

# Chief Executive's Report

to the Elected Members on submissions received on the  
Draft Clare County Development Plan 2017-2023

## Part I of III

### Submissions 101 - 150

19th May 2016



Prepared in accordance with Section 12(4)(b) of the  
Planning and Development Act 2000, as amended

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## **Ref. 101 Eoin Keating**

*Keyword: Ennis*

### **Summary of the Issues Raised in the Submission**

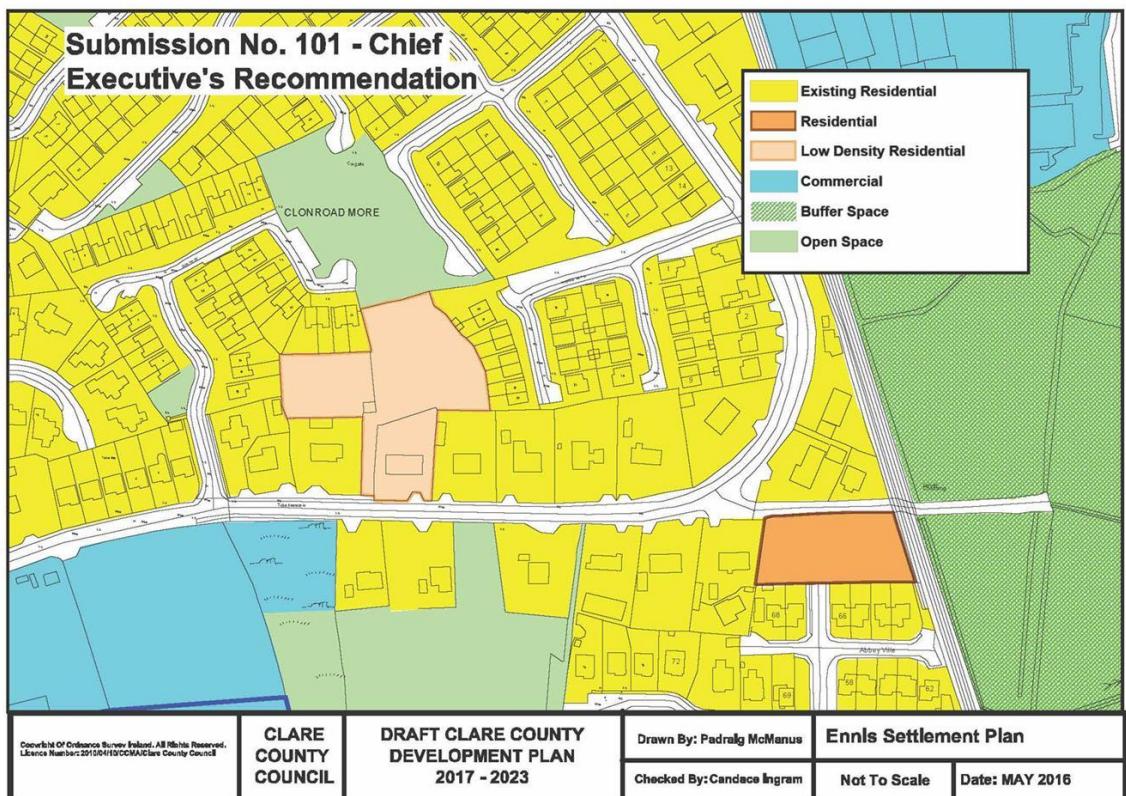
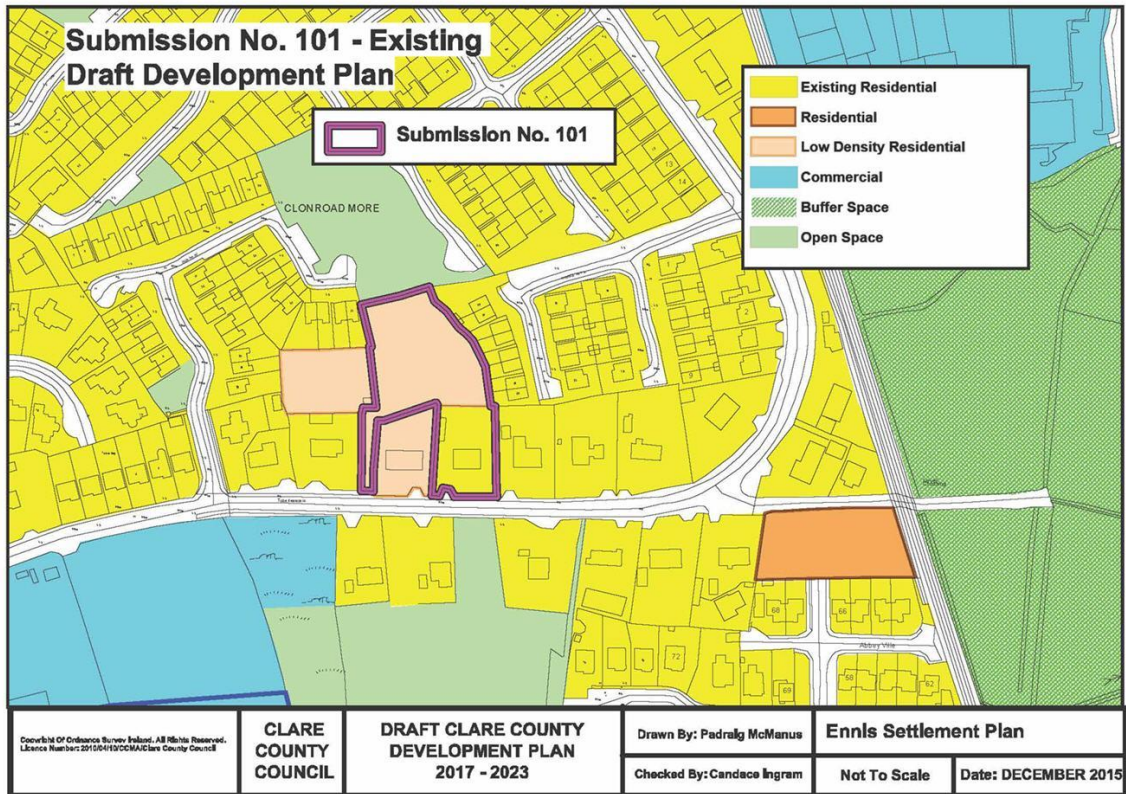
The submission requests that lands in the Tobarteascáin area currently zoned Other Settlement Land is rezoned Phase1 Development. Mr. Keating is of the opinion that this land is prime location for high density affordable housing and that the subject lands are serviced by existing infrastructure.

### **Chief Executive's Response**

I wish to thank Mr. Keating for his submission. This site is proposed to be zoned for low density residential having regard to the pattern of development in the area and the infill nature of the site. It is not proposed to phase residential lands in this plan having regard to the core strategy.

### **Chief Executive's Recommendation**

I recommend that no amendments are made to the draft Clare County Development Plan 2017-2023 on the basis of this submission.





## **Ref. 102 Grealish Glynn & Associates on behalf of Thomas Slattery**

*Key Words: Lahinch*

### **Summary of the Issues Raised in the Submission**

This submission relates to lands on the eastern boundary of the Lahinch Settlement Plan in the West Clare Municipal District. The submission requests that a parcel of land is reinstated as part of the Lahinch Settlement Plan and is zoned for low density residential development. The site is adjacent to the N67 and is serviced by existing infrastructure.

It is submitted that that Mr. Slattery was forced to retire from agricultural activities because his landholding was required for the development of the Lahinch settlement. It is further submitted that Mr. Slattery has not been allowed to continue farming, as generations before him had, as the original farmyard and sheds were located within the town of Lahinch. He was advised that as these lands were zoned for residential development he would not be permitted to build agricultural sheds on the land. In this regard reference is made to planning application p96/1539.

It is submitted that the subject site is the only remaining land within his original farm holding that is not within the settlement boundary. Mr. Slattery is unable to farm such a small holding and requests that it is included within the Lahinch settlement boundary and zoned Low Density Residential.

### **Chief Executive's Response**

I acknowledge the issues raised in this submission and I would like to respond as follows:

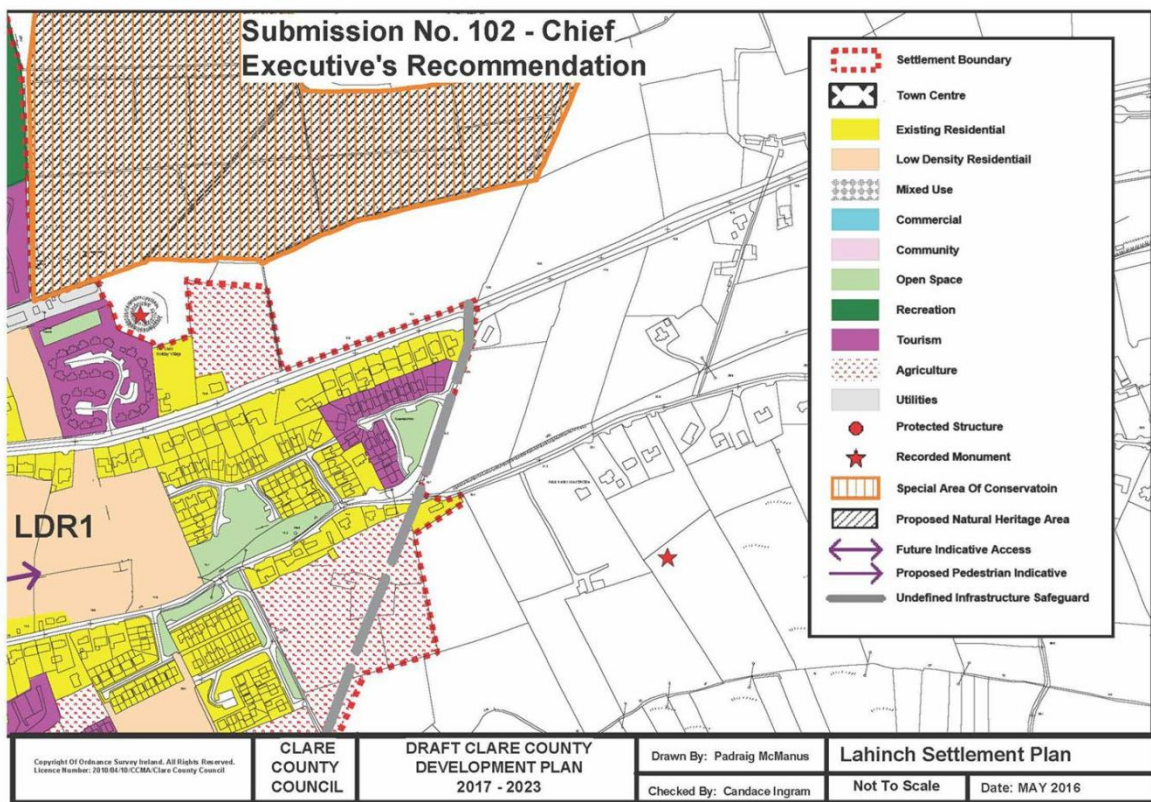
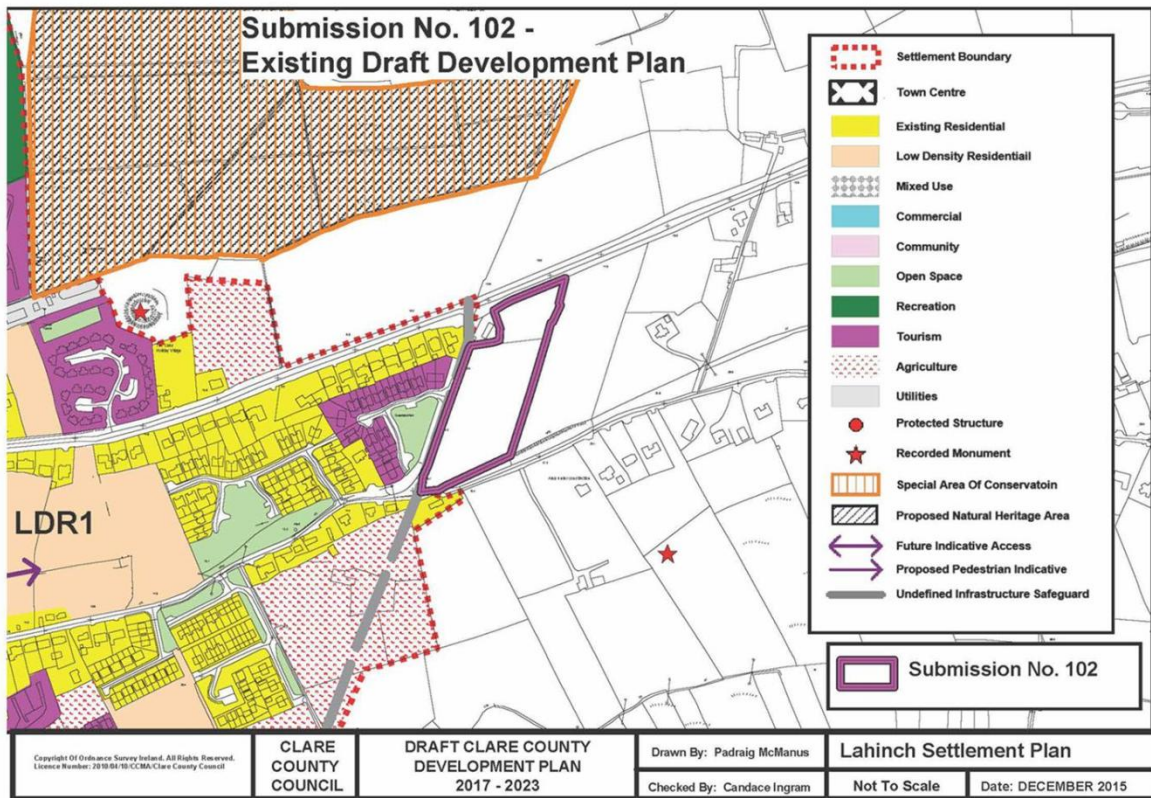
Firstly I would like to clarify that the existing use on zoned land can continue regardless of whether lands are zoned for development or not and the decision to sell the lands or to otherwise make them available for development lies with the landowner, with the exception of occasional cases of compulsory purchase.

In relation to the planning application that is referenced in the submission, an application was made to retain a hard stand that was used for agricultural purposes. Further information was sought on a number of issues, none of which related to residential zonings in the vicinity and no response to the further information request was received.

With regard to the request to zone the subject lands for Low Density Residential use, I note the attributes of the site that have been set forth in the submission. However, it is desirable for settlements, as much as possible, to develop in an orderly manner, with lands closest to the town centre and associated services developed before lands on the periphery are zoned for development. In the settlement of Lahinch, numerous sites have been zoned for residential/low density residential development that are located closer to the town core and, having regard to the extent of lands required for residential use in Lahinch over the lifetime of the development plan as set out in the Core Strategy, I do not consider it necessary or appropriate to zone these lands on the periphery of the settlement at this time.

### **Chief Executive's Recommendation**

I recommend that no amendments are made to the draft Clare County Development Plan 2017-2023 on the basis of this submission.



## **Ref. 103 DL Group on behalf of Linda O’Keeffe**

*Key Words: Ennistymon*

### **Summary of the Issues Raised in the Submission**

This submission relates to a site adjacent to the N85 in the Ennistymon Settlement Plan in the West Clare Municipal District. The submission requests that the part of the site zoned Residential is reinstated as Commercial so that the entire site will be zoned Commercial.

