

Chief Executives
Report Number: 2
Material Alterations Phase
Westport Local Area Plan
2024 -2030



Comhairle Contae Mhaigh Eo
Mayo County Council



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Section 1 Introduction

1.1 Requirement for Chief Executive's Report

This report forms part of the statutory procedure for the making of a Local Area Plan and has been prepared following the receipt of submissions and observations with respect to the proposed Material Alterations to the Westport Local Area Plan 2024-2030 received pursuant to a notice required by Section 20(3)(k) of the Planning and Development Act 2000 (as amended).

In accordance with Section 20 of the Planning and Development Act, 2000 (as amended) this report shall include the following:

- (i) list the persons or bodies who made submissions or observations,
- (ii) summarise the following from the submissions or observations:
 - (I) issues raised by the Office of the Planning Regulator, and
 - (II) thereafter issues raised by other bodies or persons
- (iii) give the response of the Chief Executive to the issues raised, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policy objectives for the time being of the Government or of any Minister of the Government.

Under Section 20(3)(f) of the Planning and Development Act 2000 (as amended) Mayo County Council has determined that a Strategic Environmental Assessment and Appropriate Assessment is required on the Material Alterations.

1.2 Public Consultation

The Proposed Material Alterations, the SEA and AA Reports to the Draft Westport Local Area Plan 2024-2030 were placed on public display from Tuesday, 19th March 2024 to Tuesday 16th April 2024. The Material Alterations to the draft Plan and accompanying documents were displayed on Mayo County Council's dedicated online public consultation portal at:

<https://consult.mayo.ie/en/consultation/material-alterations-draft-westport-local-area-plan-2024-2030>

A public notice was published in The Mayo News, The Western People and The Connaught Telegraph on Tuesday 19th March 2024 notifying members of the public that the Proposed Material Alterations to the Draft Local Area Plan would be placed on public display from the 19th of March to 16th of April 2024.

Submissions/Observations were invited over the public consultation period. Copies of the Proposed Material Alterations to the draft Plan, associated documents and public notice were issued to prescribed bodies, including government departments and other agencies, as required by the Planning and Development Act 2000 (as amended).

Social Media channels (Facebook and X (Twitter)) were used as mechanisms in promoting awareness of the Proposed Material Alterations to the draft Local Area Plan during the public consultation period. A dedicated webpage and a specific Public Consultation Portal were employed to keep members of the public up to date with the process of the preparation of the LAP. The majority of submissions received in relation to the Material Alterations were via the consultation portal. All valid submissions received were published for public viewing on the Mayo Consultation Portal. Regular notifications relating to the Plan review were issued through the Council's Facebook and X (Twitter)

feeds.

1.2.1 Submissions and Observations Received

During the public consultation period, submissions were received in relation to the proposed Material Alterations to the Draft LAP. In this regard a total of 11 submissions were received. The full contents of each submission have been considered in the preparation of the Chief Executive's Report.

The report lists the persons that made submissions or observations during the public consultation period, summarises the issues raised in the submissions or observations, contains the opinion of the Chief Executive in relation to the issues raised, and his recommendation in relation to the submission, taking account of the proper planning and sustainable development of the area, the statutory obligations of any Local Authority in the area and the relevant policies or objectives of the Government or any Minister of the Government.

The submissions received have been divided into groupings comprised of the following:

- Prescribed Authorities
- Members of the General Public

The issues raised by the Prescribed Authorities have been dealt with first. The Prescribed Authorities are specified in relation to Local Area Plans under the Planning and Development Act 2000 (as amended), the Planning and Development Regulations 2006 and the Planning and Development (SEA) Regulations 2004 as amended. All the submissions received were individually examined in relation to the various issues raised.

The report uses the following text formatting to highlight the Proposed Material Alterations to the Draft Westport Local Area Plan 2024-2030:

Black – will apply to the draft original text/objective/policy not changed by a Material Alteration.

Green – will apply to the draft original changed by the Material Alteration (added).

Red strikethrough – will apply to the draft original changed by the Material Alteration (deleted)

Blue – will apply to changes to Material Alterations in Material Alterations CE report (to be added)

Purple Strikethrough – will be changes to Material Alterations in Material Alterations CE Report (to be deleted)

Once the Elected Members have made their decisions regarding the Proposed Material Alterations, any agreed additions and consequential changes will be inserted into the final Westport Local Area Plan 2024-2030 and all agreed deletions will be removed.

The Elected Members of MCC are advised that the submissions are available for public viewing at <https://consult.mayo.ie/en/consultation/material-alterations-draft-westport-local-area-plan-2024-2030>

1.3 Next Steps

Within six (6) weeks of receiving the Chief Executive's Report, the Elected Members of the Westport Municipal District must consider both the Proposed Material Alterations and the Chief Executive's Report and decide whether to make the LAP with all, some or none of the Material Alterations as published.

Any further modification to any Material Alteration may only be made where it is minor in nature and therefore not likely to have significant effects on the environment or adversely affect the integrity of a European site. Any further modification to any Material Alteration may not be made where it refers to an increase in the area of land zoned for any purpose.

Section 20(3) of the Planning and Development Acts 2000 (as amended) states that the Members of the Council are restricted to considering:

- The proper planning and sustainable development of the area.
- The statutory obligations of the local authority.
- Any relevant policies or objectives for the time being of the Government or any Minister of the Government.

The statutory obligation of the local authority includes the obligation to ensure the LAP is consistent with:

- The objectives of the Mayo County Development Plan 2022-2028.
- The national and regional planning objectives specified in the National Planning Framework (2018) and the Regional Spatial and Economic Strategy 2020 - 2032; and
- Specific Planning Policy Requirements specified in guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000 (as amended).

Section 2 List of Persons/Bodies who Made submissions.

During the public consultation period of a total of 11 valid submissions/observations were received. The list of persons, prescribed bodies, groups and stakeholders who made valid submissions is listed in Table 2.1.

