the south west from Ardmore to Belcare Junction and zones all lands within the boundary extension Agriculture (MA 41).

- iii. to ensure consistency with the core strategy of the County Development Plan; the objectives of the County Development Plan to promote compact development within and close to the built up footprint, a sequential approach to development, and to avoid the inappropriate extension of services and utilities under Objectives CSO 4, GSO 1, SSO 2, SSO 3 and SSO 6 of the County Development Plan; and Regional Policy Objective (RPO) RPO 3.2 (c) for compact growth.

Specifically, the Local Area Plan zones land for residential development in peripheral locations and/or outside the CSO 2016 Settlement Boundary, and/or without adequate infrastructure, and does not apply the sequential approach to development to support the compact growth of the town and its environs.

- iv. to ensure consistency with the core strategy of the County Development Plan; the objectives of the County Development Plan to ensure that growth takes place in an orderly and sustainable fashion, and to require sustainable, compact, sequential growth and urban regeneration in Westport under Objectives SSO 2 and SSO 3 of the County Development Plan; and Regional Policy Objectives RPO 3.1 and RPO 3.2(c) for compact growth.

Specifically, the Local Area Plan zones land for residential development at Monamore, on the east west side of Lodge Road, in a peripheral location and non-sequential location outside the CSO 2016 Settlement Boundary and does not apply the sequential approach to development to support the compact growth of the town and its environs.

- b) the decision of the Council results in the making of a local area plan in a manner that is inconsistent with the recommendations of Office, and with the

objectives of the County Development Plan, its core strategy and the RSES contrary to the requirements of section 19(2) of the Act; and

- c) that as a consequence of (a) and (b) the use by you of your function to issue a direction under section 31 of the Act would be merited.

The reasons for the opinion of the Office are set out in further detail in section 2 of this letter. This letter is a Notice to you pursuant to section 31AO(7) of the Act.

## **1. Background**

### **1.1 Draft Westport Local Area Plan 2024-2030**

The draft Local Area Plan was on public display from the 26<sup>th</sup> September 2023 to the 7<sup>th</sup> November 2023.

The Office made a submission on the draft Local Area Plan dated 7<sup>th</sup> November 2023 which contained four recommendations and two observations. Specifically, issues related to:

- Recommendation 1 - Residential Zoning Objective and Density
- Recommendation 2 - Transport and Mobility
- Recommendation 3 - Enterprise and Employment Zoning
- Recommendation 4 – Flood Risk Management

Subsequently, the Director of Services sent a notice letter under section 20(3) of the Act dated 19<sup>th</sup> March 2024 advising the Office of the proposed material alterations to the draft Local Area Plan (the ‘Material Alterations’).

### **1.2 Material Alterations to the Draft Westport Local Area Plan 2024-2030**

The elected members, having considered the draft Local Area Plan and the Chief Executive’s (CE’s) Report on the public consultation regarding the draft Local Area Plan received 19<sup>th</sup> December 2023<sup>2</sup> (CE’s Report draft stage), resolved to alter the

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<sup>2</sup> The report does not state a precise date of publication.

draft Local Area Plan. The Material Alterations were on public display from the 19<sup>th</sup> March 2024 to the 16<sup>th</sup> April 2024.

The material alterations included:

- Policy DSP 10 to facilitate single houses on non-residential zoned lands within the Local Area Plan boundary;
- an extensive extension to the plan boundary from Ardmore to Belcare Junction, and to zone all lands within the boundary extension Agriculture; and
- a series of individual material alterations relating to the zoning of land for residential development, including MA 35, MA 38 and MA 39.

The Office made a submission dated 16<sup>th</sup> April 2024 on the Material Alterations containing three recommendations.

The Office's recommendations at MA stage included:

- MA Recommendation 1 - Policy DSP 10 to facilitate single houses
- MA Recommendation 2 - Residential zonings objectives
- MA Recommendation 3 - Local area plan boundary extension

### **1.3 Adopted Westport Local Area Plan 2024-2030**

The elected members of the Council resolved to make the Local Area Plan at a special meeting on the 27<sup>th</sup> May 2024.

Subsequently, the Chief Executive sent a notice letter under section 31AO(5) of the Act dated 4<sup>th</sup> June 2024 (the '31AO(5) notice letter') to the Office advising of the making of the Local Area Plan and specifying that the Council did not accept the recommendation of the Office in respect of MA Recommendations 1, 2 and 3<sup>3</sup>. The 31AO(5) notice letter included a summary of the elected members' reasons for not complying with the recommendations.

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<sup>3</sup> The 31AO(5) notice letter references 'Recommendation OPR 1, 2 and 3'. However, it is clear from the 31AO(5) notice letter that this refers to MA Recommendation 1, 2 and 3 of the Office's submission to the Material Alterations.

The 31AO(5) notice letter does not identify that the Council did not accept any of the recommendations of the Office in respect of its submission to the draft Local Area Plan. Having reviewed the adopted Local Area Plan, the Office notes, however, that Recommendation 1 to omit the New Residential zoning objective on site 6 (Monamore, on the west side of Lodge Road) was not complied with. The elected members resolved to rezone part of the land from New Residential to Agriculture, but retained the southernmost part of the site as Strategic Residential Reserve under MA 37. No or no adequate reasons are given for the decision of the planning authority not to comply with Recommendation 1(i) in full.

The Office is otherwise satisfied that the recommendations to the draft Local Area Plan have been satisfactorily addressed.

The outstanding matters, therefore, are as follows:

- Recommendation 1(i) – New Residential zoning objective;
- MA Recommendation 1 - Policy DSP 10 and change to Footnote 2;
- MA Recommendation 2- Strategic Residential Reserve land use zoning;
- MA Recommendation 3 – Extension to plan boundary to the south west and zoning land Agriculture.

These outstanding matters are considered in more detail below.

#### **1.4 Policy to facilitate single houses**

The Material Alterations introduced the following provisions which in the Office's Opinion facilitates single houses in a haphazard and piecemeal manner, exacerbating urban sprawl, and inconsistent with the compact and sustainable development of the town:

- Policy DSP 10 to facilitate single houses on serviced non New Residential and Strategic Residential Reserve lands within the Local Area Plan boundary (MA 2); and
- A change to Footnote 2 such that single houses on Agriculture zoned lands are Open for Consideration subject to the aforementioned Policy DSP 10 which widens the qualifying criteria for those seeking permission on Agriculture lands

beyond the housing need criteria in the rural housing policy of the County Development Plan (MA 31).

**Policy DSP 10** states:

*Given the limited number of land owners of New Residential and Strategic Residential Reserve lands within the LAP and in order to facilitate single houses for people with a genuine housing need, sons and daughters of long term Westport Town residents (LAP boundaries) or any individuals in permanent employments (\*) within the LAP Area shall be facilitated in fully serviced, non New Residential and Strategic Residential Reserve 2 lands within the LAP*

*\*Letter from employer and affidavit from solicitor confirming employee is in permanent full- time role, has completed at least 1 year service and main place of work is in the LAP area.*

The Local Area Plan replaces 'fully serviced' with 'fully serviced, including by public wastewater and water networks'.

