



Planning Office
Aras An Chontae
The Mall
Castlebar
Mayo

Via portal: consult.mayo.ie

16/07/2024

RE: MATERIAL ALTERATIONS TO THE BALLINA DRAFT LOCAL AREA PLAN 2024-2030

A Chara,

I refer to your notification on 17 June 2024 of Mayo County Council's proposal to make material alterations to the Ballina Draft Local Area Plan 2024-2030 and thank you for the opportunity to make this submission.

Background

The Ballina Draft Local Area Plan 2024-2030 (the 'Draft LAP') and accompanying environmental documents were prepared and placed on public display for a period of 6 weeks from 19 December 2023 to 8 February 2024. The Assembly made a submission to the Draft LAP on 30 January 2024.

Having considered submissions made to the Draft LAP, including the submission by the Assembly, Mayo County Council decided to propose to make amendments to the Draft LAP that are 'Material Alterations' requiring further public consultation.

The Assembly submission, referenced above, contained three recommendations and six observations on the Draft LAP. A commentary, outcome and opinion is provided under each of the previous recommendations and observations made by the Assembly on the Draft LAP. Thereafter, a commentary and opinion are given of other Proposed Material Alterations of regional significance and whether they are consistent with the Regional Spatial and Economic Strategy (the 'RSES'). This is followed by a summary of recommendations on the Proposed Material Alterations made by the Assembly.

SUMMARY OF THE PROPOSED MATERIAL ALTERATIONS

38 material alterations are proposed to the Draft LAP:

- Thirteen (13) Proposed Material Alterations (MA 26 to MA 38) relate to Material Alterations to land use zoning. A summary of the Proposed Material Alterations to land use zoning is provided in Table 1 contained in Appendix 1 of this submission, along with a land use zoning map depicting the location of Proposed Material Alterations MA 26 to MA 38.
- Proposed Material Alteration MA 11 provides for the inclusion of an Opportunity Site in the centre of the town (derelict garda barracks on Walsh Street).
- Proposed Material Alteration MA 13 proposes to amend objective EDO 8 to incorporate reference to the Euro-Velo Route 1
- Proposed Material Alteration MA-14 makes provision for serviced sites by the insertion of a new objective HSCO 7: “In accordance with the Ready to Build Scheme, to develop appropriate lands as serviced sites for new homes, for individual self-builders, for occupation as the principal private residence of the purchaser.”
- Proposed Material Alteration MA 16 provides for the inclusion of a new objective to allow for the development of the former Sisters of Mercy Site on Convent Hill.
- Proposed Material Alteration MA 17 provides for the provision of a pedestrian bridge over the Bunree River at the Town Park.
- Proposed Material Alteration MA 25 proposes two changes in the Land Use Matrix i.e. not normally permitting offices or restaurants and cafes in land zoned for Strategic Enterprise and Employment, following a submission from TII.
- The remainder of the Proposed Material Alterations relate to climate action, hedgerows, flood management, transport and text/data/date corrections.

RECOMMENDATIONS AND OBSERVATIONS MADE BY THE ASSEMBLY AS PART OF THE SUBMISSION TO DRAFT LAP AND THE OUTCOME

As stated above, the Assembly made a submission to the Draft LAP on 30 January 2024 in the context of its consistency with relevant objectives in the RSES. The submission set out three recommendations and six observations. This section sets out the recommendations and observations in ***bold italics*** and provides a commentary, outcome and opinion on each.

Recommendation 1:

1. ***The Core Strategy of the Draft LAP to include reference to the Growth Ambition for Ballina as a Key Town in the RSES and provide commentary on the current and future growth trajectory in terms of its consistency or otherwise with Sec. 3.4 of the Regional Strategy, which envisages an uplift across all designated Key Towns of 30% to 2040. This to include a clear core strategy table, which sets out the area and quantum of housing to be delivered on lands zoned ‘town centre’, ‘existing residential’ and ‘new residential’, with appropriate indicative densities that demonstrate anticipated yield.***

Commentary: It is stated in the CE’s Report that the density assumptions employed in determining the quantum of land required to meet the housing targets for Ballina over the lifetime of the Plan are the same as those in the Core Strategy of the County Development Plan. The residential units proposed (511) equates to 15.7% of the units allocated to the entire county by the Council. Recommendations are made in the CE’s Report to amend housing figures from 551 to 511 in Tables 2.1 and 2.2 in the interests of consistency in the draft LAP.