Table 2.1: Persons/Organisations who made valid Submissions/Observations

| List of Persons, Bodies or Organisations who made Submissions or Observations | | |
|--|--|---|
| Submission Number: | Name | MA's |
| MYO-C97-1 | Environmental Protection Agency | None referred to. |
| MYO-C97-2 | Northern & Western Regional Assembly | MA's 1 -41 |
| MYO-C97-3 | Transport Infrastructure Ireland | MA 2 |
| MYO-C97-4 | Department of Education | None referred to. |
| MYO-C97-5 | National Transport Agency | MA's 2, 38, 39 & 41 |
| MYO-C97-6 | Marina Working Group | MA 11 |
| MYO-C97-7 | Uisce Eireann | MA's 2, 3, 4, 6, 7, 10, 11, 14, 25, 35, 36, 39 41 |
| MYO-C97-8 | Grady Architects on behalf of Robert Rose, Colin Daly and Martin Moran | MA 38 |
| MYO-C97-9 | Office of Public Works | MA 35 & 39 |

| | | |
|----------------------------|---|--|
| MYO-C97-10 | Office of the Planning Regulator | MA's 2, 15, 16, 17, 18, 19, 20, 31, 33, 34, 35 & 36, 38, 39 & 41 |
| MYO-C97-11 | Grady Architects on behalf of Cedar Park Properties | MA 41 |

Section 3 Office of the Planning Regulator & Prescribed Bodies

3.1 Office of the Planning Regulator

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|---|---|
| Submission No. | MYO-C97-10 |
| Submission by: | Office of the Planning Regulator (OPR) |
| Issues Raised / Material Alteration No's | MA's 2, 15, 16, 17, 18, 19, 20, 31, 33, 34, 35, 36, 38, 39 & 41 |
| Summary of Submission: | |
| <p>The submission from the OPR welcomes the work carried out in preparing the Material Alterations (MA's) to the draft Westport LAP and reiterates the opinion the draft LAP was generally consistent with the RPO's of the RSES in respect of the approach taken to compact growth, town centre renewal and the promotion of sustainable travel. The submission expresses some concerns in relation to the clarity of the flood zone overlays on the zoning map in the SFRA and the justification tests in the same document. The submission is also concerned about the robustness of the environmental assessments and the assumptions made therein regarding the impacts of MA 2, MA 31 and MA 41.</p> <p>The greater part of the submission however is concerned with proposed rezoning MA 35, MA 38, MA 39 and MA 41, and related proposals MA 2 and MA 31 and on foot of these concerns the OPR issues 3 no. Recommendations under 3 no. Key Themes relating to the draft Plan, as follows:</p> <p>Key Theme 1: Policy to facilitate single houses (MA Recommendation 1) Key Theme 2: Zoning for residential development (MA Recommendations 2) Key Theme 3: Extension to plan boundary (MA Recommendation 3)</p> <p>The submission concludes under Item 4 <i>Other Matters</i> under which it outlines a number of shortcomings and contradictions in the environmental assessments of the proposed Material Alterations.</p> | |
| Key Theme 1: Policy to facilitate single houses - MA Recommendation 1 | |
| OPR Recommendation 1 | |
| <p>The OPR considers that the policies and objectives in the draft LAP facilitating the construction of single houses on lands zoned for Strategic Residential Reserve and Agriculture, for those with genuine housing need, as reasonable. The OPR considers however that MA 2, which proposes to insert a new policy DSP 10 in section 2.1 of the draft LAP, and MA 31, which proposes to amend the footnote in Table 12.2 to reference DSP 10, which would allow single houses on non-residential zoned lands within the town boundary, would undermine the regeneration and growth of the town contrary to RPO 3.1, 3.1 and 7.20.</p> <p>The OPR considers that MA 2 and MA 31 would conflict with the land use zoning objectives in Table 12.1 and the Zoning Matrix in Table 12.2 of the Plan. The submission considered that to allow for residential development on lands zoned Educational, Enterprise and Employment, Recreation and Amenity etc, would lead to residential development at peripheral locations and conflicting uses on these lands, which would be detrimental to future economic, social and infrastructural development in the town.</p> <p>The OPR submission also references the Strategic Environmental Assessment which states that MA 2 and 31 are not consistent with the Core Strategy of the County Development Plan and does</p> | |

not align with national or regional requirements relating to compact growth.

Having regard to the forgoing, **OPR MA Recommendation 1** requires the planning authority to make the plan without the following proposed Material Alterations:

1. Proposed Material Alteration **MA 2** - Insert new policy in Section 2.10 as follows:

“DSP 10 – Given the limited number of land owners of New Residential and Strategic Residential Reserve lands within the LAP and in order to facilitate single houses for people with a genuine housing need, sons and daughters of long term Westport Town residents (LAP boundaries) or any individuals in permanent employments () within the LAP Area shall be facilitated in fully serviced non New Residential and Strategic Residential Reserve 2 lands within the LAP)*

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

2. Proposed Material Alteration **MA 31** – Amend Table 12.2 footnote as follows:

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

Chief Executive’s Response and Recommendation:

CE Response

1. **MA 2** - it is considered that relaxation of the rural housing social or economic links to a ‘Rural Areas under Urban Influence’ will exacerbate urban sprawl and is not aligned with local, regional and national policy in relation to compact growth, sequential development. The proposed rezoning of the lands which are located at a peripheral location, would not promote compact growth and sustainable travel options in Westport, by reason of its non-sequential edge of town location. Furthermore, the proposed policy would allow one off houses on fully serviced Agriculture, Open Space, Recreation & Amenity, Westport House Demesne, Maritime Related Tourism, Existing Residential, Town Centre, Town Centre Outer, Community Service Facilities, Education, Utilities, Enterprise & Employment zoned lands, this would be contrary to the Core Strategy as set out in the Mayo County Development Plan 2022-2028.
2. **MA 31** – Comments noted.

CE Recommendation

To make plan without the following Material Alterations and revert to draft Plan:

- 1) Proposed Material Alteration (**MA 2**) – New objective DSP 10.
- 2) Proposed Material Alteration (**MA 31**) – Amended footnote to Table 12.2

Key Theme 2: Zoning for residential development – MA Recommendation 2

OPR Recommendation 2

The OPR restate the contention in their submission to the draft LAP that there is more than sufficient land zoned both New Residential and Strategic Residential Reserve, to meet the projected housing targets for the town. However, the submission considers that several of the MAs proposed zone further lands for New Residential and Strategic Residential Reserve at peripheral locations contrary to the objectives of the County Development Plan and RPOs in the RSES. The concerns relate specifically to **MA 35**, **MA 38**, and **MA 39**. The submission notes the absence of a Settlement Capacity Audit having been prepared for these sites and the concerns expressed by Uisce Éireann in their submission that the development of these sites would require strategic upgrades.

