



Oifig an
Rialaitheora Pleanála
Office of the
Planning Regulator

31st January 2025

James Browne TD,
Minister for Housing, Local Government and Heritage,
Department of Housing, Local Government and Heritage,
Custom House,
Dublin 1,
D01 W6X0.

BY HAND AND BY EMAIL

**Re: Notice pursuant to section 31AN(4) of the Planning and Development Act
2000 (as amended) – Sligo County Development Plan 2024-2030**

A chara,

I am writing to you pursuant to section 31AN(4) of the Planning and Development Act 2000 (as amended) (the Act) in the context of the Sligo County Development Plan 2024-2030 (the County Development Plan). In particular, I write arising from the consideration by this Office of the following:

- a) the Notice of Intent to issue a Direction issued to Sligo County Council (the Planning Authority) by your office on 8th November 2024; and
- b) the report of the Chief Executive of the Council dated 14th January 2025 on the submissions and observations received by the Council (the CE's Report);
and

I refer also to the submissions made directly by elected members of the Council to this Office and considered by this Office pursuant to section 31(10)(a) of the Act. This Office received four (4) submissions containing the observations of the elected members. However, one (1) submission was received from an elected member outside of the statutory time period. The Office can only consider submissions made during the consultation period in accordance with section 31(7)(b) and section 31(10) of the Act, therefore, the submission of Councillor Dónal Gilroy has not been

considered by the Office. The three remaining Councillor submissions made to the Office are considered further in section two.

1. Draft Direction

Part 2 of the draft Direction issued by the Minister (draft Direction) contained 3 parts (a), (b) and (c):

- (a) *Delete the following zoning objectives from the adopted County Development Plan:*
 - (i) *the lands on the L3203 on the western approach to Grange, i.e. the subject land reverts to not zoned from Strategic Land Reserve;*
- (b) *Delete the following material alterations from the adopted County Development Plan such that the subject lands revert to as indicated in the draft County Development Plan:*
 - (i) *PAZ 9, i.e. the subject land reverts to Strategic Land Reserve (SLR) from New Residential (nRES);*
 - (ii) *PAZ 11, i.e. the subject land reverts to Green Belt from New Residential (nRES) and Open Space (OS) and the Development Limit reverts to the draft Plan;*
 - (iii) *PAZ 12, i.e. the subject land reverts to Green Belt (GB) from New Residential (nRES);*
 - (iv) *PAZ 13, i.e. the subject land reverts to Strategic Land Reserve (SLR) from New Residential (nRES);*
 - (v) *PAZ 14, i.e. the subject land reverts to Green Belt (GB) from New Residential (nRES);*
 - (vi) *PAZ 15, i.e. the subject land reverts to Green Belt (GB) from New Residential (nRES) and Strategic Land Reserve (SLR);*
 - (vii) *PAZ 31, i.e. the subject lands revert to Open Space (OS) from New Residential (nRES)*

- (viii) PAZ 32, i.e. the subject lands revert to Green Belt (GB) from New Residential (nRES)*
- (ix) PAZ 33, i.e. the subject lands revert to Green Belt from New Residential (nRES)*
- (x) PAZ 42, i.e. the subject lands revert to Green Belt (GB) from New Residential (nRES)*
- (xi) PAZ 45, i.e. the subject lands revert to Green Belt (GB) from New Residential (nRES)*
- (xii) PAZ 57, i.e. the subject lands revert to Strategic Land Reserve (SLR) from New Residential (nRES)*
- (xiii) PAZ 62, i.e. the subject lands revert to Green Belt from Tourism (TOU)*
- (xiv) PAZ 63, i.e. the subject lands revert to Green Belt (GB) from Rural Village (RV)*
- (xv) PAZ 76, i.e. the subject lands revert to Green Belt (GB) from Rural Village (RV)*
- (xvi) PAZ 79, i.e. the subject lands revert to Green Belt (GB) from Rural Village (RV), and the Development Limit reverts to the draft Plan*
- (xvii) PAZ 80, i.e. the subject lands revert to Green Belt (GB) from Rural Village (RV), and the Development Limit reverts to the draft Plan*
- (xviii) PAZ 34, i.e. the subject lands revert to Green Belt (GB) from Tourism (TOU) and Open Space (OS)*
- (xix) PAZ 41, i.e. the subject lands revert to Green Belt (GB) from Business/Industry/ Enterprise (BIE)*
- (xx) PAZ 44, i.e. the subject lands revert to Green Belt (GB) from Business/Industry/ Enterprise (BIE)*

c. *Delete the following text at section 33.9.1:*

Where direct vehicular access onto national primary roads cannot be avoided (such as situations arising from national road realignment schemes), a Departure from TII Publications Standards DN-GEO-03060 with justification shall be required, as provided for in Section 5.5. Direct Accesses of DN-GEO-03060. In all cases, the number of accesses on to the national road should be minimised, either by consolidating them into a single access point, or connecting them to existing side roads. The sight distances required for access onto national primary and secondary roads are set out in Table 33.8. The sight distances are measured from the access point to the near-side edge of the carriageway in accordance with the TII Publications Standards DN-GEO-03031 and DN-GEO-03060.

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

Following detailed consideration of the CE's Report and submissions made directly to the Office, the Office now recommends, pursuant to section 31AN(4) of the Act that you issue the attached Direction with minor amendments to part 2(a), 2(a)(i), 2(b)(xiv), 2(c) and Statement of Reasons part I, part II, part III and part IV of the draft Direction, in accordance with the recommendation of the Chief Executive.

In forming this decision, this Office reiterates the submissions made to the Minister under cover of the notice which issued from this Office to your office on 27th October 2024 pursuant to section 31AM(8) of the Act (31AM(8) notice letter).

2. Public consultation on the draft Direction

The public consultation on the draft Direction took place from 25th November to 9th December 2024 inclusive.

You might please note the following:

- The Office received three (3) submissions from elected members within the statutory timeframe:

- one (1) submission from Councillor Joseph Queenan re: opposing the draft Direction for PAZ 31 (zoning to revert to Open Space from New Residential) and PAZ 33 (zoning to revert to Green Belt (GB) from New Residential (nRES)) and PAZ 34 (zoning to revert to Green Belt (GB) from Business/Industry/Enterprise) in Enniscrone.
- One (1) submission from Councillor Paul Taylor re: opposing the draft Direction for PAZ 63 (zoning to revert to Green Belt from Rural Village) in Ballinafad.

The Office's consideration of the two submissions received from the elected members in respect of individual sites identified in Part 2(b) of the draft Direction are considered in the relevant section below.

- one (1) collective submission from the elected members following a motion passed at the Council meeting on 5th December 2024 which relates to the core strategy tables. This was submitted in support and justification for the proposed zoning amendments as part of the public consultation on the draft Direction process. In summary the submission specifies errors in tables 3.2 core strategy and table 5.2 housing demand of the adopted County Development Plan which cumulatively increases the total housing demand figure from 4,699 to 5,162. The submission states that these corrected calculations combined require 37.7 ha of additional zoned land which is the rationale provided for the residential zoning amendments proposed by the elected members. However, the Office notes that the matters raised in this submission were not the subject of a recommendation made by the Office, were not the subject of the draft Direction and were not the subject of public consultation. Accordingly these do not form part of the Office's consideration and final recommendation in accordance with section 31AN(4).

Furthermore, in respect of the above submission and its reasoning, the Office notes that the elected members suggest that the corrected calculations would require 37.7 ha of additional zoned land to be provided for by way of lands zoned for New Residential (nRes) in the County Development Plan. In considering these reasons, it is noted that the total lands zoned for New Residential (nRES) in the draft County Development Plan was 132.5 ha, which provided for a potential housing yield of

4,566 units. The housing supply target in the core strategy of the draft County Development Plan was identified to be 3,892.

Furthermore, the adopted County Development Plan zoned 205 ha of lands as New Residential (nRES) enabling a potential housing yield of 6,025 units.

The combined total area of lands which are the subject of this proposed final Direction, and are zoned New Residential (nRES), is 55 ha. Therefore, the potential housing yield from the adopted County Development Plan excluding the New Residential (nRES) lands subject of the final Direction is 5,005 units.

These figures are based on the lands zoned Residential and Mixed Use, and the potential housing yield of other lands zoned in the County Development Plan (e.g. town centre) is not accounted for.

It is therefore clear that apart from the lands the subject of the Direction, there are sufficient lands zoned to meet the housing targets set out. There is no evidence, therefore, to support the argument that the additional lands are required to meet housing demand in the County.

3. Chief Executives Report

The CE's Report summarises the views of members of the public, elected members and prescribed authorities that made submissions to the Planning Authority.

The CE's Report states that 113 submissions were received during the statutory public consultation period. Prescribed authorities Uisce Éireann (UÉ), Transport Infrastructure Ireland (TII) and the Northern and Western Regional Assembly (NWRA) each made one submission. No elected members' submissions were made to the Planning Authority. The CE's Report summarises 11 submissions which do not cite / relate to the content of the draft Direction, either because they relate to a specific material amendment which is not the subject of the draft Direction or are general in nature and do not relate to parts of the draft Direction. Accordingly, these are outside the scope of the Office's consideration.

Of the submissions considered to be relevant to the draft Direction:

- One (1) submission opposes Part (b)(i) PAZ 9;
- Two (2) submissions oppose and two (2) submissions support Part (b)(ii) PAZ 11;
- Two (2) submissions oppose and two (2) submissions support Part (b)(iii) PAZ 12;
- One (1) submission opposes Part (b)(iv) PAZ13;
- Twenty-four (24) submissions oppose and three (3) submissions support Part (b)(v) PAZ 14;
- Twenty-four (24) submissions oppose and three (3) submissions support Part (b)(vi) PAZ 15;
- One (1) submission opposes Part (b)(vii) PAZ 31;
- One (1) submission opposes Part (b)(ix) PAZ 33;
- One (1) submission opposes Part (b)(xviii) PAZ 34;
- Three (3) submissions opposes Part (b)(xix) PAZ 41;
- One (1) submission opposes Part (b)(xx) PAZ 44;
- One (1) submission opposes Part (b)(xi) PAZ 45;
- 27 submissions oppose and 39 submissions support Part (b)(xii) PAZ 57; and
- One (1) submission opposes Part (b)(xiv) PAZ 63.
- No submissions were received during the statutory public consultation period opposing the draft Direction in respect of Part (a)(i) lands at Grange; Part (b)(viii) PAZ 32; Part (b)(x) PAZ 42; Part (b)(xiii) PAZ 62; Part (b)(xv) PAZ 76; Part (b)(xvi) PAZ 79; and Part (b)(xvii) PAZ 80.
- The submission from NWRA supports the draft Direction in respect of all parts. It notes the NWRA did not support the material amendments now contained in Part 2(b) (i) – (vi) of the draft Direction and that its position on these matters has not changed. In relation to the Part 2(a)(i), Part 2(b) (vii) – (xx) and Part 2(c) the NWRA supports the draft Direction.

- The NWRA references relevant extracts from its submission to the Chief Executive at material alterations to the draft County Development Plan (material alterations) stage which relate to PAZ 9 and PAZ 11-15 and states, as follows:
 - that the amendments: ‘represent significant amendments to the Sligo town plan that would constitute an increase of approximately 66.87ha of nRES (New Residential) zoned land, primarily at the periphery of the plan area or outside the plan area’;
 - this additional zoning ‘does not appear to be realistic nor reasoned, based on the current demographic growth trajectory of Sligo Town’;
 - this approach ‘is not supported on the grounds that it is inconsistent with the Core Strategy and an appropriate rationale has not been provided’;
 - the additional zonings ‘are not supported by an evidence based approach, fail to apply the sequential approach to development to support the sustainable compact growth of the town and its environs’;
 - the amendments represent ‘a significant departure from the RSES RPOs for Sligo Town and in particular RPO 3.7.37’; and
 - the implication of the amendments ‘do not support the principle of delivering integrated land use and transport planning that will enable increased travel by sustainable modes and a reduction in greenhouse gas emissions’.
- The NWRA submission does not contain specific comments on items outside of Sligo Town but reiterates its support for the concept of development places of regional-scale and compact urban growth as outlined in the RSES, and in particular RPO 3.1, RPO 3.2(b), RPO 3.2(c), RPO 3.3, RPO 3.4 and RPO 3.7.39 of the RSES.
- The NWRA submission concludes by stating that support for the draft Direction will strengthen compliance of the County Development Plan with the NWRA RSES.

- The submission from UÉ to the draft Direction consultation, in addition to providing clarification regarding four sites related to PAZ 11, PAZ 14, PAZ 15, PAZ 34, PAZ 63, PAZ 76 and PAZ 80, refers to its submission at material alterations stage which advised that the need for the proposed level of additional zoned lands was unclear and would likely necessitate strategic upgrades if fully developed and welcomes the draft Direction.
- The submission from TII supports the draft Direction in respect of Part (c). It also refers to its submissions at material alterations stage in respect of PAZ 41 and PAZ 44 and reconfirms the reasons raised in it.

4. Chief Executive's Recommendation

The recommendations contained in the CE's Report prepared in accordance with section 31(8) of the Act regarding the best manner to give effect to the draft Direction are similar to those made in the second and third CE reports, at draft and material alterations stages respectively, with three exceptions outlined below.