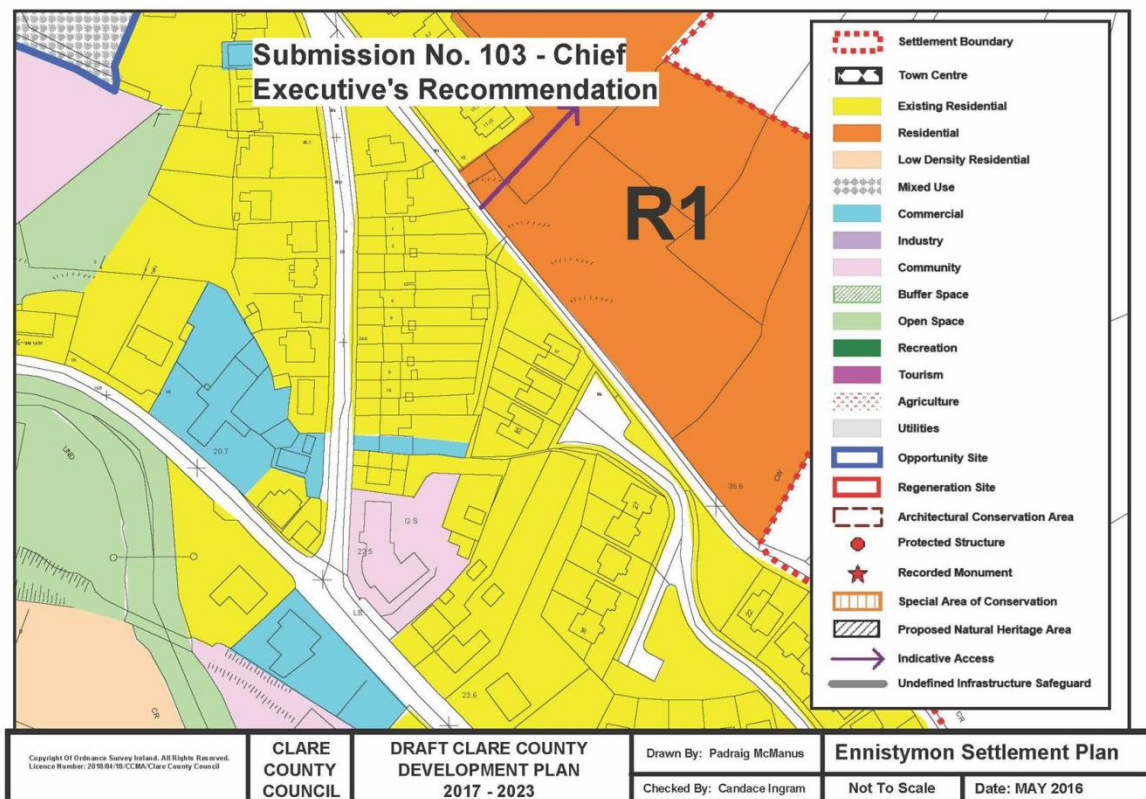
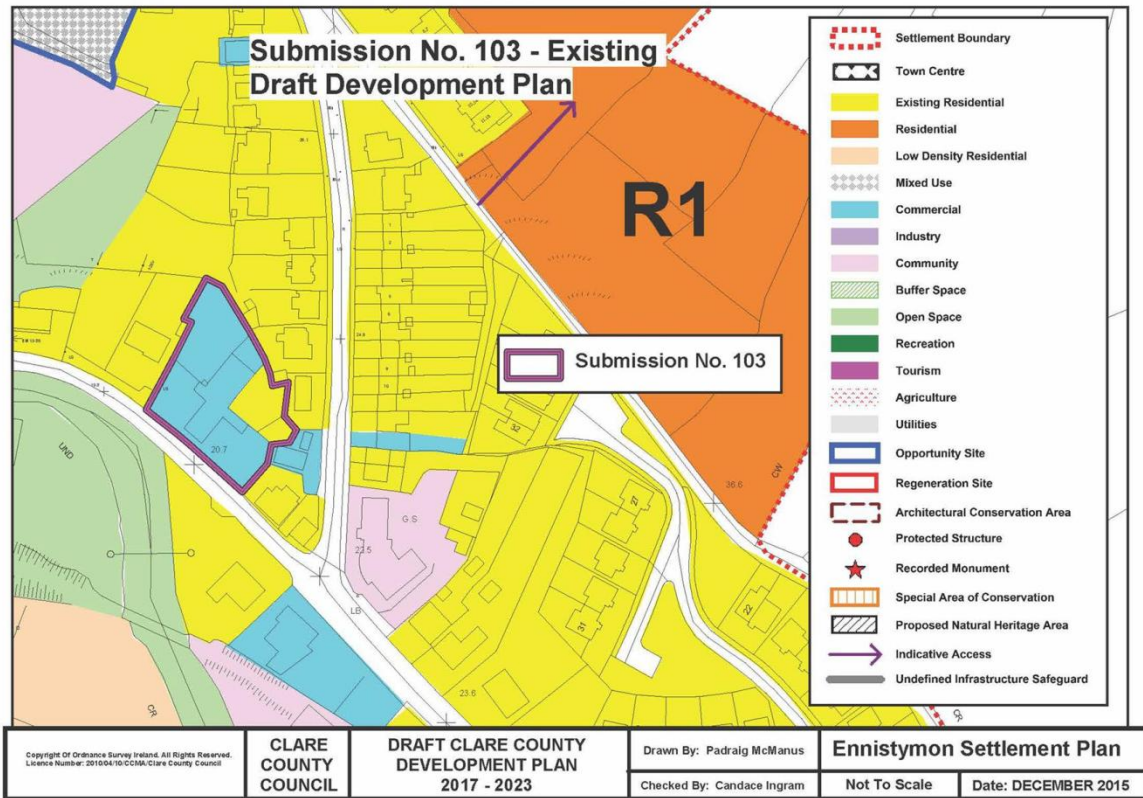
### **Chief Executive’s Response**

I have examined the issue raised in this submission and I can confirm that the Existing Residential zoning was applied to a portion of this site in error and this will be rectified accordingly.

### **Chief Executive’s Recommendation**

I recommend that the zoning as proposed in the Draft Clare County Development Plan 2017-2023 be amended from Existing Residential to Commercial on the basis of this submission.







## Ref. 104 Ned Irwin

*Key Words: Ardnacrusha*

### Summary of the Issues Raised in the Submission

This submission relates to lands in the Castlebank area of Ardnacrusha in the Shannon Municipal District. The subject lands are zoned for Recreation (REC1), Low Density Residential (LDR2) and Enterprise (E1) uses in the Draft Development Plan. The submission requests that the Enterprise zoning be changed to Low Density Residential. It is submitted that there is no requirement for enterprise type development in this area and that Low Density Residential zoning would be sympathetic and in keeping with the existing residential nature of the area.

### Chief Executive's Response

I thank Mr. Irwin for his submission the contents of which are noted and I would like to respond as follows:

In addition, I note that a previous application for a large number of dwelling houses on this site was refused by An Bord Pleanála by reason that the scale, design and layout would constitute a suburban form of housing estate in a rural village which is not designated for major expansion and which does not have the range of physical, community, educational and commercial services or the transport facilities required to support such development. It is therefore important to ensure that the extent of land zoned for housing development in this area is appropriate to the scale of the existing village and the available physical and social infrastructure and also to encourage new services and amenities in the area to enhance the quality of life for existing and future residents in the area.

Having regard to the need to enhance services and social infrastructure in the village and to achieve the targets established in the Core Strategy in relation to population growth, I consider it appropriate to change the zoning on the southern half of Site ENT1 to Mixed Use and to change the northern half of the site to Low Density Residential.

### Chief Executive's Recommendation

I recommend that the following amendments are made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission:

#### Volume 3(b), Ardnacrusha Settlement Plan – zoning map

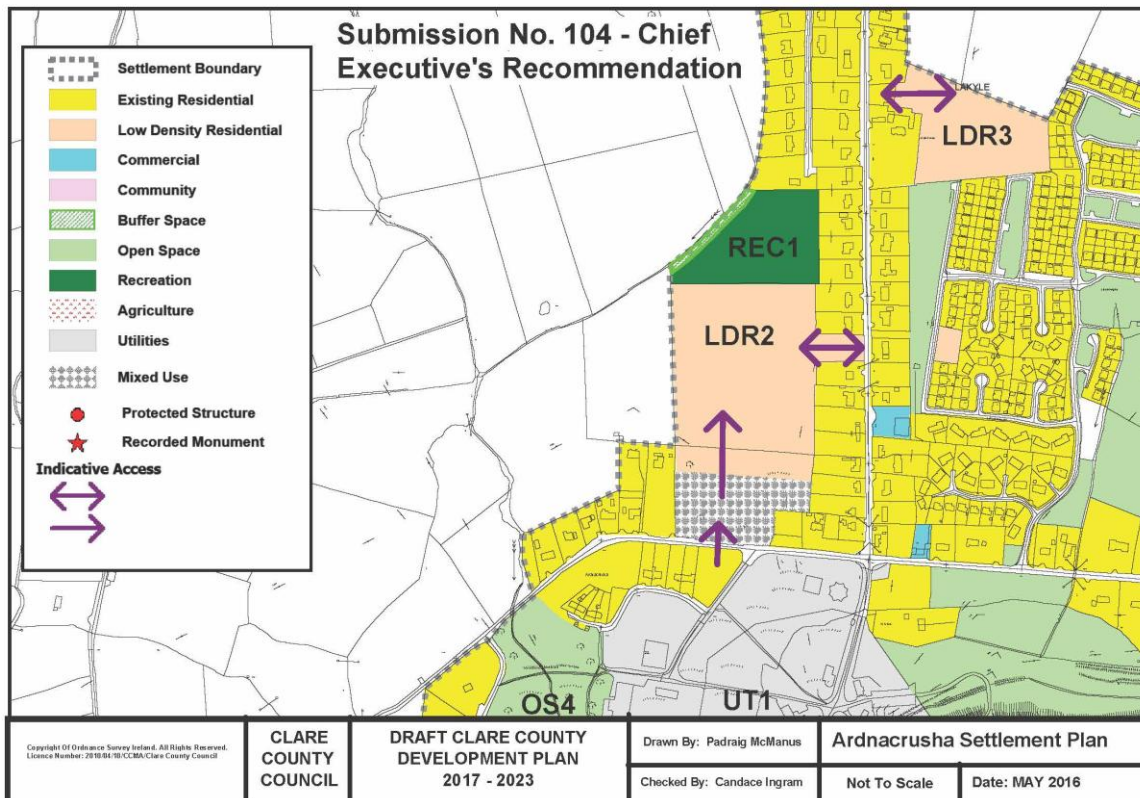
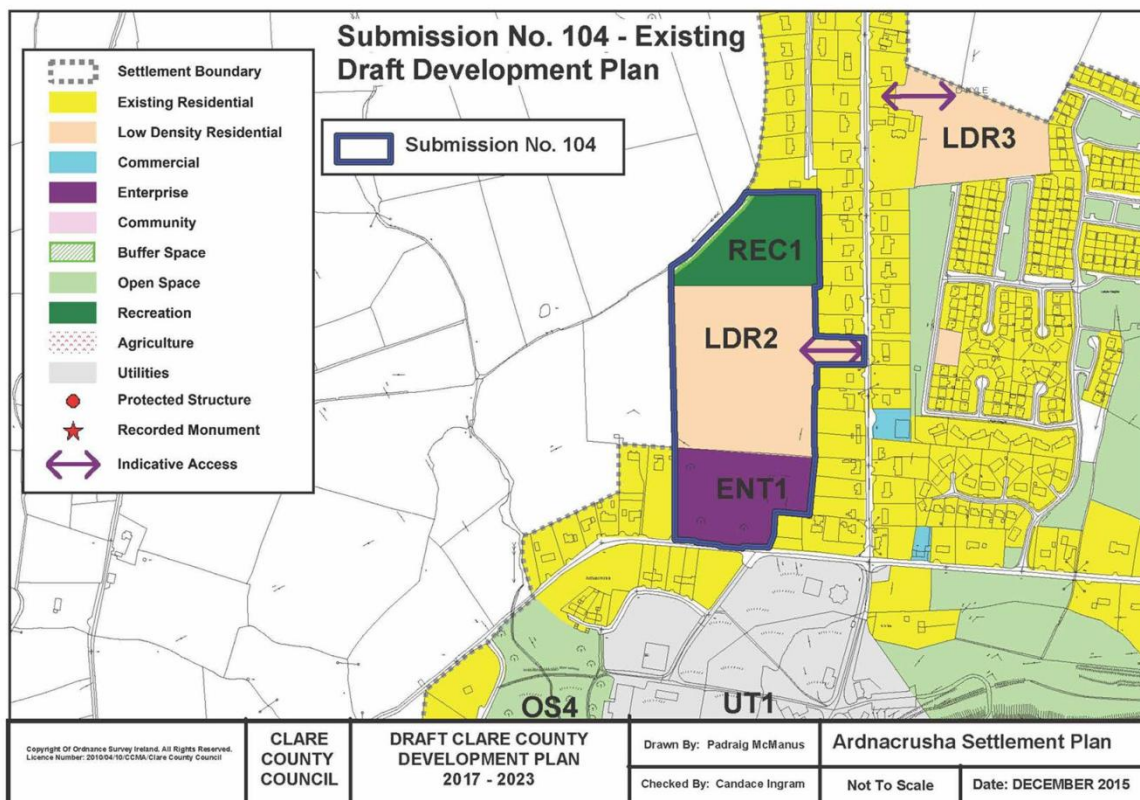
- Site ENT1 – change the southern half of the site to Mixed Use and the northern half to Low Density Residential

#### Volume 3(b), Ardnacrusha Settlement Plan, Site LDR2 – amend text as follows:

##### LDR2 Drummin

This flat site is located at the western boundary of the village and lies north of Ardnacrusha Power Station. It is located adjacent to ~~enterprise-zoned~~ mixed use lands to the south (~~ENT1~~) and recreation zoned lands to the north (REC1). The site is considered suitable in principle for a low density scheme of houses. Existing trees on the western boundary shall be retained and a tree survey of the entire site submitted with any planning application. The residential amenities of the dwellings fronting onto the public road should be preserved and, to this end, consideration should be given to accommodating public open space requirements in this area. This site also contains Wet Grassland Habitat and is adjacent to the North Ballycannon River. Any development on this site will need to ensure the protection of the aquatic environment and all associated habitats and species of importance.

The Mixed Use lands to the south of LDR have been zoned to provide services and amenities for current and future residents of the village. LDR2 and the Mixed Use site must be developed concurrently.



## **Ref. 105 David McInerney**

*Key Words: Policy, Ennis, Housing*

### **Summary of the Issues raised in the Submission**

This submission raised a number of issues in relation to the Draft Plan. It is submitted that:

- The Housing Strategy is out-of-date and inaccurate and needs to be updated.
- The document needs to be more user-friendly with less terminology and repetition of information.
- Ennis is currently under-developed. The Draft Plan does not allow for adequate growth in the Ennis area and as a result people will move outside of town to build one-off houses.

This submission refers to a site in Ballybeg and states that the lands are currently zoned residential and the value of the property will change significantly if the zoning changes. It is requested that the lands be zoned either Residential or Commercial and indicates that he is interested in developing the lands for social housing.

The submission concluded by querying if there is consultation with the Councillors or the public in relation to the Draft Plan.

