

Forward Planning Section

Chief Executive's Report

No. 3

Material Amendment Stage

**Draft Mayo County
Development Plan
2021 -2027**

Date of Issue: 24/05/2022



Comhairle Contae Mhaigh Eo
Mayo County Council

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SECTION 1 - INTRODUCTION AND OVERVIEW

1.1 Introduction

This report relates to submissions and observations received from prescribed bodies and members of the public, following the publication of the proposed Material Amendments to the Draft Mayo County Development Plan 2021-2027. In accordance with Section 12(4)(a) and Section 12(4)(aa) of the Planning and Development Act 2000 (as amended), a Chief Executive's Report on the submissions received to the draft Mayo County Development Plan 2021-2027 was prepared and submitted to the Elected Members on the 3rd of June 2021 for their consideration. Details were published in four local newspapers and made available to view/download on the Mayo County Council website. In accordance with Section 12(4)(b) of the Planning and Development Act 2000 (as amended), the Chief Executive's Report summarised the submissions received on the draft Mayo County Development Plan 2021-2027 and provided a detailed response and recommendation(s) to the issues raised.

The Elected Members, having considered the draft Mayo County Development Plan 2021-2027 and the Chief Executive's Report on submissions received, resolved, following a Special Council meeting on the 15th of February 2022, to amend the draft Mayo County Development Plan. These proposed amendments, if made, constitute a material amendment to the Draft Mayo County Development Plan 2021-2027. Accordingly, the Council resolved to place the proposed material amendment on public display for a period of not less than 4 weeks, in accordance with Section 12(7)(b) of the Planning and Development Act 2000 (as amended).

1.2 Proposed Material Amendments Consultation Process

Notice of the proposed Material Amendments was published on 21st March 2022, in 4 no. local newspapers, the Connacht Telegraph, the Mayo News, The Western People and the Mayo Advertiser, in accordance with the requirements of Section 12 of the Planning & Development Act 2000 (as amended), which requires that a copy of proposed Material Amendment and any determination by the authority be placed on public display during a stated period of not less than 4 weeks.

The proposed Material Amendment to the Draft Mayo County Development Plan 2021-2027 and accompanying Environmental Reports were placed on public display from the Tuesday 29th March 2022 to Tuesday 26th April 2022, inclusive. Details were available to view online on the Mayo County Councils public consultation portal, consult.mayo.ie. and were made available for inspection at the following locations:

Mayo County Council Offices

- Áras an Chontae, Castlebar
- Ballina Civic Offices
- Ballinrobe Area Office
- Belmullet Area Office
- Claremorris Area Office
- Swinford Area Office
- Westport Civic Office

Mayo Public Libraries

- Achill Sound
- Ballina
- Ballinrobe
- Ballyhaunis
- Belmullet
- Charlestown
- Claremorris
- Crossmolina
- Foxford
- Kiltimagh
- Louisburgh
- Swinford
- Westport

Only observations or submissions related to a proposed material amendment made through the Online Consult or in writing, received between the Tuesday 29th March 2022 and by 4:00pm on Tuesday 26th April 2022 could be considered.

1.3 Submissions/Observations Received

A total of 44 no. submissions were received during the public consultation period, with 43 no. submissions made online at consult.mayo.ie. and 1 no. submissions received by post/hand. 1 no. submission was subsequently withdrawn. Only submissions made via email or by hardcopy within the timeframe were accepted. No submissions were received outside of the timeframe.

Under the Planning and Development Act 2000, (as amended), the final (third) phase of public consultation is solely limited to the Proposed Material Amendments to the Draft Plan. A number of submissions welcomed the material amendments made to the Draft Plan but did not relate to any specific Material Amendment number. A number of submissions (or elements thereof) were received in relation to issues which do not relate to any proposed material amendment. Accordingly having regard to Section 12(8) Chief Executive's Report on Material Amendments to the Draft County Development Plan 2021-2027 of the Planning and Development Act 2000 (as amended), these submissions (or elements thereof) cannot be considered at this stage in the plan making process.

1.4 Environmental Considerations

Pursuant to Section 12(7) (aa) of the Planning & Development Act 2000 (as amended) the Planning Authority made determinations that a Strategic Environmental Assessment (SEA) and an Appropriate Assessment (AA) were required to be carried out with regard to a number of proposed Material Alterations. Pursuant to Section 12(7) (ab); an SEA and AA were undertaken in respect of the proposed Material Alterations. The determinations, SEA and AA Environmental Reports were placed on display along with the proposed Material Alterations.

1.5 Content and Format of Report

This Chief Executive's report forms part of the statutory procedure for the preparation of the Mayo County Development Plan 2021-2027 and is structured as follows:

- Section 1 - consists of an introduction and an overview of the process.
- Section 2 - details the legislative background to the preparation of the Chief Executive's Report.
- Section 3 - lists the persons / bodies who made submissions or observations.
- Section 4 - summarises the issues raised in submissions and observations and sets out the Chief Executive's response and recommendations from key strategic and group submission,
- Section 5 - summarises issues raised in submissions and observations and sets out the CE response and recommendations relating to Chapters 3 – 12 Volume II.
- Section 6 – summarises issues raised in submissions and observation and sets out the Chief Executive's response and recommendations relating to Development Management Standards.
- Section 7 - summarises issues raised in submissions and observation and sets out the Chief Executive's response and recommendations relating to Book of Maps Volume III.
- Appendix 1 and 2 – consists of the revised core strategy and environmental appraisal of material amendments (NIR/SEA/SFRA).

1.6 Interpretation of this Chief Executive's Report

Please note in this document, proposed changes to the text are denoted as follows:

Black – will apply to the draft original objective/policy not changed by 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 Amendment (deleted)~~

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

~~Purple Strikethrough - will be changes to Material Amendments in Material Amendments CE Report (to be deleted)~~

SECTION 2 - LEGISLATIVE BACKGROUND

2.1 Chief Executive's Report on Submissions and Observations Received

In accordance with Section 12(8) of the Planning and Development Act 2000 (as amended) the Chief Executive is required to prepare a report on submissions/observations received in relation to the proposed Material Alterations to the draft Development Plan and submit it to the Elected Members for their consideration. In accordance with the requirements of Section 12(8)(b) of the Planning and Development Act 2000 (as amended), the Chief Executive's Report shall:

- i. list the persons or bodies whom made submission or observations; during the prescribed public consultation period;
- ii. Summarise the issues raised by the persons or bodies in the submissions or observations received during the prescribed public consultation period;
- iii. Give the response of the Chief Executive to the issues raised, taking account of:
 - directions of the members of the authority regarding the preparation of the draft Development Plan;
 - the proper planning and sustainable development of the area;
 - the statutory obligations of the local authority;
 - any relevant policies or objectives of the Government or of any Minister of the Government

2.2 Consideration of Amendments, Chief Executive's Report and Making of the Development Plan

In accordance with Section 12(9) of the Planning & Development Act 2000 (as amended), the members of the Planning Authority are required to consider the amendments and the Chief Executive's Report not later than six weeks of receiving the Report. The members of the authority shall, by resolution, having considered the Chief Executive's Report, make the plan with or without proposed Material Amendments, except where they decide to accept the amendments subject to modification, which may include the making of a further modification to the amendment.

A further modification to a Material Amendment may be made only 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 and shall not be made where it relates to an increase in the area of land zoned for any purpose or an addition to or deletion from the record of protected structures. Pursuant to Section 12(17) of the Planning & Development Act 2000 (as amended), a Development Plan made under this section shall have effect six weeks from the day that it is made.

2.3 Relevant Considerations when Making the Development Plan

Pursuant to Section 12(11) of the Planning & Development Act 2000 (as amended), in making the Development Plan, Mayo County Council is restricted to considering the proper planning and sustainable development of the area to which the development plan relates, the statutory obligations of the local authority and any relevant policies or objectives of the Government or any Minister of the Government. Within the context of the above, it should be noted that Sections 28(1) of the Planning & Development Act 2000 (as amended), states that a Planning Authority shall consider the policies and objectives of the Minister

contained in guidelines issued under Section 28, which may include specific planning requirements, when making a Development Plan. It is also a requirement to append a statement to the Development Plan in relation to (inter alia) how the Planning Authority has implemented the policies and objectives in such guidelines. This Chief Executive's Report on submissions or observations received in relation to the proposed Material Amendments to the draft Development Plan is submitted to you, the Elected Members of the Planning Authority for consideration.

SECTION 3 - LIST OF PERSONS/BODIES WHO HAVE MADE SUBMISSIONS/
OBSERVATIONS

Submission No.	Name	Report Location
MYO-C37-1	Dublin Airport Authority	Section 5 - Chapter 4
MYO-C37-2	Norman Keville	Section 5 - Chapter 6
MYO-C37-3	Transport Infrastructure Ireland	Section 4 - Key Strategic
MYO-C37-4	Dave Corley	Section 5 - Chapter 6
MYO-C37-5	Brendan Quinn - Withdrawn	
MYO-C37-6	Owen Colgan	Section 5 - Chapter 6
MYO-C37-7	David Malee	Section 5 - Chapter 6
MYO-C37-8	Julie Kelly	Section 5 - Chapter 6
MYO-C37-9	Fáilte Ireland	Section 5 - Chapter 5
MYO-C37-10	Office of Public Works	Section 4 - Key Strategic
MYO-C37-11	FuturEnergy Ireland	Section 5 - Chapter 11
MYO-C37-12	Grainne Heffron	Section 5 - Chapter 6
MYO-C37-13	John Mulligan	Section 5 - Chapter 6
MYO-C37-14	Patricia McCann	Section 5 - Chapter 6
MYO-C37-15	Department of Agriculture, Food & the Marine	Section 5 - Chapter 5
MYO-C37-16	Northern and Western Regional Assembly	Section 4 - Key Strategic
MYO-C37-17	Brendan Quinn	Section 5 - Chapter 6
MYO-C37-18	Darragh Golden	Section 5 - Chapter 6
MYO-C37-19	Michael Maye	Section 5 - Chapter 6
MYO-C37-20	HK Harmon Property Ltd.	Section 7 - Book of Maps
MYO-C37-21	Felim O'Rouke	Section 5 - Chapter 6
MYO-C37-22	Inishoo Management Ltd.	Section 5 - Chapter 5
MYO-C37-23	David Naughton	Section 5 - Chapter 6
MYO-C37-24	Brendan Quinn	Section 5 - Chapter 6
MYO-C37-25	East Mayo Greenway Group	Section 5 - Chapter 6

MYO-C37-26	Electricity Supply Board	Section 5 - Chapter 11
MYO-C37-27	Lisa Dowd-Hynes	Section 5 - Chapter 6
MYO-C37-28	Department of Environment, Climate and Communication	Section 5 - Chapter 9
MYO-C37-29	Kiltimagh Greenway Group	Section 5 - Chapter 6
MYO-C37-30	Robert McLoughlin (on behalf of Tesco Ireland Limited)	Section 5 - Chapter 12
MYO-C37-31	Greaney Family	Section 7 - Book of Maps
MYO-C37-32	Irish Water	Section 4 - Key Strategic
MYO-C37-33	Eugene Greaney	Section 7 - Book of Maps
MYO-C37-34	Department of Transport	Section 4 - Key Strategic
MYO-C37-35	Elizabeth Moore	Section 5 - Chapter 6
MYO-C37-36	National Transport Authority	Section 4 - Key Strategic
MYO-C37-37	Office of the Planning Regulator	Section 4 - Key Strategic
MYO-C37-38	Údarás na Gaeltachta	Section 4 - Key Strategic
MYO-C37-39	Department of Education	Section 4 - Key Strategic
MYO-C37-40	Moira Philbin	Section 5 - Chapter 6
MYO-C37-41	John Callaghan	Section 5 - Chapter 12
MYO-C37-42	Wind Energy Ireland	Section 5 - Chapter 11
MYO-C37-43	SSE Airtricity	Section 5 - Chapter 11
MYO-C37-44	Kevin Quinn	Section 5 - Chapter 6

SECTION 4 - KEY STRATEGIC AND GROUP SUBMISSIONS/OBSERVATIONS

4.1 Office of the Planning Regulator (OPR)

Submission No.(s)	MYO-C37-37
Submission by:	Office of the Planning Regulator (OPR)
Material Amendment(s)/Relevant Chapter(s):	See below.
Summary of Submission:	
<p>The submission sets out the role of the OPR and includes 12 no. Recommendations and 1 no. Observation relating to the material amendments under the following 10 no. themes:</p> <ul style="list-style-type: none"> - Theme 1: Core Strategy and Settlement Strategy (<i>Recommendations 1 & 2</i>) - Theme 2: Sustainable Development and Regeneration (<i>Recommendations 3, 4 & 5</i>) - Theme 3: Zoning for Residential Development (<i>Recommendations 6 & 7</i>) - Theme 4: Rural Housing and Regeneration (<i>Recommendation 8</i>) - Theme 5: Economic and Employment Zoning (<i>Recommendation 9</i>) - Theme 6: Flood Risk Management (<i>Recommendation 10</i>) - Theme 7: Sustainable Transport and Accessibility (<i>Recommendations 11 & 12</i>) - Theme 8: Renewable Energy and Landscape Appraisal - Theme 9: Rights of Way - Theme 10: Miscellaneous (<i>Observations 1</i>) <p>The OPR strongly advises the Planning Authority that the recommendations relate to significant breaches of policy and that failure to address the matters raised in the manner outlined prior to adoption of the county development plan may lead the Office to determine that the Plan fails to set out an overall strategy for proper planning and sustainable development of County Mayo.</p>	
Key Theme 1: Core Strategy and Settlement Strategy (<i>Recommendations 1 & 2</i>)	
<p><u>MA Recommendation 1 – Core Strategy and Settlement Strategy</u></p> <p>The submission expresses serious concerns regarding the consistency of the revised core strategy (Proposed Amendment CH 2.7) and associated settlement strategy with the national and regional policy. The OPR notes that the proposed population growth and housing supply adjustments made to the revised Core Strategy have resulted in larger reductions being made to Tier I, II, III & IV settlements, as compared to the combined Tier V and the open countryside.</p>	

The OPR also notes that no clear evidence approach has been provided in respect of the level of rural housing in Tier V village and the open countryside over the plan period (1,157 units), as required under NPO 20 and the Sustainable Rural Housing Guidelines (2005). Furthermore, they state the approach of merging of Tier V Rural Villages with the Rural Countryside is not in accordance with section 10(2A)(vi)(iii) of the Act, which requires a development plan to set out a settlement hierarchy with aggregate projected population for “open countryside outside of villages and towns”.

The OPR highlight that the proposed amendments that reduce housing and population growth in Ballina and Castlebar were made without any clear evidential basis and are inconsistent with the overarching strategic objective in the draft Plan to achieve the sustainable, balanced development of the Rural Settlements and Rural Villages (SSP 5), compact growth (SSO 6 & SSO 8) and sustainable transport (SSO 6 & SSO 7). They also consider these amendments to be contrary with Mayo’s position of successfully arguing the case for two Key Towns (Castlebar & Ballina) in the county under the RSES, and the additional elevated position of Westport, as a Strategic Growth town in the draft Plan.

The OPR also highlights Proposed Amendment CH2.22, which seeks to maintain the distribution of Mayo’s population at current 60:40 Rural to Urban ratio levels and to increase population levels in rural areas by removing specific reference to ‘without compromising the growth of its urban areas’ in the settlement strategy text of the draft Plan. This amendment, it states, would be detrimental to the sustainable future growth of towns and villages.

In considering the matters raised with respect to the core strategy, the OPR draws attention to the requirement of section 10(2A) of the Act for the core strategy to provide relevant information to show that the development plan is consistent with the NPF and the RSES. As such, the OPR has significant concerns that the proposed strategy fails to achieve a reasonable or appropriate balance in relation to housing and population growth across the settlement hierarchy, of the nature required to ensure consistency with national and regional policy and to deliver good planning outcomes for both urban and rural communities in Mayo.

In addition to the above concerns, the OPR notes that Proposed Amendments CH2.11 and CH2.19 introduces a provision to allow housing targets within settlements to be exceeded within the confines of the overall population target for the county. They consider this approach to be contrary to the provisions of section 10(2A) of the Act and would undermine the very purpose of devising a core strategy and settlement strategy to such an extent that it cannot be evaluated in the context of national (NSOs, NPOs 6, 15, 18 & 20) and regional policy (RPOs 3.1), or by extension cannot reasonably be considered to constitute a strategy at all within the meaning of the Act.

Having regard to the foregoing, **OPR MA Recommendation 1** requires the Planning Authority to make the Plan without the following proposed amendments:

- CH 2.11
- CH 2.19
- CH 2.22

Notwithstanding the Plan being made without the above amendments, the OPR notes that the Planning Authority has, through Proposed Amendment CH2.7, introduced a revised core strategy which is not consistent with national and regional policy above, but where the reversion to the draft Plan would not be consistent with the correct Housing Supply Target calculated in accordance with the section 28: Housing Supply Target Methodology Guidelines (2020) or with Recommendation 3a; 3b; and 3c of the OPR's submission to the draft Plan.

CE Response OPR 1:

OPR comments and recommendation are noted.

Proposed Material Amendment CH 2.7 (Revised Core Strategy Table) has been amended to reintroduce Tier V in the Core Strategy Table and provide for an appropriate sustainable balance of housing and population growth in the settlement hierarchy consistent with national and regional policy. The housing and population growth has also been informed by the significant social housing programme planned for Mayo under 'Housing for All', and the consequently need to increase allocations in Tier I and II towns to ensure an appropriate mix of tenure for sustainable communities.

In respect to proposed material amendments CH 2.11 (Monitoring & Management) and CH 2.19 (Core Strategy Policies), the Planning Authority considers it necessary to include a mechanism to relocate housing units across the settlement hierarchy to respond effectively to changes in the external economic environment over the plan period. This trend may become apparent in the yearly settlement housing target reviews, and the Planning Authority needs to be able to proactively respond to such trends by redistributing housing allocation between settlements, where there is an evidential need. In this regard, Proposed Material Amendments CH 2.11 and CH 2.19 have been modified.