The OPR consider that the circa 1-hectare site proposed to be rezoned from Agriculture to New Residential under **MA 35**, is located approximately 1 km from the edge of the town centre, is not contiguous to the existing built-up area of the town and would require an extension of 100-150 meters to facilitate connections to both water supply and wastewater sewer. Furthermore, the Strategic Flood Risk Assessment indicates that the site adjoins a watercourse and is vulnerable to flood risk in the medium and high climate change scenarios.

As regards **MA 38**, which proposed to rezone a circa 5-hectare site at Monamore from Agriculture to Strategic Residential Reserve, the OPR considers that the lands are located on the periphery of the town, outside of the CSO boundary and approximately 1.5 km from the edge of town centre. Uisce Éireann also point out in their submission (MYO-C97-7), that more significant network reinforcements are likely to be required to service these lands.

The OPR consider that circa 15 hectares on the R335 on the southwestern approach to the town that it is proposed to rezone from Agriculture to Strategic Residential Reserve under **MA 39**, are removed from the main settlement and surrounded by lands that are rural in character. The submission also notes that the SFRA indicates that the lands adjoin a watercourse and a portion is located within Flood Zones A/B and may, according to Uisce Éireann, require strategic upgrades to pipes, and possibly a pumping station, were the lands to be developed under the draft LAP.

The OPR considered that the proposed rezonings would not contribute to the achievement of compact growth and would be inconsistent with a range of national, regional and local policies/objectives.

Having regard to the forgoing, **OPR MA Recommendation 2** requires the planning authority to make the plan **without** the following proposed Material Alterations:

1. **OPR RECOMMENDATION 2 – MAKE THE PLAN WITHOUT PROPOSED MA 35**

MA 35 – Soir Siar Investments Limited & HLN Investments Limited and Elected Members Motion – Agriculture to Strategic Residential Reserve



[MYO-C78-21](#)–for REFERENCE ONLY

2. **OPR RECOMMENDATION 2 – MAKE THE PLAN WITHOUT PROPOSED MA 38**

MA 38 – R Rose, C Daly, M Moran and Elected Members Motion – Agriculture to Strategic Residential Reserve



[MYO-C78-40](#)–for REFERENCE ONLY

3. **OPR RECOMMENDATION 2 – MAKE THE PLAN WITHOUT PROPOSED MA 39**

MA 39 – Sean O’Grady and Elected Members Motion – Agriculture to Strategic Residential Reserve



[MYO-C78-50](#)–for REFERENCE ONLY

Chief Executive's Response and Recommendation:

CE Response

1. **MA 35** - is located approximately 1 km from the edge of the town centre, is not contiguous to the existing built-up area of the town and would require an extension of 100-150 meters to facilitate connections to both water supply and wastewater sewer. Furthermore, the Strategic Flood Risk Assessment indicates that the site adjoins a watercourse and is vulnerable to flood risk in the medium and high climate change scenarios.
2. **MA 38** – it is considered that residential development at this peripheral location would not promote compact growth or sustainable travel options, by reason of its non-sequential out of town location. Furthermore, the rezoning of these lands for residential development would be contrary to the Core Strategy as set out in the Mayo County Development Plan 2022-2028.
3. **MA 39** - it is considered that residential development at this peripheral location would not promote compact growth or sustainable travel options, by reason of its non-sequential out of town location. Furthermore, the rezoning of these lands for residential development would be contrary to the Core Strategy as set out in the Mayo County Development Plan 2022-2028.

CE Recommendation

To make Plan **without** the following Material Alterations and Revert to Draft Plan:

1. Proposed Material Alteration (**MA 35**) – Agriculture to Strategic Residential Reserve.
2. Proposed Material Alteration (**MA 38**) – Agriculture to Strategic Residential Reserve.
3. Proposed Material Alteration (**MA 39**) - Agriculture to Strategic Residential Reserve.

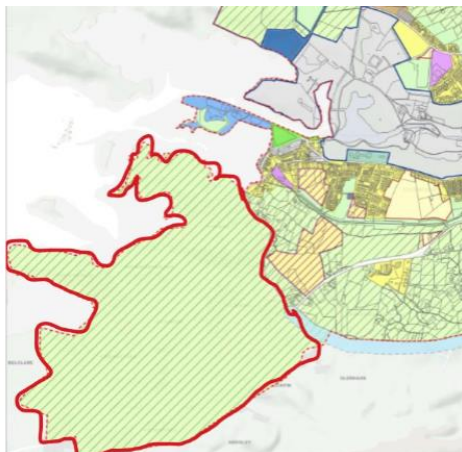
Key Theme 3: Extension to plan boundary (MA Recommendation 3)

OPR Recommendation 3:

The OPR considers that **MA 41**, which proposes to extend the boundary of the town as indicated in the draft Plan, from Ardmore to the Belclare junction and zone all lands encompassed within as Agriculture, would facilitate a pattern of urban sprawl which would undermine the core strategy objectives of the CDP to promote compact growth and reduced travel time demand through sustainable travel patterns. The submission also references the addendums to the SEA and Natura Impact Report, which highlight the potential for likely significant effects on the Clew Bay Complex Special Area of Conservation. The OPR considers that were **MA 41** adopted then single rural house would be allowed in fully serviced Agriculture land, in conjunction with **MA2** and **MA 31**, along with additional rural housing on un-serviced sites, permitted under the rural housing policies of the CDP.

Having regard to the forgoing, **OPR MA Recommendation 1** requires the planning authority to make the plan **without** the following Proposed Material Alterations:

1. **MA 41** – Elected Member Motion – Extend boundary from Ardmore to Belclare Junction and zone all lands within boundary extension Agriculture.