### **Chief Executive's Response**

I wish to thank Mr. McInerney for this submission. In relation to the Housing Strategy, the preparation of a new Housing Strategy is a regional-level issue. The Council will revisit the Housing Strategy during the lifetime of the County Development Plan, when the National Planning Framework and Regional Social and Economic Strategy are in place.

Every effort has been made to ensure that that County Development Plan is a user-friendly as possible. Terminology has been kept to a minimum and a Glossary of Terms is included to ensure that, where it is used, it can be fully understood by all users.

The extent of land zoned in the Ennis settlement area is determined by the Core Strategy which is set out in Volume 1 of the Draft Plan. The Core Strategy ensures that adequate land is zoned in each settlement to provide for the target level of population growth, having regard to key issues such as available physical and social infrastructure. I am satisfied that the amount of lands zoned for residential use in the Draft Plan can accommodate growth in the Ennis area throughout the lifetime of the Plan.

I note that the subject site is located in Ballybeg area of Ennis. The aim of the settlement strategy for Ennis is to ensure that future development takes place in a balanced and plan-led manner throughout the Ennis and Environs area and it will guide where, when and how new residential development in Ennis and Clarecastle should take place in a manner, scale and form that is appropriate to the local characteristics of each area. The site is at a distance from the core areas of Ennis and Clarecastle and is not located in an area identified for growth during the lifetime of the Plan. I further note that a significant portion of the subject site directly adjoins the N85. Some of these lands are no more than 30 meters in depth and are located in an area identified as having high noise levels in the Clare Noise Action Plan 2013. Residential use in this area would result in a very poor level of amenity for future occupants. In terms of commercial uses, it is not desirable to progress commercial development in peripheral locations where they may detract from the vibrancy of Ennis town centre or the designated neighbourhoods.

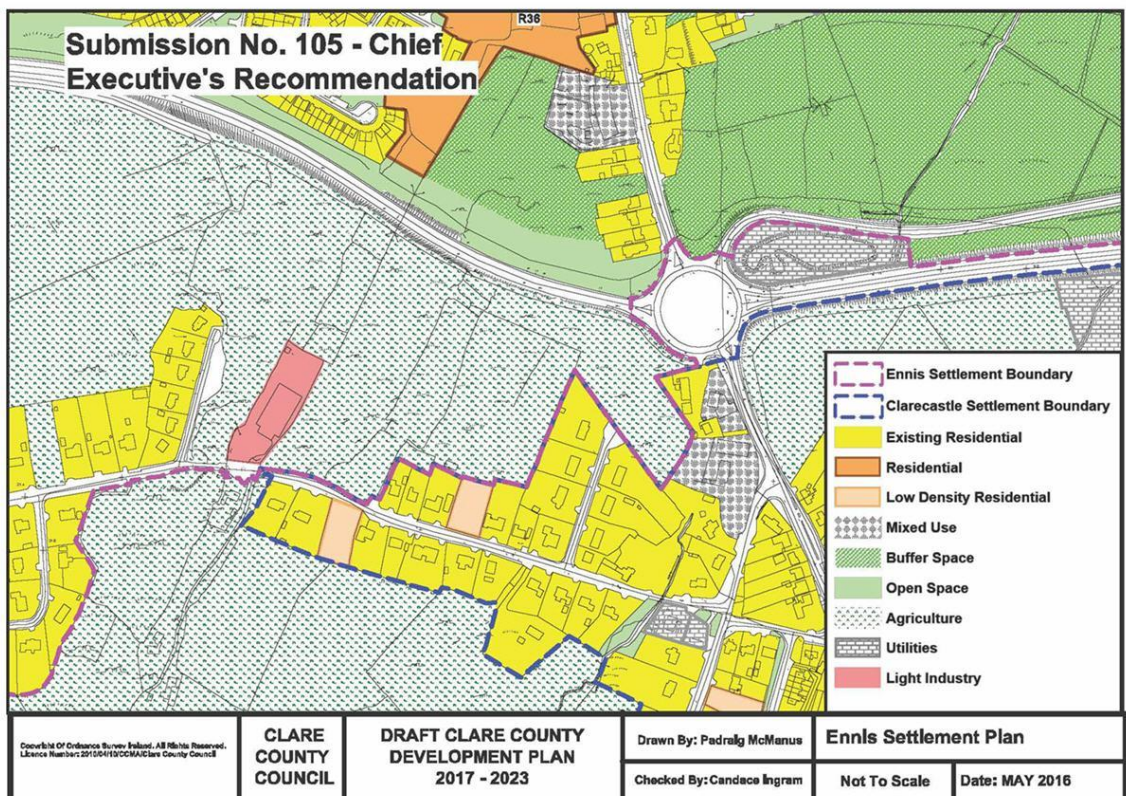
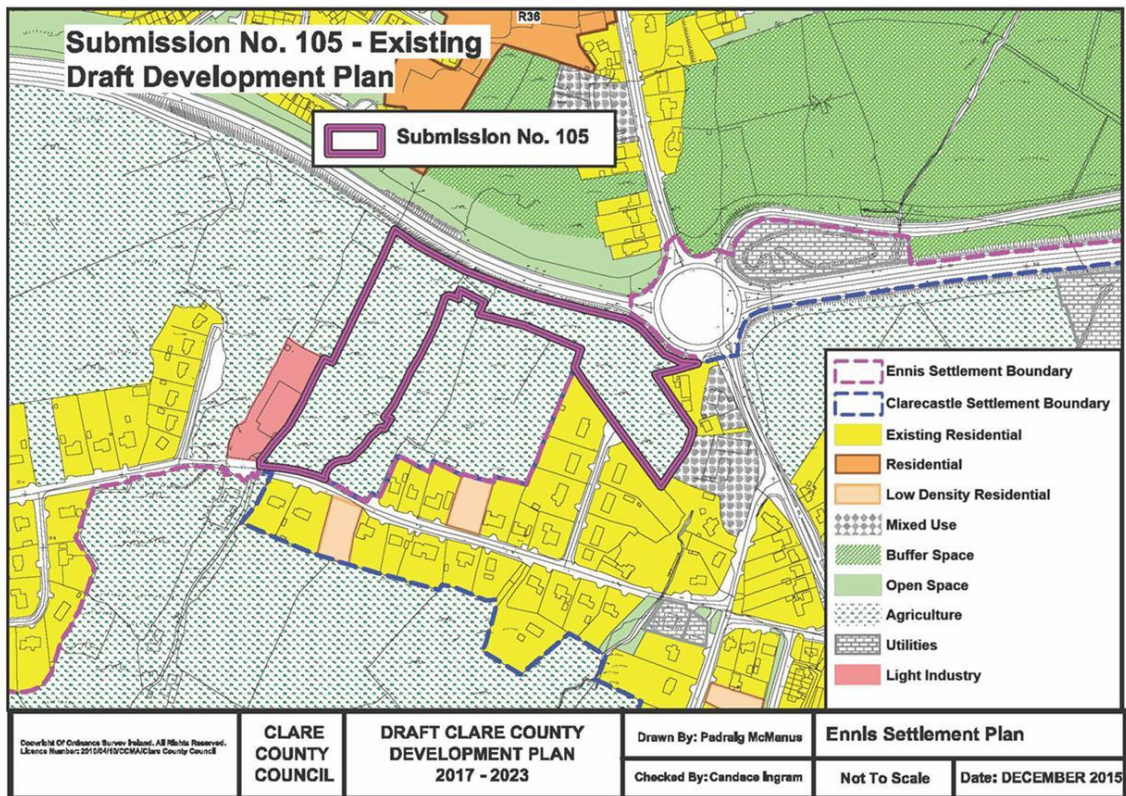
Having considered all of these issues I do not therefore consider it to be in the interest of the proper planning and sustainable development of the plan area to zone these lands for residential or commercial development.

In relation to the issue of consultation, I can confirm that extensive consultation has taken place with both the public and the Elected Members throughout the development plan process to date and will continue throughout the entirety of the process.

### **Chief Executive's Recommendation**

I recommend that no amendments are made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission.





## **Ref. 106 Hassett Leydon & Associates on behalf Mr. Patrick Quinn, Banner Steel and Geary's Farm Machinery**

*Key Words: Clarecastle*

### **Summary of the Issues Raised in the Submission**

This submission relates to lands in the Lissane West Td area which are outside the Ennis Settlement Plan of Ennis Municipal District. There is a request to extend the proposed Ennis Settlement boundary to include the Lissane West lands and to zone these lands Commercial which will reflect the existing development on site and allow for future consolidation of the commercial activities at Lissane.

The submission sets out the planning history of the site and indicates that there are currently 28 people employed on the site.

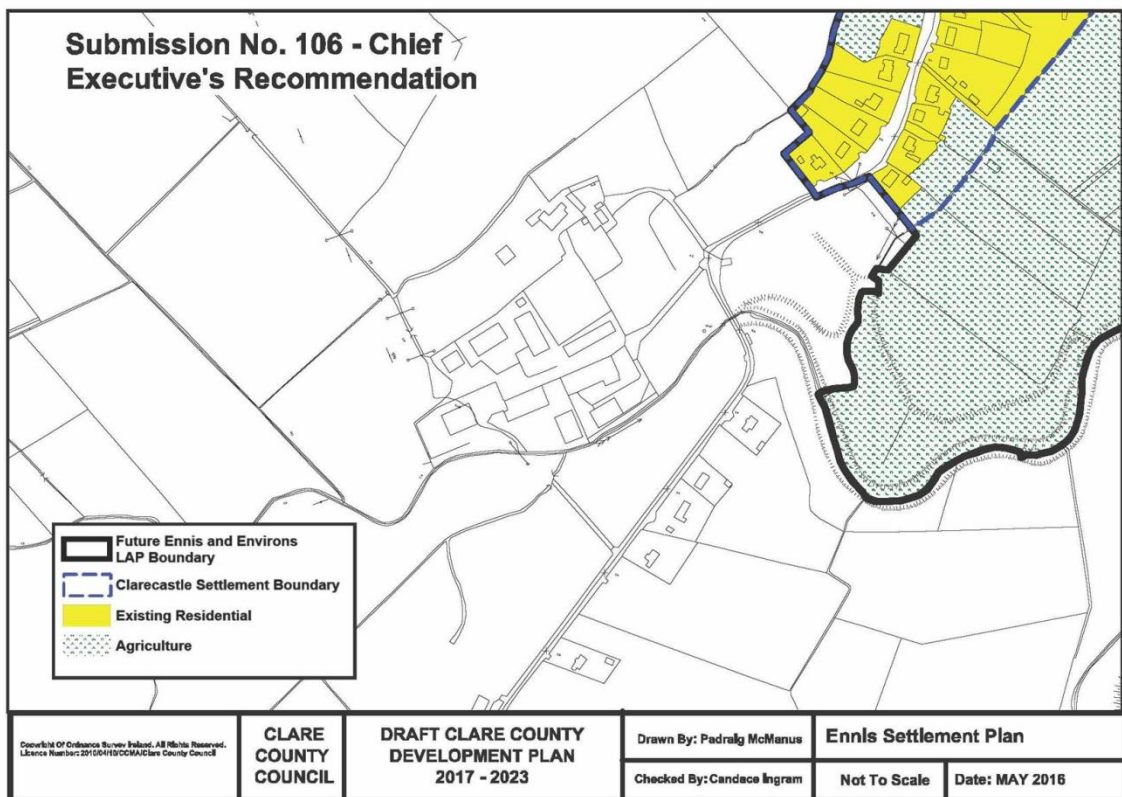
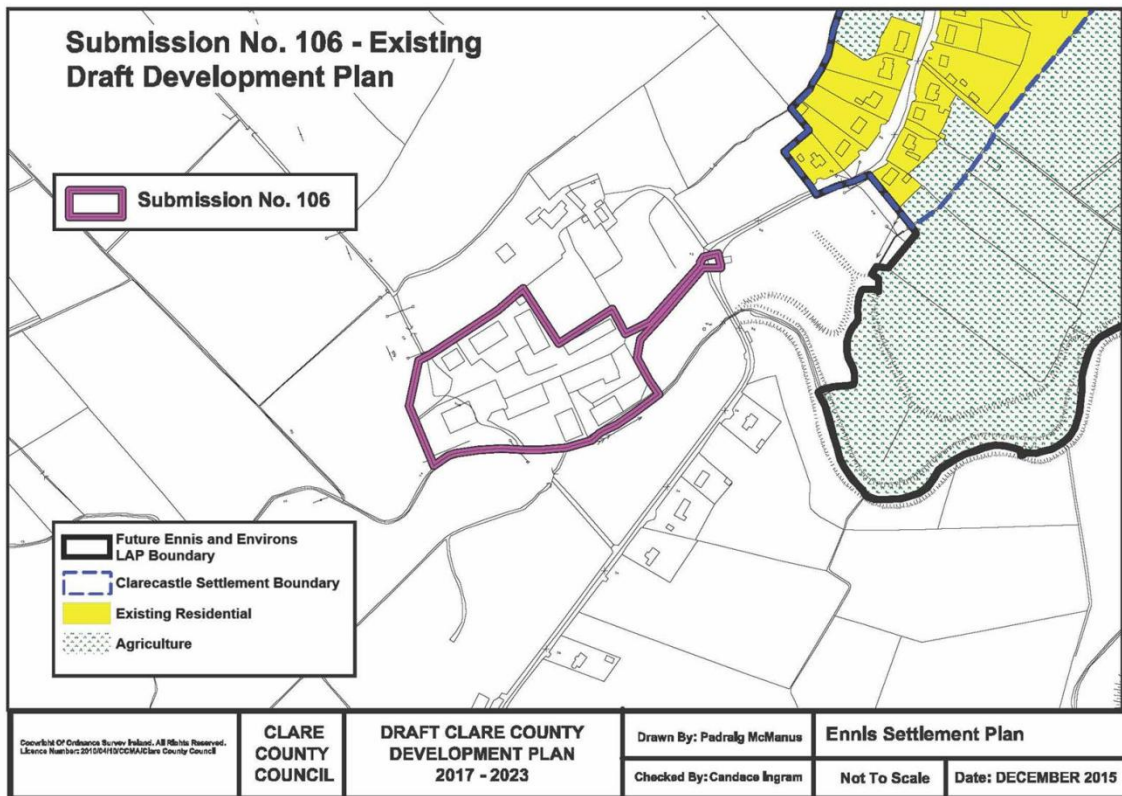
### **Chief Executive's Response**

I acknowledge the request contained in this submission and I note the important contribution that businesses in Lissane are making to local employment and the economy in the Clarecastle area. However, having regard to the location of the site in Flood Zone A, the planning history of the site which indicates that developments on the site have not been impeded by a lack of land-use zoning in the area and the policies and objectives contained in the Draft Plan to support enterprise and economic development in rural areas, I do not consider it necessary or desirable to extend the settlement boundary over 500 meters further south to incorporate the subject site.

### **Chief Executive's Recommendation**

I recommend that no amendments are made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission/





## **Ref. 107 Patrick McInerney**

*Keywords: Ennis*

### **Summary of the Issues Raised in the Submission**

This submission relates to lands abounding the N85 in the Clonroadmore area of the Ennis Settlement Plan of Ennis Municipal District. Mr McInerney requests that the proposal to zone his lands Open Space be changed to Residential or Low Density Residential which would allow for development of the site and provide residentially zoned land adjacent to existing housing.