Outcome: Proposed Material Alteration MA 3 proposes to include a new objective as follows: DSO 11: Ensure that all new residential developments are assessed having regard to the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024) or any subsequent guidelines.

Proposed Material Alterations MA 2 and MA 7 proposed to amend Table 2.1 and Table 2.2 of the Draft LAP to reflect an overall housing target of 511.

Opinion: It is considered that the Proposed Material Alteration MA 3 (new objective to include new Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024)) would strengthen compliance with RPO 3.1¹ and RPO 7.20² of the RSES. Proposed Material Alterations MA 2 and MA 7 (amending Table 2.1 and Table 2.2 to reflect an overall housing target of 511) are a corrective matter and not of significant regional importance.

Recommendation 2.

- 2. That the Draft LAP includes a synopsis of the Critically Enabling Infrastructure necessary to enable Ballina to fulfil its role as a Key Town, and such projects should be classified in terms of potential delivery timelines (e.g. Short / Medium / Long term).***

Commentary: While addressed in the CE’s Report by stating “such a synopsis shall be included in the final plan,” Proposed Material Alterations MA 4 and MA 5 are the only Proposed Material Alterations with timeframes associated with them and these all relate to infrastructural projects arising out of the Local Transport Plan.

Outcome: No synopsis included as a Proposed Material Alteration.

¹ RPO 3.1 Develop urban places of regional-scale through: > Delivering on the population targets for the Metropolitan and Regional Growth Centres through compact growth; > Delivering significant compact growth in Key Towns; and > Developing derelict and underutilised sites, with an initial focus within town cores.

² Increase population living within settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, in-fill development schemes, area of site-based regeneration, service site provision and increased building heights appropriate to the settlement, together with infrastructure provision.

Opinion: It would have been useful to have a synopsis of Critically Enabling Infrastructure at this point, to ensure relevant plans/projects were included to strengthen compliance with the RSES. The absence of same reduces the effective message of the Plan in terms of its outlining of a vision for Ballina to 2030, and beyond.

Recommendation 3.

3. That the Core Strategy of the Draft LAP is revised to incorporate clear timelines across a range of objectives, projects and policy commitments. (See Table 7.10 as an example, where timelines would be beneficial).

Commentary: No changes are recommended in the CE's Report, as it is stated that all objectives, projects and policy commitments have a timeline of the plan period unless otherwise stated.

Outcome: No material alterations have been proposed regarding this recommendation.

Opinion: A statement reflecting the opinion held in the CE Report (all objectives, projects and policy commitments have a timeline of the plan period unless otherwise stated.) would have been beneficial for clarity and for monitoring and implementation purposes of the Plan itself and the RSES. Again, as with Recommendation No. 2 above, such an inclusion would assist in presenting a vision for Ballina over the next 10 years.

Observation 1.

1. That Chapter 5 of the Draft LAP is revised to include a clear rationale for the extent of Zoning of the lands adjacent to Hollister, which straddle both sides of the proposed Outer Relief Road and lie beyond the built-up footprint East of the line of the proposed Ballina By-Pass Route.

Commentary: It is acknowledged in the CE's Report, having taken into consideration submissions from the OPR, the Assembly and TII that this land should be rezoned from Enterprise and Employment to Agriculture, given the limitations in terms of the absence of a clear entrance to the site within the 60kph speed limit and the impact any future intensification of use on this site might have on any future of the N26 with the proposed N26 western bypass of the town.

Outcome: Proposed Material Alteration MA 26 proposes to amend this zoning from Enterprise and Employment to Agriculture.

Opinion: Proposed Material Alteration MA 26 strengthens compliance with the RSES as it supports RPO 6.5³ of the RSES.

³ RPO 6.5 The capacity and safety of the region's land transport works will be managed and enhanced to ensure their optimal use, thus giving effect to National Strategic Outcome No. 2 and maintaining the strategic capacity and safety of national road network including planning for future capacity enhancements.

Observation 2.