Elected Member Motion – For REFERENCE ONLY

Chief Executive’s Response and Recommendation:

CE Response:

1. **MA 41** - it is considered that extending the LAP boundary and rezoning of lands to Agriculture at this peripheral location would not promote compact growth or sustainable travel options, by reason of its non-sequential out of town location. Furthermore, the rezoning of these lands for uses including residential development would be contrary to the Core Strategy as set out in the Mayo County Development Plan 2022-2028.

CE Recommendation:

To make Plan **without** the following Material Alteration and Revert to Draft Plan:

1. Proposed Material Alteration (**MA 41**) – Extend boundary from Ardmore to Belclare Junction and zone all lands within boundary extension Agriculture.

3.2 Northern & Western Regional Assembly

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|---|---|
| Submission Number: | MYO-C97-2 |
| Submission by: | Northern & Western Regional Assembly (NWRA) |
| Issues Raised / Material Alteration No’s | MA’s 1-41 |
| Summary of Submission: | |
| The NWRA in their submission commence by reiterating their opinion, as stated in their submission on the draft LAP, that there was a satisfactory level of consistency in the draft Plan with the relevant Regional Policy Objectives (RPOs) of the Regional Spatial and Economic Strategy (RSES). The submission states that proposed Material Alterations MA’s 1 to MA 31 (excluding MA 2 and MA 31) are mostly positive and consistent with the RPO’s in the RSES. | |

The Submission considers that proposed **MA 2** and **MA 31**, which propose to facilitate single houses on fully serviced zoned lands for people with a defined need, would fail to promote the concept of plan-led development, compact urban growth or the efficient use of land. These Material Alterations would therefore impede achieving RPO 3.1, RPO 3.2, RPO 3.4, RPO 3.4 and RPO 7.2.

As regards the zoning alterations proposed under Material Alterations **MA31, MA33, MA35, MA36, MA37, MA38, MA39** and **MA40**, the Assembly notes the absence of an up-to-date Core Strategy table and amended Residential Settlement Capacity Assessment to determine the impact the proposed alterations will have on the amount of zoned lands for residential use and whether the lands in question are properly serviced. The submission also considers that proposed Material Alteration **MA 41**, which proposes to extend the settlement boundary over a significant amount of land, would impede achieving RPO 3.1, RPO 3.2(c), RPO 3.3, RPO 3.4 and RPO 7.20 of the RSES.

Having regard to the forgoing, *the* NWRA recommends that the planning authority to make the plan **without** the following Proposed Material Alterations:

1. Proposed Material Alteration (**MA 2**) – Insert new policy in Section 2.10 as follows:

“DSP 10 – Given the limited number of land owners of New Residential and Strategic Residential Reserve lands within the LAP and in order to facilitate single houses for people with a genuine housing need, sons and daughters of long term Westport Town residents (LAP boundaries) or any individuals in permanent employments () within the LAP Area shall be facilitated in fully serviced non New Residential and Strategic Residential Reserve 2 lands within the LAP)*

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

2. Proposed Material Alteration (**MA 31**) - Amend Table 12.2 footnote as follows:

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

3. Proposed Material Alteration (**MA 33**) – The Quay Residents Association & Elected Members Motion – Rezone lands from New Residential to Recreation & Amenity



[MYO-C78-9](#) - Elected Members Motion – For REFERENCE ONLY

4. Proposed Material Alteration (**MA 35**) - Soir Siar Investments Limited & HLN Investments Limited and Elected Members Motion – Rezone Lands from Agriculture to Strategic Residential Reserve



[MYO-C78-21](#)—for REFERENCE ONLY

5. Proposed Material Alteration (**MA 36**) – Office of Planning Regulator and Elected Members Motion – Rezone lands from New Residential to Agriculture at Monamore



[MYO-C78-46](#)—for REFERENCE ONLY

6. Proposed Material Alteration (**MA 37**) – Elected Members Motion – Rezone lands from New Residential to Strategic Residential Reserve at Monamore



Elected Member Motion —for REFERENCE ONLY

7. Proposed Material Alteration (**MA 38**) – R Rose, C Daly, M Moran and Elected Members Motion – Rezone lands from Agriculture to Strategic Residential Reserve at Monamore



[MYO-C78-40](#)–for REFERENCE ONLY

8. Proposed Material Alteration (**MA 39**) - Sean O’Grady and Elected Members Motion – Rezoned lands from Agriculture to Strategic Residential Reserve at Ardmore/Carrownalurgan



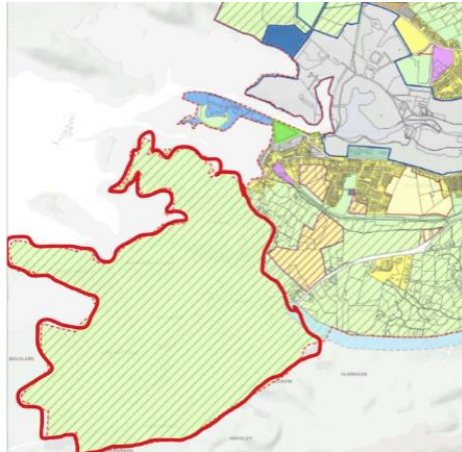
[MYO-C78-50](#)–for REFERENCE ONLY

9. Proposed Material Alteration (**MA 40**) – Seamus Walsh / Mary McBride Walsh and Elected Members Motion – Rezone lands from Agriculture and Recreation & Amenity to New Residential at Horkans Hill.



[MYO-C78-51](#)–for REFERENCE ONLY

10. Proposed Material Alteration (**MA 41**) - Elected Member Motion – Extend boundary from Ardmore to Belclare Junction and zone all lands within boundary extension Agriculture.



Elected Member Motion – For REFERENCE ONLY

Chief Executive's Response and Recommendation:

CE Response:

The comments and recommendations of the NWRA are noted. However, as regards **MA 33**, it is proposed to make the Plan without this proposed material alteration and revert to the draft Plan where the site was zoned New Residential as the site is considered as a location that can deliver affordable housing based on no site costs and achieving maximum subsidy in respect of same.

It is proposed however, having regard to the recommendations in the submission from the OPR, to make the Plan **with** the following Material Alterations: **MA 36 & MA 40**.