In addition, Proposed Material Amendments CH 2.22 (Settlement Strategy), CH 2.25 (Rural Countryside) and CH 2.28 (Settlement Strategy Objectives) have also been modified to comply with national and regional planning policy.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	YES: CH 2.7 & CH 2.11
SEA	YES: CH 2.11
SFRA	N/A

CE Recommendation OPR 1:

To make the Plan modifying Proposed Material Amendments CH 2.7, CH 2.11, CH 2.19, CH 2.22, CH 2.25 and CH 2.28, as follows:

Proposed Material Amendment CH 2.7

- See Appendix I

Proposed Material Amendment CH 2.11

With the adoption of specific population targets for the county and each settlement/tier typology, the monitoring of the extent of residential development is required to ensure that development occurs in a coherent, reasoned and evidence-based manner. ~~Notwithstanding that the population increase/household allocations are targets and not limits the~~ delivery of all residential development will be carefully monitored during the lifetime of this Plan to ensure it does not cumulatively result in housing units or population being exceeded. ~~Any new statutory guidelines put in place under Section 28 of the Planning and Development Act to assist in this exercise shall be implemented upon publication.~~ ~~within the context of the overall population limits within the county and in accordance with the Core Strategy and S28 Housing Target Guidelines.~~ Where individual settlements are considered unlikely to reach their dwelling unit target within the lifetime of the plan the housing allocation may, if required, be utilised elsewhere within the Core Strategy provided that the overall development allocation for the county is not exceeded

Proposed Material Amendment CH 2.19

~~CSP: To facilitate, if necessary, an increase in the housing unit allocation within a particular Key Town, Strategic Growth or Tier II settlement, should the allocated housing target for that settlement be reached within the lifetime of the Plan, while remaining within the confines of the overall population target for the county, as reflected in the Core Strategy.~~ Where individual settlements are considered unlikely to reach their dwelling unit target within the lifetime of the plan the housing allocation may, if required, be utilised elsewhere within the Core Strategy provided that the overall development allocation for the county is not exceeded

Proposed Material Amendment CH 2.22

The settlement strategy will continue to provide ~~for the framework for the~~ sustainable development of the county by ~~continuing to balance~~ ~~balancing~~ the distribution of Mayo's population ~~at current ratio levels – between~~ rural to urban ~~to the ratio of 60:40 Rural to Urban by ensuring development is targeted in a manner that revitalises Mayo's rural population without compromising the growth of either. its urban areas. The aim is to provide a sustainable synergy between both through the settlement hierarchy. Between rural and urban.~~

Proposed Material Amendment CH 2.25

The rural countryside is and will continue to be a living and lived-in landscape focusing on the requirements of rural economies and communities, while at the same time ~~avoiding inappropriate development from urban areas~~ and protecting environmental assets. The Council will ensure that development of the unserviced rural areas takes place in a manner that is compatible with the protection

of key economic, environmental, biodiversity and cultural/heritage assets such as the road network, water quality and important landscapes.

Proposed Material Amendment CH 2.28

SSO 1 To promote rural sustainability by facilitating ~~people who wish to live in~~ appropriate growth of the rural countryside by facilitating those who comply with our rural housing policy.

MA Recommendation 2 – Settlement Hierarchy - Westport

Settlement Hierarchy

The submission states that there remain inconsistencies in the draft Plan as Westport is referenced as a Key Town in section 3.4.8 and in policies and objectives SSP 2; SSO 2 and EDP 8.

Therefore, **OPR MA Recommendation 2** requires the Planning Authority to amend the wording in the draft Plan by means of a minor modification that refers to Westport as a Key Town within Section 3.4.8 of the draft Plan and SSP 2; SSO 2 and EDP 8.

CE Response OPR 2:

OPR recommendation is noted and addressed.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	N/A.

CE Recommendation OPR 2:

To make the Plan with minor modifications to read as follows:

- Policy SSP 2 Support the continued growth and sustainable development of Ballina, Castlebar and Westport, as designated **Tier I towns (Key Towns and Strategic Growth Towns)** in the Settlement Strategy, capitalising on Ballina’s designation as a Key Town in the context of the Sligo Regional Growth Centre and Castlebar/Westport as a linked growth driver in the region.
- Objective SSO 2 To facilitate the development of Ballina, Castlebar and Westport to underpin their role as **designated Tier I towns (Key Towns and Strategic Growth Towns)** in the Settlement Hierarchy and to ensure that the growth of these towns takes place in an orderly and sustainable fashion that will not detract from the vitality and viability of their town centres.
- Policy EDP 8 To support and grow the role of Westport as a key economic driver in the county and as a national tourism hub, capitalising on its significant tourism related assets, including its designation as a Heritage Town and its status as **an urban centre with strategic development potential of a regional scale Key Town** within the context of Galway Metropolitan City, Sligo Regional Growth Centre, **the Key Towns of Ballina and Castlebar**, and its location in relation the Atlantic Economic Corridor, in order to facilitate long-term economic growth within the context of a high quality environment, supporting a wide range of services and amenities.

Theme 2: Sustainable Development and Regeneration (*Recommendations 3, 4 & 5*)

OPR MA Recommendation 3 - Sustainable Development and Regeneration

Material Amendments relating to Compact Growth and Core Strategy

The submission expresses serious concerns over the extent to which the proposed amendments to the draft Plan proposed by elected members seek to at least weaken or remove those objectives in the draft Plan intended to ensure that the level of growth in each settlement fits within the core strategy, promotes compact growth, adopts a sequential approach to development, and ultimately delivers good planning outcomes for communities in Mayo in a manner consistent with wider Government and regional planning policies.

The OPR states the proposed amendments result in internal inconsistencies within the draft Plan itself resulting in a lack of clarity and transparency for the public, and an unsound basis for decision making by the planning authority in its statutory development management functions.

Having regard to the forgoing, **OPR MA Recommendation 3** requires *the planning authority to make the plan without the following proposed material amendments:*

- CH 2.12
- CH 2.13
- CH 2.14
- CH 2.15
- CH 2.16
- CH 2.17
- CH 2.18
- CH 2.21
- DMS. 1.

CE Response OPR 3:

OPR comments and recommendation are noted.

Proposed Material Amendments CH 2.13 (Core Strategy Policies) has been modified to comply with national and regional planning policy.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	YES: CH 2.13, CH 2.16, CH 2.17 & CH 2.18
SEA	YES: CH 2.12 to CH 2.18 + CH 2.21
SFRA	NO

CE Recommendation OPR 3(a):

To make the Plan modifying Proposed Material Amendment CH 2.13, as follows:

Proposed Material Amendment CH 2.13

CSP 2 To support the implementation of the Core Strategy for Mayo in a manner that is consistent with policies at a national and regional level, ~~in particular population targets and distribution.~~

CE Recommendation OPR 3(b):

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

- Proposed Material Amendment CH 2.12
- Proposed Material Amendment CH 2.14
- Proposed Material Amendment CH 2.15
- Proposed Material Amendment CH 2.16
- Proposed Material Amendment CH 2.17
- Proposed Material Amendment CH 2.18
- Proposed Material Amendment CH 2.21
- Proposed Material Amendment DMS.1

OPR MA Recommendation 4 - Development Approach Tier 1 Towns

The submission notes the Planning Authority has not complied with the specifics of OPR Recommendation 4 on the draft Plan, relating to the preparation of interim development approach to Ballina, Castlebar and Westport pending adoption of LAPs. Given the existing Town & Environs Development Plans for these towns will have no legal standing upon adoption of the County Development Plan (s.11A of the PDA), then OPR want a firm time commitment to the LAP process.

Furthermore, the OPR advises the Planning Authority to prepare a retail strategy before the LAPs to ensure the spatial strategy for these towns are informed by this strategy.

*Having regard to the forgoing, **OPR MA Recommendation 4** requires the Planning Authority to make the Plan to include a minor modification to provide that the local area plans for Ballina, Castlebar and Westport shall be made and have effect within 12 months of the adopted county development plan.*

CE Response OPR 4:

OPR comments and recommendation are noted.

The pre-draft LAP preparation stages for Ballina, Castlebar and Westport commenced in Q1/Q2 of 2021. Draft LAPs are currently being prepared for these towns with a targeted public display period of Q2/Q3 of 2022, and an expected adoption period of Q1/Q2 of 2023, which will be within 12 months of the adopted county development plan.

The Planning Authority will endeavour to review the County Retail Strategy within one year of the adoption of the county development plan; however, this strategy will not be completed before the LAPs.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	N/A

CE Recommendation OPR 4:

No change to the Plan.

OPR MA Recommendation 5 - Development Approach Tier III - V Towns

The submission, noting the Planning Authority's response to OPR Recommendation 5a on the draft Plan to provide a flexible zoning approach to Tier III settlements, expresses concern over the absence of objectives in accordance with s.10(2A) of the PDA (as amended) to ensure the proper planning and sustainable development of these towns, in terms of compact growth and appropriate regeneration.

The OPR considers the extension of the consolidated zoning in several Tier III settlements, contrary to Recommendation 5a, would effectively undermine the draft Plan's policy framework, consistent with policy objective CSO1 (core strategy) and policy objective CSO4 (compact growth). In particular, the OPR highlights the settlement boundary extensions in Balla (Tier III Balla 2), Killala (Tier III Killala 3, 4 & 5), Kiltimagh (Tier III Kilti 2), Bangor Erris (Tier IV BER 1), Belcarra (Tier IV BEL 1), Attymass (Tier V ATT 1), Pollathomish (Tier V POL 1), Partry (Tier V PTY 1) and Glenisland (Tier V GIL).

The OPR, noting that the reduced housing supply targets for Tier III to IV settlements in the amended Core Strategy Table, states that no evidence-based rationale is provided for the extension of the development boundary and the provision of additional consolidated zoned lands. They draw attention to SEA Environmental Report, which raises concerns with the extension of lands in Belcarra and Bangor Erris.

Having regard to the forgoing, ***OPR MA Recommendation 5*** requires the Planning Authority to make the Plan without the following material amendments to the settlement boundaries of Tier III, IV and V settlements:

- Tier III Balla 2.
- Tier III Killala 3, 4 & 5.
- Tier III Kilti 2
- Tier IV BER 1 (Bangor Erris)
- Tier IV BEL 1 (Belcarra)
- Tier V ATT 1 (Attymass)
- Tier V POL 1 (Pollathomish)
- Tier V PTY 1 (Partry)
- Tier V GIL (Glenisland)

CE Response OPR 5:

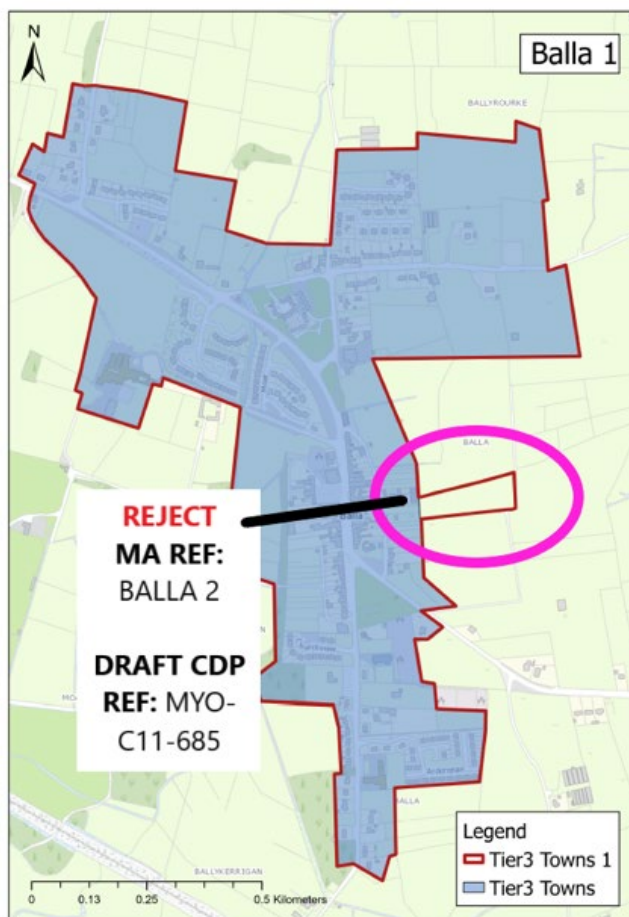
OPR comments and recommendation are noted.

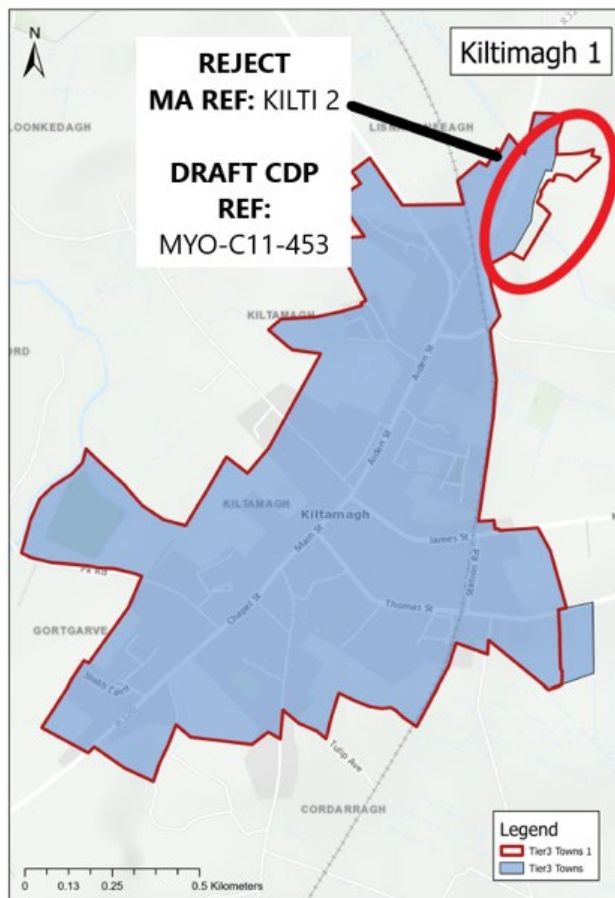
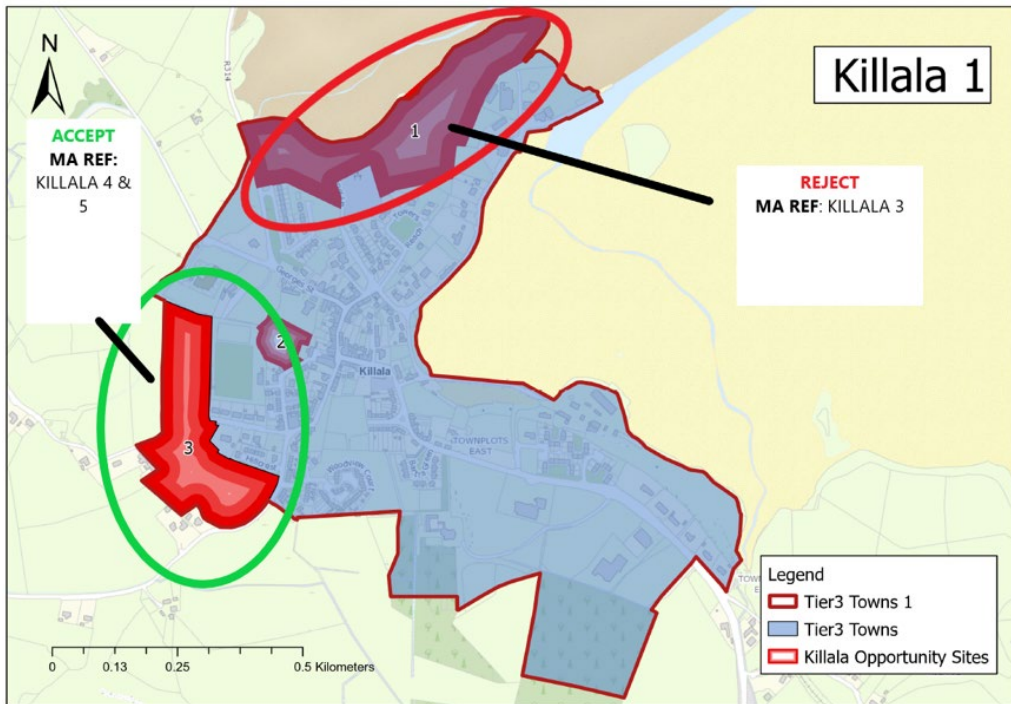
Following a review of the proposed boundary extensions to these settlements, it is considered that proposed material amendments in Killala (Tier III Killala 4 & 5), Attymass (Tier V ATT 1), Pollathomish (Tier V POL 1), Partry (Tier V PTY 1) and Glenisland (Tier V GIL) warrant inclusion in the Plan.