Footnote 2, which applies to the Open for Consideration status for Residential – single use under Agriculture land use zoning in the Land Use Zoning Matrix Table 11.2, was amended to add the text in green as follows:

*<sup>2</sup> Subject to the Rural Housing Policy outlined in the Mayo County Development Plan 2022-2028 (or subsequent plans) **and objective DSP 10.***

**MA Recommendation 1** required the planning authority to make the Local Area Plan without MA 2 and MA 31, stating:

**MA Recommendation 1 – Policy DSP 10 to facilitate single houses**

Having regard to the core strategy of the draft LAP and associated material alterations, and the provision of new homes at locations that can support compact and sustainable development and, in particular to:

- the requirements under sections 19(2) and 20(5) of the *Planning and Development Act 2000*, as amended, concerning consistency with the objectives of the development plan and its core strategy;
- Objective LUZO 1 of the draft LAP to ‘*ensure that development progresses in accordance with the land use zoning objectives as set out in Table 12.1 and the Land Use Matrix contained in Table 11.2*’;
- Regional Policy Objectives RPO 3.2 (c) and RPO 3.3 of the Regional Spatial and Economic Strategy which target new housing within the existing built up footprint and to brownfield sites;
- Core Strategy Policy 4 and objectives CSO 5 and CSO 6 of the Mayo County Development Plan 2022-2028 which promote new housing within the existing built up footprint;
- Regional Policy Objectives RPO 3.1, RPO 3.4 and RPO 7.20 of the Regional Spatial and Economic Strategy to deliver urban places of regional scale, support regeneration and renewal and increase population living within settlements; and
- the extent of lands already zoned Strategic Residential Reserve and Agriculture which facilitate single houses with a genuine housing need,

the planning authority is required to make the LAP without MA 2 (Policy DSP 10) and MA 31 (alteration to footnote in Table 2.2)<sup>4</sup>.

The CE’s Report on the Material Alterations received on 7<sup>th</sup> May 2024 (CE’s Report MA stage) recommended that the Local Area Plan be made without MA 2 and MA 21.

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<sup>4</sup> The reference to Table 2.2 is a typographical error. This is referring to the Land Use Zoning Matrix Table which is the subject of MA 31.



The elected members rejected the recommendation of the Office and the Chief Executive and made the Local Area Plan with both material alterations and, in the case of MA 2, with the amended text set out (in green) above.

In respect of MA 2, the CE's Report (MA stage) states:

*it is considered that relaxation of the rural housing social or economic links to a 'Rural Areas under Urban Influence' will exacerbate urban sprawl and is not aligned with local, regional and national policy in relation to compact growth, sequential development. The proposed rezoning of the lands which are located at a peripheral location, would not promote compact growth and sustainable travel options in Westport, by reason of its non-sequential edge of town location. Furthermore, the proposed policy would allow one off houses on fully serviced Agriculture, Open Space, Recreation & Amenity, Westport House Demesne, Maritime Related Tourism, Existing Residential, Town Centre, Town Centre Outer, Community Service Facilities, Education, Utilities, Enterprise & Employment zoned lands, this would be contrary to the Core Strategy as set out in the Mayo County Development Plan 2022-2028.*

The elected members' reasons for not accepting MA Recommendation 1 are outlined in the 31AO(5) notice letter as follows:

- the OPR fails to take account of recently released data from Census 2022 which shows a significant increase of the town's population, or the recent influx of population to the town because of the war in Ukraine;
- the four policies proposed in the draft Local Area Plan as regards building one-off houses in areas within the proposed town boundary that are zoned Agriculture and Strategic Residential Reserve discriminate against people that currently live and/or work within the town; and
- the inclusion of these policies would alleviate pressure for one-off houses on the un-serviced rural areas immediately beyond the proposed town boundary.

In respect of MA 2 and MA 31, the submission from NWRA states:

*these proposed material alterations do not promote the concept of plan-led development, compact urban growth or the efficient use of land and may*

*impede achieving RPO 3.1 (delivery of urban places of regional scale), RPO 3.2 (c)(achieve 30% of new housing within existing built-up footprint), RPO 3.3 (achieve 20% of new housing on brownfield lands), RPO 3.4 (support regeneration and renewal) and RPO 7.20 (increase population living within settlements) of the RSES.*

The National Transport Authority (NTA) submission recommends that the policy objective proposed under MA 2 is not brought forward in its current form given its potential to accommodate a haphazard form of residential development in Westport.

The draft Local Area Plan contained policies and objectives to facilitate single houses on lands zoned for Strategic Residential Reserve and, subject to the rural housing policy in the County Development Plan, for Agriculture. Collectively these zonings cover a substantial area of land inside the draft Local Area Plan boundary and the Office's submission to the draft Local Area Plan considered the policies and objectives to facilitate single houses to be reasonable and consistent with the County Development Plan.

Notwithstanding, the elected members introduced new policy DSP 10 and Footnote 2 to reference Policy DSP 10 in respect of the zoning objective for Agriculture. These material alterations facilitate single houses within all serviced non-residential zoning objectives, and widen the qualifying criteria for such development to include *'sons and daughters of long term Westport Town residents (LAP boundaries) or any individuals in permanent employments'*.

The land use zoning objectives are set out in Tables 12.1 and the land use zoning matrix is set out in the Land Use Zoning Matrix Table of the Local Area Plan. The land use Residential-Single is *'not normally permitted'* across most of the land use zoning objectives including Educational, Enterprise and Employment, Community Services, Tourism and Related, Marine Related Tourism, Recreation and Amenity, Open Space, Infrastructure and Utilities and Westport House and Demesne. This approach is considered appropriate to reserve lands for economic development and employment and social/community infrastructure in a plan-led and orderly manner and to avoid conflicting land uses.

Objective LUZO 1 of the draft Local Area Plan states that it is an objective of the council to *‘ensure that development progresses in accordance with the land use zoning objectives as set out in Table 12.1 and the Land Use Matrix contained in Table 11.2.’*

The introduction of Policy DSP 10 therefore represents a potential conflict with the Land Use Zoning Matrix and Objective LUZO 1, and would undermine the ability of the planning authority to ensure that sufficient land is available to provide for these non-residential uses in an orderly and sustainable fashion, and that residential development takes place in a sustainable, compact and sequential manner.

While the Office acknowledges that Policy DSP 10 limits these provisions to lands fully serviced, including by public wastewater and water networks, the availability of infrastructure is not the sole consideration in respect of the provision of housing at locations that can support compact and sustainable development.

The Office agrees with the Chief Executive’s recommendation, and the submissions of the NWRA and NTA, and considers that Policy DSP 10 would promote haphazard residential development and urban sprawl on land use zonings which reserve lands for economic development and employment and social/community infrastructure, and in the rural hinterland, inconsistent with objectives CSO 4, GSO 1, SSO 2, SSO3, and SSO6 of the County Development Plan which require sustainable, compact, sequential growth in Westport, focusing on town centre infill and brownfield sites settlements in preference to edge of centre locations, and developing outwards from the centre in a sequential manner, and/or CSO 5 and CSO 6 and Regional Policy Objectives RPO 3.2 (c) and RPO 3.3 to deliver new homes in urban areas within the existing built-up footprint and to brownfield sites.

Furthermore, by diverting residential development to peripheral locations, the proposed material alterations also undermine the regeneration and growth of the town inconsistent with RPO 3.1 (delivery of urban places of regional scale) and RPO 7.20 (increase population living within settlements) of the RSES.