CE Recommendation:

(i) To make the Plan **with** the following Proposed Material Alterations:

5. Proposed Material Alteration (**MA 36**) - Office of Planning Regulator and Elected Members Motion – Rezone lands from New Residential to Agriculture at Monamore
6. Proposed Material Alteration (**MA 40**) - Seamus Walsh / Mary McBride Walsh and Elected Members Motion – Rezone lands from Agriculture and Recreation & Amenity to New Residential at Horkans Hill.

(ii) To make the Plan **without** the following Proposed Material Alterations and revert to the Draft Plan:

1. Proposed Material Alteration (**MA 2**) - Elected Members Motion – DSP 10
2. Proposed Material Alteration (**MA 31**) - Elected Members Motion – Footnote Table 12.2
3. Proposed Material Alteration (**MA 33**) - The Quay Residents Association & Elected Members Motion – Rezone lands from New Residential to Recreation & Amenity
4. Proposed Material Alteration (**MA 35**) – Soir Siar Investments Limited & HLN Investments Limited and Elected Members Motion – Rezone lands from Agriculture to New Residential

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| 6. | Proposed Material Alteration (MA 37) - Elected Members Motion - <u>Rezone lands from New Residential to Strategic Residential Reserve</u> |
| 7. | Proposed Material Alteration (MA 38) – R Rose, C Daly, M Moran & Elected Members Motion - <u>Rezone lands from Agriculture to Strategic Residential Reserve</u> |
| 8. | Proposed Material Alteration (MA 39) – Sean O’Grady & Elected Members Motion - <u>Rezone lands from Agriculture to Strategic Residential Reserve</u> |
| 10. | Proposed Material Alteration (MA 41) - Elected Members Motion - <u>Extend boundary from Ardmore to Belclare Junction and zone all lands within boundary extension Agriculture</u> |

3.3 Office of Public Works

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|---|----------------------------------|
| Submission Number: | MYO-C97-9 |
| Submission by: | OPW (Oifig na nOibreacha Poiblí) |
| Issues Raised / Material Alteration No’s | MA’s 35 & 39 |
| Summary of Submission: | |
| <p>The OPW welcomes the acknowledgement of the Flood Risk Guidelines and the preparation of an SFRA and raises the following Issues:</p> <p>1) Flood Zone Map</p> <p>The OPW considers that the map shown in Figure 8.2 of the SFRA showing the Flood Zones overlain on the Land Use Zoning Map is not of a sufficient resolution to allow for proper assessment as to whether the sequential approach has been applied. The OPW feels that it would be beneficial if this map were provided at a similar resolution or legibility to the LUZ map.</p> <p>2) Justification Tests</p> <p>The OPW refer to their commentary in their previous submission to the draft LAP regarding the making of Justification Tests in the SFRA, most specifically to the fact that only zoned areas within or adjoining the core area of a settlement can pass the plan making Justification Test, in accordance with Criteria 2 (iii) of the Guidelines. The submission contends that not all of the zonings in the SFRA have justified have satisfied this criterion.</p> <p>3) Comments on Specific Zonings</p> <p>(i) Westport House</p> <p>The OPW feels that the Plan Making Justification tests in the SFRA, specifically Part 2 of same have not been satisfied with regard to the Westport House and Demesne zoning, which they consider is not required to achieve the proper planning and sustainable development of the urban settlement and to facilitate regeneration and/or expansion of the centre of the urban settlement. This part of the submission concludes however with an admission that, while it is not clear that the Justification Test can be satisfied for the Westport House and Demesne zoning, IESO 3, as updated in the CE Report on the submissions to the draft Plan, should limit any less vulnerable development in Flood Zone A.</p> <p>(ii) Material Alterations MA 35 & MA 39</p> <p>MA 35 proposes to rezone a site from Agriculture to New Residential and MA 39 proposes to rezone an area from Agriculture to Strategic Residential Reserve and the OPW consider that in both instances this constitutes rezoning lands for highly vulnerable uses in areas that will see an</p> | |

increase in flood risk in future scenarios. The OPW state that while Flood Zones are defined on the basis of current flood risk, planning authorities need to consider such impacts in the preparation of plans, such as avoiding development in areas potentially prone to flooding in the future.

Chief Executive’s Response and Recommendation:

CE Response:

1. The resolution in map in Figure 8-1 of the SFRA will be improved in the final SFRA.
2. Comments noted. Justification Tests in the final SFRA will be altered accordingly.
3. (i) Comments noted. Justification Tests in the final SFRA will be altered accordingly.
(ii) Make Plan without the following Material Alterations:
MA 35 and MA 39.

CE Recommendation:

1. No change to Plan.
2. No change to plan
3. (i) No change to Plan
(ii) Make plan without Material Alterations **MA 35 and MA 39.**

3.4 Uisce Éireann (Irish Water)

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|--|---|
| Submission Number: | MYO-C97-7 |
| Submission by: | Uisce Éireann (Irish Water) |
| Issues Raised / Material Alteration No’s | MA’s 2, 3, 4, 6, 7, 10, 11, 14, 25, 35, 36, 39 41 |
| Summary of Submission: | |
| <p>Uisce Éireann makes comments on multiple Proposed Material Alterations, see below:</p> <ol style="list-style-type: none"> 1. MA’s 4, 6, 7, 10, 11, 14-18, Planned travel, public realm and tourism projects. MA 6 (Car Parking), MA’s 7 & 18 (cycling infrastructure), MA 15 (shared use paths), MA 16 (Park & ride), MA 17 (Coach Parking) and MA 14 (Lido), these projects have the potential to impact on UÉ’s assets and projects etc. Development in the vicinity of UÉ infrastructure must in accordance with the Standard Details and Codes of Practice. Early engagement with UÉ is requested. MA’s 4, 9, 10, 11 & 14 are proposed in the Westport Harbour area and UÉ has 3 pumping stations that are on the banks of Roman Island, any proposed development would need to be cognisant of the established use of these assets and contain sufficient distances to ensure their protection. <hr/> <ol style="list-style-type: none"> 2. MA 2 (DSP 10 Housing) and MA 41 (LAP Boundary) UÉ quotes Section 5.3 of their Draft Water Services Guidelines for Planning Authorities (Jan 2018) which essentially seeks that development be focussed in areas serviced by a public water supply and wastewater collection networks. In relation to MA 41, the extension is unclear and UÉ is concerned MA 2 will lead to unfocused growth throughout the town rather than compact growth which optimises existing infrastructure. They have recommended an alteration to MA 2 if adopted, see below: | |

