

**DRAFT DIRECTION IN THE MATTER OF SECTION 31
OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)**

Ballina Local Area Plan 2024-2030

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

“Planning Authority” means Mayo County Council.

“County Development Plan” means Mayo County Development Plan 2022-2028.

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

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

(1) This Direction may be cited as the Planning and Development Ballina Local Area Plan 2024-2030 Direction 2024.

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

(a) Delete the following Material Alterations from the adopted Local Area Plan such that the subject lands revert to the zonings as indicated in the draft Local Area Plan:

- (i) Material Alteration MA 29 – i.e. the subject lands revert to Enterprise & Employment from New Residential;
- (ii) Material Alteration MA 30 – i.e. the subject lands revert to Agriculture and Existing Residential from New Residential;
- (iii) Material Alteration MA 31 – i.e. the subject lands revert to Enterprise & Employment from New Residential;

- (iv) Material Alteration MA 33 – i.e. the subject lands revert to Recreation & Amenity from New Residential;
- (v) Material Alteration MA 34 – i.e. the subject lands revert to Agriculture from New Residential;
- (vi) Material Alteration MA 35 – i.e. the subject lands revert to Agriculture and Recreation & Amenity from New Residential; and
- (vii) Material Alteration MA 36 – i.e. the subject lands revert to Agriculture from New Residential;

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

STATEMENT OF REASONS

- I. The Local Area Plan includes material alterations to the draft Local Area Plan, to zone additional residential land significantly in excess of what is required for the town having regard to the growth targets for Ballina under the core strategy of the County Development Plan. These material alterations are located in peripheral and non-sequential locations, and/or outside the CSO Settlement boundary, and/or without adequate infrastructure, and do not support sustainable travel patterns.

These material alterations would therefore encourage a pattern of development in particular locations which is inconsistent with the objectives of the County Development Plan to promote compact and sequential development by consolidating the built-up footprints 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 County Development Plan and RPO 3.1 and RPO 3.2 (c) for compact growth and RPO 7.20 to increase the population living within settlements.

- II. The Local Area Plan includes material alterations to zone land as New Residential located in Flood Zone A and B where the Flood Guidelines considers 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 Flood Guidelines, and do not implement the recommendations of the Flood Guidelines as required by RPO 3.10 and/or are inconsistent with Objective INP 14 of the County Development Plan to have regard to the Flood Guidelines in the preparation of plans and the Planning Authority has failed to give any or any adequate reasons as to why the Flood Guidelines have not been implemented.
- III. The Local Area Plan has not been made in a manner consistent with, and has failed to implement, recommendations of the Office of the Planning Regulator under section 31 AO of the Act.
- IV. The Minister is of the opinion that the Local Area Plan as made is inconsistent with the objectives of the Development Plan of the area, which is a requirement of the Act.
- V. The Local Area Plan is not in compliance with the requirements of the Act.

GIVEN under my hand,

Minister for Housing, Local Government and Heritage

day of Month, year.