In relation to the elected members’ reason regarding housing need on the basis of the 2022 Census and the war in Ukraine, and the housing need of people who live in the town, the Local Area Plan zones 23.91 ha of New Residential Lands which is

significantly in excess of that required to accommodate the housing target of 285 under the core strategy of the County Development Plan. The County Development Plan also makes provision for the use of Strategic Residential Reserve lands if required.

In relation to the elected members' assertion that this discriminates against people who live in the town, this would appear to relate to single 'one-off' houses on Agricultural zoned lands. The County Development Plan includes a clear policy framework for housing in rural areas under urban influence having regard to national and regional policy and the Sustainable Rural Housing Guidelines for Planning Authorities (2005). This includes Objective RHO 1 which sets out qualifying criteria for housing in rural areas under urban influence based on the economic or social need to live in a rural area and other planning criteria. The introduction of relaxed qualifying criteria for Agricultural zoned lands within the Local Area Plan boundary, in the area that can be reasonably assumed to be subject to the highest level of urban influence, would not be consistent with the County Development Plan policy framework.

In relation to alleviating pressure for one-off houses on the un-serviced rural areas immediately beyond the town boundary, as set out above this pressure is managed by the County Development Plan rural housing policy. By widening the qualifying criteria, MA 2 and MA 31 will only create more pressure for one-off houses in rural areas within the Local Area Plan boundary, exacerbating urban sprawl in the rural hinterland of the town.

No or no adequate reasons have been provided to explain why the planning authority has decided to retain MA 2 and MA 31, when they are inconsistent with the core strategy and/or Objectives CSO 4, CSO 5, CSO 6, SSO 2, SSO 3, SSO 6, and GSO 1 of the County Development Plan, and/ or Regional Policy Objectives RPO 3.1, RPO 3.2(c), RPO 3.3 and RPO 7.20 of the RSES.

### **1.5 Extension to plan boundary**

In addition to MA 31 to widen the qualifying criteria for single houses on lands zoned Agriculture under Policy DSP 10, the material alterations also included MA 41 to expand the Local Area Plan boundary to the south west from Ardmore to Belcare

Junction, and to zone all lands within the boundary extension Agriculture. This further extended the area within the Local Area Plan boundary that would facilitate single houses on land zoned Agriculture under Policy DSP 10, rather than solely the County Development Plan rural housing policy.

**MA Recommendation 3** states:

### **MA Recommendation 3 – Local area plan boundary extension**

Having regard to the provision of new development at locations that can support compact and sustainable development and, in particular to:

- Objectives CSO 4 and CSO 7 of the Mayo County Development Plan 2022-2028 (the Development Plan) which promote compact growth and a transition to a greener, low carbon and climate resilient through the promotion of sustainable settlement patterns;
- the potential significant effects on the Clew Bay Complex Special Area of Conservation identified in the Strategic Environmental Assessment report and Natura Impact Report Addendum;
- Objectives NTO 4 and NEP 1 of the Development Plan which seek to protect the integrity of European Sites;
- Objective NEP 1 of the draft LAP which seeks to protect, conserve and enhance the natural heritage of Westport, including the protection of the integrity of European Sites; and
- Objective INO 27 of the Development Plan which seeks to identify and preserve vulnerable floodplains, wetlands and coastal areas,

the planning authority is required to make the LAP without MA 41.

MA 41 involves the zoning of a significant amount of land to the southwest of the town, including the headlands of Rosmalley and Rossbeg, over 2km in length as the crow flies from draft Local Area Plan boundary.

The combined effect of material alterations MA 2, MA 31 and MA 41 is that whereas under the draft Local Area Plan this area was outside the Local Area Plan boundary whereby single houses would be considered under the County Development Plan rural housing policy, this type of development under the adopted Local Area Plan can now also be assessed under the relaxed qualifying criteria in Policy DSP 10.

Having regard to the modification to Policy DSP 10 at adoption, that the provisions apply to lands that are ‘*fully serviced, including by public wastewater and water networks*’, the Office is satisfied that the issues regarding potential significant effects on the Clew Bay Complex Special Area of Conservation, and Objectives NTO 4, NEP 1, and INO 27 of the County Development Plan, do not warrant inclusion as reasons for a recommendation to the Minister.

The CE’s Report (MA stage) recommends making the Local Area Plan without MA 41 and reverting to the draft Local Area Plan, stating:

*it is considered that extending the LAP boundary and rezoning of lands to Agriculture at this peripheral location would not promote compact growth or sustainable travel options, by reason of its non-sequential out of town location. Furthermore, the rezoning of these lands for uses including residential development would be contrary to the Core Strategy as set out in the Mayo County Development Plan 2022-2028.*

The NWRA’s submission recommends against making the plan with MA 41, stating that extending the boundary may impede achieving RPO 3.1, RPO 3.2 (c), RPO 3.3, RPO 3.4 and RPO 7.20 of the RSES.

The NTA’s submission also recommends against MA 41 stating:

*The zoning of this significant land area would facilitate a sprawl pattern of development and could significantly hinder objectives that seek the consolidation of growth in Westport town in line with a sequential approach to development. The subject land has not been considered as part of the Local*

*Transport Plan and as such to facilitate development in this area would also be misaligned with the principle of integrated land use and transport planning and could jeopardise the achievement of current modal share targets for Westport.*

The elected members rejected the Chief Executive's recommendation and made the Local Area Plan with MA 41 for the following reasons as set out in the 31AO(5) notice letter:

- the Office must not have visited the area on the southwestern boundary of the town as part of its assessment as the existing pattern of development within this area largely comprises of single houses and small housing clusters and is a suitable location to accommodate town dwellers and people that work in the town who are currently discriminated against under existing rural housing policies in the County Development Plan draft Local Area Plan; and
- accommodating single dwellings on fully serviced sites within this area would further alleviate the pressure for single houses on un-serviced sites in the rural area further beyond the proposed town boundary.

This area can be characterised as the rural hinterland of the town with individual and clusters of one-off housing. The lands are a considerable distance from the town, with poor accessibility other than by car and have not been considered as part of the Local Transport Plan.

The Office agrees with the assessment of the Chief Executive and NWRA that extending the boundary and rezoning the lands Agriculture, and in particular in the context of the MA 2 and MA 21, would not promote compact growth or sustainable travel options and is inconsistent with Objective CSO 7 of the County Development Plan to accelerate a transition to a greener, low carbon and climate resilient county with a focus on reduced travel demand through the promotion of sustainable settlement patterns.

By facilitating residential development in areas beyond the urban settlement and/or as an alternative to more compact or sequentially preferable locations, the Local Area Plan is also inconsistent with Objective CSO 4 to move towards more compact towns.

Furthermore, these material alterations are inconsistent with the core strategy of the County Development Plan which specifies the population and housing targets in the County Development Plan Core Strategy Table for the Open Countryside vis a vis the targets for Westport.

For the reasons outlined above, the Office does not accept the elected members' reason that the area would be a suitable location to accommodate town dwellers and people that work in the town.

In relation to the reasons of discrimination and alleviating the pressure for single houses on un-serviced sites in the rural area, the Office relies on the response given under MA 2 and/or MA 31 above.

No or no adequate reasons have been provided to explain why the planning authority has decided to retain MA 41 when it is inconsistent with the core strategy and Objective CSO 4 and CSO 7 of the County Development Plan.