MA 2 *“DSP 10 – Given the limited number of land owners of New Residential and Strategic Residential Reserve lands within the LAP and in order to facilitate single houses for people with a genuine housing need, sons and daughters of long term Westport Town residents (LAP boundaries) or any individuals in permanent employments (*) within the LAP Area shall be facilitated in fully serviced, including by public wastewater and water networks, non New Residential and Strategic Residential Reserve 2 lands within the LAP)*

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

3. MA 3 (Appropriately Qualified Professional)

UÉ understands that would not apply to provision of water or wastewater services and suggest the following alteration:

MA 3 *DSP 11 - Ensure that the built environment is protected and development by having appropriately qualified professionals have appropriate design control of all non-residential (excluding agricultural and utilities) projects and all residential projects exceeding six residential units. For all such buildings, the term ‘Appropriately Qualified Professional’ shall mean a registered architect as described in Section 18 of the Building Control Act 2007.*

4. MA 25 (Register)

UÉ welcome this amendment and state updated capacity registers will be published annually.

Site specific comments on Proposed Material Alterations:

5. MA 35 (MYO-C78-21) – Cloonmonad

Uisce Éireann has stated that the development at these sites would require extensions over 100-180 metres to facilitate connections to both water supply and foul sewer. These are two potential options for foul sewage at this site, one of which would require pumped discharge.

6. MA 39 (MYO-C78-50) – Ardmore/Carrownalurgan

Site is serviced by a 225mm foul sewer and 150mm water supply, parts of land bound a 300mm sewer corridor and there is a potential that a discharge is viable subject to 3rd party agreement and a stream crossing may be required. Given the scale of the site, if the whole site is developed then strategic upgrades to pipes and pumping stations may be required.

Chief Executive’s Response and Recommendation:

CE Response:

1. Comments on **MA’s 4, 6, 7, 10, 11, 14-18** noted.
2. See CE response to OPR Recommendation 1 (1)
3. Comments on **MA 3** noted. Amend DSP 11 as requested.
4. Comments on **MA 25** noted.

5. Comments on **MA 35** (MYO-C78-21) noted.
6. Comments on **MA 39** noted.

CE Recommendation:

1. No change to Plan.
2. To make Plan **without** Proposed Material Alteration **MA 2**.
3. To make Plan **with** Proposed Material Alteration **MA 3** as altered by submission [MYO-C97-7](#).

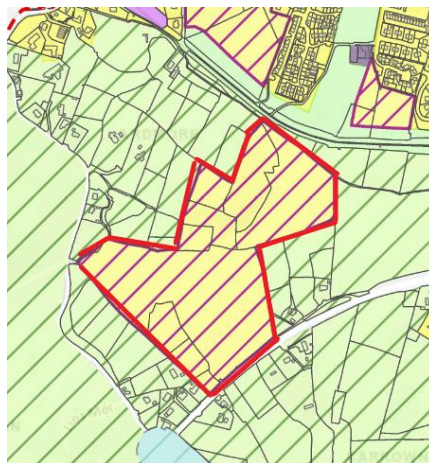
DSP 11 - Ensure that the built environment is protected and development by having appropriately qualified professionals have appropriate design control of all non-residential (excluding agricultural and utilities) projects and all residential projects exceeding six residential units. For all such buildings, the term 'Appropriately Qualified Professional' shall mean a registered architect as described in Section 18 of the Building Control Act 2007.

4. No change to Plan.
5. To make Plan **without** Proposed Material Alterations **MA's 35**



MA 35

6. To make Plan **without** Proposed Material Alterations **MA 39**.



MA 39

3.5 Environmental Protection Agency

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|---|---------------------------------|
| Submission Number: | MYO-C97-1 |
| Submission by: | Environmental Protection Agency |
| Issues Raised / Material Alteration No's | See below. |
| Summary of Submission: | |
| <u>The submission received does not refer directly to any Material Alteration on display.</u> | |
| <p>The submission discusses the role of the EPA and how Local Authorities should follow a 'self-service approach' via their guidance documents and in proposing <i>Alterations</i> MCC should ensure the plan is consistent with the need for proper planning and sustainable development and higher-level plans and programs.</p> <p>The submission also states and requests that once the plan is made/adopted, a SEA Statement should be prepared and sent to an environmental authority consulted during the process.</p> | |
| Chief Executive's Response and Recommendation: | |
| <p>CE Response: Comments noted.</p> <p>CE Recommendation: No change to the draft Plan.</p> | |

3.6 National Transport Authority

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| Submission No. | MYO-C97-5 |
| Submission by: | National Transport Authority (NTA) |
| Issues Raised / Material Alteration No's | <p>MA 2 – New Policy DSP 10 – Local Need</p> <p>MA 38 – Rezone lands Agriculture to SRR, Monamore</p> <p>MA 39 – Rezone lands Agriculture to SRR, Ardmore/Carrownalurgan</p> <p>MA 41 – Boundary Extension to Belclare Junction</p> |
| Summary of Submission: | |
| <p>The submission discusses compact growth and how National, Regional and local policies state that development of lands within or close to urban centre shall be prioritised over less accessible locations. Residential development should be carried out sequentially and close to public transport and active travel measures.</p> <p>The National Transport Authority state that some of the Proposed Material Alterations are not aligned with the above due to their lack of proximity to existing and planned public transport services/active travel measures.</p> <p>Specific concerns are made in relation to Material Alterations 2, 38, 39 & 41 (see below for reference):</p> | |

MA 2 – Elected Member Motion

“DSP 10 – Given the limited number of land owners of New Residential and Strategic Residential Reserve lands within the LAP and in order to facilitate single houses for people with a genuine housing need, sons and daughters of long term Westport Town residents (LAP boundaries) or any individuals in permanent employments () within the LAP Area shall be facilitated in fully serviced non New Residential and Strategic Residential Reserve 2 lands within the LAP)*

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

The NTA recommend that **MA 2** is not brought forward in its current form as it is directly misaligned with the land use matrix of the Draft LAP and the objectives of the Mayo CDP including Core Strategy Policy 4. They are concerned the inclusion of **MA 2** would hinder the achievement of compact growth objectives and lead to a haphazard and disorderly form of development in Westport Town.