The CE's Report recommends implementing the draft Direction subject to suggested minor amendments in respect of the following parts:

- *Part 2 (a)(i) the lands subject to PAZ 49 revert to Green Belt (GB) zoning*
- *Part 2 (b)(xiv) the portion of lands subject to PAZ 63 which overlaps with Flood Zones A and B reverts to Green Belt (GB) zoning*
- *Part 2 (c) that the text of section 33.9.1 reverts to the draft Plan version except for the updated title of the relevant TII publication.*

The Office's consideration of the Chief Executive's recommendations on these matters is outlined in the relevant sections below and in the final recommendation.

The CE's Report makes an additional recommendation for the Ministerial Direction to include:

- *a recommendation to **replace Table 5.2**, as currently appearing in the adopted Plan, with the **Corrected Table 5.2** shown in this Report;*
- *a recommendation to **replace the Core Strategy Table (Table 3.2)**, as currently appearing in the adopted Plan, with the **Corrected Core Strategy***

Table as shown in this Report, ensuring that the figures contained in this Table reflect the Minister's Direction.

In this specific matter, the Office notes that the CE's Report has regard to the submission from the NWRA, which supports all aspects of the draft Direction, and advises that

following careful review, the elected members resolved to accept the report and to make the submission as outlined, subject to advising that Sligo County Council and the Minister ensure that population and housing figures in the finalised plan are clearly and accurately transposed. This is considered essential to safeguard the robustness and integrity of the County Development Plan.

While the Office note's the NWRA's comments and the Chief Executive's recommendation, this matter was not the subject of a recommendation from the Office, was not the subject of the Office's 31AM notice letter, was not included in the draft Direction and thus was not the subject of public consultation. Accordingly these do not form part of the Offices consideration and final recommendation pursuant to section 31AN(4).

Consideration of Reasons

As set out in the 31AM(8) notice letter, reasons were given by the elected members for the decision not to comply with the recommendation of the Office when adopting the County Development Plan, as detailed in the section 31AM(6) Notice Letter, received from the Planning Authority on 7th October 2024. These reasons were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act.

No submissions were made from members of the public during the consultation on the draft Direction regarding:

- Part 2(a)(i) lands at Grange
- Part (b)(viii) PAZ 32; Part 2(b)(x) PAZ 42; Part 2(b)(xiii) PAZ 62; Part 2(b)(xvi) PAZ 79; PAZ 76 and PAZ 80.

These matters were previously addressed in the 31AM(8) notice letter, and the Office adopts the same rationale to support the recommendation on the final Direction and has nothing further to add.

The following additional or expanded reasons were also raised in submissions received by the Chief Executive and/or received by the Office:

Part 2 (a)(i) lands at Grange

No submissions were received from the public, while one submission was received from the NWRA in respect of Part 2(a)(i) which supports the draft Direction.

The lands were zoned Strategic Land Reserve in the draft County Development Plan. The draft Direction recommended that the lands revert to not zoned from Strategic Land Reserve.

The CE's recommendation states:

Given that all the lands located within the Plan Limit have been assigned a land use zoning, and that the lands located between the Plan Limit and the Development Limit have been zoned 'Green Belt', it is recommended that the subject lands be zoned 'Green Belt' instead of not being zoned.

The Office accepts the reasons given by the Chief Executive and recommends a minor amendment to the final Direction in respect of Part 2 (a)(i) to state that the lands on the L3203 on the western approach to Grange, i.e. the subject land reverts to Green Belt¹ from Strategic Land Reserve.

Part 2(b)

(i) PAZ 9 (Sligo Town)

One submission was received from the public opposing the draft Direction in respect of PAZ 9.

The following matters were raised in the submission to the Chief Executive and summarised in the CE's Report:

¹ As indicated in proposed material alterations to the draft Sligo County Development Plan 2024 – 2030 (PAZ 49)

- UÉ advice is incorrect; this site is serviced as the existing 18 housing estate is connected to all essential services which includes a main sewer, mains surface water, mains water, broadband and ESB;
- previous planning applications and infrastructure installed is detailed; matters raise that a new footpath to connect the site to the existing network and this work is paid for; site developments works were carried out for a further 40 units; sewers laid have capacity for 120 houses; on site access roads and paths are 80% complete; underutilization of these services installed is a huge waste of money at a time when affordable housing is needed; and
- site is brownfield with no vegetation and the Council required the site to be restored to greenfield insofar as was possible as part of the rehabilitation of the derelict site.

The lands were zoned Strategic Land Reserve in the draft County Development Plan.

The submissions from the NWRA and UÉ supports the draft Direction in respect of PAZ 9.

The CE's Report recommends the subject lands should revert to Green Belt, consistent with the Chief Executive's recommendation contained in the CE's Report on the material alterations (CE's Report MA stage) dated 6th September 2024.

In relation to the availability of services on the site and adjoining lands, such matters were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In relation to UÉ's advice being incorrect, the Office is satisfied that the information provided by UÉ at material alterations stage is correct, namely that on-site boosting may be needed, the nearest sewer and water networks are over 900m and 250m away respectively, and that potential may exist to connect shorter extensions via private land and infrastructure, subject to third party permissions.

In relation to investment expended to date and the brownfield nature of the site, the Office acknowledges the lands were determined as Tier 1 in the Infrastructure Assessment however this, in itself, does not provide a justification for continued spatial expansion of Sligo outwards into outlying areas which would be inconsistent with the core strategy of the County Development Plan, NPO 3(c) of the National Planning Framework (NPF), RPO 3.2(b) and RPO 3.7.39 of the RSES for compact growth and section 10(2)(n) of the Act in relation to sustainable settlement and transport strategies.

Following consideration of the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 9.

(ii) PAZ 11 (Sligo Town)

The CE's Report sets out that five (5) submissions were received in respect of PAZ 11. As set out in the CE's Report:

- Two (2) submissions support the draft Direction (excluding one from the NWRA)
- Two (2) submissions oppose the draft Direction.

In respect of the submissions which support the draft Direction on PAZ 11, the following matters were raised in the submissions to the Chief Executive and summarised in the CE's Report:

- request the retention of Green Belt zoning, the New Residential zoning would have a negative impact on Recorded Monuments SL014-133 (Ringfort), SL014-23 and SLO14-232 (Cairns), the immediate landscape context of these sites and undermine an application made by Sligo County Council for designation as a UNESCO World Heritage Site;
- welcomes the Minister's intervention and requests that the lands remain green space so that the cultural and sacred landscape of Cairn Hill and the intervisibility with Knocknarae, Carrowmore should be preserved in line with expert recommendations; and

- there is significant and consistent evidence and precedent that the proposals to rezone PAZ 11 is unwise and constitutes improper planning.

In respect of the submissions which opposed the draft Direction, the following matters were raised in the submissions made to the Chief Executive and summarised in the CE's Report:

- supports the Residential zoning and any concerns relating to the potential UNESCO designation do not stand up to scrutiny as the site is located quite a distance from the proposed UNESCO designated lands and sensitive construction should help alleviate any difficulties and that residential areas can act as a form of passive surveillance of sensitive sites;
- the lands are at a much lower level than the proposed designated site and it is unfair and untrue to infer that housing on the lands would impact the proposed designation;
- there is a sewerage drainage network already in place which has capacity and the lands are served by a 5m wide road and 1.5m footpath; Other lands which are located near major roads do not have public or active travel facilities and are not close to shopping or educational facilities; it is essential that lands are zoned for housing developments to be put in place at locations which are suitable, accessible and serviceable as these lands (PAZ 11) most definitely are; and
- elected members continually state there is not enough land zoned for residential development but then serviced sites such as PAZ 11 are being overlooked/excluded from being zoned and are ideally located for housing development, having regard to proximity to employment, educational and outstanding recreational facilities.

The submission from the NWRA supports the draft Direction in respect of PAZ 11.

The submission from UÉ supports the draft Direction and clarifies that network extensions greater than 150m may be required to service the site based on connection via the existing access on Hollywell Road. An alternative potential connection point to the networks on Tonaphubble Lane would require third party

permissions with an upgrade of the sewer network over a distance of approximately 180m likely to be required.

The lands were zoned Green Belt (GB) in the draft County Development Plan.

The CE's Report recommends the subject lands should revert to Green Belt, consistent with the Chief Executive recommendation contained in the CE's Report (MA stage).

In relation to the reasons that the impact of these lands being zoned as New Residential on the proposed UNESCO designation does not stand up to scrutiny and the construction of residential development at these lands can be alleviated by way of sensitive design and/or by lower ground levels, the Office notes that the purpose of the Strategic Environmental Assessment (SEA) Environmental Report for the County Development Plan is to provide a clear understanding of the likely environmental consequences of decisions regarding the adoption and implementation of the County Development Plan. The SEA, which ensures that the environmental implications of decisions are taken into account before decisions on plans are made, is a systemic process of predicting and evaluating the likely significant environmental effects of implementing a plan in order to ensure that these effects are adequately addressed at the earliest appropriate stages of decision-making.

In respect of PAZ 11, the SEA Environmental Report for the proposed material alterations, dated June 2024, identified that a number of the proposed amendments, including PAZ 11, have the potential for associated unnecessary adverse effects on various environmental components including the occurrence of visual impacts where residual impacts would occur². The Office does not, therefore, consider that the matters of mitigating any potential impact of the land use zoning for these lands can reasonably be deferred to consideration by way of a planning application.

In relation to the ability to service these lands, such matters were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale

² Table 8.7 SEA Environmental Report for Proposed Material Alterations to the Draft Sligo County Development Plan 2024-2030.

as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions. The submission from UÉ clarifies further detail in respect of the challenges in relation to extending the water services network to these lands.

In relation to the location of the lands close to employment, educational and outstanding recreational facilities, any such adjacent development does not, in itself, provide a justification for the spatial expansion of Sligo outwards into outlying areas and the zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which is inconsistent with the core strategy of the County Development Plan, NPO 3c and NPO 72a-c of the NPF, RPO 3.2(b), RPO 3.7.39, RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies.

Following consideration of the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 11.

(iii) PAZ 12 (Sligo Town)

The CE's Report sets out that four (4) submissions were received in respect of PAZ 12:

- Two (2) submissions support the draft Direction
- Two (2) submissions oppose the draft Direction

In respect of the submissions which support the draft Direction on PAZ 12, the following matters were raised in the submissions to the Chief Executive and summarised in the CE's Report:

- request the retention of Green Belt zoning, the New Residential zoning would have a negative impact on Recorded Monuments SL014-133 (Ringfort), SL014-23 and SLO14-232 (Cairns), the immediate landscape context of these sites and undermine an application made by Sligo County Council for designation as a UNESCO World Heritage Site;

- welcomes the Minister’s intervention and requests that the lands remain green space so that the cultural and sacred landscape of Cairn Hill and the intervisibility with Knocknarae, Carrowmore should be preserved in line with expert recommendations; and
- there is significant and consistent evidence and precedent that the proposals to rezone PAZ 12 is unwise and constitutes improper planning.

In respect of the submissions which opposed the draft Direction, the following matters were raised in the submissions made to the Chief Executive and summarised in the CE’s Report:

- lands are ideally located for housing development, having regard to proximity to employment, educational and outstanding recreational facilities. The site is sequentially preferable, serviced or capable of being serviced, and within or appropriate to be within the settlement boundary;
- sensitive construction should help alleviate any difficulties regarding potential interference with the Neolithic landscape and that residential areas can act as a form of passive surveillance of sensitive sites;
- systemic procedural errors in the making of the County Development Plan, material errors in the core strategy and incorrect application of the settlement capacity audit (SCA);
- the CSO boundary has no relevance to decision making in terms of the preferred location of the zoning of land;
- the County Development Plan significantly underestimates the quantum of zoned land that is required for residential purposes;
- site comparison of other sites in the SCA is outlined which raises points of concern with respect to the score allocations; If it was included, the site would have scored well under the SCA and a representative assessment of the SCA is provided; and
- submission outlines compliance with national and regional policy objectives.

The submissions from the NWRA supports the draft Direction in respect of PAZ 12.

The lands were zoned Green Belt (GB) in the draft County Development Plan.

The CE's Report recommends the subject lands should revert to Green Belt, consistent with the Chief Executive's recommendation contained in the CE's Report (ma stage).

In relation to the ability to service these lands and the nature of the lands being sequentially preferable, such matters were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In relation to the location of the lands close to employment, educational and outstanding recreational facilities, any such adjacent development does not, in itself, provide a justification for the spatial expansion of Sligo outwards into outlying areas and the zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which is inconsistent with the core strategy of the County Development Plan, NPO 3c, NPO 60 and NPO 72a-c of the NPF, RPO 3.2(b), RPO 3.7.39 and RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies.

In relation to the reasons that the construction of residential development at these lands can be alleviated by way of sensitive design, the Office notes the SEA Environmental Report for the County Development Plan and its purpose in setting out the likely environmental consequences of decisions regarding the adoption and implementation of the County Development Plan.

In respect of PAZ 12, the SEA Environmental Report for the proposed material alterations, dated June 2024, identified that a number of the proposed amendments, including PAZ 12, have the potential for associated unnecessary adverse effects on various environmental components including the occurrence of visual impacts where residual impacts would occur³. The Office does not, therefore, consider that the

³ Table 8.7 SEA Environmental Report for Proposed Material Alterations to Sligo County Development Plan 2024-2030.

mitigation of any potential impact of the zoning for these lands can reasonably be deferred to consideration by way of a planning application.