2. That the Draft LAP is revised to ensure objectives relating to Greenways (including ED08) is consistent with that of Sec. 5.8 of the RSES, where the Policy wording should incorporate reference to the Euro-Velo Route 1.

Commentary: This is acknowledged in the CE's Report.

Outcome: Proposed Material Alteration MA 13 proposes to amend objective EDO 8 to incorporate reference to the Euro-Velo Route 1 as follows: 'Support and facilitate the development of an integrated network of greenways and heritage trails, including The Monasteries of the Moy from Belleek to Killala, incorporating Eurovelo 1 Atlantic Coastal Route'.

Opinion: Proposed Material Alteration MA 13 strengthens compliance with the RSES as it supports one of the Key Future Priorities for Ballina as set out in the RSES.

Observation 3.

3. Consideration should be given to the provision of serviced sites as a mechanism to deliver increased housing supply.

Commentary: No changes are recommended in the CE's Report, as it is stated that the provision of serviced sites on planning authority lands would result in inefficient use of Council resources, given on-going requirements in terms of social/affordable housing provision under Housing for All. It is proposed to use other mechanisms for stand-alone detached dwellings such as appropriate mixed-use dwelling types and implementation of the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024). However, a Proposed Material Alteration has been published on this matter.

Outcome: Proposed Material Alteration MA-14 makes provision for serviced sites by the insertion of a new objective HSCO 7: "In accordance with the Ready to Build Scheme, to develop appropriate lands as serviced sites for new homes, for individual self-builders, for occupation as the principal private residence of the purchaser."

Opinion: This Proposed Material Alteration is welcomed as it is on foot of a recommendation made by the Assembly on the Draft LAP. Ideally this objective would have benefited from the identification of suitable lands, but the inclusion of the Scheme is welcomed in the context of RPO 7.17⁴ of the RSEs.

⁴ RPO 7.17 Ensure that the housing need delivered meets the needs of the community in terms of social, affordable, private and sheltered in both urban and rural areas.

Observation 4.

4. Consideration be given to the Local Authority developing Masterplans as applicable across the Plan, so that they are Local Authority driven, rather than developer led frameworks.

Commentary: No changes are recommended in the CE's Report, as it is stated that it is not feasible for the local authority to commit to the preparation of detailed Masterplans for private sites over which it has no remit. Broad conceptual assessments are considered more appropriate.

Outcome: No Proposed Material Alterations have been made regarding this observation.

Opinion: Planning should be plan-led and not developer-led. Where Councils are not in charge of the masterplan process, some broad, or specific parameters should be included within the Plan, and developers / landholders required to broadly adhere to same.

Observation 5.

5. Consider including policy provisions that provide for the management of construction and demolition waste.

Commentary: No changes are recommended in the CE's Report, as it is stated that the relevant objectives on this matter are contained in the County Development Plan.

Outcome: No Proposed Material Alterations have been made regarding this observation.

Opinion: In the context of MICA / Defective Block, which is and will continue to effect North Mayo, addressing this matter will be important, however the Assembly accept it is one which may require a broader solution than can be provided within a LAP.

Observation 6.

6. The Draft Local Transport Plan should be adopted in advance of or in tandem with the Local Area Plan and should align with the objectives of the Local Area Plan.

Commentary: It is stated in the CE Report that "the draft Local Transport Plan was drafted in conjunction with the draft LAP and will be included in the appendix of the final plan NTA do not allow to use." It is noted that the Draft LAP contained an Appendix stated, "Appendix 2 Ballina Local Transport Plan (to be incorporated when adopted)". There is no Proposed Material Alteration to amend or exclude this. MTO-9 in the Draft LAP and associated Proposed Material Alterations MA 4, MA 5 (relating to timeframes) and MA 18 provide for the inclusion of some of the infrastructure projects associated with the draft LTP in the Draft LAP.

Outcome: MTO-9 in the Draft LAP and associated Proposed Material Alterations MA 4, MA 5 (relating to timeframes) and MA 18 provide for the inclusion of some of the infrastructure projects associated with the Draft LTP in the Draft LAP.

Opinion: It is assumed that the Local Transport Plan will form part of the Appendix of the final LAP.