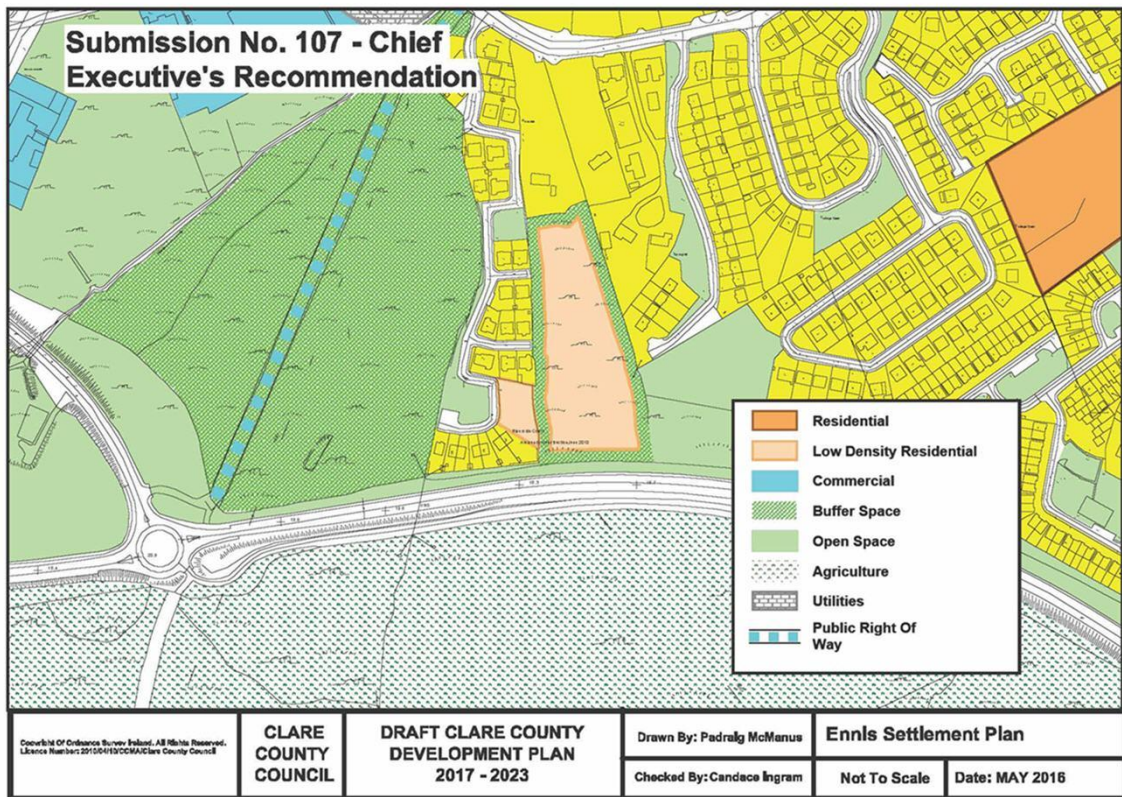
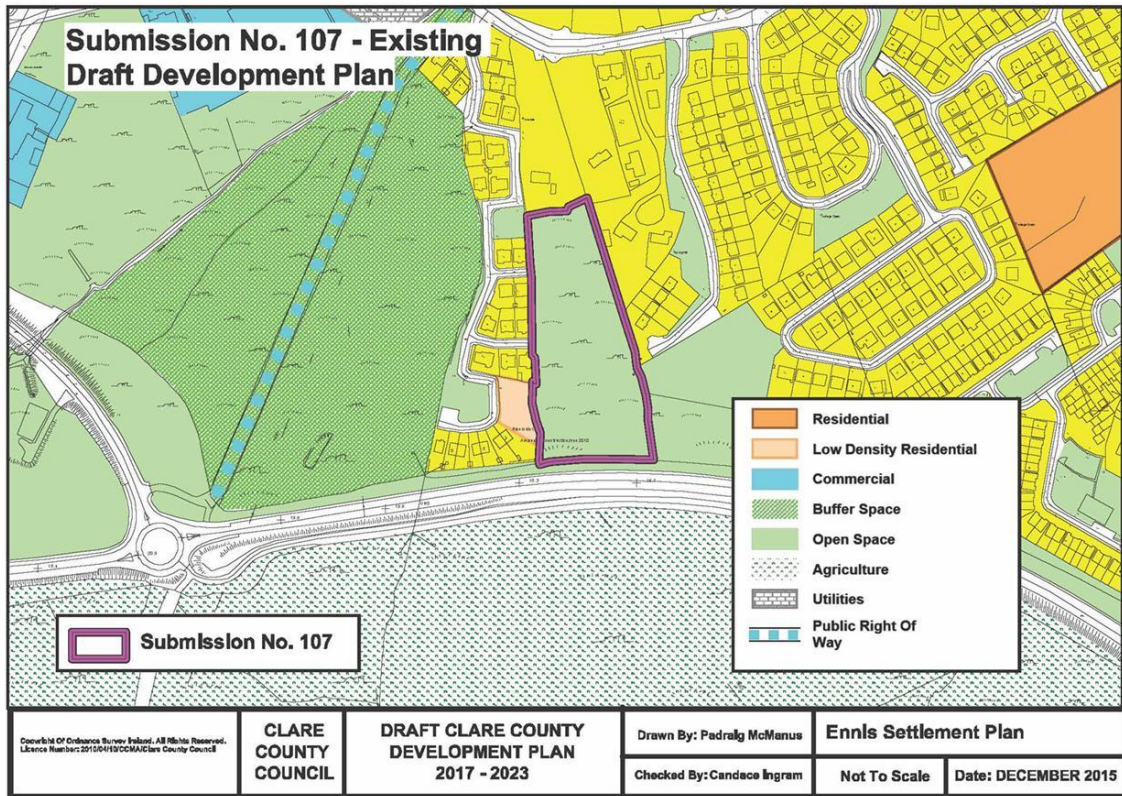
### **Chief Executive's Response**

Having regard to the core strategy and pattern of development in the area I agree that it would be in the interests of proper planning to zone this land for low density residential use, with a buffer section of open space along the N85. In addition, I recommend that a buffer section is provided for along the Eastern and Western site boundaries in order to protect the existing scrub on site. The issue of access would be addressed at Development Management stage.

### **Chief Executive's Recommendation**

I recommend that the zoning as proposed in the Draft Clare County Development Plan 2017-2023 be amended from Open Space to Low Density Residential, incorporating a buffer around the perimeter of the site on the basis of this submission.





## Ref. 108 HRA Planning on behalf of Clare Marts Ltd

*Key Words; Ennis*

### Summary of the Issues Raised in the Submission

This submission outlines the concerns of Clare Marts regarding the content and objectives of the Draft CDP insofar as the landuse zoning and development objectives have been applied to their property on the Quin Road. It is considered that that the proposed landuse zoning and development objectives for the Clare Marts property as set out in the Draft CDP fail to sufficiently accommodate and provide for the sustainable expansion of existing and compatible landuse activities established by Clare Marts Ltd., at their Quin Road property. It is further submitted that the Draft CDP is likely to create an anti-competitive environment due to the lack of clarity and interpretation in plan provisions and site specific development objectives, particularly when read in conjunction with Volume 10(b)(i) of the Draft CDP namely the Strategic Environmental Assessment and Volume 10(c) Strategic Flood Risk Assessment. Clare Marts Ltd. contest that this approach is inconsistent with good practice and the legislative provisions governing the plan making process. Clare Marts Ltd. submit that there is sufficient and material grounds to suggest that the Draft CDP objectives will not be achieved on their property during the lifetime of this plan and that there are other more appropriate development objectives that should be expressly identified for this site and supported in the Draft CDP.

Clare Marts Ltd. do not have any plans to relocate their activities to an alternative site, or as suggested in Volume 10(b)(i) to an alternative agricultural site. Clare Marts Ltd. request that they can continue to operate and expand their existing activity and associated related uses on the site. To facilitate such growth and expansion they request that limited additional zoning be afforded to the land. Clare Marts Ltd. also consider that limited zoning is required on both sides of the distributor road, to the east and west, in order to facilitate its sustainable delivery in a cost efficient and pro-active manner.

The submission notes that the property now provides for four very separate land use development proposals which includes an: 'Open Space' land use zoning along the western and northern flank; a 'Buffer' zoning along the eastern and northern flank; a 'Commercial' zoning along the western boundary of the proposed infrastructure safeguard; with the remaining property being zoned for 'Mixed Use' purposes with an 'Opportunity Site' (OS15) zoning objective.

Clare Marts Ltd submit that the collective consideration of the draft land use zoning and development objectives applied to the Clare Mart property in the Draft CDP as they;

- Are unreflective and unresponsive to the current and continued use of the property by Clare Marts;
- Are likely to prejudice any future development/expansion proposals on this site for continuation or diversification of the Mart operations;
- Would present contradiction and gross uncertainty for potential investors; and
- Would, through the identification of a preferred specific use and user; inadvertently interfere with free market competition and would depreciate the value of the property beyond normal plan making procedures.

Specifically they request:

- All future references to the relocation of Cusack Park to the subject site is deleted from the Draft CDP
- Proposed open space zoning on the western extremity of the land be replaced with a mixed use zoning to facilitate the continued operation and future expansion of Clare Marts and associated uses.
- That limited commercial zoning be provided on the eastern boundary of the proposed infrastructure safeguard commensurate with the existing commercial zoning on the western boundary, such that part of the new road could be provided as commercial development if permitted.

Having regard to the material considerations as identified in previous sections and that apply to the Clare Mart property including inter alia:

- The established commercial use and activities of the property;

- Its location within an established commercial and light industrial area;
- Its location adjacent to and within 400m of the defined town centre;
- Its accessibility by road and public transport; and
- The carrying capacity to accommodate additional commercial floorspace at this location and where/if required, that could satisfy in principle, the National Retail Planning guidelines

Clare Marts Ltd request that the Draft CDP is revised to clearly and articulately take the revised zoning objectives as contained in Figure 2.0 into account. Specifically Figure 2.0 seeks that:

- Open space zoning is changed to mixed use zoning; and
- Land adjoining the infrastructure safeguard on its eastern boundary is appropriately rezoned from a buffer area to commercial zoning.

Clare Marts Ltd reaffirms that they see no material planning rationale for designating a substantial portion of the site for 'Open Space' other than for the purpose of delivering the Cusack park relocation plan, and that there are sufficient safeguards set out in the development management provisions to safeguard impacts on amenities and to provide flood risk management.

### **Chief Executive's Response**

I wish to thank Clare Marts Ltd. for its submission and respond as follows:

I would like to clarify at the outset that any zoning and/or designation proposed on the site subject of this submission does not restrict the current use of the site as a Mart. I consider the role of the County Development Plan 2017-2023 is to take a long-term view of the overall development of the settlement, taking account of anticipated future requirements for existing key land-uses, as well as the potential alternative land-uses should the specific sites become available at some point in the future. In this regard I am of the opinion that the supportive text to OP15 is not prescriptive but facilitates the development of a new stadium, should the need for a new stadium arise. It is clearly stipulated that any future development of the site will be dependent upon the relocation of the existing Mart.

With regard to the request for an extension of zoning for Mixed Use and Commercial uses I have reviewed the strategic flood risk assessment whereby it identifies the lands are located within Flood Zone A and that a Justification Test has been applied and passed which allowed for the zoning of the footprint of the existing development on the site within the Draft Plan in the event of the redevelopment of the site. I note the recent planning permission granted (15/293) for an extension to the hard-standing area to provide for an additional parking area, justified by the nature of its low vulnerability use within a flood risk area, which I consider should be included within the footprint of the Mart and be zoned Utilities accordingly. However, I consider that any extension of additional zonings for more vulnerable uses, including Mixed Use and Commercial, is not appropriate having regard to its location in Flood Zone A.

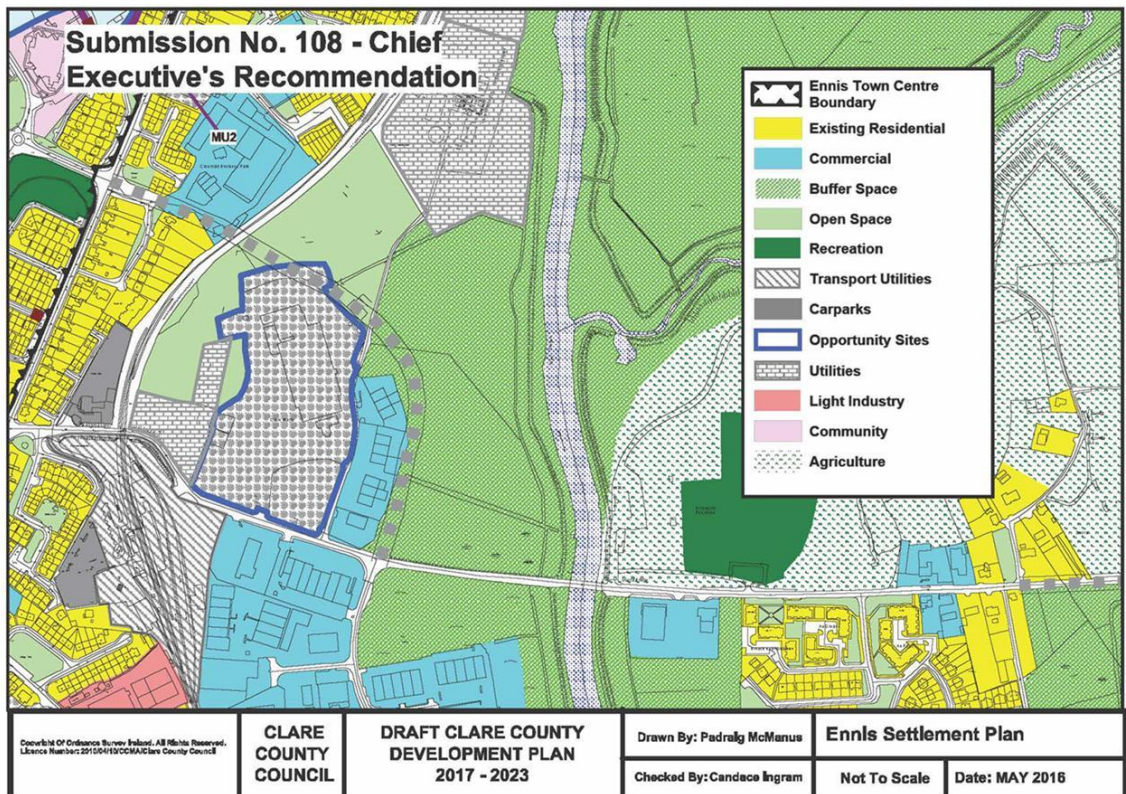
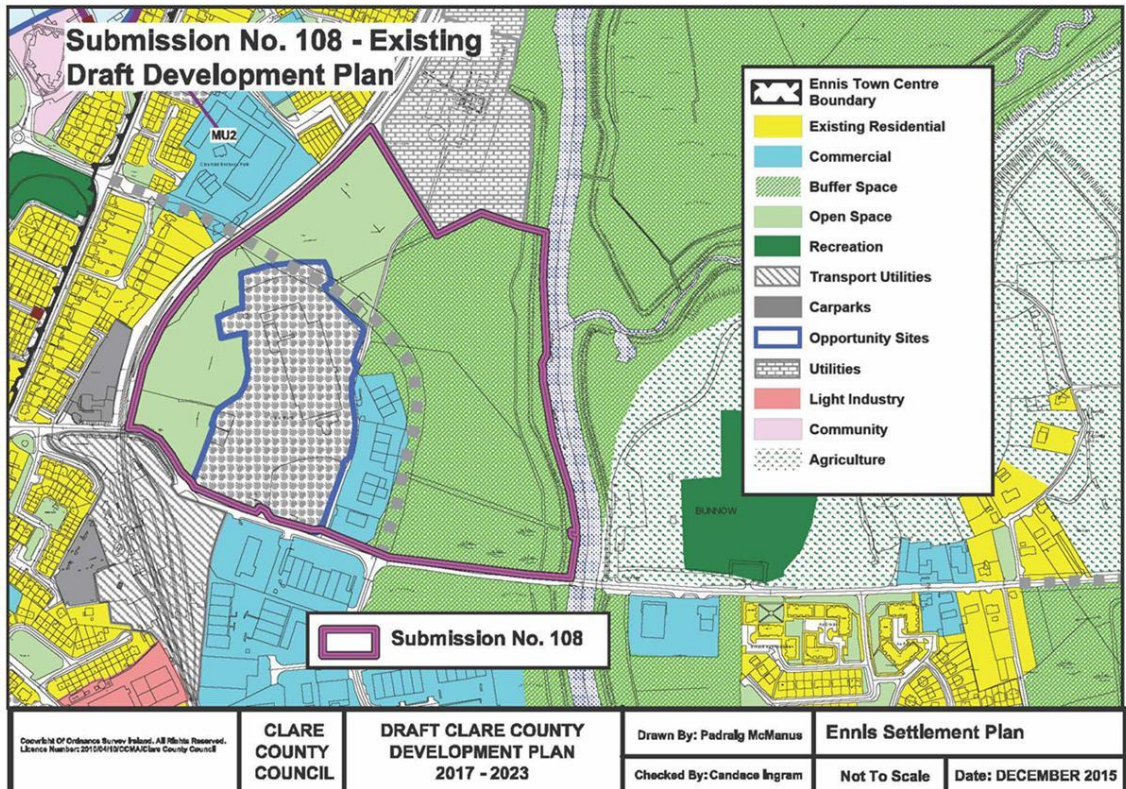
The infrastructure safeguard shown on the settlement map reflects the proposed link road from Clonroad to the Quin Road which is part of an overall traffic management plan for the town to improve permeability and ease of movement which I anticipate will be delivered in conjunction with any future development of the existing site of the Mart.