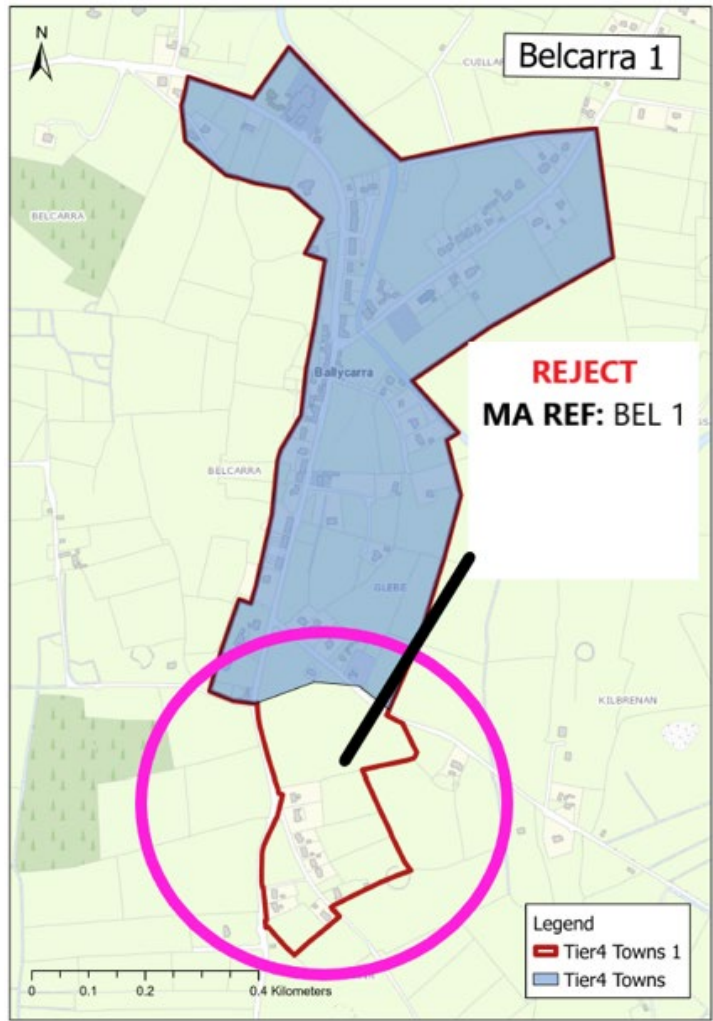
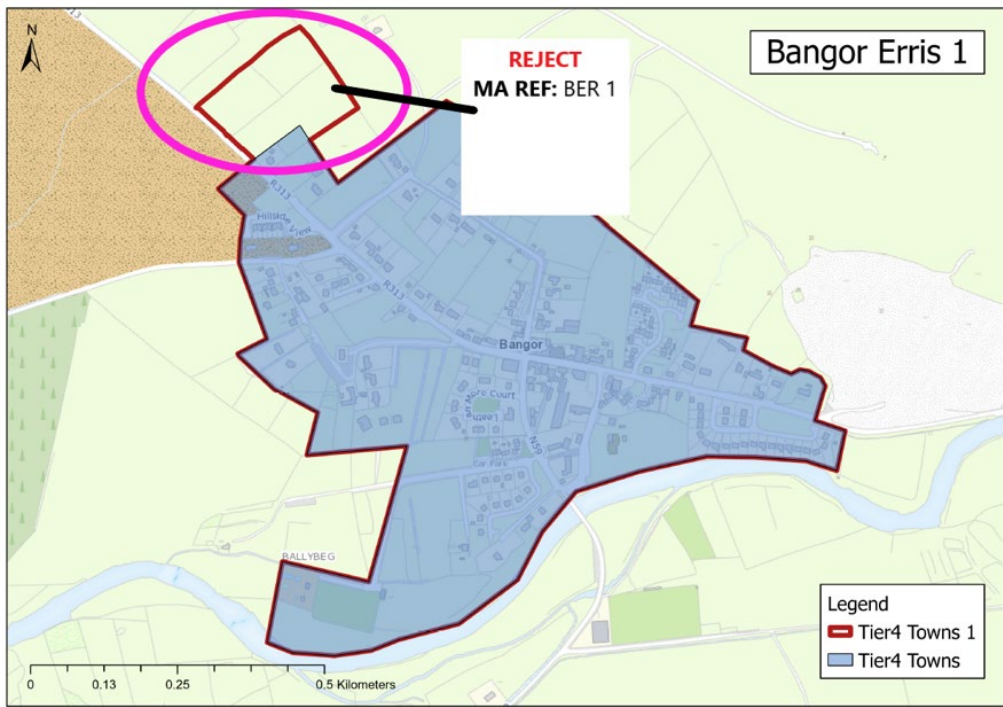
Having regard to the physical constraints of Killala, owing to its coastal location, and the need to provide suitable developable lands, it is considered that the proposed material amendments Tier III Killala 4 and 5 are a logical extension of the town. These lands adjoin the existing built-up area and recreational amenities serving the town.

In respect to Tier V settlements, the boundary extensions to Attymass, Pollathomish, Partry and Glenisland were informed by a review of the development boundaries, in response to OPR Recommendation 5b on the draft Plan. It is considered the revised boundaries reflect the extent of the established settlement and promote sequential compact growth to ensure compact growth and avoidance ribbon development.

All other zoning proposals, as proposed material amendments, in Balla (Tier III Balla 2), Killala, (Tier III Killala 3), Kiltimagh (Tier III Kilti 2), Bangor Erris (Tier IV BER 1) and Belcarra (Tier IV Bel 1) are not considered acceptable, owing to their peripheral no sequential locations, environmental constraints and/or absence of adequate services.







Accept the following proposed amendment to Tier V Rural Villages:

Attymass (Tier V ATT 1)



Glenisland (Tier V GIL)



Partry (Tier V PTY 1)



Pollathomish (Tier V POL 1)



Environmental Reports- Adverse Environmental Impacts on Proposed MAs

AA	YES: Tier III Balla 2
SEA	NO
SFRA	check

CE Recommendation OPR 5:

To make the plan without the following proposed material amendments and revert to the draft Plan:

- Proposed Material Amendment Tier III Balla 2
- Proposed Material Amendment Tier III Killala 3
- Proposed Material Amendment Tier III Kilti 2
- Proposed Material Amendment Tier IV BER 1
- Proposed Material Amendment Tier IV BEL 1

Theme 3: Zoning for Residential Development (Recommendations 6 & 7)

OPR MA Recommendation 6 - Strategic Residential Reserve Tier II

Quantity of Zoned Residential Land / Strategic Reserve Residential

The submission considers the quantum and location of Strategic Residential Reserve Tier II lands proposed in the Plan goes against national and regional policy, in respect to compact growth, sequential approach, and delivery the social and physical infrastructure, and therefore could result in housing being provided in peripheral locations remote from services and facilities.

The OPR considers these unjustifiable additional proposed Strategic Residential Reserve Tier II lands are not necessary for the purposes of ensuring sufficient choice for development lands and are not long-term strategic and sustainable development sites within the context of the guidelines. Therefore, the OPR considers that stronger measures should be put in place to ensure that Strategic Residential Reserve Tier II land are not developable over the next 6 years.

They also advise the Planning Authority to give careful consideration at this stage to how these lands will be affected by the forthcoming Residential Zoned Land Tax.

Having regard to the forgoing, *OPR MA Recommendation 6 requires the Planning Authority to clarify the land-use zoning objective for 'Strategic Residential Reserve Tier II' lands, as detailed in proposed material amendment CH 12.2; CH12.3 an CH12.4, to ensure that no multiple residential development proposals will be considered by the Planning Authority until after the full lifetime period of the development plan 2021 – 2027.*

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	N/A

CE Response OPR 6:

OPR comments and recommendation are noted.

The Planning Authority require the provisions of Proposed Material Amendment CH 12.2 (Tier II Settlements) to be retained in the Plan to provide a mechanism whereby housing targets allocated to Tier II settlements can be achieved, as set out in the Core Strategy, where it is apparent that 'New Residential' or 'Strategic Residential Reserve Tier I' lands cannot or will not be developed within the plan period. These settlements are important economic drivers for the county and surrounding catchments and the delivery of housing units is of utmost importance for population and economic growth.

CE Recommendation OPR 6:

No change to the Plan.

OPR MA Recommendation 7 - Quantity of Zoned Lands

Tiered Approach to Zoning

The submission, noting the absence of Infrastructural Assessment Report (IAR) associated with the settlement plans, requires full settlement capacity audit/IARs to be prepared to inform the development strategy for future LAPs in the county, including Ballina, Castlebar and Westport.

Residential Zoning Amendments

The OPR identifies several instances where residential zoning amendments were not consistent with compact growth under NPO 3c of the NPF, and RPO 3.2 of the RSES, and/or the sequential approach to development set out in the Development Plans, Guidelines for Planning Authorities (2007) and the Development Plans Guidelines for Planning Authorities - Draft for Consultation (2021).

These amendments relate to the land use zoning proposals in Ballinrobe (Tier II BROBE 1); Claremorris (Tier II CLARE 1-6); and Swinford (Tier II SFORD 1, 2 & 7), which were considered by the OPR to be unjustifiable due to their peripheral and non-sequential locations; excessive zoning contrary to the housing targets and, in some instances, were located in Flood Zone A/ B (Tier II SFORD 1 & 2 and Tier II CLARE 4), where not all conditions of the Justification test in the SFRA have been satisfied.

Having regard to the forgoing, ***OPR MA Recommendation 7*** requires the Planning Authority to make the plan without the following proposed material amendments in Swinford, Ballinrobe and Claremorris:

- Tier II BROBE 1
- Tier II SFORD 1
- Tier II SFORD 2
- Tier II SFORD 7
- Tier II Clare 1
- Tier II Clare 2
- Tier II Clare 3
- Tier II Clare 4
- Tier II Clare 5
- Tier II Clare 6

CE Response OPR 7:

OPR comments and recommendation are noted.

In respect to the preparation of IARs, these settlement capacity audits will be carried out for the local area plans for Ballina, Castlebar, and Westport, as per NPO 72.

Following an examination of the additional zoning proposals in Ballinrobe; Claremorris and Swinford, it is considered that proposed material amendments Tier II Clare 2 and 4 warrant inclusion in the Plan.

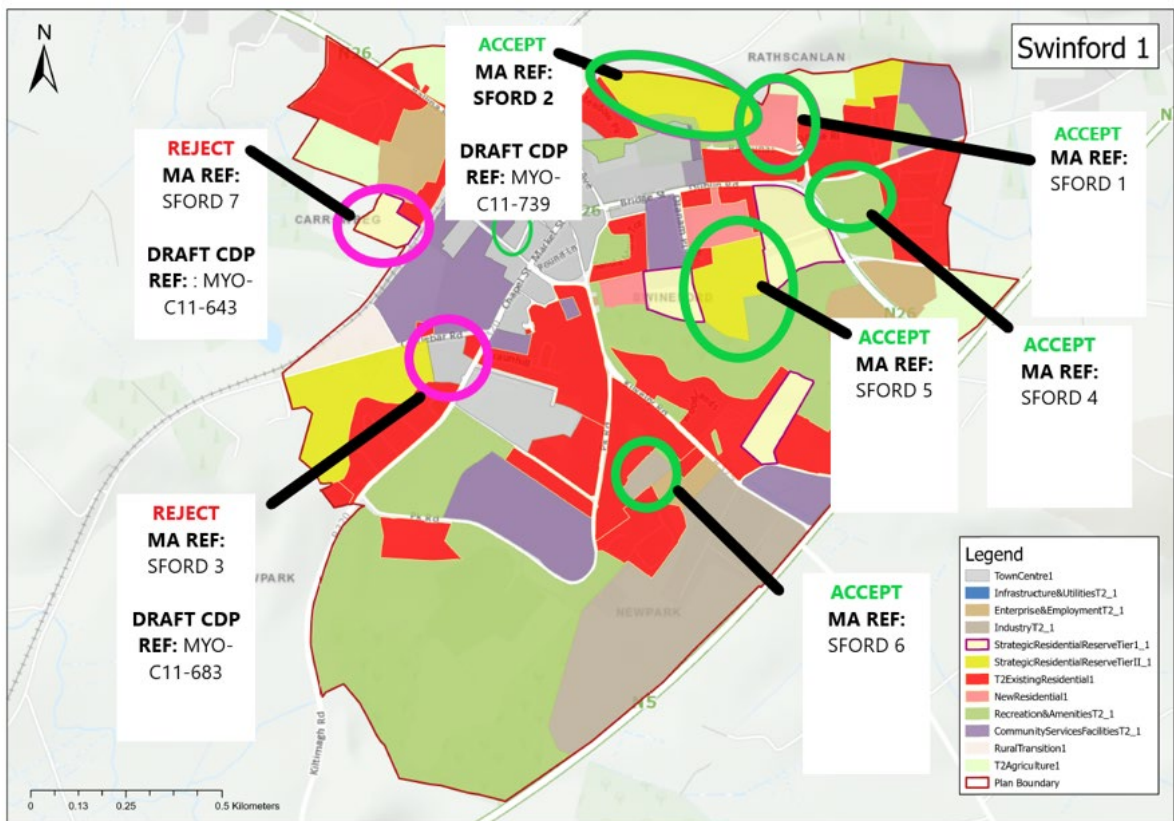
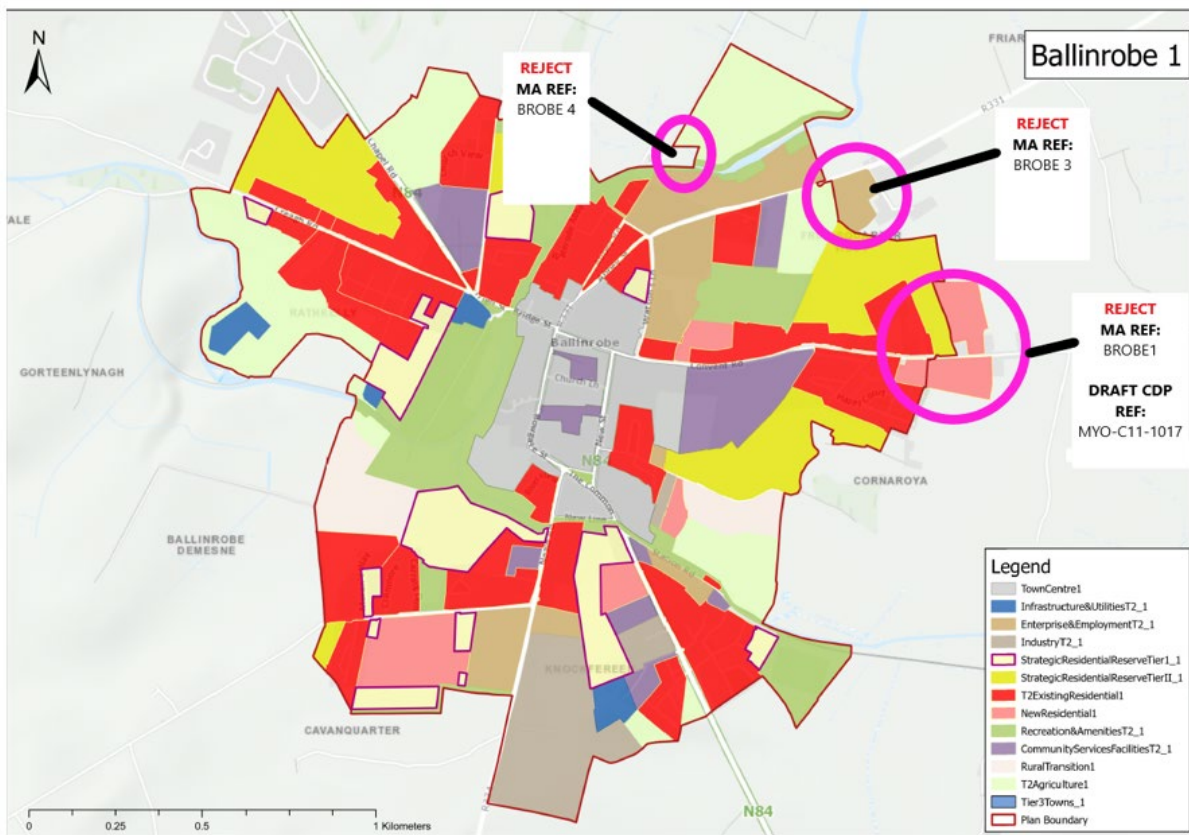
Tier II Clare 2 adjoins an existing housing development (Cluain Aoibhinn) and is considered suitable lands to reserve for future residential development for the next Plan.

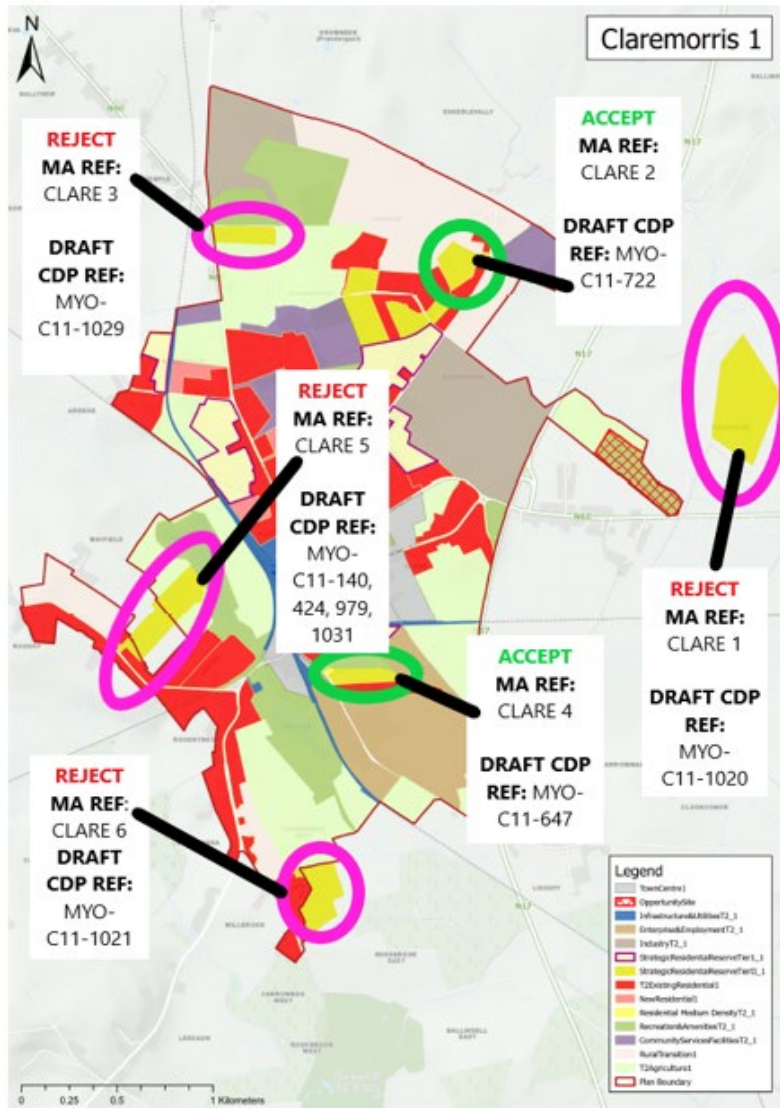
Tier II Clare 4 is located in close proximity to the town centre and adjoins an existing housing development (Clareville). The flood risk areas within the Strategic Residential, as identified in the SFRA (A.4.4), to be revert to recreation and amenity zoning in the final adopted plan.

In respect to Proposed Material Amendments Tier II SFORD 1 and 2, these amendments should be included in the Plan with modifications to exclude identified flood risk areas, as per the SFRA. The flood risk sections of lands in Tier II SFORD 1 and 2 to be rezone to Recreation and Amenity in the final Plan. Tier II SFORD 1 incorporates an existing unfinished housing development and adjoins an existing housing development along its southern boundary. Tier II SFORD 2 is located adjacent to existing residential area and is situated in close proximity to the town centre.



All other zoning proposals, as proposed material amendments, in Ballinrobe (Tier II BROBE 1); Claremorris (Tier II CLARE 1, 3, 5 & 6) and Swinford (Tier II SFORD 7) are not considered acceptable owing to their peripheral no sequential locations, environmental constraints and/or absence of adequate services.





Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	YES: Tier II SFORD 1, Tier II SFORD 2 & Tier II CLARE 4

CE Recommendation OPR 7(a):

To make the Plan with the following modifications:

- Change zoning of SFRA identified flood risk lands in Proposed Material Amendment Tier II CLARE 4 from Strategic Residential Reserve Tier I to Recreation & Amenity in the final Plan.
- Change zoning of SFRA identified flood risk lands in Proposed Material Amendments Tier II SFORD 1 from New Residential to Recreation & Amenity in the final Plan.
- Change zoning of SFRA identified flood risk lands in Proposed Material Amendment Tier II SFORD 2 and from Strategic Residential Reserve Tier I to Recreation & Amenity in the final Plan.

CE Recommendation OPR 7(b):

To make the plan without the following proposed material amendments and revert to the draft Plan:

- Proposed Material Amendment Tier II BROBE 1
- Proposed Material Amendment Tier II SFORD 7
- Proposed Material Amendment Tier II Clare 1
- Proposed Material Amendment Tier II Clare 3
- Proposed Material Amendment Tier II Clare 5
- Proposed Material Amendment Tier II Clare 6

Theme 4: Rural Housing and Regeneration (Recommendation 8)**MA Recommendation 8 – Rural Housing Criteria****Rural Housing and Regeneration**

The submission expresses serious concerns regarding the approach taken by elected members through material amendments to the draft Plan, which they say fails to respond to the contemporary planning policy context for planning authorities set by Government, which is centred on supporting and strengthening the rural economy through the sustainable regeneration of rural towns and villages and by promoting consolidation and compact and sequential development in urban and rural settlements.

The OPR highlights the proposed material amendments actively undermine objectives for the protection of the environment in County Mayo, as is evidenced by the authority's own SEA Report which considers that the proposed amendments will lead to potential conflict with the Strategic Environmental Objectives and risks not meeting the objectives of the NPF and the RSES. Proposed amendment CH 3.1, which deletes and replaces the strategic aim for chapter 3, is provided by way of an example.

The OPR notes the rural typology map in the draft Plan was not accepted by the members and was replaced by a new map (Proposed Amendment CH 3.8). They highlight that the new rural typology map, which significantly reduces the extent of land identified as 'Rural Areas Under Strong Urban Influence' is based only on a single parameter of 30 no. inhabited units per square km criteria, as opposed to including other parameters previously applied in the draft Plan, such as commuter patterns, travel times and existing pressure areas. Therefore, the OPR considers there is an inadequate evidence-based approach to support the proposal to reduce the extent of land identified as 'Rural Areas Under Strong Urban Influence'.

The OPR expresses serious concerns with proposed amendment CH 3.6, which provides for the exclusion of rural villages within urban pressure areas from rural housing restrictions for a radial distance of 500 metres from village centres. They say this proposed amendment may lead to urban sprawl on the edges of rural villages. Furthermore, the OPR note that the SEA and NIR identify several Natura 2000 sites within these areas which could be affected by this proposed amendment.

The submission notes that Recommendation 10b to the draft Plan required further consideration and revision of elements of the rural housing criteria (Objective RHO 1) to ensure consistency with NPO 19 and the Sustainable Rural Housing Guidelines (2005). Notwithstanding, the recommendation in the CE Report to amend Objective RHO 1 to demonstrate a social or economic “need” to live in Rural Areas Under Strong Urban Influence in accordance with NPO 19 was not accepted and was replaced by proposed amendment CH 3.12, which introduces criteria/categories under RHO1 to qualified for a ‘genuine housing need’.

In addition to proposed amendment CH 3.12, the submission also highlights proposed material amendments CH 2.28, CH 3.8, CH 3.9 and CH 3.10, relating to rural housing policy, which seek to facilitate and encourage development in the open countryside in a manner that is not consistent with national policy protection of the environment and delivery of good planning outcomes for communities across Mayo.

Having regard to the foregoing, **OPR MA Recommendation 8** requires the planning authority is required to make the Plan without the following amendments:

- CH 2.28
- CH 3.1
- CH 3.6
- CH 3.8
- CH 3.9
- CH 3.10

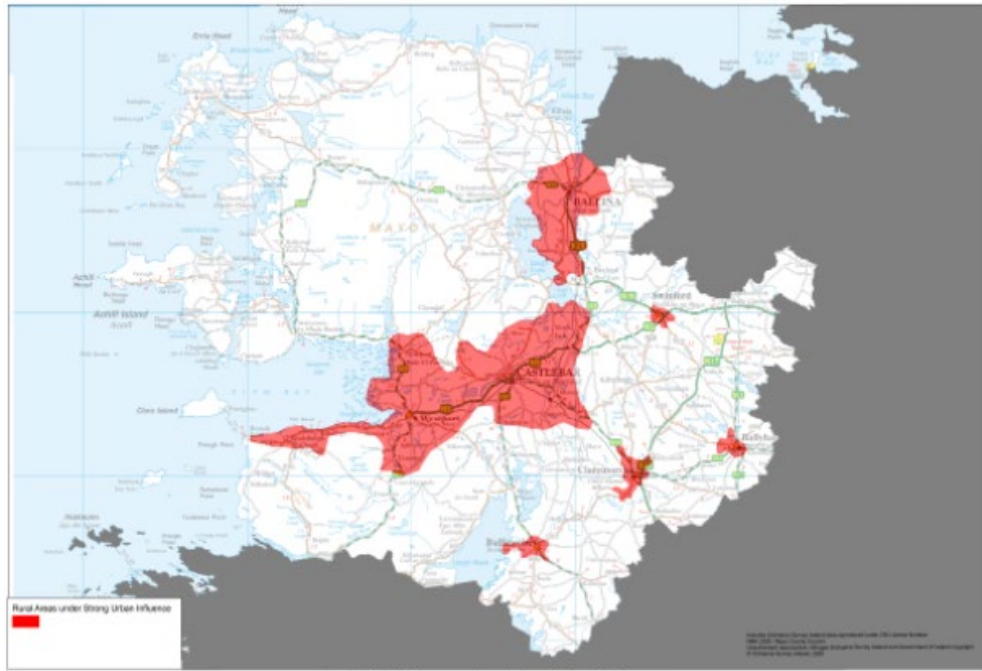
Notwithstanding the Plan is to be made without the above amendments, the OPR notes that the planning authority has failed to act on Recommendation 10 to the draft Plan, in respect of revisions required to the policy framework in respect of Housing in the Open Countryside consistent with NPO 19 of the National Planning Framework, and the Sustainable Rural Housing Guidelines (2005).

CE Response OPR 8:

OPR comments and recommendation are noted.

The removal of Proposed Material Amendments CH 2.28 (Settlement Strategy Objectives), CH 3.8 (Rural Single Housing), CH 3.9 (Rural Housing Policies) and CH 3.10 (Rural Housing Policies) will ensure the Plan is consistent with national and regional planning policy.

The revised *Rural Areas under Strong Urban Influence & Scenic Route & Views* introduced by Proposed Material Amendment 3.8 (Rural Single Housing) to be replaced by Map 3.1 of the draft Plan.



Map 3.1 Rural Areas under Strong Urban Influence

Proposed Material Amendments CH 3.1 (Strategic Aim), CH 3.6 (Rural Single Housing) and CH 3.11 (Rural Housing Policies) and CH 3.12 (Rural Housing Objectives) have also been modified to comply with national and regional planning policy.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	YES: CH.3.1, CH 3.6, CH 3.9, CH 3.10 & CH 3.12
SEA	YES: CH 2.27, CH.3.1, CH 3.6, CH 3.8, CH 3.9, CH 3.10 & CH 3.12
SFRA	NO

CE Recommendation OPR 8 (a):

To make the plan modifying Proposed Material Amendments CH 3.1, CH 3.6, CH 3.11 and CH 3.12, as follows:

Proposed Material Amendment CH 3.1

It is the strategic aim of this chapter to facilitate the progressive growth of all rural areas, towns, villages and open countryside throughout the county by seeking to accommodate development of appropriate scale in our towns, villages and countryside all persons in their choices to live in rural areas.

Proposed Material Amendment CH 3.6

It is recognised that there is a continuing need for housing provision for people to live and work in rural Mayo to sustain vibrant rural communities. The NPF states that it will continue to be necessary to demonstrate a functional economic or social requirement for housing need in areas under unsustainable urban influence. Elsewhere, the NPF states that single houses in the countryside will be facilitated based

primarily on siting and design criteria. The Plan makes a distinction between 'Rural Areas under Strong Urban Influence' and 'Remaining Rural Areas. Map 3.1 delineates the 'Rural Areas under Strong Urban Influence' for Tier I and Tier II towns of the Settlement Hierarchy. These urban pressure areas were informed by examining a range of factors, including commuter zones, travel times, existing pressure areas, density per square km and existing rural settlement patterns (Geodirectory). The factors of density per square km and existing rural settlement patterns where greater than 30 inhabited units per square kilometre were considered the most appropriate indicators to establish 'Rural Areas under Strong Urban Influence' and 'Remaining Rural Areas'.

~~Note: Rural Villages located in areas under urban pressure are to be excluded from the above restrictions for a radial distance of 500 metres from village centres.~~

In particular it is the policy of Mayo County Council to facilitate development in our towns and villages and such development will not be the subject of the provisions of our rural housing policy.

Proposed Material Amendment CH 3.11

RHP 7 To consider replacement dwellings or development of other structures to habitable homes in all rural areas, subject to normal planning considerations- such as availability of services, adequacy of ground conditions for disposal of effluent from the development, traffic safety, residential amenity, visual amenity etc. Where it is proposed to replace a dwelling, the replacement dwelling may require to be located on the footprint of the existing structure and the scale and character of the existing building may require replication or be of similar scale and design, depending on the location of the development (e.g. sensitive or vulnerable locations such as coastal, the shorelines of large lakes or upland areas).

Proposed Material Amendment CH 3.12

RHO 1 To facilitate single houses in the countryside. However in Rural Areas under Urban Influence applicants will be required to demonstrate a social or economic link to the area in which they wish to build. An economic need would include applicants having a genuine housing need and whose future or current employment is in close proximity to the primary residence they propose to build. Local rural area includes, but is not limited to Parish, District Electoral Division and Townlands. A genuine housing need includes, but is not limited to:

1. Farmers, their sons and daughters, ~~close relations~~ or any persons taking over the running of a farm in the area in which they propose to live.
2. Sons and daughters ~~or other relations~~ of non-farming persons who have spent a period of their lives living in the general rural area in which they propose to build a home.
3. Returning immigrants who spent a period of their lives living in the rural area in which propose to build and now wish to return to reside close or convenient to family members or guardians to care for or support them or work locally or to retire.
4. Persons involved in farming activity including equine enterprise, ~~health related occupations, persons employed locally in education or security positions, persons employed or intending to take up employment in any other local Service or Enterprise.~~
5. Persons whose health circumstances require them to live in a particular environment or close to family support. Applicants qualifying under this

category of housing need are required to demonstrate byway of medical decentration why this is preferable.

~~6. Where permission has been granted for a rural housing proposal in an area deemed to be under urban pressure an occupancy condition may be imposed by agreement with the applicant under section 47 of the Planning and Development act 2000.~~

~~An occupancy clause shall not be applied to any successful application outside of areas deemed to be under urban pressure.~~

~~The Any Residency Condition shall not affect the sale of the house or site by a mortgagee in possession or by any person deriving title from such a sale where force majeure applies, for example, death, illness, relationship break up, emigration, unemployment, relocation due to work issues which would necessitate a new primary place of residence.~~

CE Recommendation OPR 8 (b):

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

- Proposed Material Amendment CH 2.27
- Proposed Material Amendment CH 3.8
- Proposed Material Amendment CH 3.9
- Proposed Material Amendment CH 3.10

Theme 5: Economic and Employment Zoning (*Recommendation 9*)

Recommendation 9 – Additional Zoning in Tier II Settlements

Rural Regeneration

The submission notes that several proactive policies and objectives recommended in the CE Report, which supported the regeneration and renewal of small towns and villages, were not brought forward as material amendments, including RSVP and RSVO, and therefore consider it a missed opportunity in further strengthening and delivering a strong rural county.

Rural Economy and Tourism

The OPR note a number of recommendations in the CE Report, in response to Recommendation 5a to the draft Plan, that were not brought forward to the material amendment stage, in particular TRP 26, TRO 16 and TRO 20. They state these amendments would have strengthened the rural economy and promoted development within towns and villages to maximise the economic benefits to the county.

Economic and Employment Zoning Amendments

The OPR identifies 4 no. amendments where the evidence and rationale underpinning the zoning is not clear or strategic in nature, as per section 6.2.5 of the Development Plans - Guidelines for Planning Authorities - Draft for Consultation (2021) and are situated in peripheral locations and/or would result in a non-sequential piecemeal approach to development and/or over-zoning in the Tier II towns of Ballinrobe, Belmullet and Swinford. The submission also notes flood risk associated with proposed zoning amendment in Ballinrobe.

Having regard to the forgoing, **OPR Recommendation 9** requires the Planning Authority to make the plan without proposed material amendments:

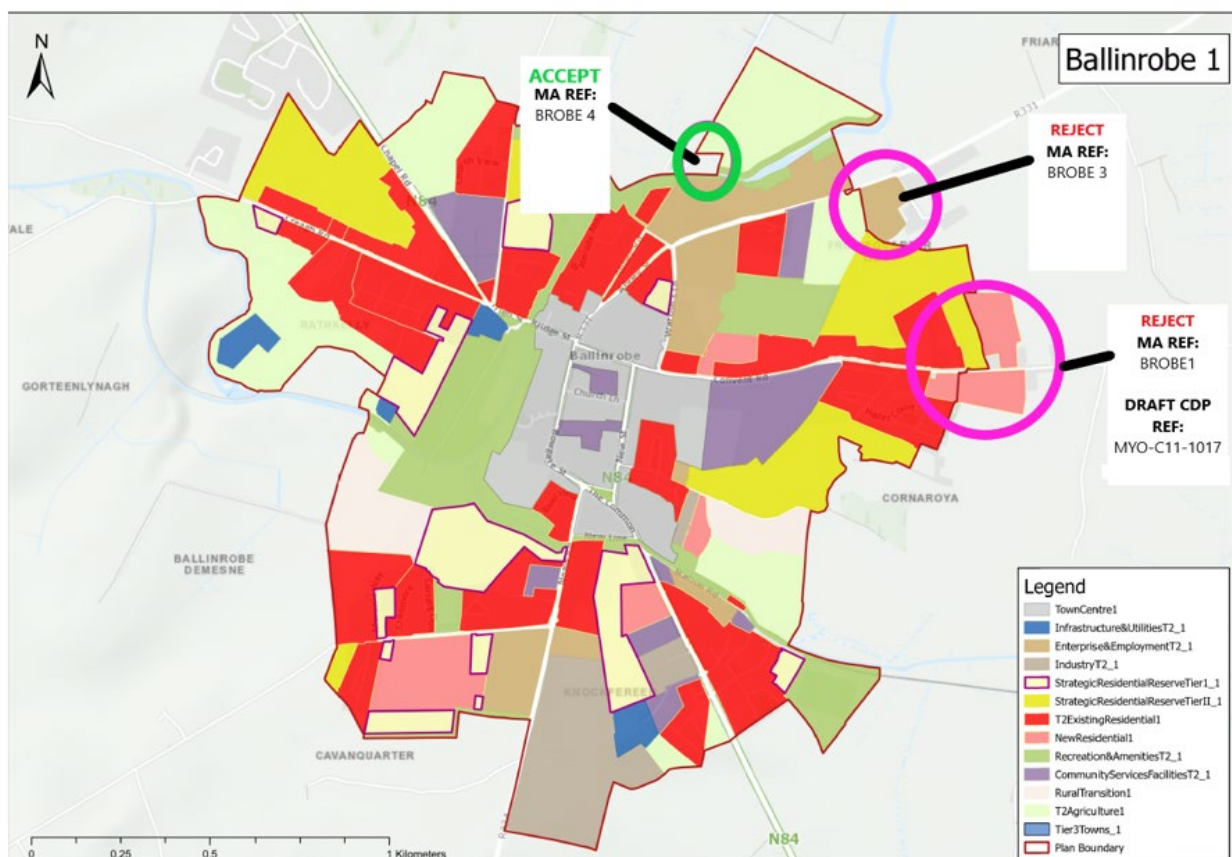
- Tier II BROBE 3 & 4.
- Tier II BMEL 1.
- Tier II SFORD 3.