COMMENTRY ON THE ADDITIONAL PROPOSED MATERIAL ALTERATIONS

Having dealt with some of the Proposed Material Alterations above, the remaining Proposed Material Alterations to the Draft LAP and the associated documentation have been assessed and the following commentary and opinion is made in the context of the Regional Spatial and Economic Strategy 2020-2032 (RSES) and only those Proposed Material Alterations of significance to the RSES are referred to in this context:

Zoning additional lands for New Residential use and Edge of Town Centre Use.

Commentary: It is noted that it is proposed to rezone nine parcels of land from a mixture of uses to New Residential. See Appendix 1 Table 1.

- Having assessed these in detail, it is considered that Proposed Material Alterations MA30, MA 33, MA 34, MA 35 and MA 36 are located at the periphery of the town. A settlement capacity audit does not appear to have been provided to assess whether these lands are serviced adequately or not. It is also noted that MA 30 and MA 36 are located adjacent to Flood Zones (A and B).
- Proposed Material Alteration MA 16 provides for the inclusion of a new objective to allow for the development of the former Sisters of Mercy Site on Convent Hill. Related to this are Proposed Material Alterations MA 37 and MA 38 that propose to rezone the land from Education to New Residential (MA 37) and Education to Edge of Town Centre (MA 38). While these lands are not within the town core they are located close to the town centre core, surrounded by existing residential and education uses.
- Proposed Material Alteration MA 26 (amend zoning from Enterprise and Employment to Agriculture) has been made based on observations and submissions from the Assembly, the OPR and TII. This is welcomed. However, it is noted that two further Proposed Material Alterations (MA 29 and MA 31) seek to rezone land from Enterprise and Employment to New Residential. Both parcels of land are located adjacent to or within Employment and Enterprise zoning (and existing enterprise and employment developments).

Opinion: It is considered that Proposed Material Alterations MA30, MA 33, MA 34, MA 35 and MA 36 would fail to contribute towards the achievement of compact urban growth, and would fail to reduce vacancy, re-use of existing buildings, achieve in-fill development schemes and regeneration, and therefore would negatively impact on achieving RPO 3.1⁵ and RPO 7.20⁶ of the RSES.

⁵ RPO 3.1 Develop urban places of regional-scale through: > Delivering on the population targets for the Metropolitan and Regional Growth Centres through compact growth; > Delivering significant compact growth in Key Towns; and > Developing derelict and underutilised sites, with an initial focus within town cores.

⁶ Increase population living within settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, in-fill development schemes, area of site-based regeneration, service site provision and increased building heights appropriate to the settlement, together with infrastructure provision.

It is considered that Proposed Material Alterations MA 37, MA 38 and MA 16 would strengthen compliance with RPO 3.1 of the RSES, which seeks to develop urban places of regional-scale through delivering significant compact growth in Key Towns and developing derelict and underutilised sites, with an initial focus on within the town core. While these lands are not within the town core, they are located close to the town centre core, surrounded by existing residential and education uses and provide for an alternative to zoning land on the periphery of the town. In addition, RPO 7.19 of the RSES seeks to increase population living within settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, in-fill development schemes, area of site-based regeneration, service site provision and increased building heights appropriate to the settlement, together with infrastructure provision. It is considered that these three Proposed Material Alterations would contribute to achieving this RPO.

It is considered that proposed MA 29 and MA 31 should remain zoned as Enterprise and Employment to provide adequate zoned lands for these uses to allow Ballina to continue to function as the key economic driver in the north-west of the county as set out in the RSES.

Opportunity Site

Commentary: Proposed Material Alteration MA 11 includes an area of Walsh Street (former Garda Barracks) as an Opportunity Site in the centre of the town. RPO 3.1 supports developing derelict and underutilised sites in the town core. This site has been successful in receiving an offer for grant aid, from the Assembly, to assist in the redevelopment of the site in June 2024 under the THRIVE programme.

Opinion: It is considered that MA 11 strengthens compliance with RPO 3.1, in particular assisting in delivering significant compact growth in a Key Town and developing derelict and underutilised sites within the town core.

Pedestrian Bridge

Commentary: Proposed Material Alteration MA 17 proposes a new objective (HSCO 17) for the provision of a pedestrian bridge over the Bunree River at the Town Park. The general location of this Proposed Material Alteration is not clear from the Proposed Material Alterations documentation.