## 1.6 Zoning for residential development

**Recommendation 1** required the planning authority to omit the New Residential zoning objective for Site 6 at Monamore, on the west side of Lodge Road which is located in a peripheral location outside the CSO 2016 Settlement Boundary, and considered contrary to the principles of compact and sustainable growth, stating:

### Recommendation 1 – Residential Zoning Objective and Density

Having regard to the provision of new homes at appropriate densities at locations that can support compact and sustainable development and the co-ordination of land use zoning, infrastructure and services, and in particular to:

- the sufficient supply of land zoned for residential use commensurate with the core strategy of the Mayo County Development Plan 2022-2028;
- the policies and objectives of the Mayo County Development Plan 2022-2028, including SSO 2 to ensure the growth of Westport takes place in an orderly and sustainable fashion and SSO 3 to require sustainable, compact and sequential growth in Westport;



- Policy DSP 2 of the draft LAP to support the compact growth of Westport to ensure that new development proceeds in a sustainable manner and at an appropriate scale, density and in line with the core strategy;
- NPO 3c, RPO 3.1 and RPO 3.2 for compact growth;
- the policy and objective, a sequential approach to development in section 6.2.3 of the *Development Plans, Guidelines for Planning Authorities (2022)*;
- *Local Area Plans Guidelines for Planning Authorities (2013)*, chapter 6; and
- NPO 35 residential density and the *Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas: Cities, Towns & Villages (2009)* concerning the application of recommended residential density standards,

the planning authority is required to:

- (i) omit the New Residential zoning objective for site 6;
- (ii) delete reference to 15 uph in Table 2.2 and ensure that the densities promoted in the draft LAP are consistent with those set out in the guidelines; and
- (iii) review the Settlement Capacity Table and Map in Appendix 1 of the draft LAP, the zoning map and written statement to ensure consistency and accuracy regarding the quantum of land zoned New Residential.

The CE's Report (draft stage) recommends that, apart from the southernmost part of Site 6 (the 'Old Reservoir site'), Site 6 should be rezoned from New Residential to Agriculture, apart from a 0.89 ha site. It states that the Council lodged an application for an Affordable and Social Housing Scheme on this site to the Housing Capital Funding and Schemes Unit of the Department of Housing, Local Government and Heritage on 3<sup>rd</sup> October 2023.

The Material Alterations rezoned the land to Agriculture, with the exception of the Old Reservoir site, which was proposed to be zoned as Strategic Residential Reserve under MA 37.

The Office has, therefore, formed the view that the Local Area Plan has been made in a manner inconsistent with Recommendation 1 of the Office’s submission to the draft Local Area Plan.

**MA Recommendation 2** required the planning authority to make the Local Area Plan without a number of peripheral and non-sequential residential zonings considered contrary to the principles of compact and sustainable growth, stating:

### MA Recommendation 2 – Residential zonings objectives

Having regard to the core strategy of the draft LAP and associated material alterations, to the provision of new homes at locations that can support compact and sustainable development, and the co-ordination of housing development and infrastructure delivery, and in particular to:

- the requirements under sections 19(2) and 20(5) of the *Planning and Development Act 2000*, as amended, concerning consistency with the objectives of the development plan and its core strategy;
- the extent of lands already zoned New Residential and Strategic Residential Reserve in the draft LAP;
- Regional Policy Objectives RPO 3.2 (c) and RPO 3.3 which target new housing within the built up footprint and to brownfield sites;
- Objectives CSO 4, GSO 1, SSO 2, SSO 3 and SSO 6 of the Mayo County Development Plan 2022-2028 which promote compact development within and close to the built up footprint, a sequential approach to development, and to avoid the inappropriate extension of services and utilities;
- the policy and objectives of the *Development Plans, Guidelines for Planning Authorities (2022)* for settlement capacity audits and associated infrastructural capacity assessment, and the sequential approach to zoning; and
- *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)*,

the planning authority is required to make the plan without the following material alterations:

- (i) MA 35;
- (ii) MA 38; and
- (iii) MA 39.

With regard to MA 35 (the West Vets site), the Office notes the planning history of the site and the reasons given by the elected members for making the Local Area Plan with this material alteration, and considers that a recommendation to the Minister is not warranted.

MA 38 (Monamore, east side of Lodge Road) and MA 39 (Ardmore/Carrownalurg), however, propose the zoning of land as Strategic Residential Reserve at peripheral locations to the northeast and south west of the town. These lands were zoned Agriculture under the draft Local Area Plan.

In relation to land use zoning objective Strategic Residential Reserve (LUZ 6), the Local Area Plan states:

*Where it is apparent that 'New Residential' lands cannot or will not be developed within the plan period, residential development maybe considered within Strategic Residential Reserve.*

The CE's Report (MA Stage) agrees with the OPR's recommendation and recommends that the Local Area Plan be made without MA 38 and MA 39 as follows:

*it is considered that residential development at this peripheral location would not promote compact growth or sustainable travel options, by reason of its nonsequential out of town location. Furthermore, the rezoning of these lands for residential development would be contrary to the Core Strategy as set out in the Mayo County Development Plan 2022-2028.*

The NWRA likewise recommended that proposed material alterations MA 38 and 39 are not made as they may impede achieving objectives RPO 3.1, RPO 3.2 (c), RPO 3.3, RPO 3.4 and RPO 7.20 of the RSES and hence are not consistent with the RSES.

The NTA's submission to the Material Alterations (12<sup>th</sup> April 2024) considers that the location of MA 38 and MA 39 is not aligned with a compact and sequential approach to development, and recommends that the Local Area Plan be made without these material alterations.

The Uisce Éireann submission (16<sup>th</sup> April 2024) also notes that these sites are on the periphery of the town and would not facilitate compact growth. It states:

*The need for this level of zoned lands is unclear; a more focussed approach would assist in forward planning for future infrastructure needs. If all New and Strategic reserve Residential zoned lands in an area are developed, this will increase the likelihood that strategic upgrades will be required.*

Specifically, in relation to MA 38, the Uisce Éireann submission states that although the site is served by foul sewer and water supply, strategic upgrades to pipes and pumping stations may be required if the whole site were to be developed.

The elected members did not accept the Chief Executive's recommendation and made the Local Area Plan with MA 38 and MA 39.

In respect of MA 38, the report accompanying the 31AO(5) notice letter outlines that the elected members considered that this site could be considered for development under the criteria outlined in the Local Area Plan for lands zoned Strategic Residential Reserve once the short term active travel measures proposed for the Lodge Road under the Local Transport Plan are realized as this would encourage non-car based travel from any future residential development at this location.

The two parcels of land on Lodge Road, the Old Reservoir site on the west side (0.89 ha), and MA 38 (5 ha) on the east side to the rear of a row of single houses, are located on the north eastern periphery of the town, outside the CSO 2016 Settlement Boundary and on the far side of the N5. There is currently no continuous footpath to the town centre from the lands, and strategic upgrades to pipes and pumping stations may be required. Notwithstanding the proposed footway upgrade measures along Lodge Road in the Local Transport Plan, the lands are approximately 1.5km from the edge of the town centre and are inconsistent with regional and County Development Plan policies for compact growth and/or sequential development, and with the core strategy of the County Development Plan.

In respect of MA 39, the elected members considered that the site is serviced by a 225mm foul sewer and a 150mm water supply and the Westport to Murrisk greenway runs along the southern site boundary with the R335. In response to flood risk management, the elected members proposed to rezone to Agriculture the area along the north eastern boundary of the site that was identified in the SFRA as being susceptible to flooding. The Office confirms that the adopted Local Area Plan excludes the CFRAM flood risk area (but not the high climate scenario).