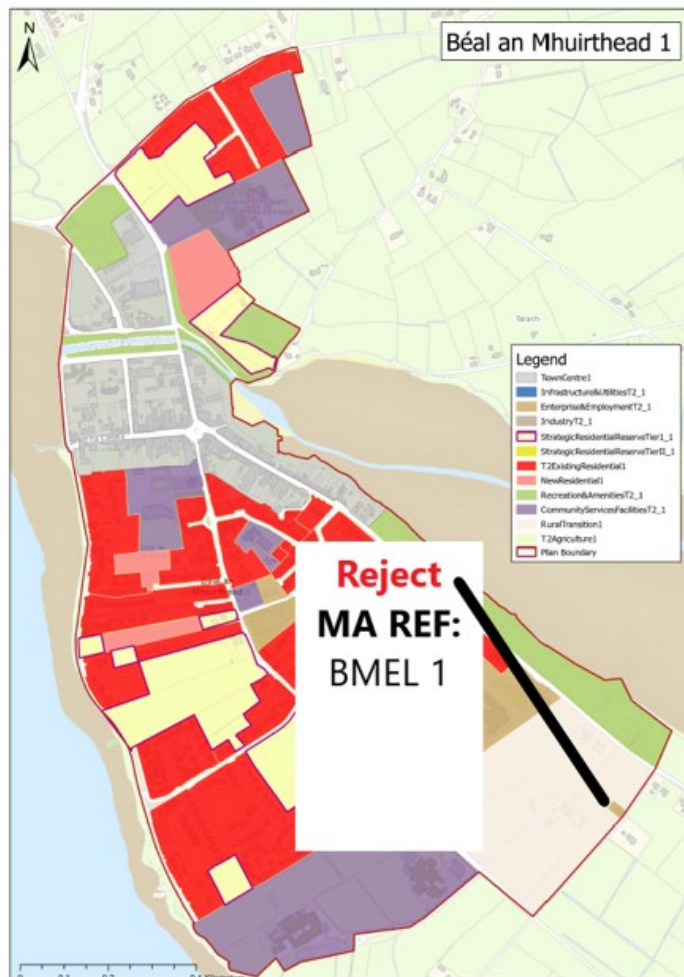
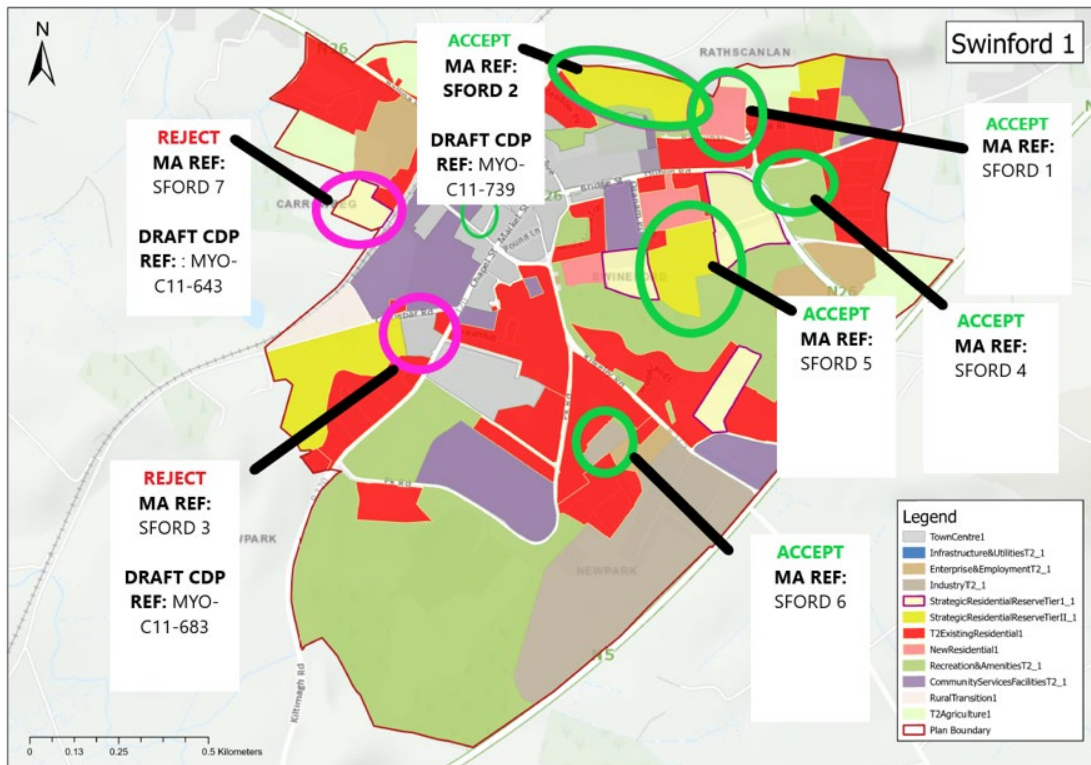
CE Response OPR 9:

OPR comments and recommendation are noted.

Following an examination of proposed zoning in Ballinrobe (Tier II BROBE 3), Belmullet (Tier II BMUL 1) and Swinford (Tier II SFORD 3), it is considered the zoning proposals in these towns are unsuitable owing to their peripheral locations, lack of services and/or flood risk.

In respect to Proposed Material Amendment Tier II BROBE 4, this Opportunity Site reflects the existing use (Enterprise and Employment) on site, and therefore should be included in the Plan. The plan boundary of Ballinrobe to be extended to include Tier II BROBE 4 in the final Plan.





Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	YES: Tier II BROBE 4

CE Recommendation OPR 9 (a):

To make the plan modifying the plan boundary of Ballinrobe to include Tier II BROBE 4 in the final Plan.

CE Recommendation OPR 9 (b):

To make the plan without the following proposed material amendments and revert to the draft Plan:

- Proposed Material Amendment Tier II BROBE 3
- Proposed Material Amendment Tier II BMUL 1
- Proposed Material Amendment Tier II SFORD 3

Theme 6: Flood Risk Management (Recommendation 10)

OPR MA Recommendation 10 – Flood Risk Management

The submission advises the Planning Authority that the flood risk maps prepared in the SFRA could be increased in scale and resolution, in the interest of clarity and transparency.

The OPR highlights that land is proposed to be zoned for highly vulnerable residential use in Flood Zone A/B in Ballinrobe, Claremorris and Swinford, where not all the conditions of the Justification test have been satisfied. The OPR recommend the omission of these material amendments to comply with NPO 57 and the Planning System and Flood Risk Assessment Guidelines and Circular PL 2/2014 – Flooding Guidelines.

The submission also highlights that specific flood mitigating requirements in the SFRA Plan, in relation to Louisburgh, Newport and Swinford, have not been effectively translated into policies in the draft Plan. The SFRA confirms that it is essential that no new development is permitted within Flood Zone A/B areas in these towns and that space should be maintained for the impacts of climate change.

Having regard to the forgoing, ***OPR MA Recommendation 10*** requires the Planning Authority to incorporate the mitigation measures, which have formed the basis upon which land use zonings have been justified in the SFRA, into the Plan as policy objectives.

CE Response:

OPR comments and recommendation area noted.

New objectives have been included in the settlement plans for Louisburgh, Newport and Swinford, respectively, to incorporate the flood mitigation measures of the SFRA for these settlements.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	YES - CHECK

CE Recommendation OPR 10:

To make the plan with the following proposed material amendments:

Insert new objective after Objective SDO 12 to read as follows:

- No new incompatible development is permitted within Flood Zone A/B areas and that these areas be maintained for the impacts of climate change in accordance with the provisions of the Flood Risk Management Guidelines (DoEHLG/OPW 2009) and Circular PL2/2014 (or any updated/superseding document).

Insert new objective after Objective LHO 8 to read as follows:

- No new incompatible development is permitted within Flood Zone A/B areas and that these areas be maintained for the impacts of climate change in accordance with the provisions of the Flood Risk Management Guidelines (DoEHLG/OPW 2009) and Circular PL2/2014 (or any updated/superseding document).

Insert new objective after Objective NTO 8 to read as follows:

- No new incompatible development is permitted within Flood Zone A/B areas and that these areas be maintained for the impacts of climate change in accordance with the provisions of the Flood Risk Management Guidelines (DoEHLG/OPW 2009) and Circular PL2/2014 (or any updated/superseding document).

Theme 7: Sustainable Transport and Accessibility (Recommendation 11 & 12)

OPR MA Recommendation 11 – National Roads

The submission notes the proposed material alterations do not include modal shift targets, as required by OPR Recommendation 14 to the draft Plan. The submission accepts the CE Report response and recognises the difficulties in predicting modal shift and acknowledges that realistic targets for the Tier I settlements will be established in the forthcoming Local Transport Plans (LTPs) for these towns.

The OPR further notes several new material amendments relating to accessibility onto national primary roads and the provision of bypass routes. They consider that proposed amendments CH 6.16 and 6.17 seek to weaken and/ or replace Policy MTP 16 and MTO 19 in the draft Plan, relating to access onto national primary roads, contrary to the provisions of section 2.5 and 2.6 of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012). The OPR highlight that the policy position of the guidelines for Planning Authority is to avoid the creation of new access points onto national roads to which speed limits greater than 60km/h apply and not 80km/h as specified in the amended policy and should agree exceptional circumstances in consultation with TII.

Having regard to the forgoing, **OPR MA Recommendation 11** requires the Planning Authority to make the plan without the following proposed material amendments:

- CH 6.16
- CH 6.17

CE Response OPR 10:

OPR comments and recommendation are noted.

In respect to Proposed Material Amendment CH 6.16, the inclusion of the amendment to Policy MTP 16 would encourage an increase of planning applications for single rural houses along national routes, which would likely result in unfavourably outcomes (on appeal), as this amendment is contrary to the provisions of Section 2.5 of the Spatial Planning and National Roads Guidelines for Planning Authorities (2012). Therefore, Proposed Material Amendment CH 6.16 has been amended to be consistent with Section 2.5 of the Guidelines.

In respect to proposed material amendment CH 6.17, the inclusion of the amendment to Objective MTO 17 is required by the Planning Authority. As set out in the amendment, the Council will undertake a survey to identify and agree sites (of national and regional strategic importance), in consultation with the TII, along national routes in accordance with the provisions of Section 2.6 of the DoECLG Guidelines.

One such site identified is the IDA Site at Quignashee, Ballina (off the N59). This site is a strategic employment site for the regionally important (RSES) 'Key Town' of Ballina; it has an extensive planning history; and has the benefit of significant road improvement works, including a right-hand turning lane from the national route.

Under the NPF and RSES, the population increases in Ballina are required to be matched by job creation at a ratio of 0.66:1 (NPO 1c). Therefore, it is of critical importance that development at the strategically important IDA Site at Quignashee, Ballina, is/can be considered under 'exceptional circumstances' within the meaning of Section 2.6 of the DoECLG Guidelines.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	NO

CE Recommendation:

To make the plan amending Proposed Material Amendment CH 6.16, as follows:

Proposed Material Amendment CH 6.16

MTP 16 To avoid the creation of ~~any~~ additional direct access points from new development adjoining national roads or the generation of increased additional traffic from existing direct accesses to national roads to which speed limits greater than 680 km/h apply ~~except for economic or social reasons~~.

OPR MA Recommendation 12 – Bypass Routes

The submission notes the list of road projects, inclusive of bypass routes, in Table 6.5 of the draft Plan, inclusive of bypass routes and the proposed material amendments introducing mapped bypass routes in the Tier II towns of Ballinrobe (Tier II BROBE 7) and Ballyhaunis (Tier II BHAUN 1); and the Tier III towns of Killala (Tier III Killala 6) and Kiltimagh (Tier III Kilti 3). In addition to a proposed inner relief road for Claremorris (Tier II Clare 10).

The OPR state that while it may be reasonable to include general support for potential future by-passes and inner relief routes, the identification of routes at this early stage in the process is not advisable, in the absence of detailed environmental studies and option appraisals for these routes. Furthermore, the SEA Environmental Report states that these bypass routes are not recommended as they could give rise to significant adverse effects in the absence of detailed environmental studies and option appraisals.

Having regard to the forgoing, **OPR MA Recommendation 12** requires the Planning Authority to make the plan without the following proposed material amendments:

- Tier II BROBE 7
- Tier II BHAUN 1
- Tier III Killala 6
- Tier III Kilti 3
- Tier II Clare 10
- CH 6.21

CE Response OPR 12:

OPR comments and recommendation are noted.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	YES: Tier II BROBE 7, Tier II BHAUN 1, Tier III Killala 6; Tier III Kilti 3 & Tier II Clare 10.
SFRA	NO

CE Recommendation OPR 12:

To make the plan without the following proposed material amendments and revert to the draft Plan:

- Proposed Material Amendment Tier II BROBE 7
- Proposed Material Amendment Tier II BHAUN 1
- Proposed Material Amendment Tier III Killala 6
- Proposed Material Amendment Tier III Kilti 3
- Proposed Material Amendment Tier II Clare 10
- Proposed Material Amendment CH 6.21

Theme 8: Renewable Energy and Landscape Appraisal

The submission welcomes Proposed Amendment CH 11.9 (minimum renewable energy target of 600MW); Proposed Amendment CH 11.5 (Renewable Energy Strategy (RES) within one year); and the further amendments to Objectives NEO 25, REO 7 and REO 8b of the draft Plan.

The OPR notes the position of the Planning Authority that reviewing the Landscape Appraisal for County Mayo would be premature pending the completion of the National Landscape Character Assessment, and any associated statutory Guidelines, and subsequent Regional Landscape Character Assessment. However, they express concerns regarding inconsistencies between the existing Mayo Landscape Appraisal and Wind Energy Map, which could obstruct the planning consent process, and the ability of the County to achieve its wind energy targets and deliver on the Local Authority Renewable Energy Strategy may be compromised.

CE Response:

OPR comments are noted and will be considered in the review of the Renewable Energy Strategy and Landscape Appraisal for County Mayo.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	N/A

CE Recommendation:

No change to the Plan.

Theme 9: Rights of Way

The OPR notes the reasoning for not providing a list and location of public rights of way in the county (OPR Observation 8 to the draft Plan), and the inclusion of Objective TRO 27 as a long-term action within the new Implementation & Monitoring Table in Section 1.11 of the draft Plan, as detailed in Proposed Amendment CH 1.3.

Having regard to the requirements of section 10(2)(o) of the Act, with respect to public rights of way, the OPR advises the Planning Authority to elevate Objective TRO27 to a short-term timescale within the new Implementation & Monitoring Table.

CE Response:

OPR comments and advise are noted.

Having regard to the large size of County Mayo and the significant task involved in identifying, legally verifying and mapping public rights of way, it is considered reasonable that the implementation of Objective TRO27 will be an ongoing task over full duration of the plan period.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	N/A

CE Recommendation:

No change to the Plan.

Theme 8: Miscellaneous - Observation 1

OPR MA Observation 1 – Access Visibility Requirements

The submission notes that proposed amendment MA DMS.3, relating to accessibility visibility requirements includes maximum standards conflicting with ‘Stopping Sight Distances’ contained in section 4.4.4 of the Design Manual for Urban Roads and Streets (2019), which include minimum standards, and which impact on urban roads and streets within the 60kph, 50kph and 30kph speed limits.

Having regard to the forgoing, *OPR MA Observation 1 requests the planning authority to omit proposed amendment MA DMS.3 to the development management standards to ensure the plan is consistent with the requirements of the Design Manual for Urban Roads and Streets (2019).*

CE Response:

OPR comment and observation are noted.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	N/A
SEA	N/A
SFRA	N/A

CE Recommendation:

To make the Plan modifying Proposed Material Amendment DMS.3, as follows:

Proposed Material Amendment CH DMS. 3

Access Visibility Requirements				
Road Type	Speed Limit (Kph)	Minimum Maximum-X distance (Metres)	Minimum Maximum Y distance (Metres)	Minimum Maximum Z distance (Metres)
Urban Roads	30	2.4	25 23	25 23
	50	2.4	50 45	50 45
	60	2.4	65 59	65 59

4.2 Northern & Western Regional Assembly

Submission No.	MYO-C37-16
Submission by:	Northern & Western Regional Assembly
Material Amendment(s):	See below.
Summary of Submission:	
<p>The submission from the Northern and Western Regional Assembly (NWRA) outlines that many of the proposed alterations are minor in nature involving additional narrative and references to technical documents or updated technical guidelines. The alterations that have been considered to have regional significance and whether in the opinion of the Assembly they are consistent or otherwise with the RSES have been outlined in the submission. Where material alterations are not commented on, the NWRA advise that it is considered that they are relatively minor and would generally be supported by the Assembly. <u>In relation to rural housing policy, the Assembly considers the Council is best placed to determine details housing policy, and unless specifically stated to the contrary below proposed MAs in relation to rural housing are supported by the Assembly.</u></p> <p>Structure of Submission Summary, Chief Executive’s Response and Recommendation</p> <p>In dealing with the topics covered in the submission, the following Material Amendments were considered by the Assembly to be consistent with the RSES and regional policy, and therefore do not necessitate further discussion: MA 1, CH 1.3, CH 2.4, CH 2.7, CH 2.17, CH 4.1 and CH 4.5. Furthermore, the general comments made on the proposed MAs in Chapters 5, 7, 8, 9, 10, 11, 12 and Volume 2 of the Plan and also noted, and do not necessitate further discussion, where they were deemed to be consistent with the RSES and regional policy.</p> <p>A Chief Executive’s Response and Recommendation is provided following a summary of the NWRA’s individual recommendations on the proposed Material Amendments CH 2.14, CH 2.15, CH 2.16, CH 2.18, CH 2.21, CH 4.3, CH 6.10 and DMS1.</p>	
Chapter 2 - Core Strategy and Settlement Strategy (Recommendations 1, 2, 3, 4 & MA 2.30)	
<p><u>NWRA Recommendation 1</u></p> <p>The Assembly states that MA 2.14 omits the concept of the ‘Compact Growth’ in the future development of the county (Refer Policy CSP 4), and MA 2.15 makes compact development conditional. These material amendments would not accord with regional policy and would not be consistent with the RSES, in particular Section 3.3 and RPO 3.1.</p> <p><i>The NWRA Recommendation 1 requires the Planning Authority to make the plan without proposed material amendments CH 2.14 and CH 2.15.</i></p>	

CE Response:

NWRA's comments and recommendation are noted.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	YES: CH 2.14 & CH 2.15
SEA	YES: CH 2.14 & CH 2.15
SFRA	N/A

CE Recommendation:

See CE Recommendation on OPR Recommendation 3.

NWRA Recommendation 2

The Assembly states that MA 2.16, relating to objective CSO 5 and the goal of having 30% of new homes in urban areas within the built-up footprint, has been diluted by the inclusion of the terminology 'to encourage where possible'. This material amendment is not consistent with national policy or regional policy RPO 3.2 (c).

NWRA Recommendation 2 requires the Planning Authority to make the plan without proposed material amendment CH 2.16.

CE Response:

NWRA's comments and recommendation are noted.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	YES: CH 2.16
SEA	YES: CH 2.16
SFRA	N/A

CE Recommendation:

See CE Recommendation on OPR Recommendation 3.

NWRA Recommendation 3

The Assembly notes proposed material amendment MA 2.18 seeks to delete objective CSO 7 which promotes a greener, low carbon and climate resilient county. This proposal is inconsistent with the whole thrust of the RSES, and the Assembly recommend it be retained.

The NWRA Recommendation 3 requires the Planning Authority to make the plan without proposed material amendment CH 2.18 and revert to the draft plan.

CE Response:

NWRA's comments and recommendation are noted.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	YES: CH 2.18
SEA	YES: CH 2.18
SFRA	N/A

CE Recommendation:

See CE Recommendation on OPR Recommendation 3.

NWRA Recommendation 4

The Assembly notes that this proposed material amendment seeks to delete objective CSO 8, which requires monitoring of development to ensure alignment with the core strategy, regional and national policy. The submission considers objective CSO 8 portrays a prudent approach and recommends it should be retained.