In relation to the matters raised in respect of systemic errors in the making of the County Development Plan, as per section 31AM, recommendations issued by the Office relate to clear breaches of the relevant legislative provisions of the national or regional policy framework. Where such inconsistencies arise, and if the plan fails to set out an overall strategy for the proper planning and development of an area, the Minister may, if in agreement with the Office, require the Planning Authority to take specified measures in relation to the plan. It is not for this process to consider and determine if systemic procedural errors have occurred outside of that context.

In relation to the matter of the CSO boundary not being relevant in terms of the preferred location of zoning and NPO 3(a), the Office notes that the NPF specifically states in respect of NPO 3(a) that ‘...the existing built-up footprint of all sizes of urban settlement, as defined by the CSO in line with UN criteria...’. The Office further notes NPO3(c) of the NPF, which applies to Sligo, references that ‘individual or scheme homes delivery outside of the CSO defined urban settlement boundary are classed as greenfield’.

In relation to the housing land requirement set out in the core strategy of the County Development Plan, the NPF Implementation Roadmap provides a transitional set of population projections to inform the county development plans for the periods to 2026 and to 2031. The population growth projections for County Sligo align with the transitional population projections in the NPF Implementation Roadmap. With respect to any revised housing targets arising from the draft revised NPF, it is premature to pre-empt future amendments that may be made to the housing targets set out in the core strategy of the County Development Plan and at settlement level, including the relevant statutory processes that such amendments require.

Notwithstanding, the Office does not consider that any anticipated future changes in housing targets justify the zoning of these PAZ 12 lands for residential use at this time which are peripherally located on the very edge of the town and would extend development into the rural hinterland without any clear evidence basis, and where the SCA identified that the lands ranked poorly in terms of sequential development, delivery of compact growth and availability of social infrastructure.

In respect of the issues raised in relation to the approach of the Planning Authority to the SCA, the Office notes that it is a policy and objective of the Development Plans, Guidelines for Planning Authorities (2022) (the Development Plans 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. The suggested methodology for integrating the core strategy, settlement strategy and zoning function is by way of the sequential test set out in section 6.2.3 of the Guidelines.

With respect to the methodology applied by the Planning Authority in respect of the Infrastructural Assessment (IA) and the SCAs, which is outlined in Appendix A of the County Development Plan, it is clear that the location/proximity to the centre of Sligo is only one of ten criteria applied in the assessment of the potential of the various sites to contribute to the sustainable growth of the respective settlement. In this regard, the Office notes that the steps recommended by the Guidelines have been applied by the Planning Authority in a clear and co-ordinated manner in respect of the draft County Development Plan, prior to material alterations being adopted.

In respect of the consideration of the national and regional planning objectives for these lands the Office notes that NPO 3c; RPO 3.2b, RPO 3.7.39 and NPO 72 were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In respect of the matters raised in relation to these lands and NPO 18a of the NPF, the Office notes that the zoning of these lands would be contrary to NPO 18a in that the zoning extends the town development limit to the south and leapfrogs undeveloped lands in a non-sequential manner which would not support the proportionate growth of the town and contribute to its regeneration and renewal.

In respect of the matters raised in relation to NPO 60 of the NPF and RPO 5.14 of the RSES the Office acknowledges that the site is not directly connected to a natural or cultural monument and/or area of special interest.

Following consideration of the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 12.

(iv) PAZ 13 (Sligo Town)

One submission was received from the public opposing the draft Direction in respect of PAZ 13.

The following matters were raised in the submission to the Chief Executive and summarised in the CE's Report:

- the site is highly accessible, in proximity to a wide range of social infrastructure necessary to support new residential communities;
- the site benefits from the presence of necessary enabling infrastructure that includes the newly complete western distributor road, and access to water and wastewater services;
- zoning of the site is consistent with the principle of compact growth, as it is within the development limit of Sligo Town and would provide for consolidation of the built-up area;
- the land is contiguous to existing and permitted development in Caltragh east of the N4; and
- the land was zoned for medium-high density residential and mixed uses in the former Sligo and Environs Development Plan 2010-2016 and as Strategic Land Reserve in the Sligo County Development Plan 2017-2023 (the previous County Development Plan).

The lands were zoned Strategic Land Reserve (MIX) in the draft County Development Plan.

The submission from the NWRA supports the draft Direction in respect of PAZ 13.

The CE's Report recommends the subject lands should revert to Strategic Land Reserve, consistent with the Chief Executive recommendation contained in the CE's Report (MA stage).

In relation to the site's accessibility and proximity to social infrastructure, the presence of enabling infrastructure, and the principles of compact growth such matters were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In relation to the land being contiguous to existing and permitted development in Caltragh east of the N4, as the Office noted in the 31AM(8) notice letter the lands are located on the western side of the N4 in an identifiable landbank that is otherwise zoned Strategic Land Reserve or Strategic Land Reserve long term strategic and sustainable development site (mixed use).

In relation to the planning history for these lands, the Office is of the view that any historical development in the wider area and/or decisions of the Planning Authority at these lands in previous statutory plans predates the current planning policy context and does not provide a justification for the zoning of these peripheral and unserved lands, which would be inconsistent with the core strategy of the County Development Plan, NPO 3(c), RPO 3.2(b) and RPO 3.7.39 for compact growth, NPO 72 a-c and associated NPF Appendix 3 tiered approach to zoning and inconsistent with 10(2)(n) of the Act for sustainable settlement and transport strategies.

Following consideration of the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 13.

(v) PAZ 14 (Sligo Town)

The CE's Report sets out that three submissions, including one from the NWRA, were received in respect of PAZ 14 in support of the draft Direction and 26 submissions received oppose it. However, on review the Office notes that:

- Three (3) submissions support the draft Direction (excluding one from the NWRA)
- 23 submissions oppose the draft Direction

In respect of the submissions which support the draft Direction in respect of PAZ 14, the following matters were raised in the submissions to the Chief Executive and summarised in the CE's Report:

- concerns that the advice offered by different agencies of the State has been ignored by councillors;
- the rezoning is at odds with the rules and regulations for housing, town planning and development, transport, services and environment, and elected members should represent the people and not the interests of property developers; and
- the lands should remain as currently zoned and the R-286 regional road should be reviewed to meet domestic and business needs of the area.

In respect of the submissions which opposed the draft Direction, the following matters were raised in the submissions made to the Chief Executive and summarised in the CE's Report:

- the construction of 600 houses at Hazelwood is supported, it is impossible to buy a house in the Calry area and new families of a younger age group are needed. The rezoning of these and other sites are vital to the growth of Sligo and the Northwest; there is a housing shortage and Sligo only delivered on 18% of the zoned land in the last development plan; lands are required to meet the housing demand for Sligo;
- the area is serviced with a connection to Sligo wastewater treatment plant and the Hazelwood area is extremely well serviced with facilities; lands are in the vicinity of large employers, such as ATU and Sligo Hospital, in a community that has capacity in schools and sporting organisations but reduced numbers of young people, and no accommodation for workers;
- issues raised in respect of the IA carried out for Sligo town; how it references the sites; no engagement with landowners; is incorrect and should be amended; the site is sequentially preferable, serviced or capable of being serviced. The site is within or appropriate to be within the settlement boundary;

- engagement ongoing with ÚE to agree a strategy to access the foul sewer which landowners are confident can be provided within lifetime of the County Development Plan; outlines details of conditions required to be complied with in respect of application granted on adjacent lands in relation to the sewerage network and infrastructure assessment should be updated to reflect this. Confirmation of feasibility related to development at Hazelwood has been received from ÚE indicates it is clear that the lands are considered to be serviceable;
- Local Transport Plan shows planned cycle route along R286 which will be provided in plans lifetime; road widening is complete; lands are served by a new bus route and by new recreational trails which run along the boundary of the site;
- an assessment of the site relative to the SCA is outlined which considers that the site is easily serviced during the lifetime of the County Development Plan;
- systemic procedural errors in the making of the County Development Plan, material errors in the core strategy and incorrect application of the settlement capacity audit;
- planning permission was granted in 2009 for 731 units but the 10-year permission has lapsed;
- the community zoning to the west of the PAZ 14 and PAZ 15 is unlikely to be developed in the absence of sufficient zoning for residential lands in the locality and letter of support from GAA indicates the appropriate zoning is essential to the delivery of the GAA facility;
- no detailed explanation is given to repeated reference of why the site is considered unsustainable or what metrics or criteria are being used to measure this. A sustainability assessment included as an appendix demonstrates that the site would be sustainable and aligned with the NPF, RSES and Climate Action Plans. This has been specifically commissioned and no other site in the County has been subject to such a rigorous assessment of their sustainability criteria; and
- submission outlines compliance with national and regional policy objectives.

The submissions from the NWRA and UÉ support the draft Direction. The Office acknowledges the clarification from UÉ that an upgrade of the existing watermain over a length of approximately 900m is required in respect of PAZ 14 and the nearest sewer network is approximately 1.2km from the site.

The lands were zoned Green Belt (GB) in the draft County Development Plan.

The CE's Report recommends the subject lands should revert to Green Belt (GB), consistent with the Chief Executive's recommendation contained in the CE's Report (MA stage).

In relation to housing supply, this matter was carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In relation to the rezoning being vital to the growth of Sligo and the North West notwithstanding the North West Regional and Economic Strategy 2020-2032's aims relating to building the critical mass of Sligo as a regional growth centre, as set out in the NWRA's submission the rezonings proposed including PAZ 14, are not supported by an evidence-based approach, are peripheral in nature, negating the objective to deliver compact settlements of scale (RPO 3.2(b) and RPO 3.7.39), and fail to apply the sequential approach to development to support compact growth of the town and its environs.

In relation to the ability to service these lands and notwithstanding the provision of a new bus route and recreational trails the Office's position remains that the lands are located outside of the CSO settlement boundary, almost 2.2km walking distance to the town centre, are isolated, non-sequential, and are not consistent with sustainable travel patterns.

The Office notes additional clarification from UÉ that: upgrade of existing AC watermain over a length of almost 900m required to cater for PAZ 14; nearest sewer network is approximately 1.2 km from the site; connection is likely to be via pumped rising main and/or gravity sewer; on-site storage may also be required to mitigate impacts on downstream network; these works are not included in UÉ's Investment Plan and as such, shall be developer funded; exact requirements for connection will

be determined at Connection Application stage; new connections to UÉ networks are subject to our Connections Charging Policy; and, further phases of development may necessitate strategic upgrades.

As such, notwithstanding any strategy agreement that is ongoing in respect of infrastructure provision, it is evident that additional infrastructure provision is necessary to service these lands and there is no confirmed timeline between the necessary parties for when any such provision will be made.

In respect of the issues raised in relation to the approach of the Planning Authority to the infrastructure assessment and the SCA, the Office notes that it is a policy and objective of the Development Plans 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. The suggested methodology for integrating the core strategy, settlement strategy and zoning function is by way of the sequential test set out in section 6.2.3 of the Guidelines.

With respect to the methodology applied by the Planning Authority in respect of the IA and the SCAs, which is outlined in Appendix A of the County Development Plan, it is clear that the location/proximity to Sligo town centre is only one of ten criteria applied in the assessment of the potential of the various sites to contribute to the sustainable growth of the respective settlement. In this regard, the Office notes that the steps recommended by the Guidelines have been applied by the Planning Authority in a clear and co-ordinated manner in respect of the draft plan, prior to material amendments being adopted.

In relation to the matters raised in respect of systemic errors in the making of the County Development Plan, as per section 31AM, recommendations issued by the Office relate to clear breaches of the relevant legislative provisions of the national or regional policy framework. Where such inconsistencies arise, and if the plan fails to set out an overall strategy for the proper planning and development of an area, the Minister may, if in agreement with the Office, require the Planning Authority to take specified measures in relation to the County Development Plan. It is not for this

process to consider and determine if systemic procedural errors have occurred outside of this context.

In relation to the planning history for these lands, the Office is of the view that any historical development in the wider area and/or decisions of the Planning Authority at these lands in 2009 predates the current planning policy context and does not provide a justification for the zoning of these peripheral and unserviced lands, and the zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which would be inconsistent with the core strategy of the County Development Plan, NPO 3c and NPO 72a-c of NPF, RPO 3.2(b), RPO 3.7.39 and RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies.

Further, sections 10(8) and 19(6) of the Act provides that there is no presumption in law that any land zoned in a particular development plan or local area plan shall remain so zoned in any subsequent plan.

In relation to the location of the lands close to employment, educational and recreational facilities, including potential GAA and/or other amenity facilities in the locality, any such adjacent development does not, in itself, provide a justification for the spatial expansion of Sligo outwards into outlying areas inconsistent and the zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which would be inconsistent with the core strategy of the County Development Plan, NPO 3c and NPO 72a-c of the NPF, RPO 3.2(b), RPO 3.7.39 and RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies.

