



25<sup>th</sup> October 2024

Mr. Kevin Kelly  
Chief Executive  
Mayo County Council  
Áras an Chontae  
The Mall  
Castlebar  
Co. Mayo  
F23 WF90

**Section 31 of the Planning and Development Act 2000 (as amended)**  
**Decision to Issue a Direction to Mayo County Council regarding the**  
**Westport Local Area Plan 2024-2030**

Dear Kevin,

I am writing to inform you of the following in relation to the section 31 draft Direction that issued to Mayo County Council on 5<sup>th</sup> July 2024, and the subsequent consideration by the Office of the Planning Regulator ('the Office') of your report in connection with the *Westport Local Area Plan 2024-2030*, as adopted by the elected members of Mayo County Council on 27<sup>th</sup> May 2024.

The draft Direction, as issued on 5<sup>th</sup> July 2024, can be summarised as follows:

- Part 2(a) Delete three identified material alterations from the Local Area Plan such that:
  - Policy DSP 10 is removed from the plan,
  - A separate reference to Policy DSP 10 is removed from the plan,
  - An identified area of land reverts to as indicated in the draft Local Area Plan,

and apply all necessary consequential updates to the text of the plan consistent with the foregoing.



The Office notified the Minister pursuant to section 31AP(4) of the Planning and Development Act 2000 ('the Act') on 16<sup>th</sup> September 2024 and recommended that I, as Minister, issue a final Direction. A copy of the notice letter and proposed final Direction was submitted to me, as Minister, by the Office along with a copy of your Chief Executive's Report on the draft Direction, prepared under section 31(8) of the Act.

Accordingly, having reviewed and considered the Office of the Planning Regulator's notice letter, your report on the draft Direction and submissions received, I am of the opinion that the Direction should be issued to effect Recommendations 2) a) (i) and 2) a) (ii) of the Office and in that regard, I refer you to the reasons set out in the enclosed Direction.

I have decided not to issue a Direction in relation to Recommendation 2) a) (iii) of the Office (i.e. Material Alteration MA 39), which if accepted, would alter the 'Strategic Residential Reserve' zoning objective that applies to an area of land located in the townlands of Ardmore and Carrownalurgan.

My reasons for not issuing a Direction in respect of the recommendation relating to Material Alteration MA 39 are set out below:

1. The subject lands benefit from access to services including water services, sewer and sustainable travel infrastructure, are located in proximity to existing facilities including educational and community facilities. It would serve to provide for residential development over the longer term, having regard to the need for sufficient strategic residential reserve opportunities in Westport.

Accordingly, the zoning of these lands for Strategic Residential Reserve is reasonable in the circumstances.

In reaching my decision to issue the Direction I have noted your recommendations as Chief Executive under section 31(9) of the Act. I further note the Office's consideration of, and response to, those matters in its subsequent recommendation to me, as Minister, under section 31AP(4) of the Act.



Accordingly, Mayo County Council should **TAKE NOTICE** that on <sup>14</sup>25 October 2024 I have issued a Direction pursuant to section 31 of the Planning and Development Act 2000 (as amended). Pursuant to section 31(17) of the Act this Direction is deemed to have immediate effect and its terms are considered to be incorporated into the plan. A copy of this Direction is enclosed.

In light of the foregoing, Mayo County Council is required, pursuant to section 31(2) of the Planning and Development Act 2000 to comply with this Direction so as to rectify the matter in a manner that, in my opinion, will ensure that the *Westport Local Area Plan 2024-2030* sets out an overall strategy for proper planning and sustainable development and meets the requirements of the Act.

The Council should ensure that the Direction is available for inspection at its offices and on its website.

My officials remain available to assist you, as necessary, in complying with the foregoing process.

Yours sincerely,

Alan Dillon TD

Minister of State for Local Government and Planning

Copied to:

- Cathaoirleach, Mayo County Council, Áras an Chontae, The Mall, Castlebar, Co. Mayo, F23 WF90.
- Director, Northern and Western Regional Assembly, The Square, Ballaghaderreen, Co. Roscommon, F45 W674.
- Office of the Planning Regulator, Fourth Floor, Park House, Grangegorman, 191-193A North Circular Road, Dublin 7, D07 EWW4.

**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 under section 31AP(4) of the Act, 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. the amendment to Footnote 2 of the Land Use Zoning Matrix Table;

and apply all necessary consequential updates to the text of the plan consistent with the foregoing.

## 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 an amendment to Footnote 2 of 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 zoned lands beyond the housing need criteria in the rural housing policy of the Mayo County Development Plan 2022-2028.

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 has not been made in a manner consistent with, and has failed to implement, recommendations of the Office of the Planning Regulator made under section 31AO of the Act.
- III. 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, contrary to section 19(2) of the Act.

- IV. The Minister is of the opinion that the Local Area Plan as made is inconsistent with the objectives of the RSES, contrary to section 19(2) and 27(1) of the Act.
- V. The Minister is of the opinion that the Local Area Plan as made fails to set out an overall strategy for the proper planning and sustainable development of the area.
- VI. The Local Area Plan is not in compliance with the requirements of the Act.

GIVEN under my hand



Alan Dillon TD

Minister of State for Local Government and Planning

25<sup>th</sup> October 2024