

**STATEMENT OF REASONS
WITH REGARD TO A FINAL DIRECTION
IN THE MATTER OF SECTION 31
OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)
BALLINA LOCAL AREA PLAN 2024-2030**

17th February 2025

As Minister for Housing, Local Government and Heritage in exercise of the powers conferred on me by section 31 of the Planning and Development Act 2000 ('the Act') and having carefully considered a recommendation from the Office of the Planning Regulator ('the Office') made under section 31AP(4) of the Act, I advise that:

- (1) I have issued a Direction regarding the Ballina Local Area Plan 2024-2030 in respect of Recommendations (2)(a)(i) to (vi) of the Office, received on 7th January 2025.
- (2) I have decided not to accept Recommendation (2)(a)(vii) of the Office, which recommends that Material Alteration MA 36 is not included in the final Direction.

In accordance with section 31AP(4A) of the Act, my reasons for not agreeing with this recommendation are set out below:

1. The Local Area Plan includes material alterations (including MA 36) to the draft Local Area Plan which zone additional residential land such that the Local Area Plan, as made, provides for significantly in excess of the growth targets specified for Ballina in the core strategy of the Mayo County Development Plan. The Local Area Plan, as made, is not consistent with the core strategy of the Mayo County Development Plan, contrary to the requirements of the Act.
2. The Local Area Plan includes material alterations (including MA 36) to the draft Local Area Plan that are located in peripheral and non-sequential locations, and/or outside the CSO settlement boundary, and/or without adequate infrastructure, and do not support sustainable travel patterns. As a result, these material alterations to the Local Area Plan would encourage and facilitate a pattern of development which, contrary to the requirements of the Act, is inconsistent with the objectives of the Mayo County Development Plan to promote compact and sequential development by consolidating the built-up footprint and developing outwards from the centre in a sequential manner, to avoid the inappropriate extension of services and utilities, and to encourage sustainable travel patterns, under Objectives CSO 4, CSO 5, SSO 3, SSO 6, GSO 1 and SO 12 of the Mayo County Development Plan and RPO 3.1 and RPO 3.2(c) for compact growth and RPO 7.20 of the RSES to increase the population living within settlements.
3. The Local Area Plan includes material alterations (including MA 36) to zone land as New Residential located in Flood Zone A and B where The Planning System and Flood Risk

Management Guidelines for Planning Authorities (2009), issued under section 28 of the Act, indicate that such highly vulnerable uses are not appropriate unless a Justification Test is passed. The material alterations are therefore inconsistent with RPO 3.10 of the RSES to avoid inappropriate development in areas at risk of flooding and to implement the recommendations of the Guidelines.

4. The Local Area Plan includes material alterations (including MA 36) that are inconsistent with Objective INP 14 of the Mayo County Development Plan to have regard to the Guidelines in the preparation of plans, and the Planning Authority has failed to give any or any adequate reasons as to why the recommended approach of the Guidelines has not been implemented, and how the planning authority's adopted approach is consistent with ensuring that the Local Area Plan sets out an overall strategy for the proper planning and sustainable development of the area.
5. The Local Area Plan as made (including MA 36) is not consistent with National Policy Objective 33 and National Policy Objective 57 of the National Planning Framework.
6. The Local Area Plan (including MA 36) has not been made in a manner consistent with, and has failed to implement, recommendations of the Office of the Planning Regulator made under section 31AO of the Act.
7. The Minister is of the opinion that the Local Area Plan (including MA 36) as made is inconsistent with the core strategy and objectives of the Development Plan of the area, which is a requirement of section 19(2) of the Act.
8. The Minister is of the opinion that the Local Area Plan (including MA 36) as made is not consistent with the objectives of the RSES, contrary to section 19(2) and section 27(1) of the Act.
9. The Minister is of the opinion that the Local Area Plan (including MA 36) as made fails to set out an overall strategy for the proper planning and sustainable development of the area.
10. The Local Area Plan (including MA 36) is not in compliance with the requirements of the Act.



James Browne TD

Minister for Housing, Local Government and Heritage