MA 39 zones a significant area of land for Strategic Residential Reserve at Ardmore/Carrownalurgan (c.15ha<sup>5</sup>). The lands are located on the R335 on the south western approach to the town. Notwithstanding the location of the Westport to Murrisk greenway along the southern site boundary with the R335, the lands leapfrog undeveloped and unzoned (apart from Agriculture) lands, and are approximately 1.5km from the edge of the town centre, inconsistent with regional and County Development Plan policies for compact growth and/or sequential development, and with the core strategy of the County Development Plan.

The Office considers that material alterations MA 38 and MA 39 are, therefore, inconsistent with the core strategy of the County Development Plan and with objectives CSO 4, SSO 2, SSO3, SSO6 and GSO 1 of the County Development Plan to require sustainable, compact, sequential growth in Westport, focusing on town centre infill and brownfield sites settlements in preference to edge of centre locations, and developing outwards from the centre in a sequential manner.

The lands the subject of MA 38 also lie outside the CSO 2016 Settlement Boundary and, therefore, the zoning of these lands would be inconsistent with RPO 3.1 and RPO 3.2(c) for compact growth.

In relation to Site 6, the Old Reservoir site, the Office notes the Chief Executive's recommendation and comments regarding the development of the lands for social housing. While the Office fully acknowledges the need to provide social housing in the town, the intermittent nature of the footpath along Lodge Road, particularly to the south of the N5, means that future residents would be unable to reach the town on

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<sup>5</sup> The Office acknowledges that the site area has been reduced by the omission of the flood zone lands along the north eastern boundary.

foot and would effectively be car dependent to access basic services and amenities in the town.

Similar to MA 38 on the opposite site of Lodge Road, the Office is of the view that the Strategic Residential Reserve zoning objective on part of Site 6, the Old Reservoir site is inconsistent with the core strategy of the County Development Plan and with Objectives SSO 2 and SSO 3 of the County Development Plan to ensure that growth takes place in an orderly and sustainable fashion, and to require sustainable, compact, sequential growth and urban regeneration in Westport under Objectives SSO 2 and SS3 of the County Development Plan, and Regional Policy Objectives RPO 3.1 and RPO 3.2(c) for compact growth. Having regard to the consistency with the core strategy of the County Development Plan, material alterations MA 38, MA 39 and the Old Reservoir site include c.20ha of additional lands zoned Strategic Residential Reserve. The Core Strategy (Table 2.1) identifies a requirement for 23.19 ha of New Residential zoned land to accommodate the housing target of 285 over the plan period, which is adequately provided for in the adopted Local Area Plan.

In addition to land zoned New Residential, the Local Area Plan also zones significant land for Strategic Residential Reserve on the R309 (Castlebar Road), Quarry Lane and Woodpark Avenue which is better located and contiguous to established residential development than MA 38, MA 39, and the Old Reservoir Site. Therefore, there is no requirement to zone further greenfield lands as Strategic Residential Reserve to accommodate the level of growth identified in the core strategy of the County Development Plan.

No or no adequate reasons have been provided to explain why the planning authority has decided to retain MA 38, MA 39, and the Old Reservoir site (part of Site 6) when they are inconsistent with the core strategy and/or Objectives CSO 4, SSO 2, SSO3, SSO 6, and GSO 1 of the County Development Plan, and/ or Regional Policy Objectives 3.1 and RPO 3.2(c) of the RSES.

## **2. Opinion of the Office and Reasons**

Having considered the Local Area Plan as adopted, under section 31AO(6) of the Act, the Office is of the opinion that the said Local Area Plan has not been made in a manner consistent with the recommendations of the Office.

Further, the Office does not accept that the reasons given for not implementing the Office's recommendations in the 31AO(5) notice letter adequately justifies the failure to implement those recommendations or explain how, notwithstanding that failure, the Local Area Plan as made is consistent with the objectives of the County Development Plan.

As you will be aware, the Office has various functions in respect of evaluating and assessing local area plans, summarised as follows:

- under section 31AO(1) of the Act, the Office has a statutory duty to evaluate and assess at least at a strategic level planning authority proposals to make, amend or revoke local area plans;
- under section 31AO(2) the Office shall endeavour to ensure that where appropriate it addresses the legislative and policy matters set out at (a) to (e) therein;
- under section 31AO(3)(a), in making observations or submissions in respect of any local area plan evaluation or assessment, the Office shall make, to the relevant planning authority, such recommendations in relation to the Office's evaluation and assessments as it considers necessary to ensure effective co-ordination of national, regional and local planning requirements by the relevant planning authority in the discharge of its development planning functions;
- under section 31AO(6), the Office shall consider whether or not the local area plan as made, amended or revoked by the planning authority is, in the opinion of the Office, consistent with any recommendations made by the Office;
- in performing its functions, the Office must, under section 31P(3) of the Act, take account of the objective for contributing to proper planning and sustainable development and the optimal functioning of planning under the Act; and
- under section 31S, the Office must, in performing its functions, have regard to:
  - a) the policies and objectives for the time being of the Government, a State authority (including Ministerial guidelines, policy directives and directions issued under *Chapter IV of Part II*), planning authorities and any other

body which is a public authority whose functions have, or may have, a bearing on the proper planning and sustainable development of cities, towns, villages or other areas, whether urban or rural;

- b) the public interest and any effect the performance of the Office's functions may have on issues of strategic, economic or social importance to the State;
- c) the National Planning Framework (or, where appropriate, the National Spatial Strategy) and any RSES for the time being in force; and
- d) the requirements of relevant acts of the European Union, in particular, those relating to —
  - (i) the Environmental Impact Assessment Directive,
  - (ii) Directive 2001/42/EC of the European Parliament and Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment,
  - (iii) the Habitats Directive, and
  - (iv) the Birds Directives,

in so far as those requirements relate to planning authorities by virtue of being designated competent authorities for the purposes of those acts.

Accordingly, having considered the Local Area Plan in light of the above statutory functions and the 31AO(5) notice letter, the Office is of the opinion that the Local Area Plan has not been made in a manner consistent with the recommendations of the Office. In particular:

- the Local Area Plan includes material alterations to the draft Local Area Plan which introduce provisions to facilitate single houses in a haphazard and piecemeal manner, exacerbating urban sprawl and inconsistent with the compact and sustainable development of the town. The said material alterations are Policy DSP 10 to facilitate single houses on serviced non New Residential and Strategic Residential Reserve lands within the LAP Boundary, and a change to Footnote 2 such that single houses on Agriculture zoned lands are Open for Consideration subject to the aforementioned Policy DSP



10 which widens the qualifying criteria on Agriculture lands beyond the housing need criteria in the rural housing policy of the County Development Plan.

These material alterations are be inconsistent with the core strategy of the County Development Plan and Core Strategy Policy 4 to support the compact growth of towns and villages to ensure that development proceeds sustainably and at an appropriate scale, density and sequence and in line with the Core Strategy Table; and the objectives of the County Development Plan to promote new housing within the existing built up footprint under objectives CSO 5 and CSO 6, and Regional Policy Objectives RPO 3.2(c) and RPO 3.3 of the RSES which target new housing within the existing built up footprint and to brownfield sites; and RPO 3.1, and RPO 7.20 to deliver urban places of regional scale and to support regeneration and renewal and increase population living within settlements.