With respect to the comment relating to the absence of engagement and consultation I can confirm that public consultation was under-taken at both the pre-draft and draft stages of the plan preparation process. Consultation events for the Draft Clare County Development Plan 2017-2023 were held through-out the county during January of this year which concluded in Ennis on 1<sup>st</sup> February. These events were held during a period of statutory public consultation from 8<sup>th</sup> December 2015 to 29<sup>th</sup> February 2016 which was advertised in the local press, radio and consultation with both primary and secondary level schools. Moreover the fact that a lengthy and considered submission was made suggests that the consultation for the draft plan was successful.

### **Chief Executive's Recommendation**

I recommend that an amendment be made to the Ennis Settlement Map in the Draft Clare County Development Plan 2017-2023 from 'Open Space' to 'Utilites' to reflect the area subject of the planning permission granted to develop an extension to the existing hard-standing for an additional car-park for the Mart, Ennis.





## **Ref. 109 Alex Russell Associates on behalf of Client**

*Key Words: Lahinch*

### **Summary of the Issues Raised in the Submission**

This submission relates to lands in the Station Road area of the Lahinch Settlement Plan in the West Clare Municipal District. Mr Russell requests that the parcel of land in his client's landholding which is currently zoned Agriculture is rezoned Residential. He submits that this site could or would not ever be used for agricultural purposes given that it is abounded by lands zoned Existing Residential to the north and east, Tourism to the south and west and Low Density Residential partially to the east.

### **Chief Executive's Response**

I thank Mr. Russell for his submission the contents of which are noted and I wish to respond as follows:

I have examined the subject site, which is 0.39ha in area, which is currently zoned Agricultural. I note that planning permission was granted for a residential development on this site in 2007 (now expired). Having regard to the setting on the site and the Planning history in the area, I am of the opinion that a change to Residential zoning is appropriate. Whilst this is a confined site and there are certain constraints in the area, it is fully-serviced and I am satisfied that some form of residential development could be accommodated here, subject to planning permission.

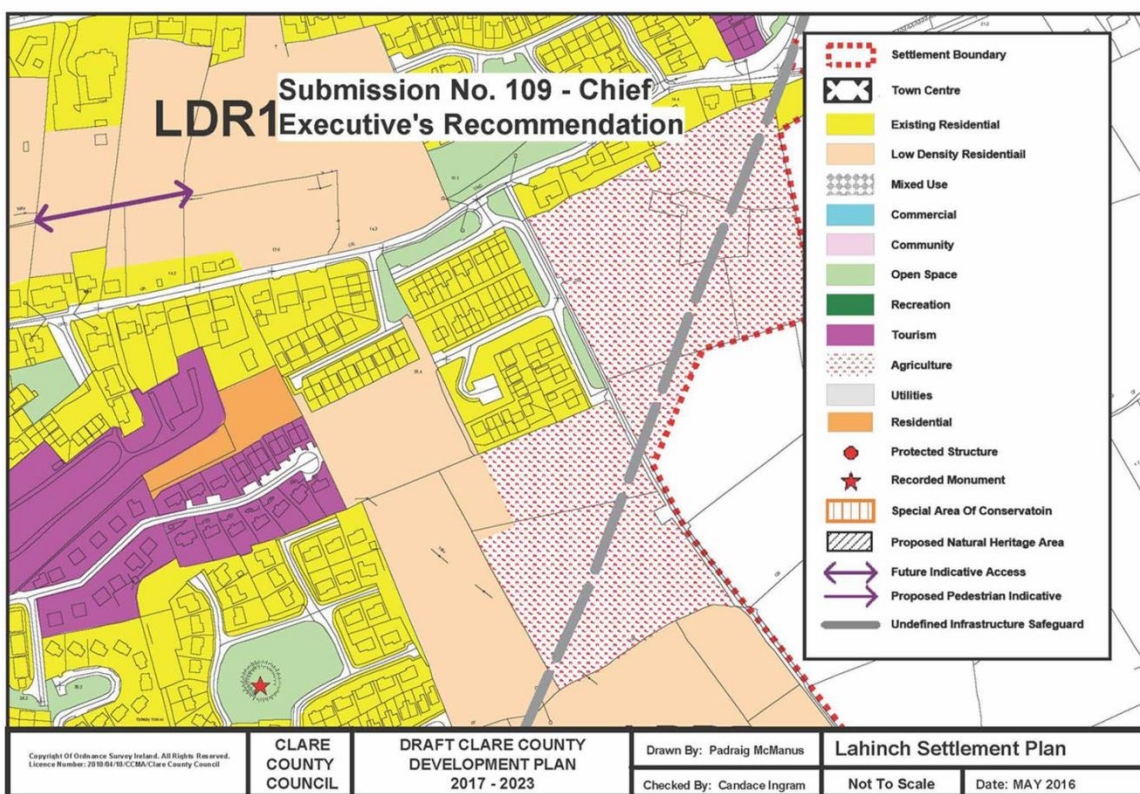
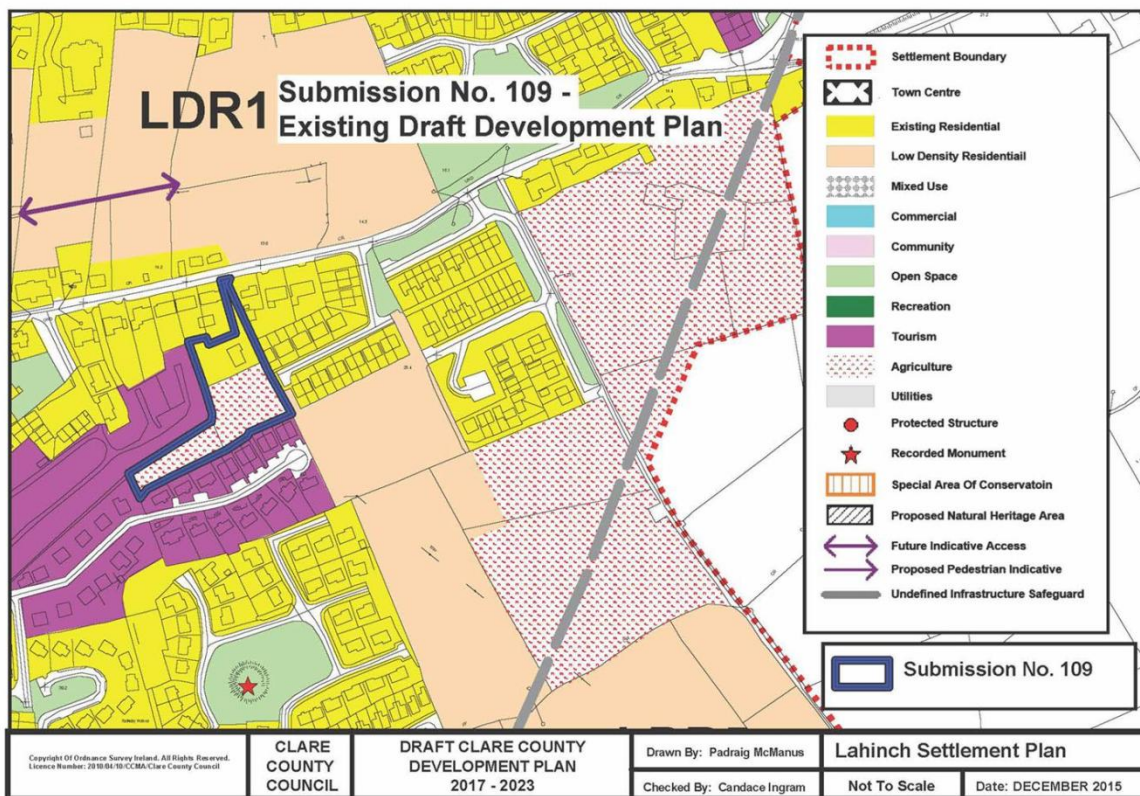
### **Chief Executive's Recommendation**

I recommend the following amendment to the Draft Clare County Development Plan 2017-2023 on the basis of this submission:

Volume 3(d) – Lahinch Settlement Plan

Amend zoning map to change the zoning on Mr. Russell's site from Agriculture to Residential.





## **Ref. 110 Miriam Hynes**

*Keywords: Bellharbour*

### **Summary of the Issues Raised in the Submission**

This submission relates to lands to the north-east of the boundary of Bellharbour Settlement Plan of Killaloe Municipal District. Mrs. Hynes lands are currently un-zoned and she is requesting that they be included in any changes to the Bellharbour village plans.

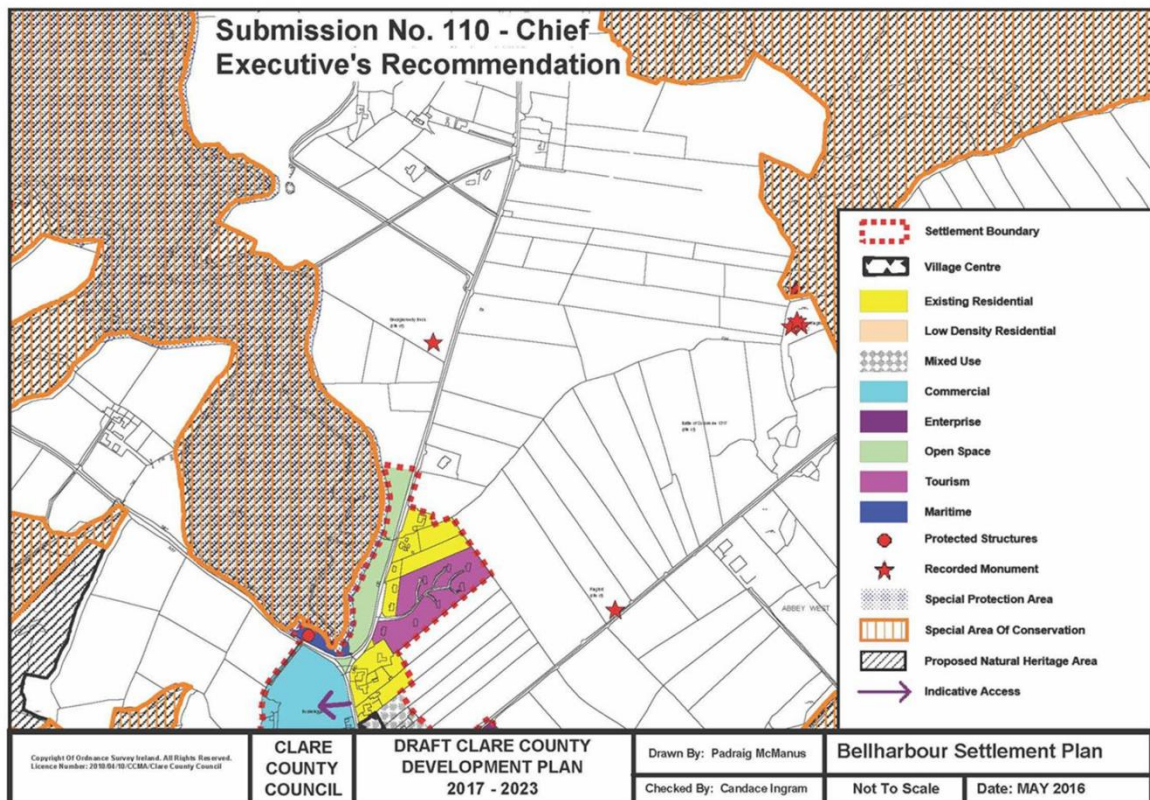
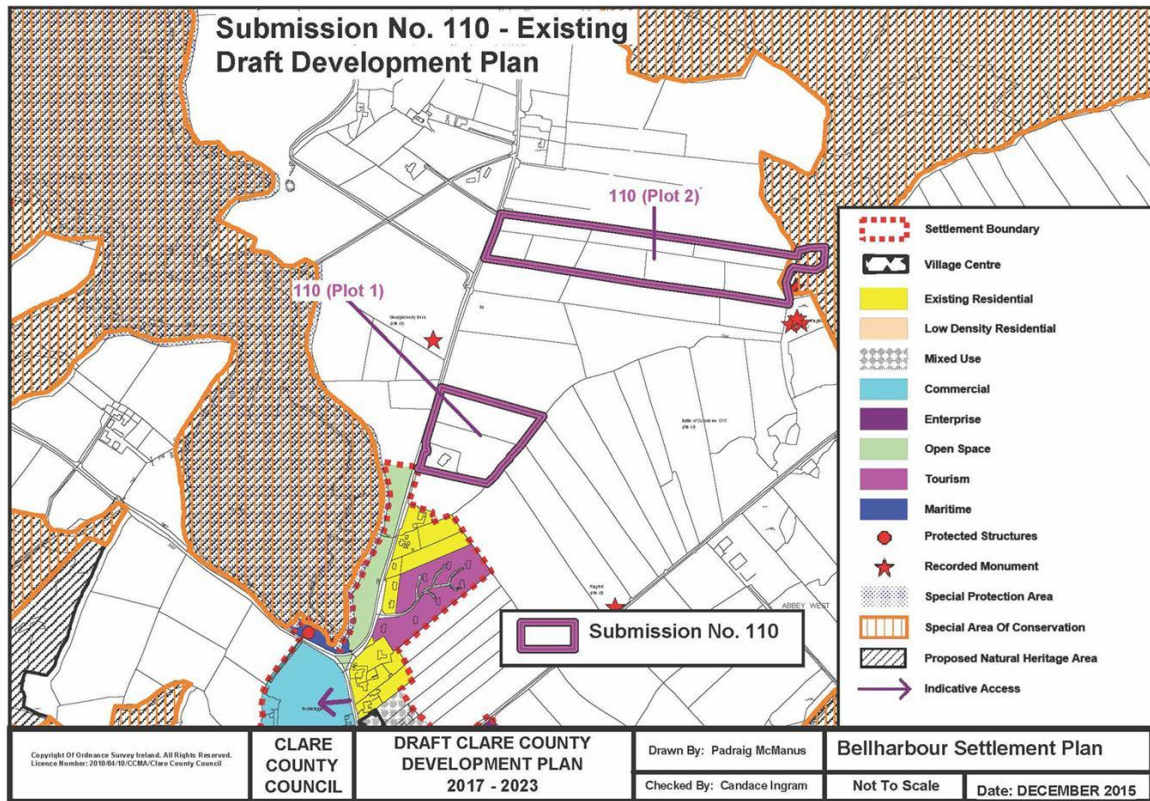
### **Chief Executive's Response**

I thank Mrs. Hynes for her submission in relation to two parcels of land outside Bellharbour totalling in excess of 5 Hectares. The two parcels are on the Eastern side of the N67 which runs along northern coast of Clare to Galway. Mrs. Hynes does not state what type of zoning she has in mind however since the settlement already contains sufficient LDR (4.9Ha) and a significant Mixed Use and Enterprise zoning, there is no requirement to extend the settlement. In addition, the zoning of isolated parcels of land would not be consistent with sustainable planning and development.