With respect to explaining what is considered as sustainable residential development the Office notes that the section 1.3.2 of Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (2024) (Compact Settlements Guidelines) sets out the overarching objective when planning for sustainable residential development and compact settlements advises that planning authorities at settlement level

should plan for an integrated network of well-designed neighbourhoods that can meet day-to-day needs (such as food, healthcare, education, sports and professional services) within a short 10 to 15 minute (approx.) walk of all homes. In the case of larger settlements, the residents of less central neighbourhoods should have opportunities to travel by public transport and other sustainable modes (e.g. greenways) to access higher order services, employment and amenities at more central and accessible locations. This will reduce the need for travel and the need for travel by private car, supporting the transition to a lower carbon society and the creation of settlements that are more socially inclusive.

The sustainability assessment submitted as part of the submission is acknowledged. Notwithstanding, this does not provide an evidence-based rationale consistent with proper planning and sustainable development to extend the development limit of Sligo town in a non-sequential location that is inconsistent with NPO 3(c) for compact growth and NPO 72 a-c and associated NPF Appendix 3 tiered approach to zoning.

In respect of the consideration of the national and regional planning objectives for these lands the Office notes that NPO 3c; RPO 3.2b, RPO 3.7.39 and NPO 72 were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In respect of the matters raised in relation to these lands and NPO 18a of the NPF, the Office notes that the zoning of these lands would be contrary to NPO 18a in that the zoning extends the town development limit to the south and leapfrogs undeveloped lands in a non-sequential manner which would not support the proportionate growth of the town and contribute to its regeneration and renewal.

In respect of the matters raised in relation to NPO 60 of the NPF and RPO 5.14 of the RSES, the Office acknowledges that the site is not directly connected to a natural or cultural monument and/or area of special interest.

Following consideration of the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 14.

(vi) PAZ 15 (Sligo Town)

The CE's Report sets out that three submissions, including one from the NWRA, were received in respect of PAZ 15 in support of the draft Direction and 26 submissions received argue against it. However, on review the Office notes that:

- three (3) submissions support the draft Direction (excluding one from the NWRA)
- 24 submissions oppose the draft Direction

In respect of the submissions which support the draft Direction in respect of PAZ 15, the following matters were raised in the submissions to the Chief Executive and summarised in the CE's Report:

- concerns that the advice offered by different agencies of the State has been ignored by councillors;
- the rezoning is at odds with the rules and regulations for housing, town planning and development, transport, services and environment, and elected members should represent the people and not the interests of property developers;
- the southern end of the site borders a biodiversity-rich alluvial woodland of which there are only five in Ireland, and there is no clear line of demarcation; and
- the lands should remain as currently zoned and the R-286 regional road should be reviewed to meet domestic and business needs of the area.

In respect of the submissions which opposed the draft Direction, the following matters were raised in the submissions made to the Chief Executive and summarised in the CE's Report:

- the construction of 600 houses at Hazelwood is supported, it is impossible to buy a house in the Calry area and new families of a younger age group are

needed; the rezoning of these and other sites are vital to the growth of Sligo and the Northwest; there is a housing shortage and Sligo only delivered on 18% of the zoned land in the last development plan; and lands are required to meet the housing demand for Sligo;

- the area is serviced with a connection to Sligo wastewater treatment plant and the Hazelwood area is extremely well serviced with facilities; lands are in the vicinity of large employers, such as ATU and Sligo Hospital, in a community that has capacity in schools and sporting organisations but reduced numbers of young people, and no accommodation for workers;
- issues raised in respect of the IA carried out for Sligo town; how it references the sites; no engagement with landowners; is incorrect and should be amended; the site is sequentially preferable, serviced or capable of being serviced. The site is within or appropriate to be within the settlement boundary;
- engagement ongoing with ÚE to agree a strategy to access the foul sewer which landowners are confident can be provided within lifetime of the County Development Plan; outlines details of conditions required to be complied with in respect of application granted on adjacent lands in relation to the sewerage network and infrastructure assessment should be updated to reflect this. Confirmation of feasibility related to development at Hazelwood has been received from ÚE indicates it is clear that the lands are considered to be serviceable
- Local Transport Plan shows planned cycle route along R286 which will be provided in plans lifetime; road widening is complete; lands are served by a new bus route and by new recreational trails which run along the boundary of the site;
- an assessment of the site relative to the SCA is outlined which considers that the site is easily serviced during the lifetime of the County Development Plan;
- systemic procedural errors in the making of the County Development Plan, material errors in the core strategy and incorrect application of the settlement capacity audit;

- planning permission was granted in 2009 for 731 units but the 10-year permission has lapsed;
- the community zoning to the west of the PAZ 14 and PAZ 15 is unlikely to be developed in the absence of sufficient zoning for residential lands in the locality and letter of support from GAA indicates the appropriate zoning is essential to the delivery of the GAA facility;
- no detailed explanation is given to repeated reference of why the site is considered unsustainable or what metrics or criteria are being used to measure this. A sustainability assessment included as an appendix demonstrates that the site would be sustainable and aligned with the NPF, RSES and Climate Action Plans. This has been specifically commissioned and no other site in the County has been subject to such a rigorous assessment of their sustainability criteria; and
- submission outlines compliance with national and regional policy objectives.

The submissions from the NWRA and UÉ support the draft Direction. The Office acknowledges the advice from UÉ that an upgrade of the existing watermain over a length of approximately 900m is required in respect of PAZ 15 and the nearest sewer network is approximately 1.2km from the site.

The lands were zoned Green Belt (GB) in the draft County Development Plan.

The CE's Report recommends the subject lands should revert to Green Belt, consistent with the Chief Executive's recommendation contained in the CE's Report (MA stage).

In relation to housing supply, this matter was carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In relation to the rezoning being vital to the growth of Sligo and the North West notwithstanding the North West Regional and Economic Strategy 2020-2032's aims relating to building the critical mass of Sligo as a regional growth centre, as set out in the NWRA submission, the rezoning proposed including PAZ 15, are not supported

by an evidence-based approach, are peripheral in nature, negating the objective to deliver compact settlements of scale (RPO 3.2(b) and RPO 3.7.39), and fail to apply the sequential approach to development to support compact growth of the town and its environs.

In relation to the ability to service these lands and notwithstanding the provision of a new bus route and recreational trails the Office's position remains that the lands are located outside of the CSO settlement boundary, almost 2.2km walking distance to the town centre, are highly isolated, non-sequential, and are not consistent with sustainable travel patterns.

The Office notes additional clarification from UÉ that: upgrade of existing AC watermain over a length of almost 900m required to cater for PAZ 15; nearest sewer network is approximately 1.2km from the site; connection is likely to be via pumped rising main and/or gravity sewer; on-site storage may also be required to mitigate impacts on downstream network; these works are not included in UÉ's Investment Plan and as such, shall be developer funded; exact requirements for connection will be determined at Connection Application stage; new connections to UÉ networks are subject to our Connections Charging Policy; further phases of development may necessitate strategic upgrades.

As such, notwithstanding any strategy agreement that is ongoing in respect of infrastructure provision, it is evident that additional infrastructure provision is necessary to service these lands and there is no confirmed timeline between the necessary parties for when any such provision will be made.

In respect of the issues raised in relation to the approach of the Planning Authority to the infrastructure assessment and the SCA, the Office notes that it is a policy and objective of the Development Plans 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. The suggested methodology for integrating the core strategy, settlement strategy and zoning function is by way of the sequential test set out in section 6.2.3 of the Guidelines.

With respect to the methodology applied by the Planning Authority in respect of the IA and the SCAs, which is outlined in Appendix A of the County Development Plan, it is clear that the location/proximity to Sligo town centre is only one of ten criteria applied in the assessment of the potential of the various sites to contribute to the sustainable growth of the respective settlement. In this regard, the Office notes that the steps recommended by the Guidelines have been applied by the Planning Authority in a clear and co-ordinated manner in respect of the draft plan, prior to material amendments being adopted.

In relation to the matters raised in respect of systemic errors in the making of the County Development Plan, as per section 31AM, recommendations issued by the Office relate to clear breaches of the relevant legislative provisions of the national or regional policy framework. Where such inconsistencies arise, and if the County Development Plan fails to set out an overall strategy for the proper planning and development of an area, the Minister may, if in agreement with the Office, require the Planning Authority to take specified measures in relation to the County Development. It is not for this process to consider and determine if systemic procedural errors have occurred.

In relation to the planning history for these lands, the Office is of the view that any historical development in the wider area and/or decisions of the Planning Authority at these lands in 2009 predates the current planning policy context and does not provide a justification for the zoning of these peripheral and unserviced lands, the zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which is inconsistent with the core strategy of the County Development Plan, NPO 3c and NPO 72a-c of the NPF, RPO 3.2(b), RPO 3.7.39 and RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies.

Further, sections 10(8) and 19(6) of the Act provides that there is no presumption in law that any land zoned in a particular development plan or local area plan shall remain so zoned in any subsequent plan.

In relation to the location of the lands close to employment, educational and recreational facilities, including potential GAA and/or other amenity facilities in the locality, any such adjacent development does not, in itself, provide a justification for

the spatial expansion of Sligo outwards into outlying areas and the zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which is inconsistent with the core strategy of the County Development Plan, NPO 3c and NPO 72a-c of the NPF, RPO 3.2(b), RPO 3.7.39 and RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies.

With respect to explaining what is considered as sustainable residential development the Office notes that the section 1.3.2 of Compact Settlements Guidelines sets out the overarching objective when planning for sustainable residential development and compact settlements advises that planning authorities at settlement level

should plan for an integrated network of well-designed neighbourhoods that can meet day-to-day needs (such as food, healthcare, education, sports and professional services) within a short 10 to 15 minute (approx.) walk of all homes. In the case of larger settlements, the residents of less central neighbourhoods should have opportunities to travel by public transport and other sustainable modes (e.g. greenways) to access higher order services, employment and amenities at more central and accessible locations. This will reduce the need for travel and the need for travel by private car, supporting the transition to a lower carbon society and the creation of settlements that are more socially inclusive.

The sustainability assessment submitted as part of the submission is acknowledged. Notwithstanding, this does not provide an evidence-based rationale consistent with proper planning and sustainable development to extend the development limit of Sligo town in a non-sequential location that is inconsistent with NPO 3(c) for compact growth and NPO 72 a-c and associated NPF Appendix 3 tiered approach to zoning.

As set out in the Office's 31AM(8) notice letter the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) (Flood Guidelines) provide that where a planning authority is considering the future development of areas at a high or moderate risk of flooding, it must be satisfied that it can clearly demonstrate on a solid evidence base that the zoning or designation for development will satisfy the Justification Test. As noted no evidence has been provide to demonstrate that a justification test has been carried out in respect of the proposed rezoning. As such,

the making of the County Development Plan with the subject material alteration is inconsistent with NPO 57 of the NPF to avoid inappropriate development in all areas at risk of flooding in accordance with the Flood Guidelines, and RPO 3.10 of the RSES to implement the recommendations of the Flood Guidelines.

In respect of the consideration of the national and regional planning objectives for these lands the Office notes that NPO 3c; RPO 3.2b, RPO 3.7.39 and NPO 72 such matters were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In respect of the matters raised in relation to these lands and NPO 18a of the NPF, the Office notes that the zoning of these lands would be contrary to NPO 18a in that the zoning extends the town development limit to the south and leapfrogs undeveloped lands in a non-sequential manner which would not support the proportionate growth of the town and contribute to its regeneration and renewal.

In respect of the matters raised in relation to NPO 60 of the NPF and RPO 5.14 of the RSES, the Office acknowledges that the site is not directly connected to a natural or cultural monument and/or area of special interest.

Following consideration of the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 15.

(vii) PAZ 31 (Enniscrone)

Two submissions were received opposing the draft Direction in respect of PAZ 31, one from the elected member Councillor Joseph Queenan and one from a member of the public.

The following matters were raised by the elected member Councillor Joseph Queenan in the submission to the Office:

- there has not been any affordable or social housing constructed by Sligo County Council for at least 20 years thus there is a housing crisis in Enniscrone, which is agreed by the Director of Services for housing; and

- reconsider the zoning of the subject site to enable Fergal Cawley to construct two houses for his family.

The following matters were raised in the submission by the public to the Chief Executive and summarised in the CE's Report:

- there is a sewer in the area, serving the Diamond Coast Hotel and 50 houses across the road from the site.

The lands were zoned Open Space in the draft County Development Plan.

The submissions from the NWRA and UÉ support the draft Direction in respect of PAZ 31. The Office acknowledges the clarification from UÉ that to the south of the town, available information indicates that the UÉ sewer network extends only as far as the Links Estate.

The CE's Report recommends the subject lands should revert to Open Space zoning, consistent with the Chief Executive recommendation contained in the CE's Report (MA stage).

In relation to housing need and that two houses will be developed on the subject site, such matters were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to these similar issue now raised in this submission.

In relation to sewer infrastructure in proximity to the subject site, UÉ has confirmed that available information indicates that the UÉ sewer network extends only as far as the Links Estate, which is approximately 200m from the subject site.

Following consideration of the elected member's submission and the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 31.

(ix) PAZ 33 (Enniscrone)

Two submissions were received opposing the draft Direction in respect of PAZ 33, one from the elected member Councillor Joseph Queenan and by a member of the public.