- the Local Area Plan includes a material alteration to extend the plan boundary to the south west from Ardmore to Belcare Junction and zone all lands within the boundary extension Agriculture. This material alteration, in combination with Policy DSP 10 and Footnote 2, is inconsistent with the core strategy of the County Development Plan and the objectives of the County Development Plan to promote compact growth and a transition to a greener, low carbon and climate resilient county with a focus on reduced travel demand through the promotion of sustainable settlement patterns under Objectives CSO 4 and CSO 7 of the County Development Plan.
- the Local Area Plan includes Material Alterations, which zone additional residential land in excess of what is required for the town having regard to the growth targets for Westport under the core strategy of the County Development Plan. These material alterations are located in peripheral and non-sequential locations, and/ or outside the CSO 2016 Settlement Boundary, and/or without adequate infrastructure, and does not apply the sequential approach to development to support the compact and sequential growth of the town and its environs.

These material alterations would therefore encourage a pattern of development in particular locations which is inconsistent with the objectives of the County Development Plan to promote compact development within and close to the built up footprint, a sequential approach to development, and to avoid the inappropriate extension of services and utilities under Objectives CSO 4, GSO 1, SSO 2, SSO 3 and SSO 6 of the County Development Plan; and Regional Policy Objective (RPO) RPO 3.2 (c) for compact growth.

- the Local Area Plan includes a zoning objective/ material alteration to the draft Local Area Plan, which zones additional residential land in excess of what is required for the town having regard to the growth targets for Westport under the core strategy of the County Development Plan. This zoning objective/ material alteration is located in a peripheral and non-sequential location outside the CSO 2016 Settlement Boundary without adequate infrastructure and does not apply the sequential approach to development to support the compact and sequential growth of the town and its environs.
- This zoning objective/ material alterations would therefore encourage a pattern of development in particular locations which is inconsistent with the objectives of the County Development Plan to ensure that growth takes place in an orderly and sustainable fashion, and to require sustainable, compact, sequential growth and urban regeneration in Westport under Objectives SSO 2 and SSO 3 of the County Development Plan; and Regional Policy Objectives RPO 3.1 and RPO 3.2(c) for compact growth.

No or no adequate reasons relating to the proper planning and sustainable development of the area have been provided to explain why the planning authority has decide to retain the material alterations and zoning objective which are inconsistent with the core strategy and objectives of the County Development Plan and Objectives of the RSES.

In making the Local Area Plan with the material alterations and not implementing Recommendation 1 of the Office's submission to the draft Local Area Plan, the planning authority has made the Local Area Plan contrary to the requirements of section 19(2) of the Act which requires local area plans be consistent with the

objectives of the County Development Plan, its core strategy and any RSES that applies to the area of the plan.

The factors that the Office has taken into account in forming this opinion are as follows:

(i) **GSO 1**

*To ensure appropriate development occurs in a sequential manner outward from the core area, to maximise the utility of existing and future infrastructure provision, to promote sustainability and active travel, to make more efficient use of underutilised lands, and to avoid the inappropriate extension of services and utilities.*

**CSO 4**

*To move towards more compact towns by promoting the development of infill and brownfield/consolidation/regeneration sites and the redevelopment of underutilised land within and close to the existing built-up footprint of existing settlements in preference to edge of centre locations.*

**CSO 5**

*To deliver at least 30% of all new homes in urban areas within the existing built-up footprint of settlements.*

**CSO 6**

*To deliver at least 20% of all new homes in rural towns and villages within the existing built-up footprint of settlements.*

**CSP 4**

*To support the compact growth of towns and villages to ensure that development proceeds sustainably and at an appropriate scale, density and sequence and in line with the Core Strategy Table.*

**CSO 4**

*To move towards more compact towns by promoting the development of infill and brownfield/consolidation/regeneration sites and the redevelopment of underutilised land within and close to the existing built-up footprint of existing settlements in preference to edge of centre locations.*

## **CSO 7**

*To implement all land use planning policies and objectives in a manner which takes account of and is consistent with the Core Strategy, in order to accelerate a transition to a greener, low carbon and climate resilient county with a focus on reduced travel demand through the promotion of sustainable settlement patterns*

## **SSO2**

*To facilitate the development of Ballina, Castlebar and Westport to underpin their role as designated Tier I Key Towns and a Strategic Growth Town, respectively, in the Settlement Hierarchy and to ensure that the growth of these towns takes place in an orderly and sustainable fashion that will not detract from the vitality and viability of their town centres*

## **SSO3**

*To require sustainable, compact, sequential growth and urban regeneration in Ballina, Castlebar and Westport by consolidating the built-up footprints of these towns through a focus on regeneration and development of town centre infill and brownfield sites, and encouraging regeneration of underutilised, vacant and derelict lands for residential development and mixed use to facilitate population growth.*

## **SSO 6**

*To strengthen the core of settlements and encourage the compact growth of settlements by way of the development of infill sites, brownfield lands, underutilised land / buildings, vacant sites, and derelict sites within the existing built-up footprint of the settlements and develop outwards from the centre in a sequential manner.*

(ii) Regional Policy Objectives RPO 3.1, 3.2, 3.3 and RPO 7.20 which state:

**RPO 3.1**

*Develop urban places of regional-scale through:*

- *Delivering on the population targets for the Metropolitan and Regional Growth Centres through compact growth;*
- *Delivering significant compact growth in Key Towns; and*
- *Developing derelict and underutilised sites, with an initial focus within town cores.*

**RPO 3.2**

*(a) Deliver at least 50% of all new city homes targeted in the Galway MASP, within the existing built-up footprint of Galway City and suburbs.*

*(b) Deliver at least 40% of all new housing targeted in the Regional Growth Centres, within the existing built-up footprint.*

*(c) Deliver at least 30% of all new homes that are targeted in settlements with a population of at least 1,500 (other than the Galway MASP and the Regional Growth Centres), within the existing built-up footprints.*

**RPO 3.3**

*Deliver at least 20% of all new housing in rural areas on brownfield sites.*

**RPO 7.20**

*Increase population living within settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, in-fill development schemes, area or site-based regeneration, service site provision and increased building heights appropriate to the settlement, together with infrastructure provision.*

(iii) **Section 6.2.3 - Sequential Approach to Zoning for Residential Development**

*In undertaking the zoning function for new residential development at individual settlement scale, planning authorities are required to adopt a sequential approach which reflects the compact growth, utilisation of existing infrastructure*

*and town regeneration national policy objectives of the NPF, further developing the Tiered Approach.*

*It is a policy and objective of these Guidelines that planning authorities adopt a sequential approach when zoning lands for development, whereby the most spatially centrally located development sites in settlements are prioritised for new development first, with more spatially peripherally located development sites being zoned subsequently.*

- (iv) The CE's Report (draft stage), the CE's Report (MA stage) and the 31AO(5) notice letter;
- (v) Matters generally within the scope of section 19 of the Act; and
- (vi) The Office's statutory obligations under the Act.

In light of the above, the Office is, therefore, of the opinion that the Local Area Plan has not been made in a manner consistent with its recommendations as set out in the submissions dated 7<sup>th</sup> November 2023 and 16<sup>th</sup> April 2024, and that the decision of the Council results in the making of a Local Area Plan in a manner that is inconsistent with the County Development Plan of the area concerned, and as a consequence the use by the Minister of his or her functions to issue a direction under section 31 would be merited.