The Assembly recommends not to make the plan with the proposed amendment as set out in MA 2.21.

The NWRA Recommendation 4 requires the Planning Authority to make the plan without proposed material amendments CH 2.21.

CE Response:

NWRA's comments and recommendation are noted.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	YES: CH 2.21
SEA	YES: CH 2.21
SFRA	N/A

CE Recommendation:

See CE Recommendation on OPR Recommendation 3.

MA 2.30

The Assembly notes the proposed new settlement strategy objective on increased building heights in the future development in Ballina and Castlebar. The Assembly supports this objective and encourages the preparation of a building heights study to inform forthcoming LAPS for these towns.

CE Response:

NWRA's comments and advice are noted.

A building height and residential density study will be prepared for the Key Towns within one year of adoption of their respective forthcoming local area plans to identify suitable locations within the town where development potential for greater height and density rates can be suitably accommodated.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	N/A

CE Recommendation:

No change to the Plan.

Chapter 4 – Economic Development (*Recommendation 5*)

NWRA Recommendation 5

The Assembly express concerns with proposed **MA 4.3**, which amends EDO22 to support not only the use of town centre core for new service focused enterprises but also 'other suitable locations.' This shift in focus potentially dilutes the development of town centres first and compact development and would, if implemented liberally, be inconsistent with the RSES.

*The **NWRA Recommendation 5** requires the Planning Authority to make the plan without proposed material amendment CH 4.5 and revert to the draft plan.*

CE Response:

NWRA's comments and recommendation are noted.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	N/A

CE Recommendation:

To make the plan without the following proposed material amendment and revert to the draft Plan:

- CH 4.3

Chapter 4 – Economic Development (Recommendation 6)

NWRA Recommendation 6

The Assembly note that **MA 6.10** includes modification to an objective that provides for a feasibility study to be conducted for the development of a Greenway ‘linking the Great Northern Greenway at Collooney to the Great Western Greenway via the high amenity areas of the Ox mountains, with a link point to the Ballina –Castlebar - Westport interurban Greenway at Foxford, Co. Mayo.’ It also includes the following paragraph: ‘That the Western Rail Corridor (WRC) is protected and preserved for the delivery of Rail Infrastructure to develop the region and is excluded from any feasibility study for the WRC.’ However, the feasibility study is not for the WRC and therefore this wording would benefit being reviewed and perhaps its inclusion is unnecessary as there are numerous alternatives that may also be excluded in a feasibility study due to constraints and it could affect the value of the study if it is seen that the outcome is predetermined.

The Assembly also notes that **MA 6.16** proposes to relax the restrictions on access to national roads on the basis of economic or social reasons. These reasons for the relaxation are not specified; however, the proposal would not be consistent with RPO 6.5, which seeks to ensure optimal use of national roads from a capacity and safety viewpoint.

The NWRA Recommendation 6 requires the Planning Authority to reword proposed material amendment CH 6.10 to omit the last paragraph relating to the WRC.

CE Response:

NWRA’s comments and recommendation are noted.
 In respect to Proposed Material Amendment CH 6.10, MTO 6 has been amendment to exclude the final paragraph relating to the WRC.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	N/A

CE Recommendation:

To make the plan with Proposed Material Amendment 6.10 amended as follows:
MTO 6: To support the establishment of a network of interlinked cycle ways and walk ways in the county and the adjoining counties and specifically to support the development of a link between the Great Northern Greenway and the Great Western Greenway, having regard to best practice standards including the Design Manual for Urban Roads and Streets and the NTA Cycle Manual and the TII Standard DN-GEO-03084 ‘The Treatment of Transition Zones to Towns and Villages on National Roads or any amending/superseding national guidance or manuals. To specifically conduct a feasibility study for the development of a Greenway linking the Great Northern Greenway at Collooney to the Great

Western Greenway via the high amenity areas of the Ox mountains, with a link point to the Ballina - Castlebar - Westport interurban Greenway at Foxford, Co. Mayo.

~~That the Western Rail Corridor (WRC) is protected and preserved for the delivery of Rail Infrastructure to develop the region and is excluded from any feasibility study for the WRC.~~

Chapter 7 – Infrastructure (*Recommendation 7*)

Recommendation 7

The Assembly considers the proposed MAs are generally consistent with the RSES; however, they seek clarification on proposed **MA 7.5** as to whether this policy is related to the removal of combined sewers from networks.

CE Response:

Proposed Material Amendment 7.5 relates to the effective management of discharges to sewers to maximise the capacity of existing sewer networks. To maximise capacity would require the removal of surface water/storm water from the network.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	N/A

CE Recommendation:

No changes to the Plan.

Volume 2 – Development Management Guidelines - Recommendation 8

NWRA Recommendation 8

The Assembly notes that the proposed MAs include to make density guidance a maximum rather than a minimum value, reference to DMURS and EV charging points. The proposals would be consistent with the RSES and supported by the Assembly.

The Assembly recommends that proposed material amendment **DMS.1** on density be conditional on the outcome of any building heights that may emerge from MA 2.30.

*The **NWRA Recommendation 5** requires proposed material amendment DMS. 1 on density be conditional on the outcome of any building heights that may emerge from MA 2.30.*

CE Response:

NWRA's comments and recommendation are noted. However, a building heights and density study will be carried out within one year of the adoption of the LAPs for Ballina and Castlebar.

Environmental Reports- Potential Adverse Environmental Impacts on Proposed MAs	
AA	NO
SEA	NO
SFRA	N/A

CE Recommendation:

No change to the Plan.

4.3 Transport Infrastructure Ireland

Submission No:	MYO-C37-3
Submitted by:	Transport Infrastructure Ireland
Material Amendment(s):	MA CH3.6 – CH3.12 MA CH6.16 MA Ch6.17 MA - Volume III Book of Maps
Summary of Submission:	
<p>A comprehensive submission has been made by Transport Infrastructure Ireland (TII) which relates to a number of Proposed Material Amendments. TII welcomes the Proposed Material Amendments arising from considerations of the Authority's initial submission on the Draft Mayo County Development Plan 2021-2022. As this is an extensive submission there will be a summary of the commentary on each Material Alteration followed by the Chief Executive's Response and Recommendation.</p> <p>1. Proposed Material Amendment CH 3.6 – CH3.12</p> <p>The TII recommend Including a cross reference in Section 3.4.8 of the Draft Plan, and associated Policy Objectives, referring to Proposed Policy MTP 16 in the interests of providing clarification and early assistance to applicants in the preparation of any rural housing planning application where there may be implications for the strategic national road network in the area.</p> <p>2. Proposed Material Amendment CH6.16</p> <p>The TII does not support the proposed amendment to Policy MTP 16. TII considers the proposed amendment, which would allow, in exceptional circumstances based on social and economic reasons,</p>	

for the creation of additional direct access points from new development adjoining national roads or the generation of additional traffic from existing direct accesses to national roads to which speed limits greater than 80 km/h apply. TII considers that this amendment conflicts with the provisions of Section 2.5 of the Section 28 Ministerial Guidelines ‘Spatial Planning and National Roads Guidelines for Planning Authorities’ (DoECLG, 2012).

3. Proposed Material Amendment CH6.17

TII supports the proposed amendment whereby it reflects that ‘exceptional circumstances’ cases are required to be identified for incorporation into the Development Plan, i.e. plan-led. TII welcomes that the Proposed Amendment confirms that the Council will undertake a survey to identify such sites and agree cases in consultation with TII, in accordance with the provisions of Section 2.6 of the DoECLG Spatial Planning and National Roads Guidelines.

- However, the TII does not support the inclusion of the IDA Site, Quignashee, Ballina in its current form as part of this amendment. In TII’s opinion the proposal is premature pending and should be omitted until the proposal outlined by the Council to undertake a survey to identify ‘exceptional circumstances’ sites and agree cases in consultation with TII, in accordance with the provisions of Section 2.6 of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities.
- TII is available to assist the Council in the development of proposals for consideration as ‘exceptional circumstances’ cases in accordance with the provisions of the DoECLG Guidelines.

4. Proposed Material Amendment - Volume III Book of Maps

In the interests of consistency with the application of official policy, TII recommends review of the proposed zoning amendment in Claremorris adjoining the N60 to ensure access to the subject lands can be facilitated in accordance with the provisions of official policy outlined in the DoECLG Spatial Planning and National Roads Guidelines.

Chief Executive’s Response and Recommendation:

CE Response 1:

While the submission references Material Amendments CH 3.6 and CH 3.12, the requested inclusion of a cross reference to MTP 16 in the text of Section 3.4.8 of the draft plan does not relate specifically to any proposed material amendment to the draft plan that is included in the CE Report. Therefore, it is considered that the planning authority is restricted from considering such an amendment at this juncture in accordance with Section 12(6)(ad)(ii) of the Planning and Development Act 2000 as amended.

CE Recommendation 1:

No change to the Plan.

CE Response 2:

See CE Response to OPR Recommendation 11.

CE Recommendation 2:

See CE Recommendation to OPR Recommendation 11.

CE Response 3:

See CE Response to OPR Recommendation 11.

CE Recommendation 3:

See CE Recommendation to OPR Recommendation 11.

CE Response 4:

See CE Response to OPR Recommendation 7.

CE Recommendation 4:

See CE Recommendation to OPR Recommendation 7.

4.4 Office of Public Works

Submission No:	MYO-C37-10
Submitted by:	Office of Public Works
Material Amendment(s):	Updated Strategic Flood Risk Assessment/MA CLARE 4 and SFORD 1
Summary of Submission:	
<p>The OPW welcome the updated Strategic Flood Risk Assessment addressing commentary on the draft plan. The OPW also welcomes the inclusion of objective INO 26 in the draft plan.</p> <p>1. Flood Zone Mapping</p> <p>The OPW note that the request in their submission to the draft plan regarding the provision of zoned maps in the draft plan with the Flood Zone Maps overlaid upon was not provided at material alteration stage.</p> <p>2. Justification Test</p> <p>The OPW, while welcoming the inclusion of the Plan Making Justification Tests in the updated SFRA, notes that in several cases, not all the conditions of the justification tests have been satisfied.</p> <p>3. Agricultural Zoning</p> <p>The OPW concede that the Agricultural zoning in the draft plan is generally water compatible but can allow for some high less vulnerable uses but suggest that when lands zoned as such have failed a justification test that it may be justified to insert a policy objective into the plan to restrict development to usage appropriate to the relevant flood zone.</p> <p>4.1 Comments on Specific Settlements in SFRA</p> <p>4.1 - Section A1.3 in SFRA</p> <p>The OPW states that not all parts of the Justification Test have been filled out for this site in Ballinrobe, which was zoned Strategic Residential Reserve in the draft Plan.</p>	

4.2 - Section A4.4 of the SFRA/MA CLARE 4

The OPW state that the Justification Test in Section A4.4 of the SFRA, which refers to two plots of land in Claremorris, has not been fully completed, as is required to justify the proposed Strategic Reserve Zoning. Section A4.4 refers to two parcels of land, the most southern of which also refers to material Amendment CLARE 4 (see below).

A.4.4 Strategic Residential Reserve



4.3 Section A5.3 of SFRA/MA SFORD 1

The OPW states that all parts of the Justification Test for this proposed material amendment in Swinford have not been satisfied

Chief Executive's Response and Recommendation:

CE Response 1:

Noted.

CE Recommendation 1:

Zoning maps with the Flood Zones overlaid upon will form part of the final plan.

CE Response 2:

Noted.

CE Recommendation 2:

The justification tests in the SFRA for all relevant zonings that remain in the final plan shall be fully completed.

CE Response 3:

Noted. It is not considered necessary to include a policy objective as all new developments located in identified flood risk areas will be assessed in accordance with the provisions of the flood risk guidelines for planning authorities (2009), including compatibility.

CE Recommendation 3:

No changes to the Plan.

CE Response 4.1:

Noted. The site in question does not form part of the proposed material amendments to the draft plan; however, the lands within the flood risk area, as identified in the SFRA (Section A1.3) , to be changed from Strategic Residential Reserve Tier I to Recreation and Amenity to avoid flood risk areas (A/B).



CE Recommendation 4.1:

To make the Plan modifying the proposed zoning within the flood risk area from Strategic Residential Reserve Tier I to Recreation & Amenity.

CE Response 4.2:

Section A4.4 of the updated SFRA relates to two plots of land in Claremorris, for which the Justification Test has not been fully completed. The most southerly of the two plots is also the subject of proposed material amendment Tier II CLARE 4.

CE Recommendation 4.2:

See CE Recommendation on OPR 9.

CE Response 4.3:

This submission is noted.

CE Recommendation 4.3:

See CE Recommendation on OPR 9.

4.5 Irish Water (IW)

Submission No:	MYO-C37-32
Submitted by:	Irish Water (IW)
Material Amendment(s):	MA 2.7, MA 2.11, MA 2.12, MA 2.13, MA 2.14, MA 2.19, MA 3.1, MA 5.5, MA 6.16, MA 6.17, MA 12.8, MA 12.11, MA12.13, BROBE1, BROBE3, BROBE4, CLARE1, SFORD1, SFORD 2 SFORD7, KILLALA3, KiLLALA5, DOO1, KILM1, CLARE5, SFORD9, BDINE1, BEL2
Summary of Submission:	
<p>Irish Water (IW) welcome the opportunity to comment on the proposed material amendments and re-emphasize that they will continue to engage with MCC as the CDP process progresses.</p> <p>1. MA CH 2.7 (Core Strategy Table)</p> <p>IW reference the Table attached to their submission which provides an overview of the available water infrastructure to cater for the 2021-27 population targets and suggest that MCC may also refer to the water supply and wastewater treatment capacity registers which they have recently issued.</p> <p>2. MA 2.11, MA 2.19</p> <p>IW request if population targets in any of the serviced settlements listed in the Settlement Strategy are being considered, that this should be done in consultation with their agency.</p> <p>3. Development in Non-Serviced Lands</p> <p>3.1 - IW expresses concern in relation to several proposed zoning amendments due to their potential to lead to developments in un-serviced, most notably; CH2.12, CH3.1, CH3.9.</p> <p>3.2 - In relation to Volume 2, Book of Maps, IW express concern in relation to some of the un-serviced Settlements in Tier V and notes that, as outlined in the Draft Water Services Guidelines for Planning Authorities (January 2018), that there is a general presumption that development will be focused into serviced areas and that IW will not retrospectively take over responsibility for developer provided treatment facilities. IW therefore suggest amendments to MA 2.12 and MA 3.1</p> <p>4. MA CH2.13</p> <p>IW recommend that MA 2.13 not be accepted as it does not comply with national and regional policies regarding compact and sustainable development.</p> <p>5 MA CH2.14</p> <p>IW recommend that this MA CH2.14 be reviewed the proposed changes to CSP4 would mitigate against compact growth which is necessary to maximise the capacity of existing water services and reduce additional investment costs.</p> <p>6 MA CH5.5</p> <p>CH 5.5 seeks to promote the idea of establishing Ireland’s first National Marine Park along the west and northwest coast. IW notes that there are currently many wastewater outfalls discharging directly into the proposed marine park, the establishment of which should not adversely affect existing, authorised, proposed or reasonably foreseeable IW activity. IW request that they be consulted in order</p>	

to understand the potential implications on water quality requirements.

7 Public Realm and Transport Projects, CH 12.8, CH 12.11

CH 12.8 and CH12.11 relate to proposed public realm works in Belmullet and Swinford, and IW quote these as examples in their submission as part of a requests that any development in the vicinity of their assets be carried out in accordance with their Details and Codes of Practice and Diversion Arrangements.

8 National Road Projects, MA 6.16, MA 6.17

IW state that there are a number of wastewater projects proposed for the county which may require the creation of additional access points or the generation of increased traffic from existing entrances onto national roads. IW ask for further engagement as provided for in MTO 19, to ensure that the necessary provisions are made in the Development Plan.

9 MA 12.13

IW suggest amending MA 12.13 to show PE of 2,300 for the recently operational wastewater treatment plant in Killala.

10 General Comment on all Proposed Amendments on Land Use Zonings

10.1 - IW list proposed zoning amendments that might require localized network extensions to the foul sewer and/or water network in the event that the sites were to be developed on foot of the proposed rezoning, these are: BROBE 1, BROBE 3, BROBE 4, CLARE 1, CLARE 5, SFORD 1, SFORD 2, SFORD 7, KILLALA 3 & KILLALA 5.

10.2 - IW indicate that proposed Opportunity Site SFORD 9 would require localised upgrades in the event of the site being developed.

10.3 DOO 1 - IW note that proposed opportunity site DOO1 In Doohoma is not serviced by a WWTP or network.

10.4 KILM 1 - IW note that a sewer passes through a proposed Opportunity Site at the crossroads in Kilmaine and that this should be protected, and access maintained.

10.5 BDINE 1 - IW note that a watermain passes through a proposed Opportunity Site in Ballindine East and that this should be protected.

10.6 BEL 2 - IW note that a regionally important trunk main passes through proposed Opportunity Site in Belcarra.

Chief Executive's Response and Recommendation:

CE Response 1:

Noted

CE Recommendation 1:

No change to the Plan.

CE Response 2:

Noted.

CE Recommendation 2:

No change to the Plan.

CE Response 3.1 & 3.2:

Noted.

In respect to 3.2, IW is directed to RSVO9 and RSVO16 of the draft plan, which seeks to protect ground water sources in Tier V settlements and requires all proposed residential units to be served by individual wastewater treatment plants installed in compliance with the most up-to-date EPA Practice Manual

CE Recommendation 3.1 & 3.2:

See CE Recommendation to OPR Recommendations 3 and 8.

CE Response 4:

Noted.

CE Recommendation 4:

See CE Recommendation to OPR Recommendations 3.

CE Response 5:

Noted.

CE Recommendation 5:

See CE Recommendation on OPR Recommendation 3.

CE Response 6:

Noted.

CE Recommendation 6:

To make the Plan with Proposed Material Amendment CH 5.5 amended, as follows:

- **TRP:** To work with relevant authorities and national agencies, including Irish Water, to promote the concept of creating Ireland's first "National Marine Park" in Killala Bay from Easkey Head to Kilcummin Head. This would enhance the Economic, Environmental and Social Values of Killala Bay and promote the understanding and enjoyment of these special qualities by the public.

CE Response 7:

IW are notified and consulted as part of all public realm works carried out in the county.

CE Recommendation 7:

No change to the Plan.