### **Chief Executive's Recommendation**

I recommend that no amendments are made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission.





## **Ref. 111 Dom O' Riordan on behalf of the De Courcy Family**

*Keywords: Athlunkard*

### **Summary of the Issues Raised in the Submission**

This submission relates to lands at Knockballynameath in the Athlunkard Settlement Plan of Shannon Municipal District. The De Courcy family is satisfied that these lands have been zoned Residential and submit that the entire site needs to be developed for housing and a mix of uses.

### **Chief Executive's Response**

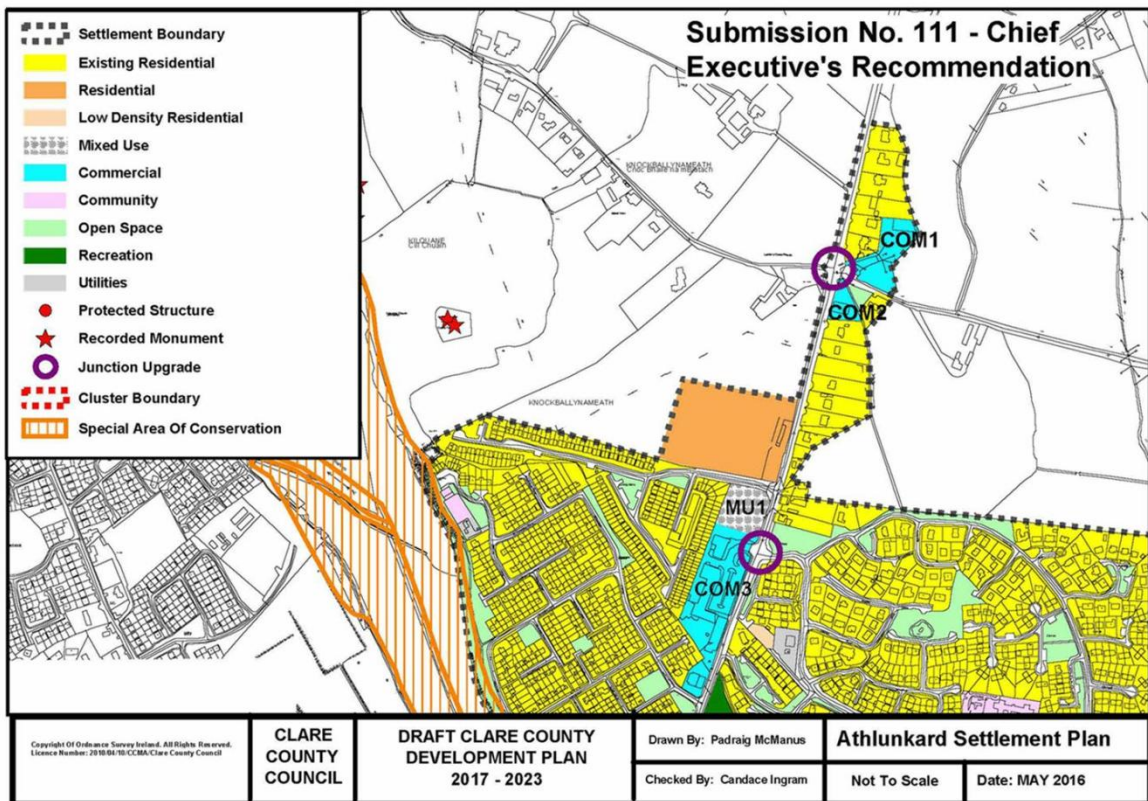
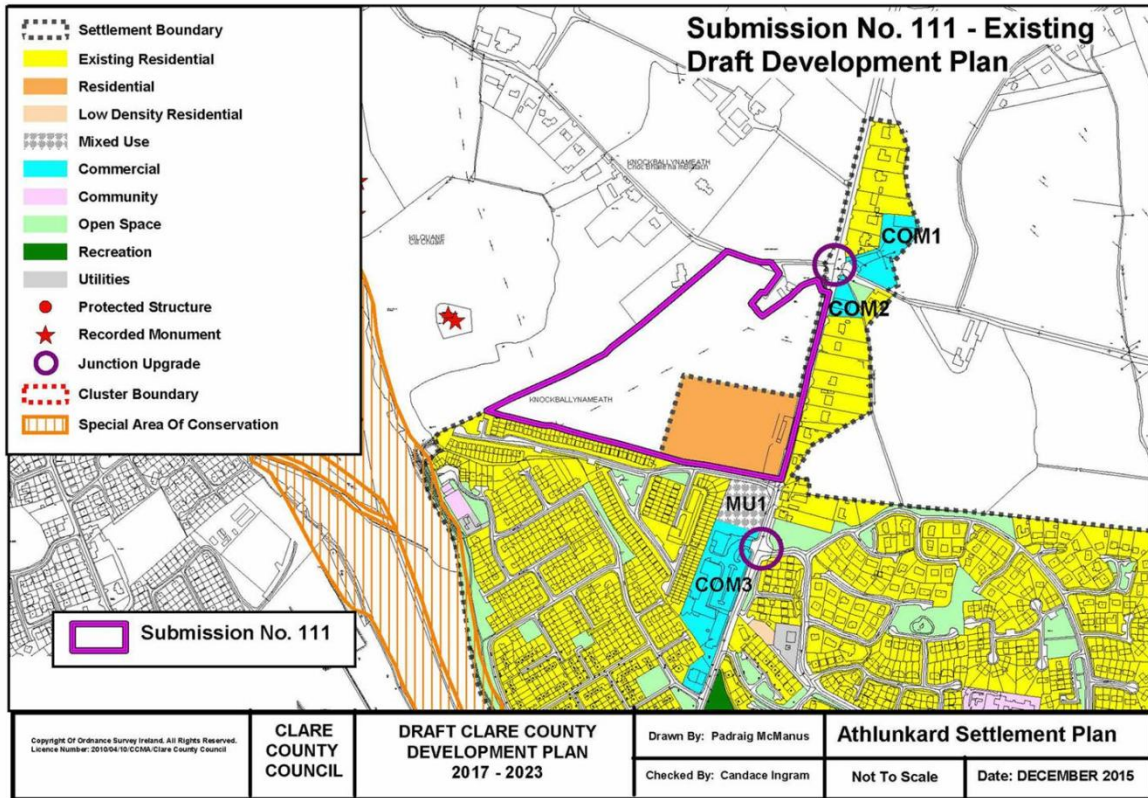
I thank the De Courcy family for their submission, the content of which is acknowledged.

The quantum of land zoned for residential use within all settlements is in accordance with the Core Strategy as set out in Chapter 2, Volume 1 of the Draft Clare County Development Plan 2017-2023. The quantum required for Athlunkard is identified as 7.2ha and this has already been provided in the settlement, including 2.45ha. of the De Courcy family land. To exceed the quantum by zoning additional lands would be contrary to the proper planning and sustainable development of Athlunkard.

### **Chief Executive's Recommendation**

I recommend that no amendments are made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission.





## **Ref. 112 to Ref. 114 (inclusive)**

*Key Words: Quin*

Ref. 112 Michael & Orla Burns

Ref. 113 Seamus Breheny

Ref. 114 Eileen Liddy

### **Summary of the Issues Raised in the Submission**

These submissions relate to the zoning of land in Quin settlement for Enterprise use. The objections are based on the following points:

- Enterprise use is incompatible with the Economic Development objective: *To continue to promote tourism and tourist activity within the village whilst being sensitive to its existing character and environment.*
- Enterprise use is incompatible with the text in Housing and Sustainable Communities: *In addition, future challenges centre on infrastructural limitations, access problems, traffic congestion along Main Street, road safety and ensuring that the traditional character of the village continues to be retained.*
- High speed broadband is not available.
- The wastewater treatment plant is at capacity and cannot sustain a development of this nature
- Existing roads are incapable of carrying heavy traffic

### **Chief Executive's Response**

I wish to thank the residents of the Quin area for their submissions and I wish to respond as follows:

The subject site was zoned for enterprise use with a view to providing space for small-scale business and enterprise development such as incubator units, craft centres/workshops, small-scale manufacturing, local digital/technology businesses and other such developments that could provide employment opportunities for local residents. It was also considered appropriate to zone lands for Enterprise use in more rural towns and villages such as Quin to support the objectives of the CEDRA Report and to assist with Local Enterprise Office Clare's ambition to develop a network of digital hubs across the county, with two digital hubs in each Municipal District.

However, I note that widespread local opposition has been voiced to this zoning, with this submission forming one of many in relation to the site. Planning is an inherently democratic process and I consider it appropriate, given the level of opposition, to change the zoning on this site to Residential. I note that the draft CFRAM mapping shows, as integrated into Volume 10(c) Strategic Flood Risk Assessment of the Draft Plan, shows the entirety of the site to be within Flood Zone C. However there is evidence of pluvial flooding in this area. Therefore, a Stage 3 detailed Flood Risk Assessment will be required for any development proposals coming forward on these lands.

### **Chief Executive's Recommendation**

I refer to my recommendation in relation to Submissions Ref. 065 to 083 (inclusive) which relate to the same site in Quin village.



## **Ref. 115 Maurice and Shirley Glennon**

*Key Words: Liscannor*

### **Summary of the Issues Raised in the Submission**

This submission relates to lands located between LDR5 and LDR2 in the Liscannor Settlement Plan of West Clare Municipal District. The Glennons are requesting that a plot of their land to the rear of their guesthouse which is currently zoned Existing Residential be re-zoned to Low Density Residential. They further submit that such re-zoning would also facilitate access to a local road and not through an already built up established holiday home development.

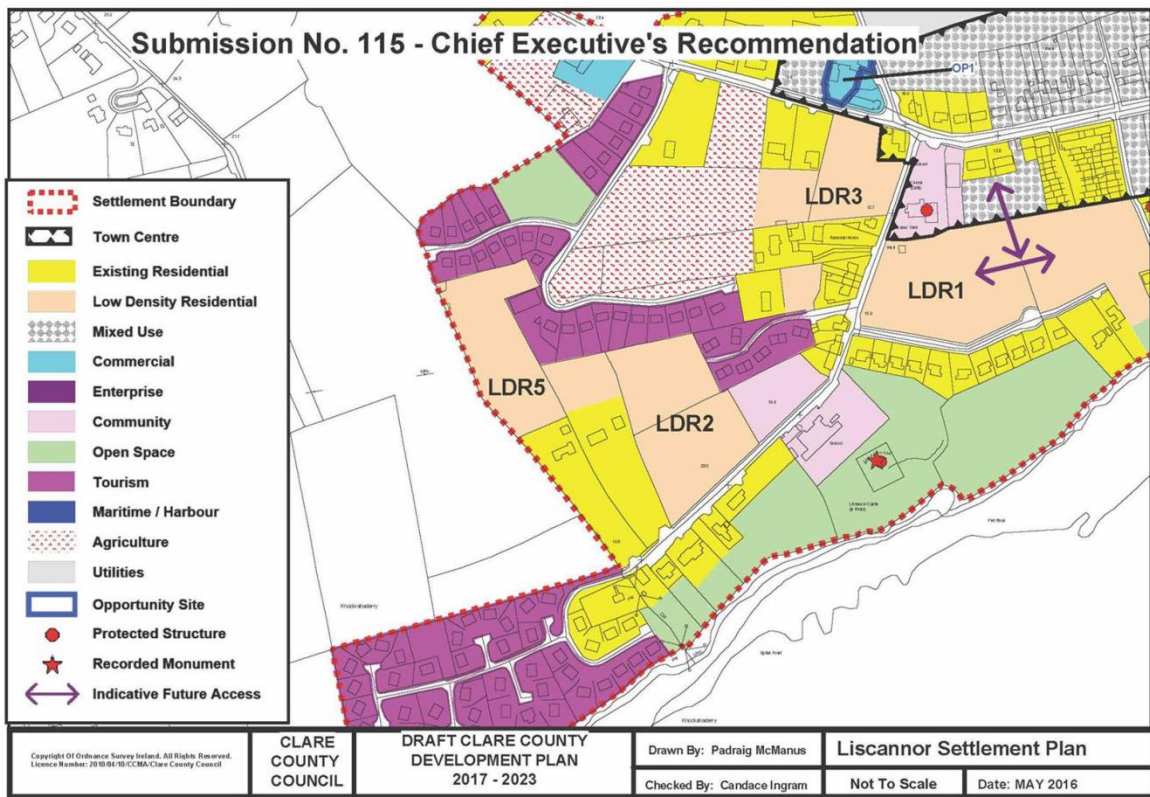
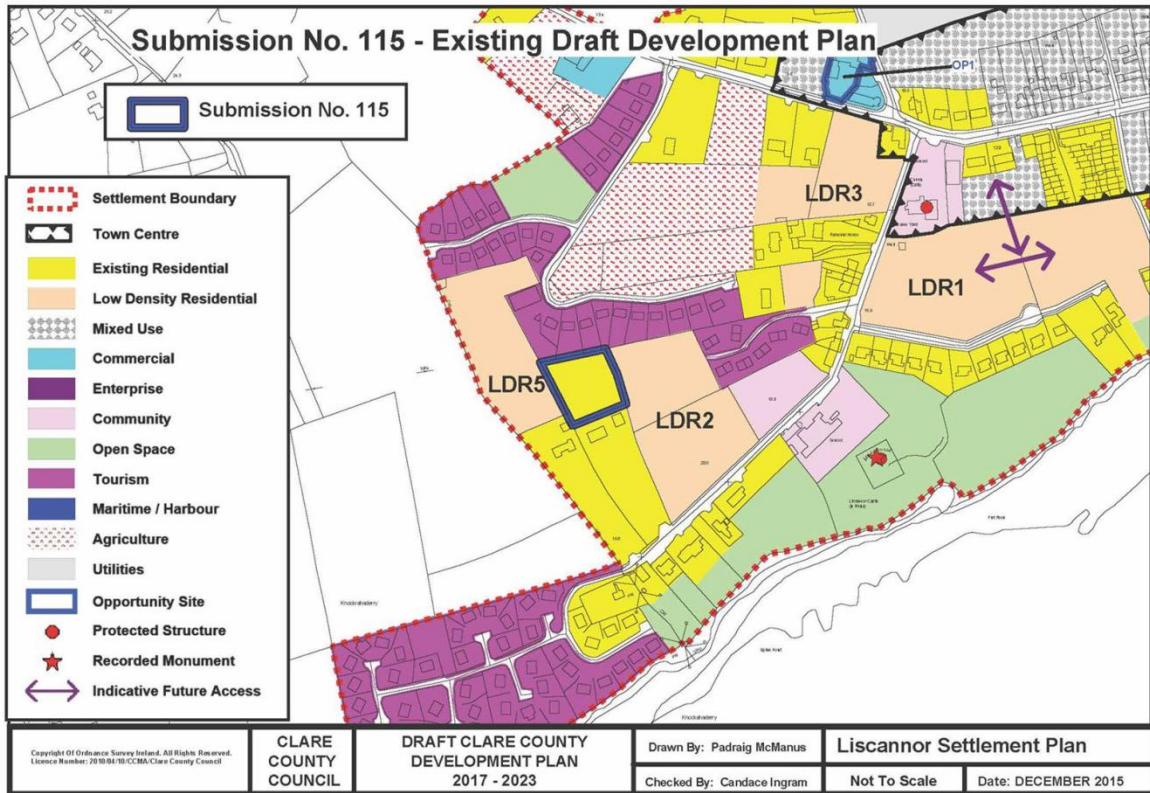
### **Chief Executive's Response**