MA 38 – [MYO-C78-40](#) – R Rose, C Daly, M Moran and Elected Members Motion



The NTA have concerns with the peripheral location of these lands are not aligned with the compact growth / sequential approach to development. Compact Growth is identified as a National Strategic Outcome in the National Planning Framework and the is contained within the Mayo CDP. The NTA recommends that **MA 38** is not incorporated into the final Westport LAP as the lands peripheral location would not accord with local or national policy.

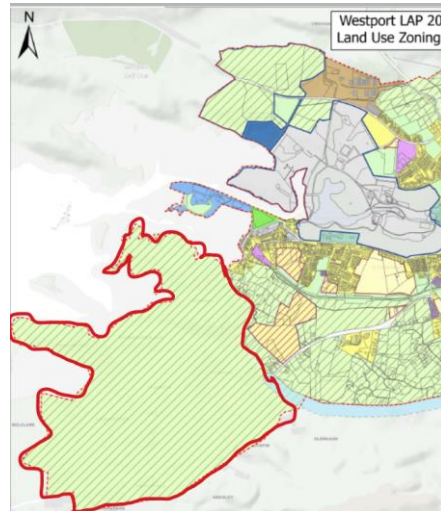
MA 39 – [MYO-C78-50](#) – Sean O’Grady and Elected Members Motion



The NTA have concerns with the peripheral location of these lands are not aligned with the compact growth / sequential approach to development. Compact Growth is identified as a National Strategic

Outcome in the National Planning Framework and the is contained within the Mayo CDP. The NTA recommends that **MA 39** is not incorporated into the final Westport LAP as the lands peripheral location would not accord with local or national policy.

MA 41 – Elected Members Motion



The NTA are concerned with the proposed significant extension of the town boundary and associated zoning of additional land which would contravene aforementioned policy objectives related to sustainable development and compact growth. The zoning of these lands would facilitate a sprawl pattern of development and hinder the sequential development of Westport.

The NTA recommend that **MA 41** is not incorporated into the final LAP.

Chief Executive’s Response and Recommendation:

CE Response:

See CE Response to OPR Recommendations 1, 2 & 3.

CE Recommendation

To make the Plan without the following Proposed Material Alterations and revert to the draft Plan:

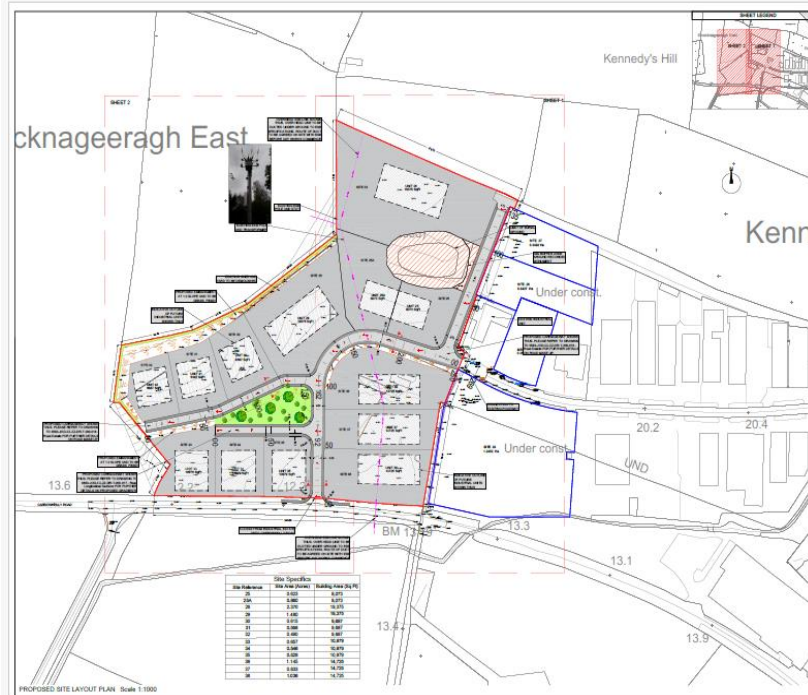
- Proposed Material Alteration (**MA 2**) – DSP 10
- Proposed Material Alteration (**MA 38**) – Agriculture to Strategic Residential Reserve.
- Proposed Material Alteration (**MA 39**) – Agriculture to Strategic Residential Reserve.
- Proposed Material Alteration (**MA 41**) – Boundary Extension and zoning to Agriculture.