CE Response 8:

Noted

CE Recommendation 8:

See CE Recommendation to OPR 12.

CE Response 9:

The submission is noted

CE Recommendation 9:

To make the Plan with the following amending text in Section 12.13.6, as follows:

..... A new municipal wastewater treatment plant (2,300 ~~3,155~~PE) has been operational.....

CE Response 10.1:

See CE Response to OPR Recommendations 5 and 7 regarding BROBE 1, CLARE 1, CLARE 5, SFORD1, SFORD 2, SFORD 7 and KILLALA 3 and KILLALA 5.

CE Recommendation 10.1:

See CE Recommendation on OPR Recommendation 5.

CE Response 10.2:

This opportunity site is centrally located, immediately adjacent to Swinford National School and is currently occupied by the old Town Hall Building, now derelict. It is considered that this site is appropriate for sympathetic redevelopment and connecting any future development on site to water services should not pose any major concerns.

CE Recommendation 10.2:

No change to the Plan.

CE Response 10.3:

Noted.

CE Recommendation 10.3:

No change to the Plan.

CE Response 10.4 to 10.6:

These sites are located close towards the centre of each settlement, and therefore it is considered this issue can be addressed appropriately at planning application stage.

CE Recommendation 10.4 to 10.6:

No change to the Plan.

4.6 Department of Transport

Submission No:	MYO-C37-34
Submitted by:	Department of Transport
Issues Raised/Relevant Chapter(s):	CH 6.1, CH 12.10 & CH 12.18
Summary of Submission:	
<p>Summary of Submission:</p> <p>The Department of Transport (DoT) notes that since the previous development plan was published there has been significant policy developments relevant to accessible and integrated public transport. These include:</p> <ul style="list-style-type: none"> - Publication of the “whole of Government” National Disability Inclusion Strategy (NDIS) 2017-2022, which includes specific actions assigned to Local Authorities. DoT welcomes Material Alteration no. 6.11, new policy objective PT 8. - The ratification by Ireland in 2018 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). This puts obligations on State Parties to ensure access for persons with disabilities to the physical environment and transportation in both urban and rural areas. - The DMURS Interim Advice Note – Covid-19 Pandemic Response which was published on the DMURS website in 2020. It includes guidance that designers should ensure that measures align with the principles of universal design, consider Government policy on accessibility for people with disabilities and consult people with disabilities to further appraise measures. Reference in the Draft Plan to the 2019 DMURS should be replaced with reference to the 2020 DMURS Interim Advice Note. Submission notes the reference to this in Material Alteration no. 12.10. - To make public transport fully accessible to people with disabilities requires a ‘whole journey approach’ which refers to all elements that constitute a journey from the starting point to destination. The department welcomes the Material Alteration in 6.1. - The publication by the National Transport Authority (NTA) of its ‘Local Link Rural Transport Programme Strategic Plan 2018 to 2022’. DoT notes Material Alteration 12.18. The department goes on to state that it supports the revision to the first paragraph of the amendment ending with “at Foxford, Co. Mayo.”The department does not however support the inclusion of the second paragraph "That the Western Rail Corridor (WRC) is protected and preserved for the delivery of Rail Infrastructure to develop the region and is excluded from any feasibility study for the WRC." as it is unclear what it purports to state. It states that it would preclude the use of the corridor as a Greenway whereas the approach suggested by the department leaves open the possibility of the ultimate use of the corridor. 	

Chief Executive’s Response and Recommendation:
<p>CE Response 1-4: Noted.</p> <p>CE Recommendation 1-4: No change to the Plan.</p> <p>CE Response 5: See CE Response to NWRA Recommendation No.6</p> <p>CE Recommendation 5: See CE Recommendation to NWRA Recommendation No.6.</p>

4.7 Department of Environment, Climate and Communications

Submission No:	MYO-C37-28
Submitted by:	Department of Environment, Climate and Communications
Material Amendment(s):	CH 7.7, CH 11.2, CH 11.5, CH 11.7 & DMS 7
Summary of Submission:	
<p>This submission consists of two parts – one submission from The Department of Environment, Climate and Communications and one from the Geological Survey of Ireland.</p> <ol style="list-style-type: none"> 1. Submission one from the Department of Environment, Climate and Communications requests that Section 1.5 of Material Amendment CH 1.2 is updated to include the revised Climate Action Plan 2021. 2. The submission requests that recommendations made by the OPR at draft stage are included in the plan – to vary the County Development Plan upon completion of the RES and details on the methodology / metrics utilised for the determination Renewable Energy Targets. It also states that the revised target should reflect the increased national ambitions set out in the Climate Action Plan 2021 for up to 80% renewable electricity by 2030 and an explanation of how the 600MW target relates to same would be beneficial to the public. 3. It is requested to add text to material amendment CH 11.7 to reference any future successor to the OREDP should be included in this policy e.g. “... OREDP or any successor thereof...”. 4. The submission welcomes a number of proposed amendments including CH 11.7 and Proposed Amendment DMS 7 5. The GSI welcomes a number of material alterations and requests that use of data or maps should be attributed correctly to ‘Geological Survey Ireland ’instead of GSI. 	

Chief Executive's Response and Recommendation:

CE Response 1:

Noted. It is considered appropriate to amend Section 1.5 of Material Amendment CH 1.2 and all other references to the Climate Action Plan 2019, to include the updated The National Climate Action Plan 2021.

CE Recommendation 1:

Amend the following sections of the plan to update the National Climate Action Plan from 2019 to 2021

- Section 1.5 – The National Climate Action Plan 20~~19~~21.
- Section 7.4.7.2 - The National Climate Action Plan 20~~19~~21.
- Section 7.4.7.2 - Climate Action Plan 20~~19~~21.
- Section 11.6.1 - Climate Action Plan 20~~19~~21.
- Section 11.6.4.1 - Climate Action Plan 20~~19~~21.
- Section 11.6.5.1 - Climate Action Plan 20~~19~~21.
- Section 11.6.5.3 - Climate Action Plan 20~~19~~21.
- Section 11.6.5.6 - Climate Action Plan 20~~19~~21.
- Policy CAP 1 - Climate Action Plan (20~~19~~21 and any subsequent versions);
- Objective CAO 5 – Climate Action Plan 20~~19~~21.
- Section 11.7.1 - Climate Action Plan 20~~19~~21.

CE Response 2:

Noted.

CE Recommendation 2:

Amend Section 11.6.5.1 Electricity Generation of Chapter 11 as follows – The Climate Action Plan (20~~19~~21) targets that 7~~8~~0% of electricity must come from renewables by 2030.

CE Response 3:

It is considered appropriate to include additional text as proposed.

CE Recommendation 3:

To make the Plan with Proposed Material Amendment CH 11.7 amended, as follows:

- **REO 12:** To support offshore and tidal renewable energy developments subject to environmental considerations and the protection of commercial fishing and of the amenities of the surrounding areas in accordance with the OPEDP, or any successor thereof, subject to proper planning and environmental considerations.

CE Response 5:

Noted.

CE Recommendation 5:

Final adopted Plan will replace all reference to GSI with Geological Survey Ireland.

4.8 National Transport Authority

Submission No:	MYO-C37-36
Submitted by:	National Transport Authority
Material Amendment(s):	None specified
Summary of Submission:	
<p>The submission does not relate to a specific Material Amendment but makes the following recommendations:</p> <ol style="list-style-type: none"> 1. Amend all parking standards to state maximum. 2. Amend the school parking standards, such that the standards are reduced and/or that these are maximum standards, and that Park & Stride can be used in lieu of the provision of drop-off car parking provision. 3. Development management standards should specify that shower and welfare facilities should be made available in larger commercial developments/places 	
Chief Executive's Response and Recommendation:	
<p>CE Response 1-3: Noted</p> <p>CE Recommendation 1-3: No change to the Plan.</p>	

4.9 Department of Education

Submission No:	MYO-C37-39
Submitted by:	Department of Education
Material Amendment(s):	CH 2.7
Summary of Submission:	
<p>The submission requests that the Department is given its proper title – Department of Education. No other changes are suggested.</p>	
Chief Executive's Response and Recommendation:	
<p>CE Response: This request is minor in nature and is not a Material Amendment. Title changes will be made in the final document.</p>	

CE Recommendation: No change to the Plan.

4.10 Department of Agriculture, Food & the Marine

Submission No:	MYO-C37-15
Submitted by:	Department of Agriculture, Food & the Marine
Material Amendment(s):	CH 11.7
Summary of Submission:	
The submission welcomes the reference to commercial fishing in the plan. It states that the evaluation of potential impacts on commercial sea fishing activities needs to be considered as part of any planning/proposal process and during development and engagement with the fishing industry and other relevant stakeholders should be sought at as early a stage.	
Chief Executive's Response and Recommendation:	
CE Response: Noted.	
CE Recommendation: No change to the Plan.	

4.11 Údarás na Gaeltachta

Submission No:	MYO-C37-38
Submitted by:	Údarás na Gaeltachta
Issues Raised/Relevant Chapter(s):	CH 2.16, CH 2.26, CH 5.9, CH 6.10, CH 5.9, CH 7.1 – CH 7.7, CH 8.11, CH 10.1 -10.16 & CH 11.1 – CH 11.9
Summary of Submission:	
A comprehensive submission has been made by Údarás na Gaeltachta, which relates to a number of Proposed Material Amendments. As this is an extensive submission there will be a summary of the commentary on each Material Amendments followed by the Chief Executive's Response and Recommendation	
1. Proposed Material Amendment Ch 2.26, 2.8.1.5	
Údarás na Gaeltachta highlight the reference made to Belmullet as a Gaeltacht Service Town. In their view, there is a need to look at what has been submitted to the Council in the past in the context of Language Planning and Language Plans.	

2. Proposed Material Amendment 2.16

Údurás na Gaeltachta highlight CSO 6 - Reference made to rural housing but no reference to Gaeltacht areas. In our view, this point needs to be reinforced in the context of the Gaeltacht as a whole.

3. Chapter 3- Housing

The viability of Gaeltacht communities and the ability of Irish, as a community language, ultimately depends on people who are able and willing to speak Irish and who want to settle in these areas.

The Údurás highlight the need for a strong housing policy to ensure that the Gaeltacht community was given the opportunity to locate or relocate or move back to settle in the Gaeltacht. One of the essential elements of this policy is to support young couples who have contributed to the life and culture of the Gaeltacht who wish to settle in the Gaeltacht areas. Any developments in the Gaeltacht areas would also need to be accompanied by a language condition, which is the preservation and growth of population, community and language and not the other way around.

4. Proposed Material Amendment 5.9 - 5.4.3.3.

The Údurás state that Particular reference needs to be made to the Strategic capital proposals previously submitted to the Council in this chapter in the context of economic development in the Gaeltacht.

5. Proposed Material Amendment CH6.10

MTO6

The Údurás supports the proposal to create links between the North and East Greenway.

6. Proposed Material Amendment CH6.10 6.4.1.2.

MTP 5

The Údurás supports the proposals as set out in relation to public transport, pedestrians, cycling and the development of services, facilities and infrastructure.

7. Chapter 7 Infrastructure

The Údurás supports the recommendations and targets as set out in this chapter.

8. Proposed Material Amendment 8.11 8.4.8.2

The Údurás supports the new objective SCO 22.

9. Chapter 10 Natural Environment

The Údurás supports the recommendations as set out in the above chapters.

10. Chapter 11. Climate Change and Renewable Energy

The Údurás points out that there are emerging opportunities for solar energy and other micro-generation technologies and identifies a number of such development opportunities.

They recommend that an energy development forum focusing on employment and development opportunities in the energy industry should be established with representatives from the Authority, SEAI, Mayo County Council and IDA Ireland. As previously suggested, it would be helpful to develop an Energy Forum with all stakeholders.

Chief Executive's Response and Recommendation:

CE Response 1:

The Irish language is supported through various policies and objectives in the plan.

CE Recommendation 1:

No change to the Plan.

CE Response 2:

Planning applications for housing in Gaeltacht areas must comply with all requirements set out in the CDP, including Volume 2 Development Management Guidelines. It is not considered appropriate to make exceptions for people who speak Irish, and this request is outside the scope of the CDP.

CE Recommendation 2:

No change to the Plan.

CE Response 3:

Reference has not been made to any material amendment, therefore cannot be considered.

CE Recommendation 3:

No change to the Plan.

CE Response 4:

The CDP is a strategic land use plan. It is not considered necessary to list all individual projects

CE Recommendation 4:

No change to the Plan.

CE Response 5 to 9:

Noted.

CE Recommendation 5 to 9:

No change to the Plan.

CE Response 10:

Reference has not been made to any material amendment, therefore cannot be considered.

CE Recommendation 10:

No change to the Plan.

4.12 Fáilte Ireland

Submission No:	MYO-C37-9
Submitted by:	Fáilte Ireland
Relevant Chapter(s):	Chapter 5
Relevant Material Amendment Number:	Material Amendment CH 5.1
Summary of Submission:	
This submission requests minor amendments to the wording of Section 5.4.2 (Regional Tourism Plans) and Policy TRP 3 to align with Fáilte Ireland’s terminology and timeframes.	
Chief Executive’s Response and Recommendation:	
<p>CE Response: Noted.</p> <p>CE Recommendation: The Plan be made to include proposed Material Amendment CH 5.1 with the following additional amendment:</p> <p>5.4.2 Regional Tourism Plans (RTPs) Strategies (RTS’s)</p> <p>Fáilte Ireland are in the process of preparing Regional Tourism Plans Strategies for each of the four Regional Experience Brands (Dublin, Wild Atlantic Way, Ireland’s Ancient East and Ireland’s Hidden Heartlands). The purpose of the Regional Tourism Plans Strategies is to identify the sustainable tourism development priorities that will help to unlock the commercial potential of the region bringing benefits to all stakeholders and industry. Each plans strategy will be prepared based on the VICE model which is a methodology for working towards sustainable tourism that seeks to strike an appropriate balance between the needs of the Visitor, the Industry and Community and the Environment. The plans strategy will be for the period to 2025 from 2022-2026 and will be grounded in the Fáilte Ireland’s new Corporate Strategy. There will be a strong spatial element to the plans strategies which will seek to identify where development should take place in order to unlock the tourism potential of the region.</p> <p>Amend wording of TRP 3 as follows:</p> <p>To support the work of Fáilte Ireland and the strategic growth of tourism development in the County through:</p> <p>(a) To support the implementation of the Wild Atlantic Way Regional Tourism Plan Strategy.</p> <p>(b) The implementation of Fáilte Irelands Visitor Destination & Experience Development Plans (VDEDP’s) for Clew Bay and North Mayo/Erris.</p>	

4.13 Dublin Airport Authority

Submission No:	MYO-C37-1
Submitted by:	Dublin Airport Authority
Relevant Chapter(s):	Chapter 4
Relevant Material Amendment Number:	Not Specified
Summary of Submission:	
The DAA confirm that they have no comment to make in respect of the Material Amendments to the Draft Mayo County Development Plan.	
Chief Executive's Response and Recommendation:	
<p>CE Response: The submission is noted</p> <p>CE Recommendation: No change to the Plan.</p>	

SECTION 5 - OTHER SUBMISSIONS RELATING TO CHAPTERS 5, 6, 11 & 12 (VOLUME II)

Chapter 5 - Tourism and Recreation

Submission No:	MYO-C37-22
Submitted by:	Inishoo Management Ltd. – Westport
Issues Raised/Relevant Chapter(s):	MA Ch 5.1 Tourism and Recreation
Summary of Submission:	
<p>In their submission Inishoo Management Ltd raise the following points:</p> <ul style="list-style-type: none"> i. Proposed Amendment CH 5.1 should be amended to reflect emerging policy at national level by Failte Ireland. ii. Requests that details of Westport Estate Hero Experience be incorporated into Section 5.4.2 of the Development Plan. iii. States that it is important for the Development Plan to provide appropriate specificity to such a strategic project (Westport Estate) (along with all other Hero Experiences) and the proposed additions herein are relevant to and interlinked with the above Amendment CH 5.1. iv. Recognise that Section 5.4.2 should be altered to reflect Regional Tourism Plans. 	
Chief Executive's Response and Recommendation:	
<p>CE Response 1: Noted</p> <p>CE Recommendation 1: No change to the Plan.</p> <p>CE Response 2 & 3: Noted. The requested inclusions in Section 5.4.2 of the draft plan does not relate specifically to any proposed material amendment to the draft plan and therefore cannot be considered in the CE Report.</p> <p>CE Recommendation 2 & 3: No change to the Plan.</p> <p>CE Response 4: Noted</p> <p>CE Recommendation 4: See CE Recommendation to MYO-C37-9</p>	

Chapter 6 - Movement and Transport

Submission Nos:	MYO-C37- 2 , 4 , 6 , 7 , 8 , 12 , 13 , 14 , 17 , 18 , 19 , 21 , 23 , 24 , 25 , 27 , 29 , 35 , 44
Submitted by:	See Appendix 1 for list of submissions.
Material Amendment(s)	CH6.10
Summary of Submission:	
<p>The majority of valid submissions received (circa 19 out of 43) related to the Material Amendment CH6.10, although none of the submissions quoted the Material Amendment reference. The submissions referred to MTO6 which only falls within Material Amendment CH6.10.</p> <p>All the above submissions contain very similar text and, in most instances, the exact same text which all seek to change the wording for MTO6. The submissions seek to contain reference to a greenway on the disused railway line (Western Rail Corridor (WRC)).</p> <p>The vast majority of submissions state:</p> <ul style="list-style-type: none"> - 80% of submissions received during the Draft Plan consultation sought a greenway on the disused section of the WRC and should not be ignored. - The need to liaise and get full co-operation with Sligo County Council as they are planning a greenway on the WRC from Collooney to Bellaghy. - Option of a greenway now and a potential railway in the future was suggested by Irish Rail & Department of Transport at the Draft Plan Stage and by CAO of Irish Rail at a transport committee meeting in February 2021. - MTO6 should be amended to state <i>“In conjunction with Sligo County council which is planning to connect Mayo to Enniskillen by greenway utilizing the closed railway from Collooney to Charlestown, MCC will conduct a feasibility study to use the closed railway from Charlestown to Claremorris as a greenway route. Such a greenway route will connect the West Mayo greenways via the Turlough House-Castlebar greenway to the national greenway network. The feasibility study will take account of the outcome and recommendations of the national all-island rail review which is due to be delivered at the end of 2022.”</i> <p>Other individual points raised in submissions include:</p> <ul style="list-style-type: none"> - A greenway is important for mental and physical health, especially after Covid-19. - Opportunity for Eco-Tourism if greenway allowed on WRC. - The velorail project is discussed and how it cannot use the existing old track infrastructure and if a velorail is acceptable in the interim, then a greenway is acceptable too. Money has been wasted on the Velorail project. - Mayo County Council ignored the public after the public consultation on the Draft CDP. 	