The following matters were raised by the elected member Councillor Joseph Queenan in the submission to the Office:

- there has not been any affordable or social housing constructed by Sligo County Council for at least 20 years thus there is a housing crisis in Enniscrone, which is agreed by the Director of Services for housing; and
- the site had planning permission for 14 houses in the past and the contractor will service the site.

The following matters were raised in the submission by the member of the public to the Chief Executive and summarised in the CE's Report:

- this is a brownfield site and the developer (Pentico Ltd) is prepared to extend the sewer, which could also be used to service 30 single houses currently connected to individual septic tanks.

The lands were zoned Green Belt in the draft County Development Plan.

The submission from the NWRA supports the draft Direction in respect of PAZ 33.

The CE's Report recommends the subject lands should revert to Green Belt zoning, consistent with the Chief Executive's recommendation contained in the CE's Report (MA stage).

In relation to housing need and the planning history of the site such matters were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In relation to the lands being considered as brownfield, there is no evidence to support this assertion. The Office notes that there are no indications in the CE's Report, or otherwise, that the lands can be considered as brownfield lands which are defined as

land which has been subjected to building, engineering or other operations, excluding temporary uses or urban green spaces, generally comprising of

redundant industrial lands or docks but may also include former barracks, hospitals or even occasionally, obsolete housing areas.

In relation to the extension of the sewer network by the developer of the site, the Infrastructure Assessment in the CE's Report (MA stage) determined that the lands are not fully serviced, specifically access to watermains, access to sewer infrastructure and footpath provision are reported as being unlikely to be provided during the lifetime of the County Development Plan in accordance with NPO 72 (a-c) and associated NPF Appendix 3 tiered approach to zoning. In addition, UÉ's submission (MA Stage) clarifies that the nearest wastewater connection would be 730m north of the site.

As such, notwithstanding any extension of the sewer line by the developer and that thirty existing one-off houses could connect to it, this does not overcome the Office's rationale for the draft Direction set out in the 31AM(8) notice letter which identified the lands as being outside of the development limit for the settlement and outside the CSO settlement boundary in a peripheral, unserviced and non-sequential location which leapfrogs undeveloped greenbelt land. On this basis, the rezoning of the lands is inconsistent with NPO 3(c) of the NPF – compact growth and will not contribute to mandatory objectives for sustainable settlement and transport strategies under 10(2)(n) of the Act.

Following consideration of the elected member's submission and the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 33.

(xi) PAZ 45 (Ballysadare)

One submission was received from a member of the public opposing the draft Direction in respect of PAZ 45.

The following matters were raised in the submission to the Chief Executive and summarised in the CE's Report:

- systemic procedural errors in the making of the County Development Plan, material errors in the core strategy and incorrect application of the SCA;

- UÉ submission demonstrates the site is serviceable (tier 2); matters raised in relation to the approach of the SCA and why the site would meet the criteria for Tier 1 of the SCA when compared with other sites assessed in the SCA; SCA does not take into account multiple relevant criteria for smaller settlements and therefore ignores relevant considerations for the subject site such as the site directly adjoins public open space including a walking track, football pitch, playground and crèche;
- the CSO boundary has no relevance to decision making in terms of the preferred location of the zoning of land; this is considered an arbitrary and misleading metric and bears no relation to the form that a particular settlement may take;
- leapfrogging relates to geographical proximity to the town centre only and should not be a test in isolation; without including the site in a properly conducted SCA no balanced and objective test to the suitability of the site can be carried out;
- lands referenced by Office as being green belt are not, they are a ring fort and as such land is not developable;
- the County Development Plan significantly underestimates the quantum of zoned land that is required for residential purposes; there is a shortfall of 1.59ha of zoned land due to PAZ 46 reverting to SLR; and
- submission outlines compliance with national and regional policy objectives.

The lands were zoned Green Belt (GB) in the draft County Development Plan.

The submissions from the NWRA and UÉ support the draft Direction in respect of PAZ 45.

The CE's Report recommends the subject lands should revert to Green Belt (GB) zoning, consistent with the Chief Executive's recommendation contained in the CE's Report (MA stage).

In relation to the matter of systemic errors and the making of the County Development Plan, as per section 31AM, 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. Where such inconsistencies arise, and if the Plan fails to set out an overall strategy for the proper planning and development of an area, the Minister may, if in agreement with the Office, require the planning authority to take specified measures in relation to the development plan.

In respect of the issues raised in relation to the approach of the Planning Authority to the SCA, the Office notes that it is a policy and objective of the Development Plans 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. The suggested methodology for integrating the core strategy, settlement strategy and zoning function is by way of the sequential test set out in section 6.2.3 of the Guidelines.

With respect to the methodology applied by the planning authority in respect of the IA and the SCAs, which is outlined in Appendix A of the Plan, the criteria applied in the assessment of the potential of the various sites to contribute to the sustainable growth of the respective settlement is outlined in terms of sequential test and environmental status. In this regard, the Office notes that the steps recommended by the Guidelines have been applied by the Planning Authority in a clear and co-ordinated manner in respect of the draft plan, prior to material alterations being adopted.

In relation to the ability to service these lands, such matters were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions. The submission from UÉ provides further clarification that there is a sewer in the field to the east approximately 40m from the site, but third-party permissions may be required, and to connect to the network via the public road an extension of at least 160m would be required.

In relation to the matter of the CSO boundary having no relevance in terms of the preferred location of zoning and NPO 3(a), the Office notes that the NPF specifically states in respect of NPO 3(a) that '...the existing built-up footprint of all sizes of

urban settlement, as defined by the CSO in line with UN criteria...'. The Office further notes NPO3(c), which applies to Ballysadare, references that 'individual or scheme homes delivery outside of the CSO defined urban settlement boundary are classed as greenfield'.

The Office acknowledges the point in respect of leapfrogging, however it remains that the lands are located outside of the Development Limit of the village and would extend the village along the N59 in a non-sequential manner.

The Office's reference to the lands being 'green belt' is in respect of the draft County Development Plan land use zoning objective applied for these lands.

In relation to the housing land requirement set out in the core strategy of the County Development Plan, the NPF Implementation Roadmap provides a transitional set of population projections to inform the county development plans for the periods to 2026 and to 2031. The population growth projections for County Sligo align with the transitional population projections in the NPF Implementation Roadmap. With respect to any revised housing targets that may ensue from the draft revised NPF, it is premature to pre-empt future amendments that may be made to the housing targets set out in the core strategy of the County Development Plan and at settlement level, including the relevant statutory processes that such amendments require.

Notwithstanding, the Office does not consider that any anticipated future changes in housing targets justify the zoning of these PA 45 lands for residential use at this time in a non-sequential location inconsistent with NPO 72 a-c of the NPF – tiered approach to zoning.

In respect of there being a shortfall in lands zoned new residential for the settlement, the Office notes that the actual housing allocation for Ballysadare in the core strategy is 80 units whilst the potential yield from the lands zoned in the draft County Development Plan amounts to 152 units. There is no evidence, therefore, to support the argument that there is a shortfall of lands to meet the housing demand for the settlement.

In respect of the consideration of the national and regional planning objectives for these lands the Office notes that NPO 3c; RPO 3.2b, RPO 3.7.39 and NPO 72 were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In respect of the matters raised in relation to these lands and NPO 18a of the NPF, the office notes that the zoning of these lands would be inconsistent with NPO 18a in that the zoning extends the town development limit to the west and leapfrogs undeveloped lands in a non-sequential manner which would not support the proportionate growth of the town and contribute to its regeneration and renewal.

In respect of the matters raised in relation to NPO 60 of the NPF and RPO 5.14 of the RSES, the Office notes that the SEA concluded in respect of PAZ 14 that 'there is potential for associated unnecessary adverse effects on various environmental components' and the zoning does not, therefore, support the national and regional policy objective to support the conservation of the natural heritage of the area.

Following consideration of the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 45.

(xii) PAZ 57 (Strand Hill)

The CE's Report sets out that seventy-eight (78) submissions were received in respect of PAZ 57. As set out in the CE's Report:

- 39 submissions support the draft Direction (excluding one from the NWRA)
- 27 submissions oppose the draft Direction
- 4 submissions raise concerns about the implications of zonings in Strandhill but do not reference PAZ 57 (or any other matter of the draft Direction) specifically.
- 7 submissions object to PAZ 56 (which is not subject of the draft Direction)

In respect of the 11 number submissions which raise matters concerning general zonings in Strandhill (4) and matters in respect of PAZ 56 (7), they do not relate to the contents of the draft Direction. Accordingly these do not form part of the Offices consideration and final recommendation further to section 31AN(4).

In respect of the 39 submissions which support the draft Direction on PAZ 57, the following matters were raised in the submissions to the Chief Executive and summarised in the CE's Report:

- note that the draft Direction may result in the removal of approximately 70 hectares of zoned land which is a welcome intervention by the Office and the Minister;
- elected members' decisions regarding PAZ 57 displayed a lack of awareness of what is zoned at present and what the village of Strandhill actually needs;
- the zonings fail to provide a cohesive/coherent/overall strategy for the area;
- note the large amount of undeveloped zoned land in Strandhill and rezoning additional lands is not necessary. Landowners should be made to commence development or lose the zoning;
- suggest the Council engages with the local community collaboratively to create a masterplan for the village;
- before any additional lands are zoned, Strandhill needs a comprehensive masterplan to guide the sustainable development of the village;
- seeks further direction regarding the removal of objectives PAZ 57 due to sufficient lands already zoned in Strandhill;
- concerns regarding capacity of existing wastewater, drainage infrastructure, infrastructure deficits, lack of footpaths, environmental concerns and traffic safety;
- inadequate amenities in the village to cater for the consequent increase in population;
- additional traffic will have to pass the national school with consequent health and safety impacts for all children of Strandhill;

- draft Direction should not be necessary and PAZ 57 should be dismissed as the lands already zoned is more than the village wastewater system can safely manage;
- concerns about consequent strain on the village in terms of village amenities, infrastructure, safety of pedestrians and children, environment and tourism;
- lands should be zoned for recreation and a community centre provided on them;
- school does not have capacity to cater for increased numbers;
- concerns about negative impact on the Golf Club and its development; and
- concerns about potential over-development of Strandhill, traffic safety at the junction, in adequate infrastructure, amenities and lack of community and social services.

In respect of the 27 submissions which opposed the draft Direction, the following matters were raised in the submissions made to the Chief Executive and summarised in the CE's Report:

- the County Development Plan significantly underestimates the quantum of zoned land that is required for residential purposes; urgent need for housing to be provided in Strandhill; More housing is needed to encourage young people to come home to Sligo; lands are required to meet the housing demand for Sligo;
- the zoning of lands will assist in the growth of the town; more land is needed for housing; the zoning of lands is vital to the growth of Sligo and the northwest; there is an urgent requirement for housing in the Strandhill area and the site should be released from SLR in order to plan for the sustainable development of Strandhill and Hazelwood; all lands which have been previously zoned are vital to the growth of Sligo and the wellbeing of its inhabitants;
- residential zoning for the lands is in accordance with national and regional planning policy, the Development Plans Guidelines for planning authorities and the principles of proper planning and sustainable development;

- site is situated in the village core, is sequentially preferable over all the current zoned lands in Strandhill, adjacent to residential zoned lands owned by Sligo County Council where a social housing scheme is being pursued and is sequentially preferable to all currently zoned residential lands in Strandhill;
- site was previously zoned residential from 2003 to 2013 and lands were placed as strategic land reserve as a short term measure due to the 2008 economic downturn; There is a current planning application submitted on these lands and a clear intent to bring forward the development in the lifetime of the County Development Plan;
- sites proposed for New Residential zoning in Strandhill have been proposed for three plan cycles (over 18 years) and have not delivered one single housing unit in this time frame. In context of housing delivery only 44 units were completed in Strandhill between 2017 and 2024 and the lands zoned for Residential failed to delivery any new units in the seven-year lifetime of the previous plan;
- Wastewater treatment plant has sufficient capacity; the site is serviced and identified as Tier 1 site in the County Development Plan IA; previous reason for application being refused related to wastewater treatment plant which has now been upgraded. The scheme included community facilities such as a crèche and pedestrian links;
- systemic procedural errors in the making of the County Development Plan, material errors in the core strategy and incorrect application of the SCA;
- the CSO boundary has no relevance to decision making in terms of the preferred location of the zoning of land and NPO3(a) does not preclude consideration of such lands;
- application of arbitrary and unnecessary scoring system in the SCA resulted in the site not being zoned; SCA for settlements other than Sligo town provide extremely limited and unfair set of criterion and excludes any criteria relating to access to social infrastructure. An assessment of the site relative to the sequential approach in the Development Plans Guidelines and site comparison of other sites in the SCA is outlined which raises points of concern with respect of the illogical for example distance to settlement centre;

concerned that Office assessment may be based on what is considered to be a SCA which does not use the correct criteria; other sites which scored higher in the SCA are not challenged in the draft Direction and it is illogical that other sites score higher in terms of proximity to town centre; and

- submission outlines compliance with national and regional policy objectives

The lands were zoned Strategic Land Reserve in the draft County Development Plan.

The submissions from the NWRA supports the draft Direction in respect of PAZ 57.

The CE's Report recommends the subject lands should revert to Strategic Land Reserve, consistent with the Chief Executive's recommendation contained in the CE's Report (MA stage).