### **3. Recommendation to the Minister**

Having regard to section 31AO(7) of the Act, the Office recommends the exercise of your function under the relevant provisions of section 31 of the Act taking such steps as to rectify the matter in a manner that, in the opinion of the Office, will ensure that the local area plan sets out an overall strategy for proper planning and sustainable development as set out in the draft direction to the planning authority accompanying this notice letter, i.e.

- a) Delete the following material alterations from the adopted Local Area Plan:
  - (i) Material Alteration MA 2 - i.e. Policy DSP 10;
  - (ii) Material Alteration MA 31 - i.e. Footnote 2, which applies to the Open for Consideration status for Residential – single use under Agriculture

land use zoning in the Land Use Zoning Matrix Table , as modified at adoption;

- (iii) Material Alteration MA 38 – i.e. the subject lands revert to Agriculture, from Strategic Residential Reserve;
- (iv) Material Alteration MA 39 – i.e. the subject lands revert to Agriculture, from Strategic Residential Reserve.

b) Delete the Strategic Residential Reserve zoning objective in respect of part of site 6 the Old Reservoir Site, also identified as MA 37 – i.e. subject land is not zoned.

Please do not hesitate to contact the Office should you have any queries in relation to the above. Contact can be initiated through the undersigned or at [plans@opr.ie](mailto:plans@opr.ie).

Yours sincerely,



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**Niall Cussen**

Planning Regulator

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**DRAFT DIRECTION IN THE MATTER OF SECTION 31  
OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)  
Westport Local Area Plan 2024-2030**

“Local Area Plan” means the Westport Local Area Plan 2024-2030.

“Planning Authority” means Mayo County Council.

“RSES” means the Regional Spatial and Economic Strategy for the Northern and Western Region

The Minister of State at the Department of Housing, Local Government and Heritage in exercise of the powers conferred on him by section 31 of the Planning and Development Act 2000 (No.30 of 2000) (“the Act”) and the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2024 (S.I. No. 234 of 2024), and consequent to a recommendation made to him by the Office of the Planning Regulator, hereby directs as follows:

- 1) This Direction may be cited as the Planning and Development (Westport Local Area Plan 2024-2030) Direction 2024.
- 2) The Planning Authority is hereby directed to take the following steps with regard to the Local Area Plan:
  - a) Delete the following material alterations from the adopted Local Area Plan:
    - (i) Material Alteration MA 2 - i.e. Policy DSP 10;
    - (ii) Material Alteration MA 31 - i.e. Footnote 2, which applies to the Open for Consideration status for Residential – single use under Agriculture land use zoning in the Land Use Zoning Matrix Table, as modified at adoption;
    - (iii) Material Alteration MA 38 – i.e. the subject lands revert to Agriculture, from Strategic Residential Reserve;



- (iv) Material Alteration MA 39 – i.e. the subject lands revert to Agriculture, from Strategic Residential Reserve.
- b) Delete the Strategic Residential Reserve zoning objective in respect of part of Site 6 the Old Reservoir Site, also identified as MA 37 – i.e. subject land is not zoned.

## **STATEMENT OF REASONS**

- I. The Local Area Plan as adopted includes material alterations to the draft Local Area Plan which introduce provisions to facilitate single houses in a haphazard and piecemeal manner, exacerbating urban sprawl and inconsistent with the compact and sustainable development of the town. The said material alterations are Policy DSP 10 to facilitate single houses on serviced non New Residential and Strategic Residential Reserve lands within the LAP Settlement Boundary, and a change to Footnote 2 in the Land Use Zoning Matrix Table such that single houses on Agriculture zoned lands are Open for Consideration subject to the aforementioned Policy DSP 10 which widens the qualifying criteria on Agriculture lands beyond the housing need criteria in the rural housing policy of the County Development Plan.  
  
These material alterations are inconsistent with the core strategy of the County Development Plan and Core Strategy Policy 4 to support the compact growth of towns and villages to ensure that development proceeds sustainably and at an appropriate scale, density and sequence and in line with the Core Strategy Table; and the objectives of the County Development Plan to promote new housing within the existing built up footprint under objectives CSO 5 and CSO 6, and Regional Policy Objectives RPO 3.2(c) and RPO 3.3 of the RSES which target new housing within the existing built up footprint and to brownfield sites; and RPO 3.1, and RPO 7.20 to deliver urban places of regional scale and to support regeneration and renewal and increase population living within settlements.
- II. The Local Area Plan as adopted includes a material alteration to extend the plan boundary to the south west from Ardmore to Belcare Junction and zone all lands within the boundary extension Agriculture. This material alteration, in combination with Policy DSP 10 and Footnote 2 in the Land Use Zoning Matrix

Table, is inconsistent with the core strategy of the County Development Plan and the objectives of the County Development Plan to promote compact growth and a transition to a greener, low carbon and climate resilient county with a focus on reduced travel demand through the promotion of sustainable settlement patterns under Objectives CSO 4 and CSO 7 of the County Development Plan.

- III. The Local Area Plan as adopted includes Material Alterations at Monamore, on the east side of Lodge Road) and Ardmore/Carrownalurg, which zone additional residential land in excess of what is required for the town having regard to the growth targets for Westport under the core strategy of the County Development Plan. These material alterations are located in peripheral and non-sequential locations, and/ or outside the CSO 2016 Settlement Boundary, and/or without adequate infrastructure, and does not apply the sequential approach to development to support the compact and sequential growth of the town and its environs.

These material alterations would therefore encourage a pattern of development in particular locations which is inconsistent with the objectives of the County Development Plan to promote compact development within and close to the built up footprint, a sequential approach to development, and to avoid the inappropriate extension of services and utilities under Objectives CSO 4, GSO 1, SSO 2, SSO 3 and SSO 6 of the County Development Plan; and Regional Policy Objective (RPO) RPO 3.2 (c) for compact growth.

- IV. The Local Area Plan as adopted includes a zoning objective/ material alteration to the draft Local Area Plan at Monamore, on the west side of Lodge Road, which zones additional residential land in excess of what is required for the town having regard to the growth targets for Westport under the core strategy of the County Development Plan. This zoning objective/ material alteration is located in a peripheral and non-sequential location outside the CSO 2016 Settlement Boundary without adequate infrastructure and does not apply the sequential approach to development to support the compact and sequential growth of the town and its environs.

This zoning objective/ material alterations would therefore encourage a pattern of development in particular locations which is inconsistent with the objectives of the County Development Plan to ensure that growth takes place in an orderly and sustainable fashion, and to require sustainable, compact, sequential growth and urban regeneration in Westport under Objectives SSO 2 and SSO 3 of the County Development Plan; and Regional Policy Objectives RPO 3.1 and RPO 3.2(c) for compact growth.

- V. The Local Area Plan has not been made in a manner consistent with, and has failed to implement, the recommendations of the Office of the Planning Regulator under section 31 AO of the Act.
- VI. In light of the matters set out at I-IV above, the Minister is of the opinion that the Local Area Plan as made is inconsistent with the objectives of the Development Plan of the area, which is a requirement of the Act.
- VII. In light of the matters set out at I-IV above, the Minister is of the opinion that the Local Area Plan as made is inconsistent with the objectives of the RSES, which is a requirement of the Act.
- VIII. In light of the matters set out at I-VII above, the Local Area Plan is not in compliance with the requirements of the Act.

GIVEN under my hand,

Minister for Housing, Local Government and Heritage

day of Month, year.