3.7 Transport Infrastructure Ireland

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| Submission Number: | MYO-C97-3 |
| Submission by: | Transport Infrastructure Ireland |
| Issues Raised / Material Alteration No's | MA 2 – New Policy DSP 10 – Local Need, |
| Summary of Submission: | |
| <p>1) <u>Comments in relation to a published Material Alteration</u></p> <p>MA 2 – The TII have concerns with the Proposed MA and seek additional clarity as it appears that the Proposed MA would facilitate single residential housing in all proposed zoning categories. The TII also record that lands proposed ‘Agriculture’ with the potential to accommodate single house proposals as result of MA 2 adjoin the N59 north and south of Westport where an 80kph speed limit applies.</p> <p>The TII recommend a review of MA 2 to confirm access of lands which adjoin or extend along a national road network outside locations subject to a reduced 50-60kph urban speed limit shall conform with the requirement of the DoECLG Spatial Planning and National Roads Guidelines and Policy MTP 23 and MTP 24 of the Adopted Mayo County Development Plan 2022-2028.</p> <p>2) <u>Other Comments</u></p> <p>The TII reaffirms comments made to the Draft Westport LAP in relation to direct access to the existing Westport Industrial Estate off the N59 and its location outside the 50-60kph speed zone. TII recommends an appropriate evidence-based clarification, including mitigations to be undertaken which demonstrate that access and intensification can be delivered in a manner which does not conflict with access to National Roads included in Section 2.5 of the Section 28 Guidelines. They note the recommendation of the CE in their CE Report on the Draft LAP but feel it should have a Proposed Material Alteration as a result.</p> | |
| Chief Executive’s Response and Recommendation: | |
| <p>CE Response:</p> <p>1) The comments of the TII are noted.</p> <p>2) The comments are noted. The CE restates the previous response in relation to this matter in the CE Report on the TII submission to the draft Westport LAP. Since the recent completion of the N5 Northern bypass of Westport the, recently upgraded vehicular entrance into the Westport Industrial Park exits onto the N59 at a point where an 80 kph speed limit currently applies. This is an established facility, in operation over 30 years, which is occupied predominantly by retail warehouse type facilities and up until the recent completion of the N5/N59 bypass of the town, the entrance to the facility exited onto the N59 at a point where a 60 kph urban speed limit applied. Furthermore, a new shared use footpath is proposed in the LTP from the Junction of the N59 and the Golf Course Road to the new GAA grounds, and this will connect directly with a proposed new entrance into the extended Westport Industrial Estate off the Golf Course Road, thereby reducing the volume of traffic entering/exiting the estate via the existing entrance/exit on the N59. Map 5.2 will be changed to reflect this.</p> | |

CE Recommendation:


- 1) To make plan **without** the following Material Alterations and revert to draft Plan:
Proposed Material Alteration **(MA 2)** – New objective DSP 10.
- 2) Include revised Map 5.2 in the final plan as shown below:



3.8 Department of Education

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| Submission Number: | MYO-C97-4 |
| Submission by: | Department of Education |
| Issues Raised / Material Alteration No's | Reserving land for the expansion of Schools |
| Summary of Submission: | |
| <p><u>The submission received does not refer directly to any Material Alteration on display.</u></p> <p>The submission notes that there are no proposed alterations with regards to the population projections as outlined in the draft LAP and therefore re-confirms the projected school place requirements as per their submission to the draft LAP on 26th October 2023. The department also states that there is little or no relevance to school place provisions contained within the proposed alterations and welcomes continued engagement regarding development of both new and existing schools and ensuring the Council zones sufficient land for this purpose.</p> | |
| Chief Executive's Response and Recommendation: | |
| <p>CE Response: Comments noted.</p> <p>CE Recommendation: No change to Plan.</p> | |

Section 4 Submissions relating to zoning. (See Appendix 1 of CE Report for Submission Maps.)

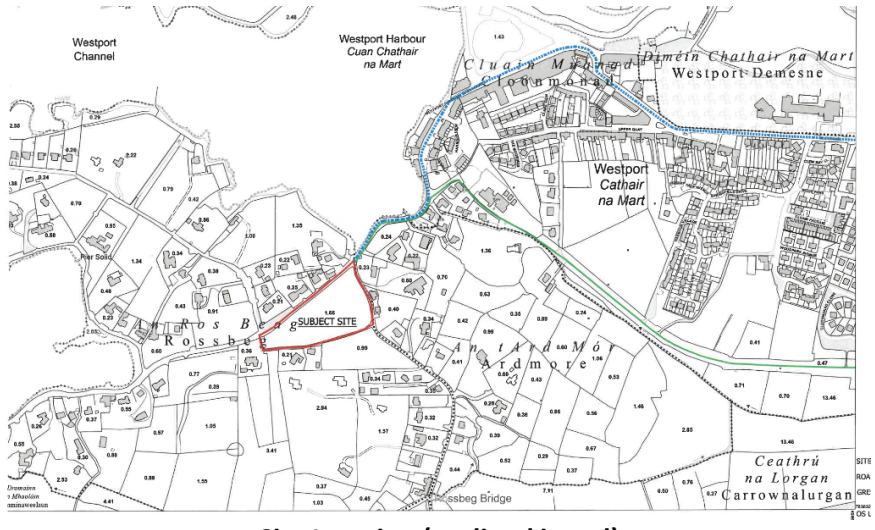
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| Submission Number: | MYO-C97-8 |
| Submission by: | Grady Architects on behalf of Robert Rose, Colin Daly & Martin Moran |
| Issues Raised / Material Alteration No's | MA 38 – Rezone lands from Agriculture to Strategic Residential Reserve at Monamore |
| Summary of Submission: | |
| <p>The submission welcomes the Proposed Material Alteration's rezoning of the lands from Agriculture to Residential, but requests that the lands be zoned New Residential rather than the proposed Strategic Residential Reserve zoning. The submission reiterates their draft LAP submission and claim the lands are fully serviced.</p> | |
|  | |
| MYO-C78-40 —for REFERENCE ONLY | |
| Chief Executive's Response and Recommendation: | |
| <p>CE Response: Comments noted. See CE response to OPR Recommendation 2.</p> <p>CE Recommendation: To make Plan without the following Material Alterations and Revert to Draft Plan:</p> <ul style="list-style-type: none"> Proposed Material Alteration (MA 38) – <u>Agriculture to Strategic Residential Reserve.</u> | |

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| Submission Number: | MYO-C97-11 |
| Submission by: | Grady Architects on behalf of Cedar Park Properties |
| Issues Raised / Material Alteration | MA 41 - Extend boundary from Ardmore to Belclare |

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| No's | <p>Junction and zone all lands within boundary extension Agriculture.</p> <p>Non-Material Alteration issues raised: Proposed rezoning of lands in Rosbeg</p> |
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Summary of Submission:

This submission only mentions **Material Alteration 41** based on the proposed boundary extension and makes a new zoning request proposal that their site in Rosbeg should be zoned Low-Density Residential within the proposed boundary extension under **MA 41**. The site was also the subject of a submission to the Draft Westport LAP under [MYO-C78-12](#).



Site Location (outlined in red)

Chief Executive's Response and Recommendation:

CE Response:
Comments noted. See CE Response to OPR Recommendation 3.

CE Recommendation:
To make the Plan **without** the following Proposed Material Alterations and revert to the draft Plan:

- Proposed Material Alteration (**MA 41**) – Boundary Extension and zoning to Agriculture.