Opinion: RPO 3.5⁷ of the RSES states “Identify and develop quality green infrastructure, within and adjacent to City, Regional Growth Centres and Key Towns.”

⁷ RPO 3.5 Identify and develop quality green infrastructure, within and adjacent to City, Regional Growth Centres and Key Towns

Other

Commentary: The remainder of the Proposed Material Alterations relate to climate action, hedgerows, flood management, transport (roads) and text/data/date corrections.

Opinion: It is considered these Proposed Material Alterations broadly assist in contributing to the cross-cutting principles of Climate Action and a low carbon region, national roads policy and therefore lend weight to achieving the objectives of the RSES.

SUMMARY OF RECOMMENDATIONS

Taking all of the above into consideration the following Recommendations are made to enhance the final LAP.

- A. To strengthen compliance with RPO 3.1⁸ and RPO 7.20⁹ of the RSES, it is recommended that Proposed Material Alterations MA30, MA 33, MA 34, MA 35 and MA 36 are **not** included, as they would fail to contribute towards the principle of compact urban growth for Ballina.
- B. To strengthen compliance with RPO 3.1 and RPO 7.20 of the RSES, it is recommended that the Plan is enhanced via the Proposed Material Alterations MA 3 (new objective to include new Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024)), MA 2 and MA 7 (amending Table 2.1 and Table 2.2 to reflect an overall housing target of 511).
- C. For Ballina to continue to function as the key economic driver in the north of County Mayo, capitalising on its designation as a Key Town within the context of the Sligo Regional Growth Centre and its location in relation to the Atlantic Economic Corridor, as set out in the RSES, it is recommended that Proposed Material Alteration MA 26 is retained, whilst Proposed Material Alterations MA 29 & MA 31 are **not** made.
- D. To strengthen compliance with RPO 3.1, in particular assisting in delivering significant compact growth in a Key Town and developing derelict and underutilised sites within the town core, it is recommended that Proposed Material Alteration MA 11 (Walsh Street Opportunity Site) is made.
- E. To support one of the Key Future Priorities for Ballina as set out in the RSES, it is recommended that Proposed Material Alteration MA 13 (amend objective EDO 8 to incorporate reference to the Euro-Velo Route 1) is made.

⁸ RPO 3.1 Develop urban places of regional-scale through: > Delivering on the population targets for the Metropolitan and Regional Growth Centres through compact growth: > Delivering significant compact growth in Key Towns; and > Developing derelict and underutilised sites, with an initial focus within town cores.

⁹ Increase population living within settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, in-fill development schemes, area of site-based regeneration, service site provision and increased building heights appropriate to the settlement, together with infrastructure provision.

- F. To strengthen compliance with RPO 7.17¹⁰, it is recommended that Proposed Material Alteration MA 14 (makes provision for serviced sites) be made with suitable serviced sites identified in the LAP.
- G. To assist in delivering increased housing supply, it is recommended that Proposed Material Alteration MA-14 (new objective HSCO 7 to provide serviced sites) is made.
- H. As Proposed Material Alterations MA 16, MA 37 and MA 38 provides an opportunity to regenerate derelict and underutilised land at Convent Hill and provide for an alternative to zoning land on the periphery of the town supporting RPO 3.1¹¹ of the RSES, it is recommended that Proposed Material Alterations MA 16, MA 37 and MA 38 are made.
- I. Should Mayo County Council be satisfied that Proposed Material Alteration will not have a significant adverse impact on the environment, it is recommended that Proposed Material Alteration MA 17 (pedestrian bridge over Bunree River), which supports RPO 3.5¹² of the RSES, is made.

CONCLUSION

The Assembly broadly welcome the extent of the Proposed Material Alterations to the Draft LAP and the direct correlation between the changes introduced and the submission of the NWRA at the Draft Consultation stage of the process.

Having examined all the Proposed Material Alterations, the Assembly is of the opinion that incorporating the recommendations above would result in a greater degree of consistency with the RSES. This strong policy alignment will in turn ensure Ballina functions as the key economic driver in the north-west of the county, capitalising on its designation as a Key Town and its designation as a Year-round Key (Tourist) Destination Town. This in turn will facilitate long-term economic growth within the context of a high-quality environment, supporting a wide range of services and amenities, thereby making it attractive as a place to work, live and invest.