I thank Maurice and Shirley Glennon for their submission the content of which is acknowledged and I respond as follows:

I note that the plot of land behind the guesthouse is located between LDR5 and LDR2 and that while this plot is under your ownership it is separate to the amenity of the guesthouse and divided by a boundary wall. I can see merit in the proposal to rezone a portion of the Existing Residential land to Low Density Residential since such zoning would facilitate options for the development of LDR2 and LDR5 in the event that co-ordinated development proposals came forward for these sites. I agree that it would also facilitate access to a local road and avoid access through an already built up, established holiday home development. Such a proposal may not be favoured by the residents of that estate. I propose a somewhat smaller portion of land (.29 Ha) which will not materially affect the quantum of land required by the Core Strategy.

### **Chief Executive's Recommendation**

I recommend that the zoning as proposed in the Draft Clare County Development Plan 2017-2023 be amended from Existing Residential to Low Density Residential on the basis of this submission.



## **Ref. 116 Michael O'Loughlin**

*Key Words: Ennis, Flooding*

### **Summary of the Issues Raised in the Submission**

This submission relates to lands off the Cusack Road in the Ennis Municipal District. The submission supports the zoning of the land as Low Density Residential and requests that the zoned areas be extended to include the areas of the access driveway from the public road to the areas zoned. It also requests that the zoned area be removed from the recorded flood and flood risk areas as Mr. O'Loughlin submits that these areas have never flooded.

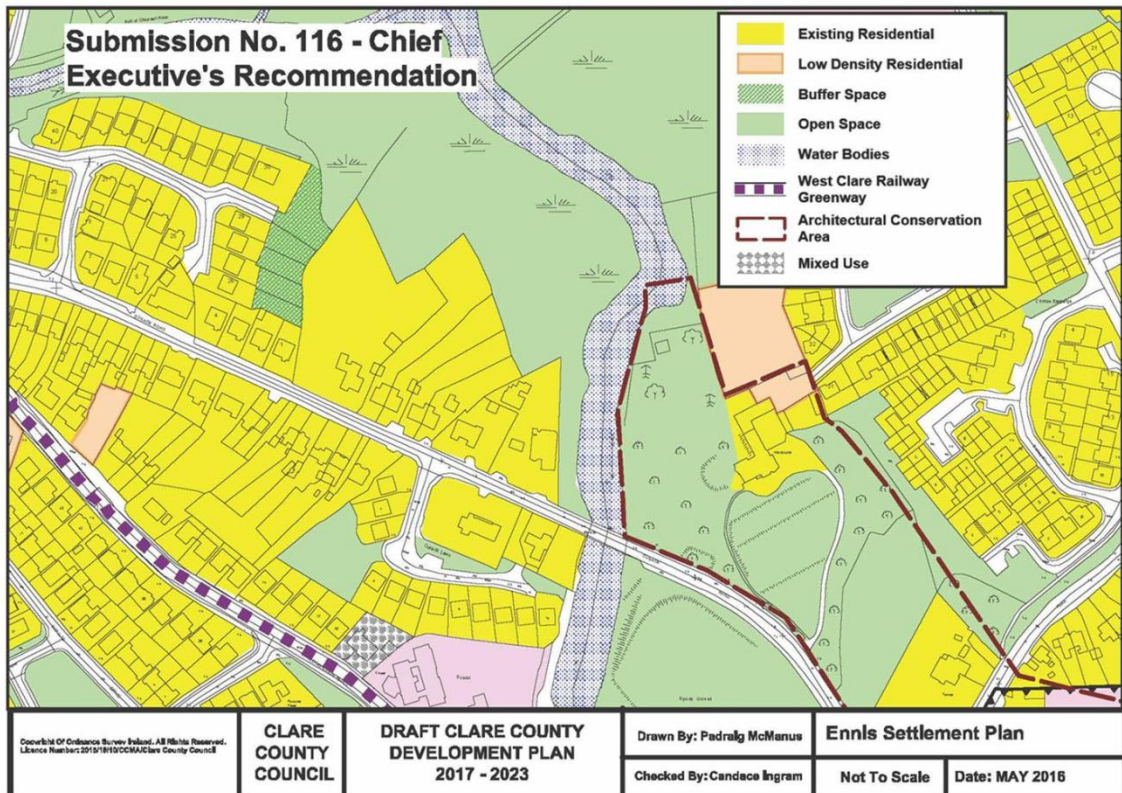
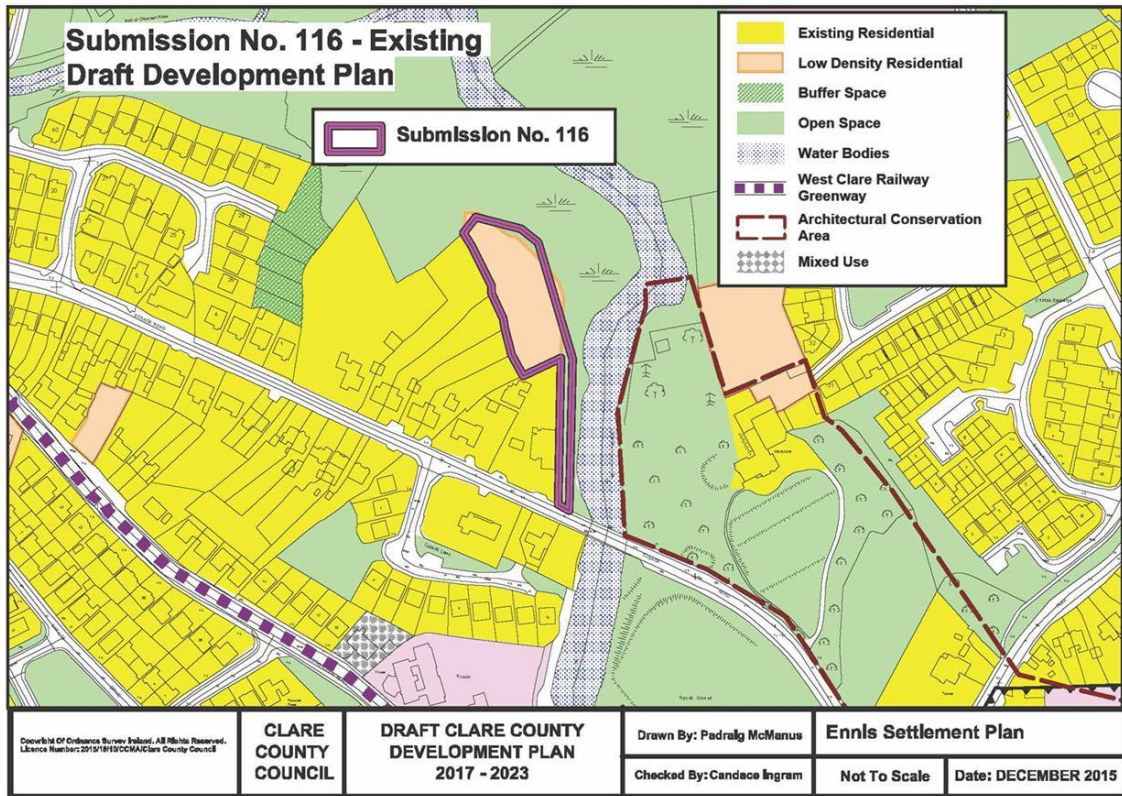
### **Chief Executive's Response**

I thank Mr. O' Loughlin for his submission and I note his support for the Low Density Residential zoning that was shown on this site in the Draft Clare County Development Plan 2017-2023. In this regard I refer also to the issues raised in Submission 035 and my recommendation in relation to that submission. Having regard to the location of the site to the rear of existing houses and the issues regarding vehicular access, adverse impact on residential amenity, conflict with environmental objectives and concerns regarding flood risk, I consider that the zoning on the subject site should be changed from Low Density Residential to Open Space.

### **Chief Executive's Recommendation**

I recommend that the zoning on the subject site be changed from Low Density Residential to Open Space.







## **Ref. 117 Sean Treacy**

*Key Words: Spanish Point*

### **Summary of the Issues Raised in the Submission**

This submission relates to land located in Breaffa South abounding the Spanish Point Settlement Plan of West Clare Municipal District. Mr. Treacy is requesting that the settlement boundary is extended to include this site to safeguard it for future residential development for a family member.

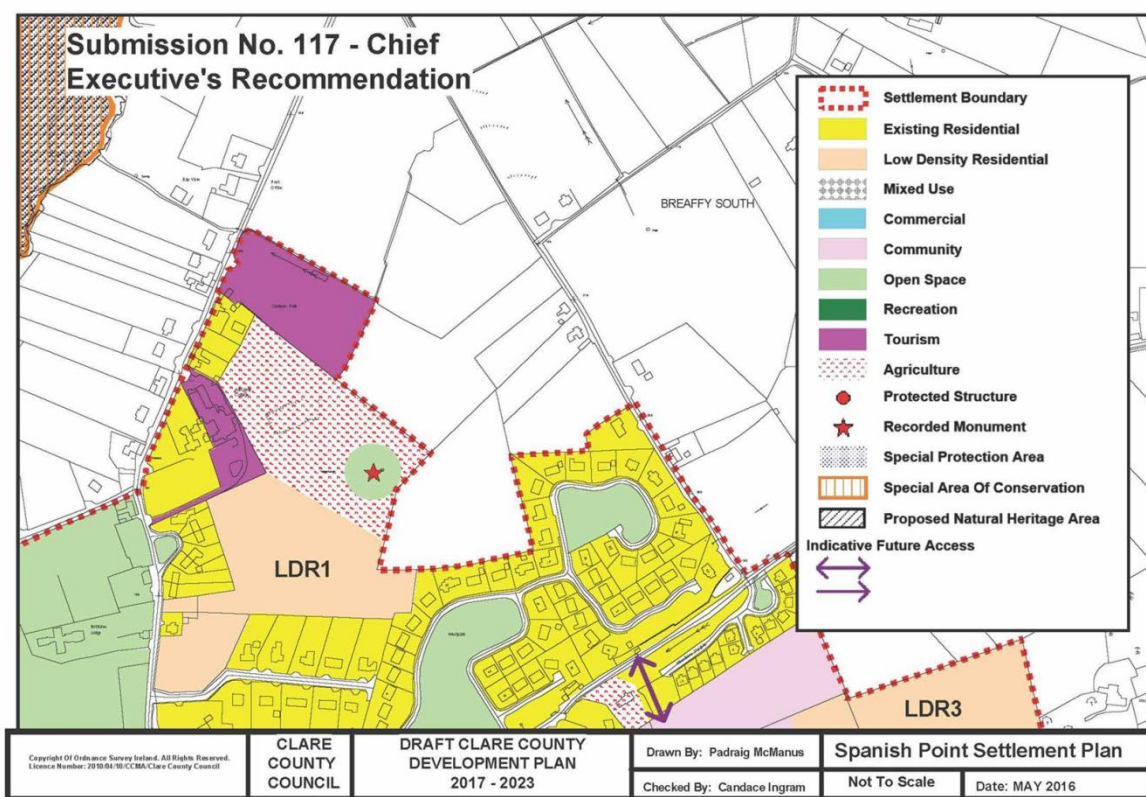
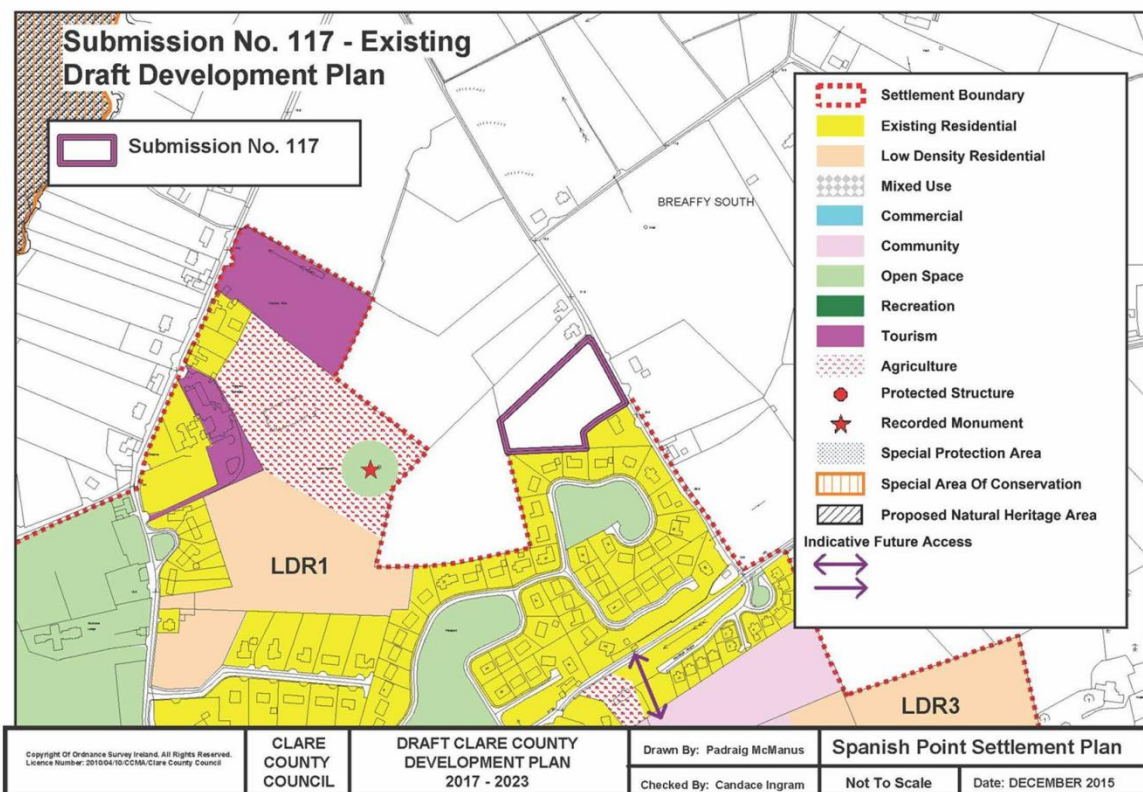
### **Chief Executive's Response**

I thank Mr. Treacy for his submission and I would like to comment as follows:

Mr. Treacy has indicated that his daughter intends to return to live in the locality and it is hoped that this site will be developed to provide her with a permanent residence. The subject site is located in an Area under Strong Urban Pressure and therefore certain criteria must be met in terms of the granting of permission of a new single house in the countryside. However, subject to site suitability criteria, the housing needs of a local rural person, proposing to build a house in their local rural area (I note that the site directly adjoins Mr. Treacy's own place of residence) are accommodated under Objective CDP3.11 of the draft County Development Plan. Therefore I do not consider it necessary to zone this site for Residential use in order to accommodate future residential use for a family member of the owner.

