



An Roinn Títhíochta, Pleanála,
Poball agus Rialtais Áitiúil
Department of Housing, Planning,
Community and Local Government



Oifig an Aire
Office of the Minister

28 March 2017

For the Attention of: Pat Dowling, Chief Executive

Clare County Council,
Áras Contae an Chláir,
New Road,
Ennis,
Co. Clare.

**Section 31 of the Planning and Development Act 2000, as amended
by the Planning and Development (Amendment) Act 2010
Decision to Issue a Direction relating to the
Clare County Development Plan 2017-2023**

Dear Chief Executive,

I am writing to you in connection with the Clare County Development Plan 2017-2023 as adopted by the Council on 19 December 2016, and the notice of intent to issue a direction which I issued to you on 23 January 2017.

Having now carefully considered your report, I have decided to confirm the direction on the Clare County Development Plan 2017-2023 as per the draft direction of 23 January.

My Departments concerns regarding the proposed policies and objectives in relation to the land zoning objective Killaloe, Ardclony T0U7 remain which is not in compliance with Sections 177V and 177W of the Planning Development Act 2000, as amended. The written submission of October 2016 made on my behalf recommended that this zoning objective revert to that of the draft Clare County Development Plan (December 2015).

Clare County Council has ignored, or has not taken sufficient account of the aforesaid submission and has proceeded to adopt the impugned material amendment T0U7 and zoning objective.

In doing so Clare County Council has failed to comply with the procedures required to ensure that the plan it has adopted is a plan which does not have adverse impacts on the integrity of a Special Area of Conservation, the Lower River Shannon SAC.

Further, in doing so it has relied on an improper consideration, namely a report dated December 2016 which purports to be an appropriate assessment, and which was not submitted to public consultation, in preference to the submissions made by the Minister.

Accordingly Clare County Council should **TAKE NOTICE** that on the 28th day of March, 2017 I have issued a Direction pursuant to Section 31 of the Planning and Development Act 2000 (as amended).

A copy of this Direction is attached to this letter.

STEPS TO BE TAKEN

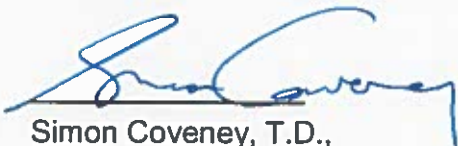
In light of the foregoing the Planning Authority is required, pursuant to Section 31(2) of the Planning and Development Act 2000 (as amended) to comply with this Direction.

The Clare County Development Plan 2017-2023 must therefore be altered as indicated in the attached Direction, and the Planning Authority should ensure that copies of the Development Plan as altered are available for inspection at its offices and on its website.

The Planning Authority should also publish notice of the making of the Direction and alteration to the Plan, and post a copy of such notice on its website.

My officials remain available to assist you, as necessary, in complying with the foregoing process.

Yours sincerely,



Simon Coveney, T.D.,

Minister for the Environment, Community and Local Government

Copied to:

Cathaoirleach, Clare County Council
Director, Southern Regional Assembly