¹⁰ RPO 7.17 Ensure that the housing need delivered meets the needs of the community in terms of social, affordable, private and sheltered in both urban and rural areas.

¹¹ RPO 3.1 Develop urban places of regional-scale through: > Delivering on the population targets for the Metropolitan and Regional Growth Centres through compact growth: > Delivering significant compact growth in Key Towns; and > Developing derelict and underutilised sites, with an initial focus within town cores.

¹² RPO 3.5 Identify and develop quality green infrastructure, within and adjacent to City, Regional Growth Centres and Key Towns

I trust that the above is of assistance and the Assembly wish to thank Mayo County Council for the opportunity given to provide this submission. If you have any queries in respect of the above, then do not hesitate to revert.

Mise le meas

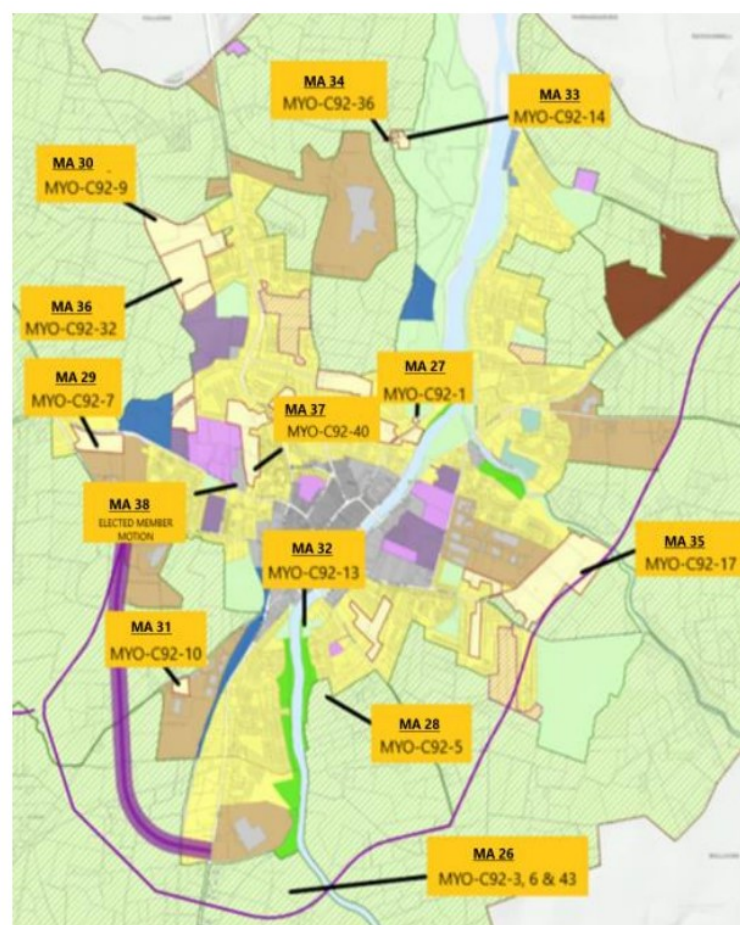


Denis Kelly
Director

APPENDIX 1

Table 1 – Summary of Proposed Material Alterations to Land Use Zoning		
Reference	Zoning in Draft LAP	Proposed amended zoning
MA 26	Enterprise & Employment	Agriculture
MA 27	Recreation and Amenity	New Residential
MA 28	Existing Residential	Agriculture
MA 29	Enterprise & Employment	New Residential
MA 30	Agriculture & Existing Residential	New Residential
MA 31	Enterprise & Employment	New Residential
MA 32	New Residential	Recreation & Amenity
MA 33	Recreation & Amenity	New Residential
MA 34	Agriculture	New Residential
MA 35	Agriculture/Recreation & Amenity	New Residential
MA 36	Agriculture	New Residential
MA 37	Education	New Residential
MA 38	Education	Edge of Town Centre

Land Use Zoning Map with Proposed Zoning Material Alteration References Source: Material Alterations Report



Northern and Western Regional Assembly
The Square, Ballaghaderreen, Co Roscommon