- Exclude the proposed greenway and feasibility study from Collooney to the Great Western Greenway via the Ox Mountains in favour of the WRC from Collooney to Charlestown.
- The greenway is supported on page 55 of the RSES.
- MTO6 contravenes the Development Plan Guidelines (2007) as it states on page 73 of the guidelines that *'strategic options must remain open'* during the Pre-Draft consultation stage. The greenway option was never considered by MCC.
- New All Island strategic rail review, all options have to be left open, MTO6 does not leave all options open and has to wait for the review to be completed before any decisions are made.
- MTO6 should be amended to state *"A feasibility Study considering connecting Collooney (county Sligo) with the Great western greenway will include consideration of the use of the closed railway route from Charlestown to Swinford as a potential greenway route. Such a route would connect the Sligo Greenway at Charlestown and provide a potential link for a greenway from Enniskillen to connect with the Great Western Greenway. In addition, a feasibility study will be undertaken to consider using the closed railway route as a greenway from Swinford to Claremorris south of the N5 with due consideration given to a parallel greenway to run alongside the Velorail project which has been funded by the Department of Rural and Community affairs. Both the Velorail and any greenway may be placed on the closed railway route will be contingent on strict licensing conditions from the Irish Rail that if the route is needed for railway in the future a railway will be given precedence over the Velorail and any greenway on the route north of Claremorris to Charlestown."*
- MTO 6 is welcomed as any proposal for further development of Greenway infrastructure in County Mayo as the economic benefits are already well established.
- Greenway would allow children to use a bike safely.

Chief Executive's Response and Recommendation:

CE Response:

Noted.

CE Recommendation:

See CE Recommendation on NWRA Recommendation 5.

Chapter 11 - Climate Action and Renewable Energy

Submission No:	MYO-C37-11
Submitted by:	FuturEnergy Ireland
Material Amendment(s):	CH 11, CH 11.2, CH 11.5 & CH11.9
Summary of Submission:	
<p>FuturEnergy Ireland highlights that wind energy is of strategic importance to the county in addressing climate change, growing the Mayo economy and providing employment opportunities in both rural and urban communities.</p> <p>The submission highlights the criticality to increase our renewable energy fleet and remove fossil fuels from our society. It states that Onshore wind is critical to meeting targets in our Climate Action Plan 2021, as well as our interim.</p> <p>In relation to the proposed Material Amendments, it notes proposed new objective REO22 and believes the current RES can continue to facilitate onshore wind successfully in the County until the adoption of new policy.</p>	
Chief Executive's Response and Recommendation:	
<p>CE Response: Noted.</p> <p>CE Recommendation: No Change</p>	

Submission No:	MYO-C37-42
Submitted by:	Wind Energy Ireland
Material Amendment(s):	CH 11.9, CH 11 & CH 11.5
Summary of Submission:	
<p>Wind Energy Ireland (WEI) highlight the importance of onshore wind farm development, which they say is a proven technology that can deliver at pace and scale and is critical to achieving national targets, and particularly targets over the six-year lifetime of the draft Plan. They outline their comments on the proposed material amendments outlined below:</p> <p>Proposed Material Amendment CH 11.9</p> <p>WEI is supportive of a minimum renewable energy target of 600MW for County Mayo within the lifetime of the plan.</p>	

Proposed Material Amendment CH 11 and CH 11.5

WEI is supportive of the decision to commit to commence the review of their renewable energy strategy within 12 months of the new plan’s adoption, rather than over the life of the next plan.

Chief Executive’s Response and Recommendation:

CE Response:

Noted.

CE Recommendation:

No change to the Plan.

Submission No:	MYO-C37-43
Submitted by:	SSE Airtricity
Material Amendment(s):	CH 1.1, CH 1.2, CH 7.1, CH 10.1, CH 11.2, CH 11.5, CH 11.6, CH 11.7 & CH 11.9, and Sections 1.4, 1.5, 7.1, 10.3, 11.7.5 & 11.7.12.
Summary of Submission:	
<p>SSE Airtricity welcome all proposed amendments outlined below. As they previously outlined in their submission on the draft County Development Plan, the SSE makes suggestions that might influence the content on the future RES review. Ultimately, SSE welcomes this final phase of the CDP development process and urges Mayo County Council to continue driving forward its efforts to facilitate, promote, and develop its renewables potential now and into the future.</p> <p>1. MAs CH 1.1 & Section 1.4</p> <p>SSE welcomes this amendment and states that it is positive to see the inclusion of an express commitment to ensure efficient and sustainable use of all natural resources to bring about a healthy society and clean environment, where no net contribution to biodiversity loss arises from such development.</p> <p>2. MAs CH 1.2 & Section 1.5</p> <p>SSE welcomes this amendment. It is important that the significant and ambitious commitments made at EU level to address the climate crisis are acknowledged in the CDP, to ensure that these overarching goals are afforded their due significance in decision making on planning and development within the county.</p> <p>3. MAs CH 7.1 & Section 7.1</p> <p>SSE welcomes this amendment. They state that it is positive to see the inclusion of an express commitment to ‘facilitate the transition to a low carbon and climate resilient society’ within this vital</p>	

chapter of the CDP. It is, however, vital that it is underpinned by specific and sufficiently ambitious actions, such as grid infrastructure development, to ensure this high-level goal remains achievable.

4. Proposed MAs CH 10.1 & Section 10.3

SSE welcomes this amendment. The acknowledgement that the environment and our health and wellbeing is inextricably linked is important to promoting the aims of sustainability and balanced development. To achieve this balance, SSE would recommend that every effort be made to ensure viable renewable energy development sites are considered on their own merits to ensure a solution focused, presumption in favour approach can be taken wherever appropriate, subject, of course, to the principles of proper planning and sustainable development.

5. Proposed MAs CH 11.2, 11.5 & 11.6 and Sections 11.7.5 & 11.7.12

SSE welcomes these amendments. It is essential to inject an urgency into our efforts to reduce dependency on fossil fuels and transition to low carbon alternatives. Prioritising a review and update of the Mayo Renewable Energy Strategy (RES) within one year of adopting this plan will help to achieve that and allow the council to consider critical issues, such as the impact of new national and EU policies in this area and the impact of the setback distances, as set out in the Draft Wind Energy Guidelines (2019) on designated strategic wind development areas in the county.

6. Proposed Material Amendments CH 11.9 & Section 11.7.12.

SSE welcomes these amendments, in particular the increase of the renewable target from 100MW to 600MW, which, they say, better reflects the county's potential as a producer of renewable energy. They do, however, consider it quite probable that the new 600MW target could be achieved in the earlier years of the CDP's period of applicability, given the range of wind farm proposals in development for the county. It is therefore important that reaching this target continues to be seen as the very basic threshold of acceptable renewable energy production for the lifetime of the CDP rather than an aspirational goal.

Chief Executive's Response and Recommendation:

CE Response 1 to 6:

Noted.

CE Recommendation:

No change to the Plan.


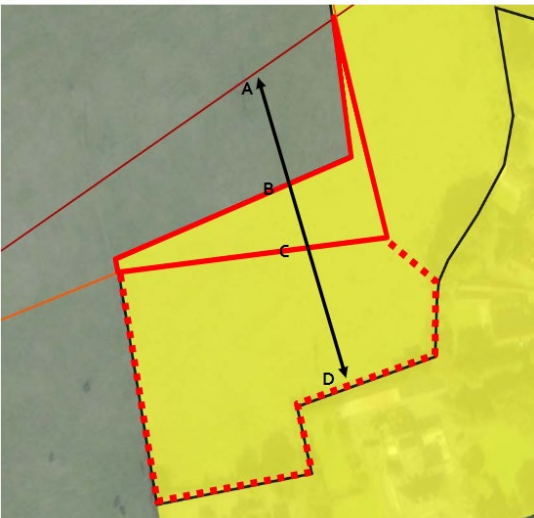
Chapter 12 - Settlement Plans

Submission No:	MYO-C37-30
Submitted by:	Robert McLoughlin on behalf of Tesco Ireland Ltd.
Material Amendment(s):	CH 12.4 and CH 12.5
Summary of Submission:	
<p>The submission welcomes Material Amendment CH 12.4 to amend land use objectives Table 12.3 and requests an additional amendment to CH 12.5, as follows: “Extensions to existing retail premises will be considered on a case-by-case basis, taking into account established uses”.</p>	
Chief Executive’s Response and Recommendation:	
<p>CE Response: Noted. It is not considered necessary to include the additional sentence to amendment CH 12.5.</p> <p>CE Recommendation: No change to the Plan.</p>	

Submission No:	MYO-C37-41
Submitted by:	John Callaghan
Material Amendment(s):	None specified
Summary of Submission:	
<p>The submission does not refer to a specific material amendment. Instead, it highlights issues with public participation in the planning process during the pandemic; housing in areas with sea views; land zoning in Achill and Mulranny; constraints in Mulranny; the serviced land initiative; building heights; and reference to the Aarhus Convention, compact growth and Core areas.</p>	
Chief Executive’s Response and Recommendation:	
<p>CE Response: Noted.</p> <p>CE Recommendation: No change to the Plan.</p>	

SECTION 7 - OTHER SUBMISSIONS RELATING TO BOOK OF MAPS (VOLUME III)

Tier II Claremorris

Submission No:	MYO-C37-20
Submitted by:	HK Harmon Property LTD
Material Amendment(s):	Proposed Amendment Tier II Clare 8 Volume 3 Book of Maps
Summary of Submission:	
<p>The submission relates to Proposed Amendment Tier II Clare 8; the rezoning of lands opposite the McWilliam Park from Strategic Residential Reserve Tier 1 to Agriculture.” HK Harmon’s client owns a portion of the lands within this area (See Figure 2 below – lands outlined in solid red owned by client).</p> <p>They request that the Claremorris Settlement Plan and Proposed Amendment Tier II Clare 8 be revised, in terms of the zoning of the lands in question, to either Town Centre, New Residential or a combination of Town Centre and New Residential.</p>	
<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Figure 1: Subject Site Context</p>  </div> <div style="text-align: center;"> <p>Figure 2: Subject Site in Detail (Approx. Boundaries Outlined in Red & Dotted Red)</p>  </div> </div>	
Chief Executive’s Response and Recommendation:	
<p>Chief Executive’s Response:</p> <p>It is considered that a sufficient quantum of land has been zoned in the Draft Plan to accommodate the allocated population growth during the period of the Draft Plan. No additional residential or town centre lands are required for inclusion in the Draft Plan.</p>	

CE Recommendation:

No change to the Plan.

Tier II Swinford

Submission No:	MYO-C37-31
Submitted by:	Fintan Morrin on behalf of The Greaney Family
Material Amendment(s):	Proposed Amendment Tier II Swinford 3
Summary of Submission:	
<p>The submission requests clarification on the amalgamation of two separate amendments:</p> <p>a) Rezoning of lands along the R320 (Adjacent Tesco) from Existing Residential to Town Centre; and</p> <p>b) Rezoning of lands east of Meadow Park from Rural Transition Zone / Recreation & Amenities to Strategic Residential Reserve Tier I.</p> <p>The submission welcomes the spirit of the Proposed Amendment Tier II Swinford 3 in line with their original submission.</p>	
Chief Executive's Response and Recommendation:	
<p>Chief Executive's Response:</p> <p>Noted. The amalgamation of two separate amendments is a typing error.</p> <p>CE Recommendation:</p> <p>See CE's Recommendation to OPR Recommendation 9.</p>	

Submission No:	MYO-C37-33
Submitted by:	Eugene Greaney
Material Amendment(s):	Proposed Amendment Tier II Swinford 3
Summary of Submission:	
<p>The submission requests that the zoning revert back to the original residential zoning proposed in the Draft County Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The lands in question are zoned Residential Medium Density in the Draft Plan. The current use for the land and adjacent lands is residential. - Core shopping areas are identified in the Settlement Plans, and it is an aim to re-establish the primacy of town centres as commercial/retail hubs. 	

- The lands are outside the defined town centre, as set out Map - Swinford Town Centre Zoning and Core Shopping Area.
- The proposed rezoning would not comply with objectives CSO 4 and SSO 6 of the Draft Plan.

Chief Executive's Response and Recommendation:

Chief Executive's Response:

Noted.

CE Recommendation:

See CE's Recommendation to OPR Recommendation 9.

Appendix I

Settlement Tiers	Settlements	Population 2016	Population 2021	Population increase to end of 2027	Population Growth Rate % Change 2016 to 2027	No. of residential units required Housing Targets*	At least 30% of residential units into built-up footprint Housing Growth Rate %	Quantum of lands zoned Existing Residential	Quantum of lands zoned for New Residential use*	Quantum of lands zoned for Strategic Residential Reserve Tier I	Quantum of lands zoned for Strategic Residential Reserve Tier II
Tier I (a) Key Towns	Ballina	10,171	11,160	12,150 12,348 11,874 12,348	19.4 21.4% 16.4% 24.4%	773 446 511	232 14% 15.7%	*	29.73	*	*
	Castlebar	12,068	13,242	14,415 14,651 13,874 14,651	19.4% 21.4% 15% 21.4%	917 553 708	275 17% 21.8%	*	36.87	*	*
Tier I (b) Strategic Growth Towns	Westport	6,198	6,745	7,225 7,513 6,850 7,513	21.2% 10.5% 21.2%	470 257 285	141 8% 8.8%	*	17.13	*	*
Tier II Self-Sustaining Growth Towns	Ballinrobe	2,786	3,010	3,275 3,323 3,100 3,323	17.7% 19.3% 11.3% 19.3%	192 106 122	58 3% 3.7%	64 66.68	30.38 7.1 13.87	23.28 19.4	30.52 30.53
	Ballyhaunis	2,366	2,556	2,785 2,822 2,582 2,822	17.7% 19.3% 9.1% 19.3%	163 90 71	50 3% 2.2%	58.68	28.12 6	22.12	5.99

	<i>Béal an Mhuirthead</i>	1,019	1,101	1,200 1,215 1,150 1,215	17.7% 19.3% 12.85% 19.3%	70 39 108	21 1% 3.3%	39.28	18.09 3	15.09	N/A
	<i>Claremorris</i>	3,687	3,984	4,340 4,397 4,100 4,397	17.7% 19.3% 11.2% 19.3%	254 140 182	76 4% 5.6%	118.48 126.71	43.91 8 8.18	35.91 30.75	9.57 49.16
	<i>Swinford</i>	1,394	1,506	1,640 1,663 1,550 1,663	17.7% 19.3% 11.2% 19.3%	95 53 68	28 2% 2.1%	54.89 53.76	17.91 4.48	14.91 8.79	7.7 15.31
Tier III Self-Sustaining Towns	<i>Balla Charlestown Kiltimagh Killala Knock Louisburg Newport Foxford Crossmolina</i>	7,824	8,357	8,600 8,998 8,400 8,998	9.9% 15% 7.4% 15%	304 251	91 8.9% 7.7%	N/A	50.2	N/A	N/A
Tier IV Rural Settlements	<i>18 Settlements* (see Table 2.5 Settlement Hierarchy)</i>	3931 4535	4,741	4280 4,989 4,800 4,989	8.9 10% 5.8% 10%	137 116	41 6% 3.6%	N/A	23.2	N/A	N/A
Tier V Rural Villages	<i>37 Villages* (See Table 2.5 Settlement Hierarchy)</i>	N/A	N/A	330 2,542	N/A 5%	128 30	38 0.9%	*	*		
	Tier V Rural Villages	2,421	2,482								

Total	51,444	56,403	60,240	17.4%	3,237	881			
	52,048		64,461	18.3%	2,095	67%			
			58,280	12%	2,452	64%			
			64,461	23.8%		75.4%			
Rural Villages* (Tier V) and the Open Countryside	79,063	81,101	85,460	7.9	1,157	34%			
	78,459		84,072	7.15%	800	36%			
	76,642		87,420	11.42%		24.6%			
			81,239	6%					
County Total	130,507	137,504	145,700	11.6	3,252	100%			
				12.6%					
				11.6%					

* Note: Statutory Local area plans LAPs to will be prepared for Tier I (a & b) towns. ~~Lands zoned for Residential in Tier II towns will be monitored to ensure the delivery of the proposed housing targets. Upon reaching the new residential unit target per settlement, the remaining undeveloped residential lands will revert to strategic residential reserve lands. Tiers III, IV and V adopt a single category mixed-used consolidation zoning approach.~~

* Settlements: See Table 2.5 Settlement Hierarchy

* Housing Targets cover plan period Q1 2022 to Q4 2027.

* Tier V Rural Villages population aggregate of 2,421 persons.

* See Settlement Hierarchy for Tier V Rural Villages

Appendix II

POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS ON MATERIAL AMENDMENTS

CHAPTERS	AA	SEA	SFRA
Chapter 2 Materials Amendments	2.7, 2.8, 2.11, 2.13, 2.16, 2.17, 2.18, 2.20	2.1, 2.2, 2.7, 2.8, 2.9, 2.11, 2.12, 2.13, 2.14, 2.15, 2.16, 2.17, 2.18, 2.20, 2.24, 2.27	
Chapter 3 Material Amendments	3.1, 3.6, 3.9, 3.10, 3.11, 3.12	3.1, 3.2, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.14,	
Chapter 5 Material Amendments		5.5	
Chapter 12 Settlement Plans Material Amendments	Balla	Bangor, Belcarra	Ballyhaunis – (New proposed by-pass route) Charlestown - (Mitigation Measures) Crossmolina – (Mitigation Measures) Foxford - (Mitigation Measures) Louisburgh (Mitigation Measures) Newport - (Mitigation Measures) Swinford – (No development within FZ's A/B further MMs)

POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS ON MATERIAL AMENDMENTS

CHAPTERS

AA

SEA

SFRA

Ballyhaunis By-Pass,
Claremorris Inner
Relief Road, Killala
Inner Relief Road