Oifig an  
Rialaitheora Pleanála  
Office of the  
Planning Regulator

## **Appendix 1: Mapping of Sites Identified in Draft Direction**

# Aerial view for context

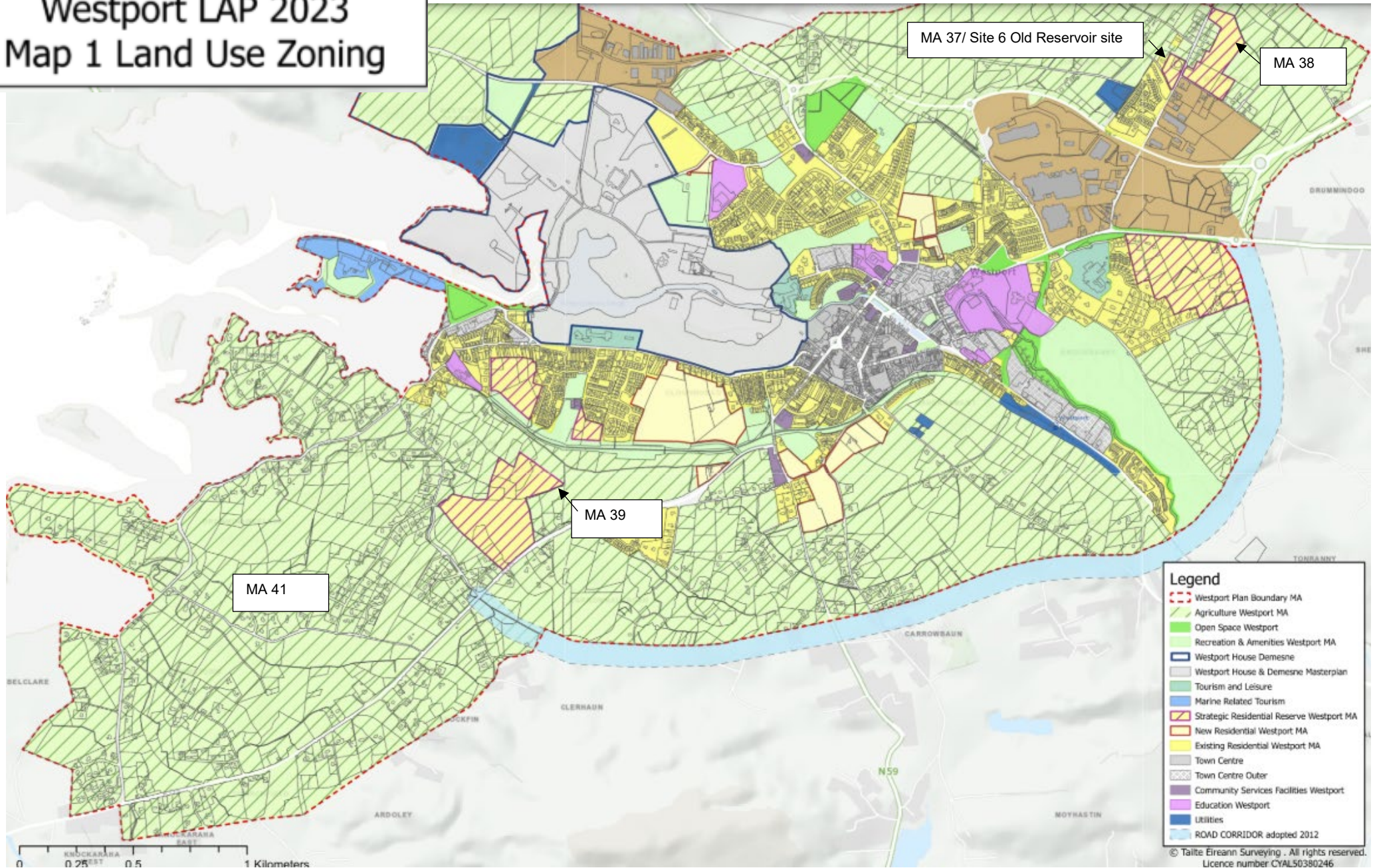
Note: This aerial view is for context only. Please refer to the mapping below for precise details.





# Westport LAP 2023

## Map 1 Land Use Zoning





**MA 37/ Site 6 'Old reservoir Site'**

**Monamore, west side of Lodge Road**



**Draft Plan Zoning = New Residential (site outlined in black)**



**Proposed Material Alteration Zoning = Strategic Residential Reserve (Site location outlined in red)**

**MA 38**

**Monamore, east side of Lodge Road**



**Draft Plan Zoning = Agriculture (site outlined in black)**



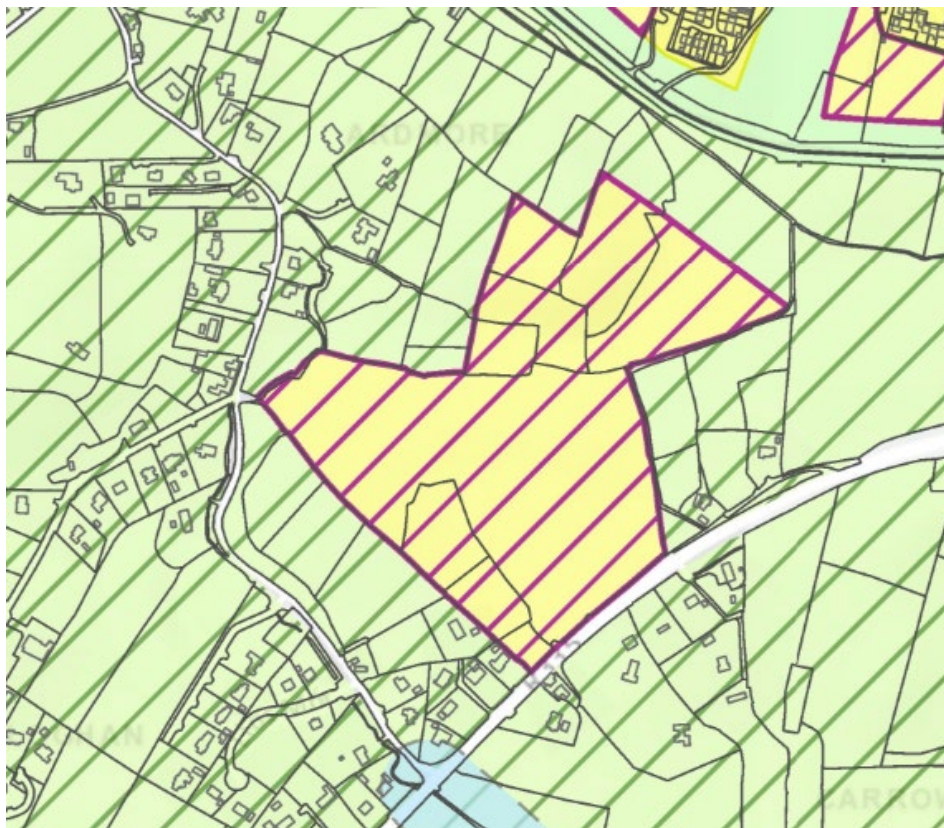
**Proposed Material Alteration Zoning = Strategic Residential Reserve (Site location outlined in red)**



**MA 39 – Ardmore/ Carrownalurg**



**Draft Plan Zoning = Agriculture (site outlined in black).**



**Adopted Local Area Plan**