In relation to housing need and housing demand for the area; additional zoned lands required to meet demand for housing; lands previously zoned within the village not being developed; and the infrastructure available at these lands, such matters were carefully considered by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to these similar issues now raised in submissions.

In relation to the reasons that the zoning of these lands is required for the sustainable development of Strandhill, the Office notes that PAZ 57 would zone an additional 4ha of land for New Residential (nRES), an increase of 51% to that area determined by the core strategy as sufficient to accommodate the housing targets for Strandhill.

The NWRA submission to the draft Direction states that it supports

the concept of developing places of regional-scale and compact urban growth as outlined in the Regional Spatial and Economic Strategy and in particular Regional Policy Objectives RPO 3.1, RPO 3.2(b), RPO 3.2 (c), RPO 3.3, RPO 3.4 and RPO 3.7.39 – along with ensuring prevention of flooding/flood risk through RPO 3.10.

Furthermore, based on the SCA prepared as part of the County Development Plan, the zoning objectives for Strandhill provide sufficient capacity to accommodate the housing targets set out in the core strategy, ensuring that a sufficient supply of zoned land is provided, and that choice for development potential is safeguarded.

There is, therefore, no evidence-based rationale consistent with proper planning and sustainable development to support the decision to zone a further 4ha of New Residential lands in a non-sequential location that does not support sustainable travel patterns and/or that these lands are necessary for the sustainable development of the settlement.

In relation to the housing land requirement set out in the core strategy of the County Development Plan, the NPF Implementation Roadmap provides a transitional set of population projections to inform the county development plans for the periods to 2026 and to 2031. The population growth projections for County Sligo align with the transitional population projections in the NPF Implementation Roadmap. With respect to any revised housing targets that may ensue from the draft revised NPF, it is premature to pre-empt future amendments that may be made to the housing targets set out in the core strategy of the County Development Plan and at settlement level, including the relevant statutory processes that such amendments require.

Notwithstanding, the Office does not consider that any anticipated future changes in housing targets justify the zoning of these PAZ 57 lands for residential use at this time on lands which are located outside of the CSO settlement boundary, and leapfrog extensive undeveloped residential zoned lands, including Strategic Land Reserve closer to the village centre.

In relation to the matter that the lands will adjoin a proposed local authority social housing scheme, there is no evidence on the Planning Register that any such Part 8 planning scheme is under consideration and/or has been granted on the adjacent lands and the Office notes that the Planning Authorities appeal statement to the planning application reference 24/60191 states that no such scheme (either Part 8 or 179(a)) has concluded.

Notwithstanding, any such adjacent development does not, in itself, provide a justification for continuing the spatial expansion of Sligo outwards into outlying areas which would be inconsistent with the core strategy of the County Development Plan and the zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which is inconsistent with the core strategy of the County Development Plan, NPO 3c and NPO 72a-c of the NPF, RPO 3.2(b), RPO 3.7.39 and RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies.

In relation to the matters that reference the previous zoning of these lands, the Office acknowledges the land use zoning objectives for these lands in previous statutory plans. However, the lands were zoned as strategic land reserve in the previous County Development Plan and the policy and objective of the Development Plans Guidelines to not dezone previously zoned and serviced lands, does not therefore apply.

The assessment prepared in respect of PAZ 57 and matters relating to the availability of infrastructure to service these lands were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In relation to problems with the suitability, activation and/or deliverability of other zoned land in the town, this was a matter for elected members to consider when zoning these lands for development, and is not a reasonable basis for zoning the PAZ 57 lands contrary to the policy objectives for the proper planning and sustainable development of the area. The intentions of landowners to activate zoned lands over previous plan periods is a matter for the planning authority to consider when zoning lands at the initial draft plan stage and is not a reasonable basis for zoning the PAZ 57 lands contrary to the policy objectives for the proper planning and sustainable development of the area.

Fundamental to ensuring that zoned lands can be activated over a plan period is the preparation of a SCA and infrastructure assessment to determine the implications for

the cost and timing of delivery of infrastructural services. In the absence of these assessments, there is no understanding of what the cost and timing for the delivery of infrastructure services are.

As such, the zoning of lands without carrying out a detailed audit and/or assessment may have significant implications for the cost and timing of delivery of infrastructural services during the plan period and does not demonstrate that efficient and effective use is made of existing infrastructure and services, and the zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which would be inconsistent with the core strategy of the County Development Plan, NPO 3c and NPO 72a-c of the NPF, RPO 3.2(b), RPO 3.7.39 and RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies.

With respect to the matters relating to a previous refusal of planning permission at these lands, the Office notes ÚE's submission to the material alterations which outlined that, depending on the scale of development, upsizing of the 150mm diameter sewer may be required over a length of 200m+. As such, notwithstanding any upgrade of the treatment plant which has taken place, it is evident that additional infrastructure provision is necessary to service these lands.

In relation to previous zoning of lands, sections 10(8) and 19(6) of the Act provides that there is no presumption in law that any land zoned in a particular development plan or local area plan shall remain so zoned in any subsequent plan. The Office is of the view that any historical development in the wider area and/or decisions of the planning authority within the settlements predates the current planning policy context and does not provide a justification for the zoning of these lands outside of the CSO settlement boundary, and leapfrog extensive undeveloped residential zoned land, including strategic land reserve, closer to the village centre.

In relation to the matters raised in respect of systemic errors in the making of the County Development Plan, as per section 31AM, recommendations issued by the Office relate to clear breaches of the relevant legislative provisions, of the national or regional policy framework. Where such inconsistencies arise, and if the Plan fails to set out an overall strategy for the proper planning and development of an area, the Minister may, if in agreement with the Office, require the planning authority to take

specified measures in relation to the development plan. It is not for this process to consider and determine if systemic procedural errors have occurred outside of this context.

In relation to the matter of the CSO boundary having no relevance in terms of the preferred location of zoning and NPO 3(a), the Office notes that the NPF specifically states in respect of NPO 3(a) that ‘...the existing built-up footprint of all sizes of urban settlement, as defined by the CSO in line with UN criteria...’. The Office further notes NPO3(c) of the NPF, which applies to Strandhill, references that ‘individual or scheme homes delivery outside of the CSO defined urban settlement boundary are classed as greenfield’.

In respect of the issues raised in relation to the approach of the Planning Authority to the SCA, the Office notes that it is a policy and objective of the Development Plans 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. The suggested methodology for integrating the core strategy, settlement strategy and zoning function is by way of the sequential test set out in section 6.2.3 of the Guidelines.

With respect to the methodology applied by the planning authority in respect of the IA and the SCAs, which is clearly outlined in Appendix A of the County Development Plan, the criteria applied in the assessment of the potential of the various sites to contribute to the sustainable growth of the respective settlement is outlined in terms of sequential test and environmental status. In this regard, the Office notes that the steps recommended by the Guidelines have been applied by the Planning Authority in a clear and co-ordinated manner in respect of the draft plan, prior to material amendments being adopted.

In respect of the consideration of the national and regional planning objectives for these lands the Office notes that NPO 3c; RPO 3.2b, RPO 3.7.39 and NPO 72 were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In respect of the matters raised in relation to these lands and NPO 18a of the NPF, the Office notes that the zoning of these lands would be contrary to NPO 18a in that the zoning extends the development limit to the south and leapfrogs undeveloped lands in a non-sequential manner which would not support the proportionate growth of the town and contribute to its regeneration and renewal.

In respect of the matters raised in relation to NPO 60 of the NPF and RPO 5.14 of the RSES, the Office acknowledges that the site is not directly connected to a natural or cultural monument and/or area of special interest.

Following consideration of the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 9.

(xiv) PAZ 63 (Ballinafad)

Two submissions were received opposing the draft Direction in respect of PAZ 63, one from the elected member Councillor Paul Taylor and one from a member of the public.

The following matters were raised by the elected member Councillor Paul Taylor in the submission to the Office:

- this site is crucial to the development of the village in Ballinafad allowing young people to live in the area;
- the site is located minutes from the N4; and
- clarification from the engineer outlining how the site can be developed for residential use without encroaching on the flood zone and that access to the watermain, foul sewer, surface water drainage, public roads and footpaths are available.

The following matters were raised in the submission from the member of the public to the Chief Executive and summarised in the CE's Report:

- the availability of services in proximity to the site (i.e. watermain, foul sewer, surface water drainage, public roads and footpaths).

The lands were zoned Green Belt in the draft County Development Plan.

The submissions from the NWRA and UÉ support the draft Direction in respect of PAZ 63. The Office acknowledges the clarification from UÉ that:

- an extension of approximately 90m from the site along the road would be required to the site entrance shown on the zoning map;
- a potential alternative would be to connect via the adjacent estate to the south-west of the site with a shorter extension, but this may require third-party permissions;
- development in areas at risk of flooding increase the level of complexity and the cost providing water services; and
- water supply in this area is provided by a private Group Water Scheme, (Corrick GWS).

The CE's Report recommends the subject lands, which overlap with Flood Zones A or B, should revert to Green Belt zoning, and the remainder of the site should be zoned Rural Village and included within the development limit for Ballinafad. The CE's report states that:

it has now been established that the nearest point of connection to the public sewer is at only 35 m from the site. Taken together with the other available public infrastructure in the vicinity of the site, the Chief Executive accepts that the subject lands can be described as serviceable within the life of the Plan. The Chief Executive also accepts that the subject lands can be developed without any part of the proposed scheme encroaching onto the lands identified as Flood Zone A or B. Having regard to the above, the Chief Executive recommends that the portion of the site subject to PAZ-63 which overlaps with Flood Zone A or B revert to Green Belt zoning. The remainder of the site should be zoned Rural Village (RV) and included within the Development Limit for Ballinafad.

Following consideration of the elected member's submission and the CE's Report, the Office notes the limited extent of flood risk on these lands, and accepts the portion of the site which overlaps with an area identified as 'Indicative fluvial flood

risk⁴ should revert to Green Belt zoning, a land use zoning objective appropriate to the level of flood risk in accordance with the Flood Guidelines, NPO 57 of the NPF and RPO 3.10 of the RSES, with the remainder zoned Rural Village.

The Office therefore recommends a minor amendment to the final Direction to omit that portion of Part 2(b)(xiv) PAZ 63 outside the extent of indicative fluvial flood risk.

(xviii) PAZ 34 (Enniscrone)

Two submissions were received opposing the draft Direction in respect of PAZ 34, one from the elected member Councillor Joseph Queenan and one from a member of the public.

The following matters were raised by the elected member Councillor Joseph Queenan in the submission to the Office:

- this is a much needed tourism project for Enniscrone and had the support of all.

The following matters were raised in the submission from the member of the public to the Chief Executive and summarised in the CE's Report:

- the proposal reflects the objectives for sustainable tourism development outlined in the County Development Plan and complements plans for other tourism projects funded by the Department for Rural and Community Development;
- strategic benefits of the zoning include: economic growth and employment creation; addresses tourism demand; revenue generation; environment commitment by the buffer zone of native bush planting; and
- strong community support outlined for the project; the proposal has twice been approved by elected councillors, the rezoning decision should be reconsidered and the project's potential to position Enniscrone as a leader in sustainable tourism should be recognised.

The lands were zoned Green Belt in the draft County Development Plan.

⁴ See Appendix A

The submissions from the NWRA and UÉ support the draft Direction in respect of PAZ 34. The Office acknowledges the clarification from UÉ's that to the south of the town the UÉ sewer network extends only as far as the Links Estate.

The CE's Report recommends the subject lands should revert to Green Belt zoning, consistent with the Chief Executive recommendation contained in the CE's Report (MA stage).

In relation to sustainable tourism development in Enniscrone and the elected member support in this regard, this matter was carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In relation to the strategic benefits of rezoning the lands for economic growth and employment creation, addressing tourism demand, the commitment to provide native bush planting and the strong community support for the project, there are extensive lands zoned for tourism and mixed use development in the settlement which are sequentially preferable to the subject lands and which would positively contribute to the vitality and viability of the town. Further, this does not, in itself, provide sufficient basis to zone land for the range of uses facilitated by under the zoning matrix of the County Development Plan given the unserviced and peripheral location of the lands outside of the CSO settlement boundary and outside the 80kmph speed limit.

The zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which is inconsistent with the core strategy of the County Development Plan, NPO 3c and NPO 72a-c of the NPF, RPO 3.2(b), RPO 3.7.39 and RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies.

Following consideration of the submission and the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 34.

(xix) PAZ 41 (Ballysadare)

Three (3) submissions were received from members of the public opposing the draft Direction in respect of PAZ 41.

The following matters were raised in the submission to the Chief Executive and summarised in the CE's Report:

- site was zoned for Business and Enterprise in the previous County Development Plan which highlights its suitability for such purposes;
- decision to Green Belt this site and adjoining PAZ 44, both of which were previously zoned, would be detrimental to Ballysadare area; Zoning of lands for Business, Industry, Enterprise is essential to support economic growth, job creation and sustainable development of the area;
- existing infrastructure, strategic location and historical zoning highlight its suitability for Business, Industry and Enterprise purposes; Infrastructure assessment is inaccurate, there is a footpath along the N59 and the sites anticipated small foul loading can be treated on site;
- recent planning application was refused for single reason regarding intensification of access onto N59 however anticipated this speed limit will be reduced which will address the refusal reason and unlocking the potential development of these lands;
- anticipated improvements in road safety will address planning concerns, ensuring the land can be developed to its full potential; and
- elected members have demonstrated their support for retaining the zoning reflecting the sites strategic value for the community and local economy.

The lands were zoned Green Belt in the draft County Development Plan.

The submissions from the NWRA and TII support the draft Direction in respect of PAZ 41.

The CE's Report recommends the subject lands should revert to Green Belt zoning, consistent with the Chief Executive recommendation contained in the CE's Report (MA stage).

The Office acknowledges the zoning of these lands in the previous County Development Plan, however, this does not provide sufficient basis to zone land for a wide range of uses facilitated under the zoning matrix given the unserviced and peripheral location of the lands outside of the CSO settlement boundary. In addition, a different national and regional policy framework exists than that in place during the preparation of the previous County Development Plan, which the preparation of the current County Development Plan is required to be consistent with.

In relation to the reasons of support for economic growth of the settlement, rezoning being detrimental to the settlement and community support for the rezoning of these lands, the Office notes that the growth and development of Ballysadare in accordance with strategic settlement policy SP-S-4 of the County Development Plan is to carefully manage development in the village. As such, the location of these lands in a peripheral, non-sequential and unserviced location outside of the CSO settlement boundary and extending the village plan development limit, is not consistent with this strategic settlement policy and/or the proper planning and sustainable development of the town.

In relation to the location of the lands and the infrastructure available at the subject site, these matters were carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

In respect of the matter that anticipated improvements in road safety that will ensure the land can be developed to its full potential, the Office notes that section 15.3.3. includes an objective to 'seek to improve the active travel facilities along the national primary route N-59 within the 60 km/h extents of the village'. These lands are located circa 0.4km beyond the 60km/h extents of the village. It is therefore not clear how the anticipated improvements in road safety is sufficient rationale for the zoning of 2.77 ha for intensive employment uses in a non-sequential and unserviced location outside the CSO boundary and village plan development limit for employment uses contrary to NPO 74 to align the NPF and the NDP through the delivery of NSOs included NSO 1 Compact Growth and NSO 2 Enhanced Regional Accessibility and having regard to section 2.5 of the Spatial Planning and National Roads Guidelines

for Planning Authorities (2012) (National Roads Guidelines) to protect the strategic function of national roads.

Following consideration of the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 41.

(xx) PAZ 44 (Ballysadare)

One submission was received from members of the public opposing the draft Direction in respect of PAZ 44.

The following matters were raised in the submission to the Chief Executive and summarised in the CE's Report:

- it is entirely appropriate that the subject site, with an existing, established and ongoing commercial use, be zoned Business, Industry, Enterprise to reflect the existing use;
- site contains an existing commercial operation and that Minister does not appear to be aware of this; reasons set out in Office's recommendation gives no recognition of existing commercial use on site and do not apply in the context of the existing established use;
- Green Belt zoning is illogical given existing commercial operations and the extant permission, PI Ref 20/403, for the construction of two warehouses at this site. Existing commercial use cannot make any contribution to the green belt objectives;
- the zoning of other lands as SLR leaves no BIE zoning for Ballysadare; and
- the use is existing and the zoning will not change the access in any way. The TII submissions do not recognise the extant planning permission on this site.

The lands were zoned Green Belt in the draft County Development Plan.

The submissions from the NWRA and TII support the draft Direction in respect of PAZ 44.

The CE's Report recommends the subject lands should revert to Green Belt zoning, consistent with the Chief Executive's recommendation contained in the CE's Report (MA stage).

In relation to the existing commercial use on the subject site, this matter was carefully taken into consideration by the Office in recommending the exercise of your function under the relevant provisions of section 31 of the Act, and the Office adopts the same rationale as set out in the 31AM(8) notice letter in response to this similar issue now raised in submissions.

Further, this does not, in itself, provide sufficient basis to zone land for the wide range of uses facilitated by under the zoning matrix of the County Development Plan given the unserviced and peripheral location of the lands outside of the CSO settlement boundary and outside the 80kmph speed limit. On this basis the zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which is inconsistent with the core strategy of the County Development Plan, NPO 3c and NPO 72a-c of the NPF, RPO 3.2(b), RPO 3.7.39 and RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies.

In respect of the matter of the Green Belt zoning for these lands, the land use zoning objective for these lands as published in the draft County Development Plan was Green Belt. The Office further notes the Chief Executive's comment in the CE's Report (MA stage) that 'a portion of the lands for light industrial / warehousing is acknowledged', however it further notes that 'the site is served by an on-site wastewater treatment system and is not served by the public sewer'.

In relation to the planning history for these lands, the Office is of the view that any historical development in the wider area and/or decisions of the planning authority at these lands in 2009 predates the current planning policy context and does not provide a justification for the zoning of these peripheral and unserviced lands and the zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which is inconsistent with the core strategy of the County Development Plan, NPO 3c and NPO 72a-c of the NPF, RPO 3.2(b), RPO 3.7.39 and RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies.

In relation to the economic development for Ballysadare which is designated as a Satellite Village of the Sligo Regional Growth Centre in the County Development Plan, the Office notes that the strategic policy is to carefully manage development and to 'prioritise investment in social infrastructure and active travel infrastructure'. The Economic Strategy in the County Development Plan states that the draft County Development Plan zoned circa 290 ha for Business, Industry and Enterprise purposes and Ballysadare is not identified as a key location for new enterprise development and/or as a secondary employment centre after Sligo town. No evidence is provided to demonstrate how a failure to provide BIE lands at this location would impact negatively on the function of the settlement as set out in the County Development Plan and/or that the removal of this zoning demonstrates that the County Development Plan is insufficient in respect of providing lands for employment generating uses.

It is noted that TII made submissions to the planning application PI Ref 20/403 stating that the proposal was at variance with National Roads Guidelines. Notwithstanding that an existing access exists, the Office remains of the view that rezoning lands at this location for the wide range of uses facilitated by under the zoning matrix of the County Development Plan is contrary to NPO 74 to align the NPF and the NDP through the delivery of NSOs including NSO 2 Enhanced Regional Accessibility and RPO 6.5 to manage optimal use of the region's land transport networks.

Following consideration of the CE's Report, there is no planning or policy basis to amend the recommendation of this Office in respect of the draft Direction in relation to PAZ 44.

Part 2(c) section 33.9.1 national roads text

Two submissions were received from NWRA and TII both of which support Part 2(c) of the draft Direction.

The submission from TII reminds the council of previous submissions on section 33.9.1 of the draft County Development Plan and the subsequent proposed amendment PA 180.

The Chief Executive recommends that the final Direction should be issued with the following minor amendment:

The text of section 33.9.1 reverts to the Draft Plan version, except for the updated title of the relevant TII Publication.

The CE's Report states that

there is no objection to deleting most of the amending text, thereby reverting to the original text of section 33.9.1 Access to national roads as published in the draft Plan (October 2023) while retaining only the updated name of the TII Publications'.

The Chief Executive recommends:

- the following text is deleted under the heading Sight distances for access on to national roads in Section 33.9.1 of the Plan:

Where direct vehicular access onto national primary roads cannot be avoided (such as situations arising from national road realignment schemes), a Departure from TII Publications Standards DN-GEO-03060 with justification shall be required, as provided for in Section 5.5. Direct Accesses of DN-GEO-03060. In all cases, the number of accesses on to the national road should be minimised, either by consolidating them into a single access point, or connecting them to existing side roads. The sight distances required for access onto national primary and secondary roads are set out in Table 33.8. The sight distances are measured from the access point to the near-side edge of the carriageway in accordance with the TII Publications Standards DN-GEO-03031 and DN-GEO-03060.

- The following text should replace the deleted text under the heading Sight distances for access on to national roads in Section 33.9.1 of the Plan:

The sight distances required for access onto national primary and secondary roads are set out in Table 33.8. The sight distances are measured from the access point to the near-side edge of the carriageway in accordance with TII Publications Standards DN-GEO-03031 and DN-GEO-03060.

No other submissions were received to oppose or support Part 2(c).

The Office notes the CE's Report and the submissions from NWRA and TII in respect of Part 2 (c).

The Office accepts the reasons given by the Chief Executive and recommends a minor amendment to the Direction in respect of Part 2 (c) to state that the text of section 33.9.1 reverts to the draft County Development Plan version, except for the updated title of the relevant TII Publication.

Recommendation

In light of the above and for the reasons given in the 31AM(8) Notice Letter dated, the Office remains of the view, as set out in the 31(AM)(8) Notice Letter, that the County Development Plan fails to set out an overall strategy for the proper planning and sustainable development of the area.

This is because, taken together, the material amendments the subject of this recommendation indicate that there has been a failure to act consistently with the National Policy Objectives 3(a) to (c), NPO 72 of the National Planning Framework and section 10(2)(n) of the Act across the development plan area and, having considered the reasoning of the elected members at adoption and draft direction stage, that there has been no or not sufficient reasons given to explain why consistency is not practicable.

Accordingly, having regard to section 31AN(4) of the Act, the Office recommends the exercise of your function under the relevant provisions of section 31 of the Act, to issue the Direction with minor amendments identified in the red and text as per the attached proposed final Direction.

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.

Yours sincerely,



Niall Cussen

Planning Regulator

Designated Public Official under the Regulation of Lobbying Act 2015

DIRECTION IN THE MATTER OF SECTION 31
OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)
Sligo County Development Plan 2024 - 2030

“Development Plan” means the Sligo County Development Plan 2024 - 2030

“Planning Authority” means Sligo County Council.

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

“NPF” means the National Planning Framework

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 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 (Sligo County Development Plan 2024 – 2030) Direction 2024.

(2) The Planning Authority is hereby directed to take the following steps with regard to the County Development Plan:

a. ~~Delete the following zoning objectives from the adopted County Development Plan:~~

The subject lands revert to as indicated in proposed material alterations to the Draft Sligo County Development Plan 2024 – 2030 PAZ 49:

(i) the lands on the L3203 on the western approach to Grange, i.e. the subject land reverts to ~~not-zoned~~ Green Belt (GB) from Strategic Land Reserve;

b. Delete the following material alterations from the adopted County Development Plan such that the subject lands revert to as indicated in the draft County Development Plan:

- (i) PAZ 9, i.e. the subject land reverts to Strategic Land Reserve (SLR) from New Residential (nRES);
- (ii) PAZ 11, i.e. the subject land reverts to Green Belt from New Residential (nRES) and Open Space (OS) and the Development Limit reverts to the draft Plan;
- (iii) PAZ 12, i.e. the subject land reverts to Green Belt (GB) from New Residential (nRES);
- (iv) PAZ 13, i.e. the subject land reverts to Strategic Land Reserve (SLR) from New Residential (nRES);
- (v) PAZ 14, i.e. the subject land reverts to Green Belt (GB) from New Residential (nRES);
- (vi) PAZ 15, i.e. the subject land reverts to Green Belt (GB) from New Residential (nRES) and Strategic Land Reserve (SLR);
- (vii) PAZ 31, i.e. the subject lands revert to Open Space (OS) from New Residential (nRES)
- (viii) PAZ 32, i.e. the subject lands revert to Green Belt (GB) from New Residential (nRES)
- (ix) PAZ 33, i.e. the subject lands revert to Green Belt from New Residential (nRES)
- (x) PAZ 42, i.e. the subject lands revert to Green Belt (GB) from New Residential (nRES)
- (xi) PAZ 45, i.e. the subject lands revert to Green Belt (GB) from New Residential (nRES)
- (xii) PAZ 57, i.e. the subject lands revert to Strategic Land Reserve (SLR) from New Residential (nRES)
- (xiii) PAZ 62, i.e. the subject lands revert to Green Belt (GB) from Tourism (TOU)

- (xiv) PAZ 63, i.e. the subject lands identified¹ as 'Indicative fluvial flood risk' revert to Green Belt (GB) from Rural Village (RV), and the remaining lands retained as Rural Village (RV)
- (xv) PAZ 76, i.e. the subject lands revert to Green Belt (GB) from Rural Village (RV)
- (xvi) PAZ 79, i.e. the subject lands revert to Green Belt (GB) from Rural Village (RV), and the Development Limit reverts to the draft Plan
- (xvii) PAZ 80, i.e. the subject lands revert to Green Belt (GB) from Rural Village (RV), and the Development Limit reverts to the draft Plan
- (xviii) PAZ 34, i.e. the subject lands revert to Green Belt (GB) from Tourism (TOU) and Open Space (OS)
- (xix) PAZ 41, i.e. the subject lands revert to Green Belt (GB) from Business/Industry/ Enterprise (BIE)
- (xx) PAZ 44, i.e. the subject lands revert to Green Belt (GB) from Business/Industry/ Enterprise (BIE)

c. Delete the following text at section 33.9.1:

Where direct vehicular access onto national primary roads cannot be avoided (such as situations arising from national road realignment schemes), a Departure from TII Publications Standards DN-GEO-03060 with justification shall be required, as provided for in Section 5.5. Direct Accesses of DN-GEO-03060. In all cases, the number of accesses on to the national road should be minimised, either by consolidating them into a single access point, or connecting them to existing side roads. The sight distances required for access onto national primary and secondary roads are set out in Table 33.8. The sight distances are measured from the access point to the near-side edge of the carriageway in accordance with the TII Publications Standards DN-GEO-03031 and DN-GEO-03060.

¹ Sligo Draft CDP 2024-2030 SFRA Report – Appendix 1 Mapping – 12/10/2023, Page 25, 26 & 27

And replace with the text of section 33.9.1 as stated in the draft Sligo County Development Plan with updated references made to the TII publications and apply all necessary consequential updates to the text of the plan consistent with the foregoing.

STATEMENT OF REASONS

- I. The County Development Plan as made includes material alterations to the draft County Development Plan for zoning objectives in peripheral and/or non-sequential, and/or unserviced locations, and/or outside the relevant CSO settlement boundaries, and/or do not conserve and enhance the natural and cultural heritage of County Sligo, providing additional residential land in excess of what is required under the growth targets of the core strategy for Sligo Town, Grange, Enniscrone, Ballysadare, Strandhill, Curry and Gorteen.

The zoning objectives and material alterations would individually and cumulatively encourage a pattern of development in particular locations which is inconsistent with the core strategy of the County Development Plan, NPO 3c, NPO 18a, NPO 60, NPO 72a-c of the National Planning Framework (NPF), RPO 3.2(b), RPO 3.7.39, RPO 5.14 of the RSES, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies ~~and the obligations under the Climate Action and the Low Carbon Development Act 2015, as amended (the Climate Act), and fails to have regard to the policy and objective for settlement capacity audits and the policy and objective for sequential zoning under the Development Plans, Guidelines for Planning Authorities (2022) (the Development Plans Guidelines).~~

- II. The County Development Plan as made also includes material alterations to the draft Plan, which zone additional land for Tourism in the area of Enniscrone and Easky, and for Business/Industry/Enterprise in the area of Ballysadare which can accommodate a range of high intensity employment uses. These zoning objectives are located in peripheral and unserviced locations, outside the relevant CSO settlement boundaries and would encourage a pattern of development that is inconsistent with NPO 18a and NPO 74 to align the NPF and the NDP through the delivery of National Strategic Outcomes including NSO 1 compact growth and NSO 2 Enhanced Regional Accessibility, NPO 72a-

c tiered approach to zoning, RPO 6.5 of the RSES to protect the strategic transport function of national roads, and section 10(2)(n) of the Act concerning the promotion of sustainable settlement and transport strategies. ~~and the obligations under the Climate Act, and fails to have regard to the policy and objective for sequential zoning under the Development Plans Guidelines and section 2.5 of National Roads Guidelines for Planning Authorities (2012) (National Roads Guidelines).~~

- III. The County Development Plan as made includes material alterations to zone land for vulnerable and highly vulnerable uses in Sligo Town, Easky, ~~Ballinacree~~, Curry and Gorteen which lands are partially located within flood zone A and/or B, inconsistent with NPO 57 to avoid inappropriate development in all areas at risk of flooding in accordance with the Flood Risk Management Guidelines for Planning Authorities (2009), and RPO 3.10 to implement the recommendations of the Flood Guidelines.
- IV. The County Development Plan as made includes a material amendment to introduce text into section 33.9.1 of the Plan which provides for direct vehicular access onto national primary roads in certain circumstances inconsistent with NPO 74 to align the National Planning Framework and the National Development Plan through the delivery of National Strategic Outcomes including NSO 2 Enhanced Regional Accessibility, and RPO 6.5 to give effect to NSO 2 and to maintain the strategic capacity and safety of the national road network. ~~and fails to have regard to sections 2.5 and 2.6 of the Spatial Planning and National Roads Guidelines to maintain the capacity, efficiency and safety of national roads, avoiding the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 km/h apply.~~
- V. Further, the statement under Section 28(1A)(b) attached to the Development Plan as made fails to include information that demonstrates that the planning authority has formed the opinion that it is not possible to implement the policies and objectives contained in the Development Plans Guidelines for Planning Authorities (2022), and/or in the Spatial Planning and National Roads Guidelines and/or in The Planning System and Flood Risk Management

Guidelines for Planning Authorities (2009) because of the nature and characteristics of the area or part of the area and to give reasons for the forming of that opinion and to explain why it is not possible to implement the policies and objectives of the Minister, contrary to Section 28(1B)(b);

- VI. The Development 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 31AM of the Act.
- VII. The Minister is of the opinion that the Development Plan as made is not consistent with the objectives of the RSES, contrary to section 10(1A) and section 27(1) of the Act.
- VIII. The Minister is of the opinion that the Development Plan as made is not consistent with National Policy Objectives 3c, 18a, 57, 60, 72a – c, 57 and 74 of the National Planning Framework.
- IX. The Minister is of the opinion that the Development Plan as made fails to set out an overall strategy for the proper planning and sustainable development of the area.
- X. The Development 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.

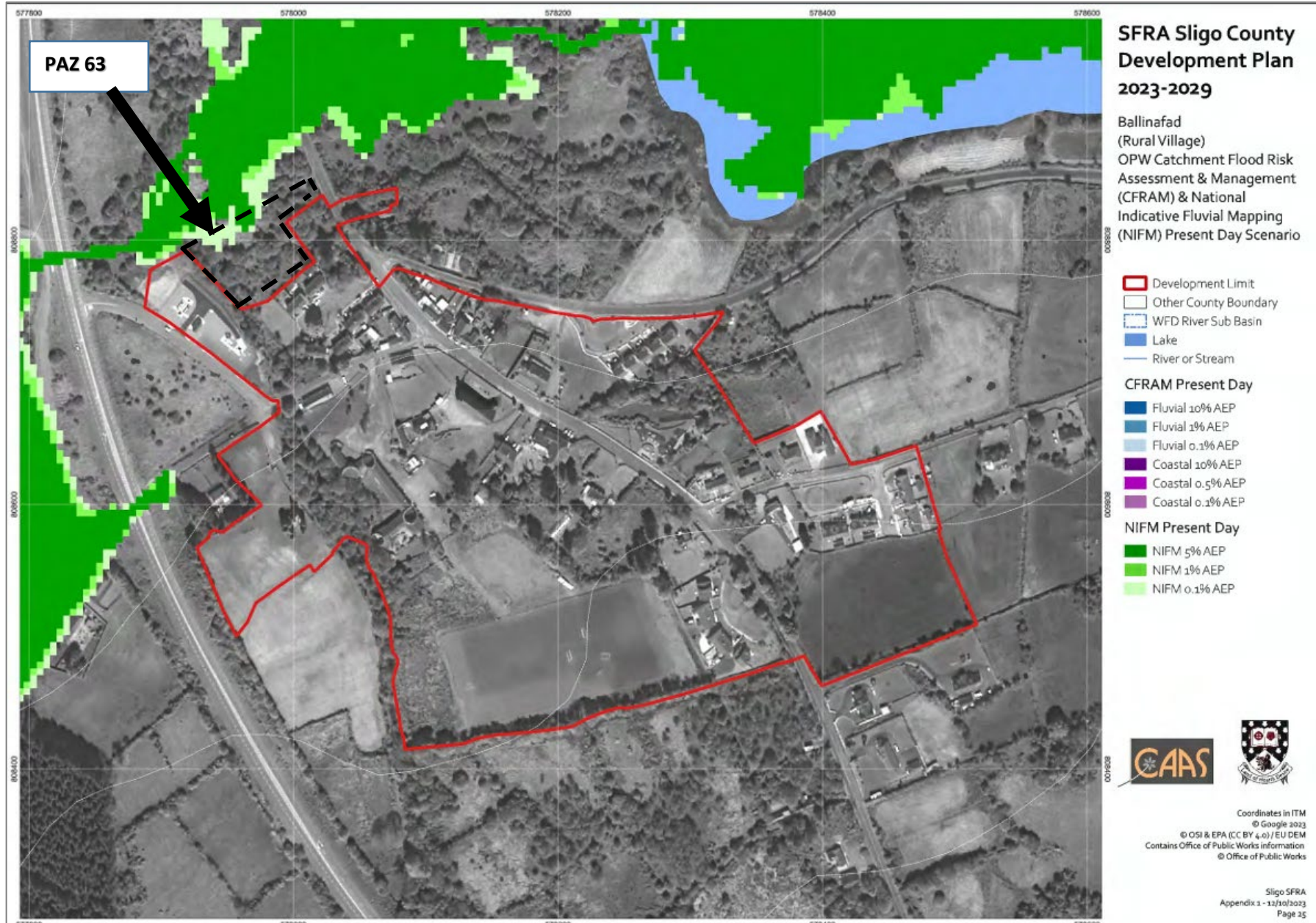


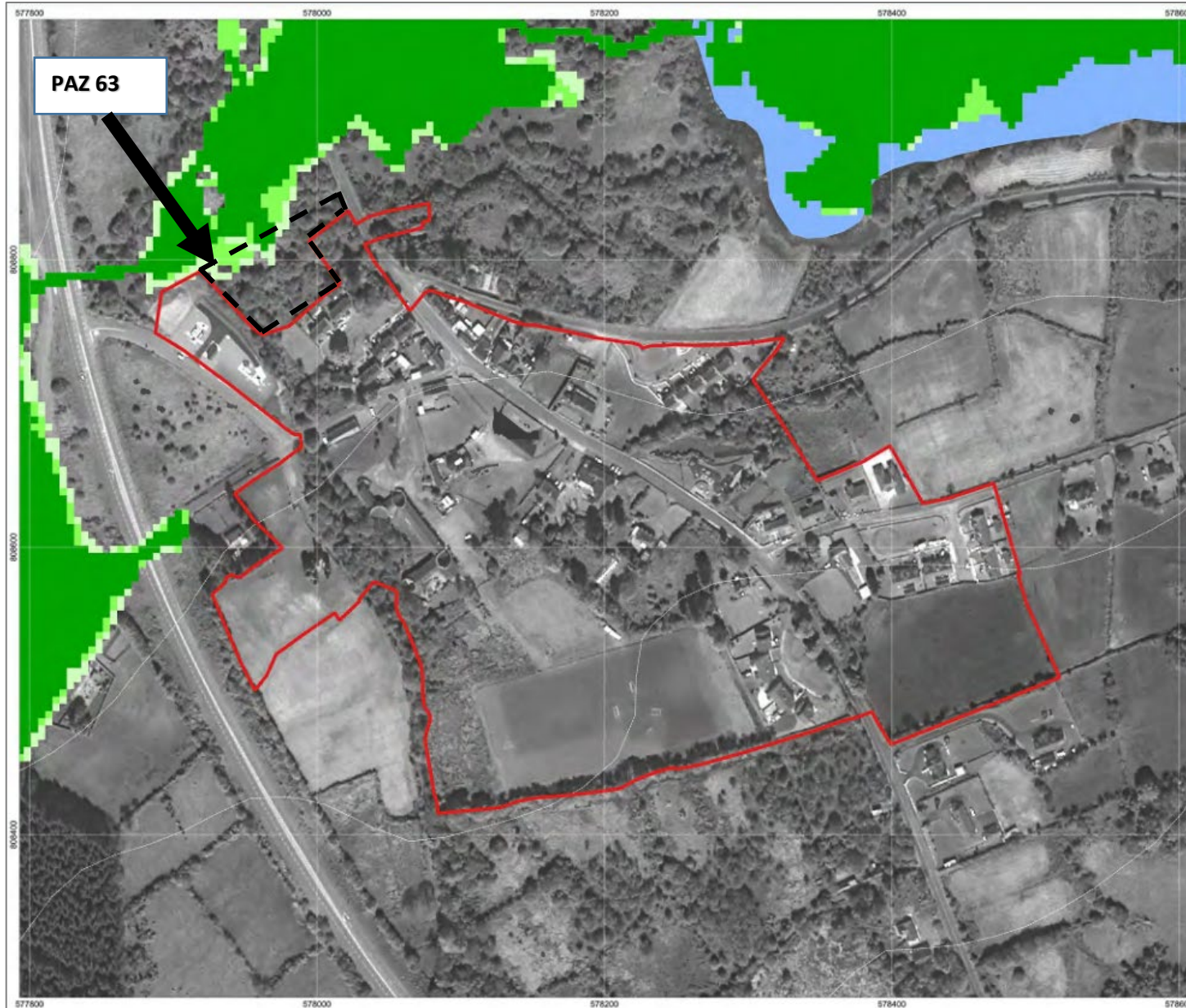
**Oifig an
Rialaitheora Pleanála**
Office of the
Planning Regulator

Appendix A – Map PAZ 63



Oifig an Rialaitheora Pleanála
Office of the Planning Regulator





SFRA Sligo County Development Plan 2023-2029

Ballinafad (Rural Village)
OPW Catchment Flood Risk Assessment & Management (CFRAM) & National Indicative Fluvial Mapping (NIFM) Mid-Range Future Scenario

- Development Limit
- Other County Boundary
- WFD River Sub Basin
- Lake
- River or Stream

- CFRAM Mid-Range Future Scenario**
- Fluvial 10% AEP
 - Fluvial 1% AEP
 - Fluvial 0.1% AEP
 - Coastal 10% AEP
 - Coastal 0.5% AEP
 - Coastal 0.1% AEP

- NIFM Mid-Range Future Scenario**
- NIFM 5% AEP
 - NIFM 1% AEP
 - NIFM 0.1% AEP



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