### **Chief Executive's Recommendation**

I recommend that no amendments are made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission.



## **Ref. 118 Cyril Jones**

*Key Words: Flooding, Miltown Malbay*

### **Summary of the Issues Raised in the Submission**

This submission relates to flooding issues in Miltown Malbay in West Clare Municipal District. Mr. Jones is concerned that flooding issues have been ongoing since 1923 and flooding in particular in Church Street, Canada Cross, Ennistymon Road and Ennis Road have not been referred to in the Plan. He is proposing that property and land owners of affected areas are willing to meeting with Council Officials to discuss the matter.

### **Chief Executive's Response**

I thank Mr. Jones for his submission and I would like to respond as follows:

I am aware of the flooding issues referred to in this submission and of the recent events in Miltown Malbay. As a consequence of these events the Council has commissioned an investigation by a consultant hydrogeologist. This matter is now under investigation and it is expected that the findings of the study will inform decisions regarding a long term solution to the problem.

### **Chief Executive's Recommendation**

I recommend that no amendments are made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission.



## **Ref. 119 Anne Hughes and Conor McGrath**

*Key Words: Doolin*

### **Summary of the Issues Raised in the Submission**

This submission relates to lands outside of the Doolin Settlement Plan of West Clare Municipal District, requesting that the settlement boundary be extended to include their land which contains 2 no. permanent dwelling houses and which was included in the boundary until 2011.

### **Chief Executive's Response**

I thank Anne Hughes and Conor McGrath for their submission and would like to respond to the issues raised as follows:

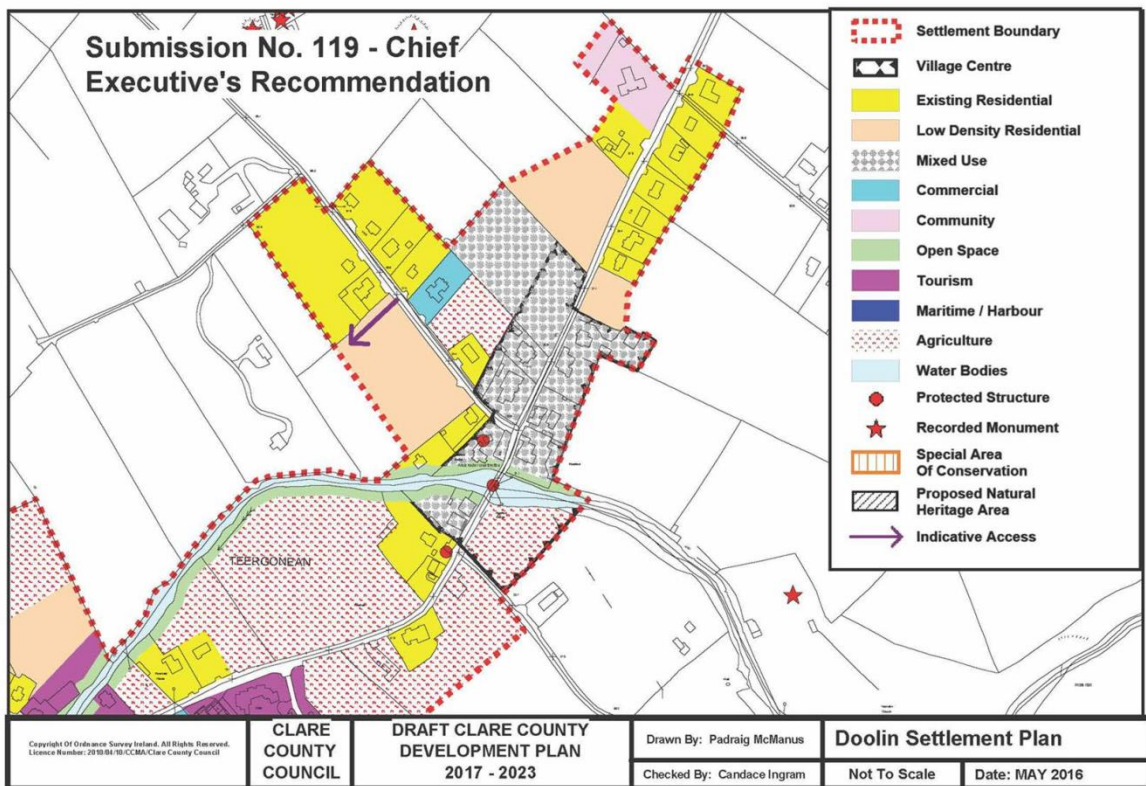
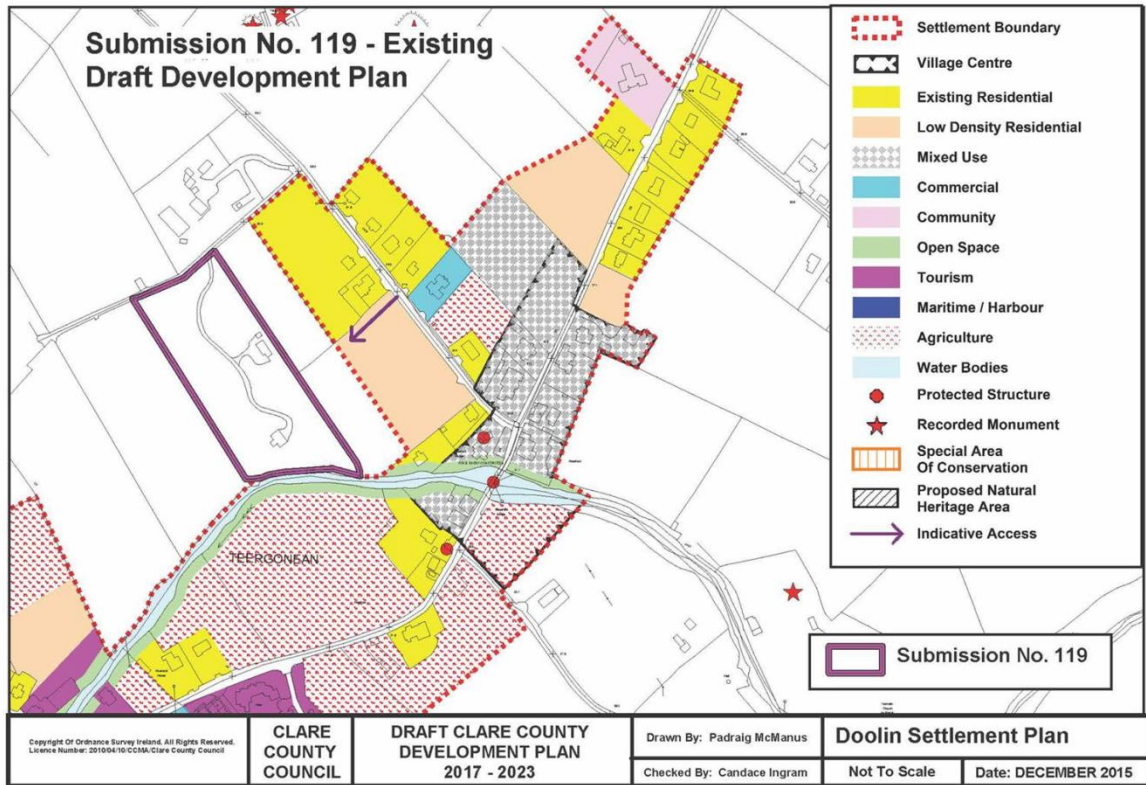
The submission contains a request to extend the settlement boundary of Doolin to include the site of two dwellings located west of 'Fitz's Cross', one of the three identified service centres of the village. To extend the boundary to include the two dwellings as requested would necessitate the inclusion of an additional field situated between the existing settlement boundary and the property associated with the two dwellings.

I am of the opinion that due to the nature of the growth of Doolin over the years, it is important to focus development around the three service centres of Fisher Street, 'Fitz's Cross' and Roadford and to plan for development which is sequential to each centre so as to avoid development which will lead them to coalesce. In addition, I note the quantum of land zoned for Residential development in Doolin reflects the requirement set out in the Core Strategy in Chapter 2, Volume 1 of the Draft Clare County Development Plan 2017-2023 for the period of the Plan.

Taking account of the issues outlined above, I consider that the inclusion of these lands at this stage would not be in the interest of proper planning and sustainable development and as such no amendment should be made to the settlement plan.

### **Chief Executive's Recommendation**

I recommend that no amendments are made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission.



## **Ref. 120 – 151 (inclusive) and Ref. 351 Residents of Ivy Hill.**

*Key Words: Ennis*

Submission ref. No. 120 - Pat McNulty
Submission ref. No. 121 Kevin O'Connor
Submission ref. No. 122 Shane O'Connor
Submission ref. No. 123 Robbie Ball
Submission ref. No. 124 Sharon Peters Ball
Submission ref. No. 125 Grainne Cuddy
Submission ref. No. 126 Patrick Cuddy
Submission ref. No. 127 Brendan Colton
Submission ref. No. 128 Mary Colton
Submission ref. No. 129 Anne Corry
Submission ref. No. 130 Thomas Corry
Submission ref. No. 131 Patrick Doran
Submission ref. No. 132 Breda Doran
Submission ref. No. 133 Philomena Cheung
Submission ref. No. 134 Kin Kwok Cheung
Submission ref. No. 135 Nora Ryan
Submission ref. No. 136 John Ryan
Submission ref. No. 137 Regina Lydon
Submission ref. No. 138 Michael Lydon
Submission ref. No. 139 Kathleen Howe
Submission ref. No. 140 Anne Horgan
Submission ref. No. 141 Michael Howe
Submission ref. No. 142 Finbarr Lysaght
Submission ref. No. 143 Rena Lysaght
Submission ref. No. 144 Colm McDonagh
Submission ref. No. 145 Bernadette McDonagh
Submission ref. No. 146 Daire Dwyer
Submission ref. No. 147 Lisa Bermingham
Submission ref. No. 148 Peter O'Keeffe
Submission ref. No. 149 Mary O'Keeffe
Submission ref. No. 150 Mary Fogarty
Submission ref. No. 151 John Fogarty
Submission ref. No. 351 Signed by Maggie Hutton, Secretary of Ivy Hill Residents Association, and includes a submission from Mary B. Vaughan

### **Summary of the Issues Raised in the Submission**

These submissions relate to the zoning of land on the Gort Road, currently designated R15 in the Draft Clare County Development Plan 2017-2023, from its current open green and wetland zoning to residential zoning. They submit that such a change will pose a very serious risk of flooding if the land is zoned for residential use

### **Chief Executive's Response**

I wish to thank the residents of Ivy Hill for their submissions relating to R15. I acknowledge concerns in relation to flooding and access. I refer to Section 2.6, Volume 3 attached to the Draft Clare County Development Plan 2017-2023, which sets out guidance on R15, which specifies that any development taking place on this site will not impact on the drainage of the site or on the operation of the road drainage system in the area. It also requires a hydrology assessment to be under taken as part of any planning application. Surface water runoff must be managed to



minimise the speed and quantity of runoff to the open space to the south of the subject site. It is a requirement that a flood risk assessment must be carried out in relation to any future development of the site. I acknowledge concerns regarding vehicular access to R15. The guidance, as referred to above, specifies that vehicular access is to be from Hazel Lane, therefore not via Fernhill/ Ivy Hill. Additionally I consider that issues of traffic safety can be determined at development management stage. Given the limited area of the site it is not envisaged that development of R15 would generate significant traffic volumes.

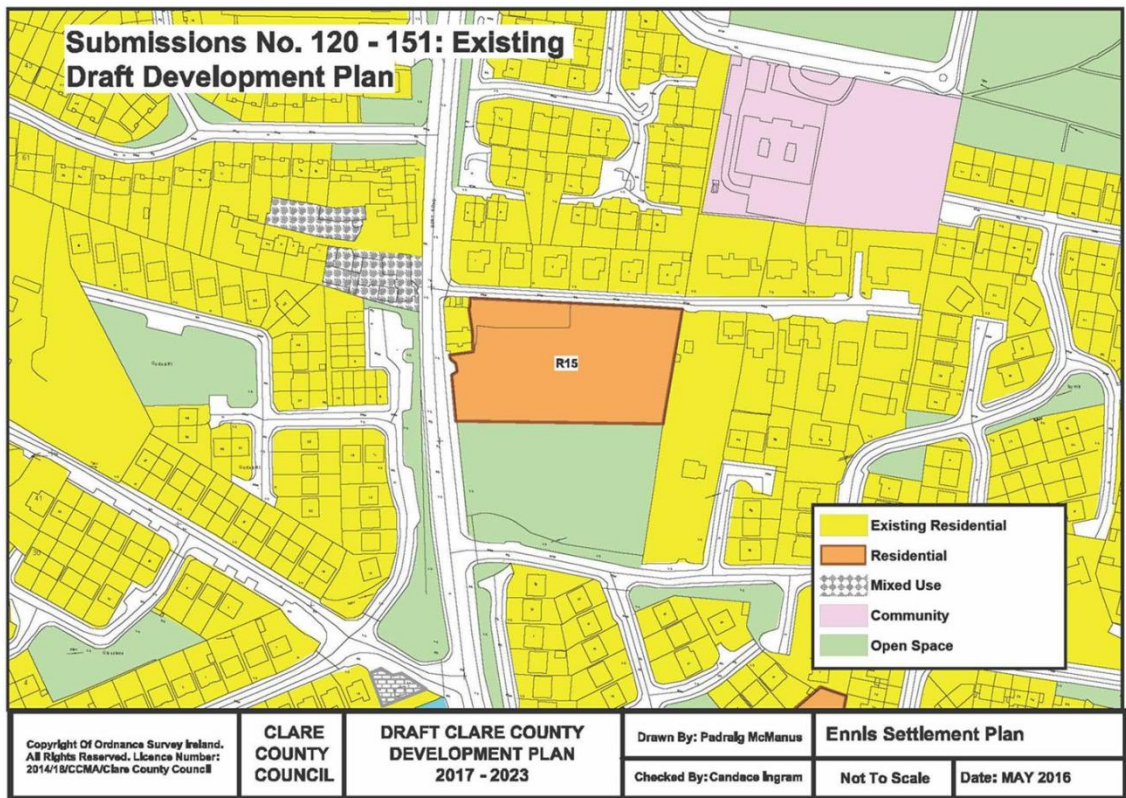
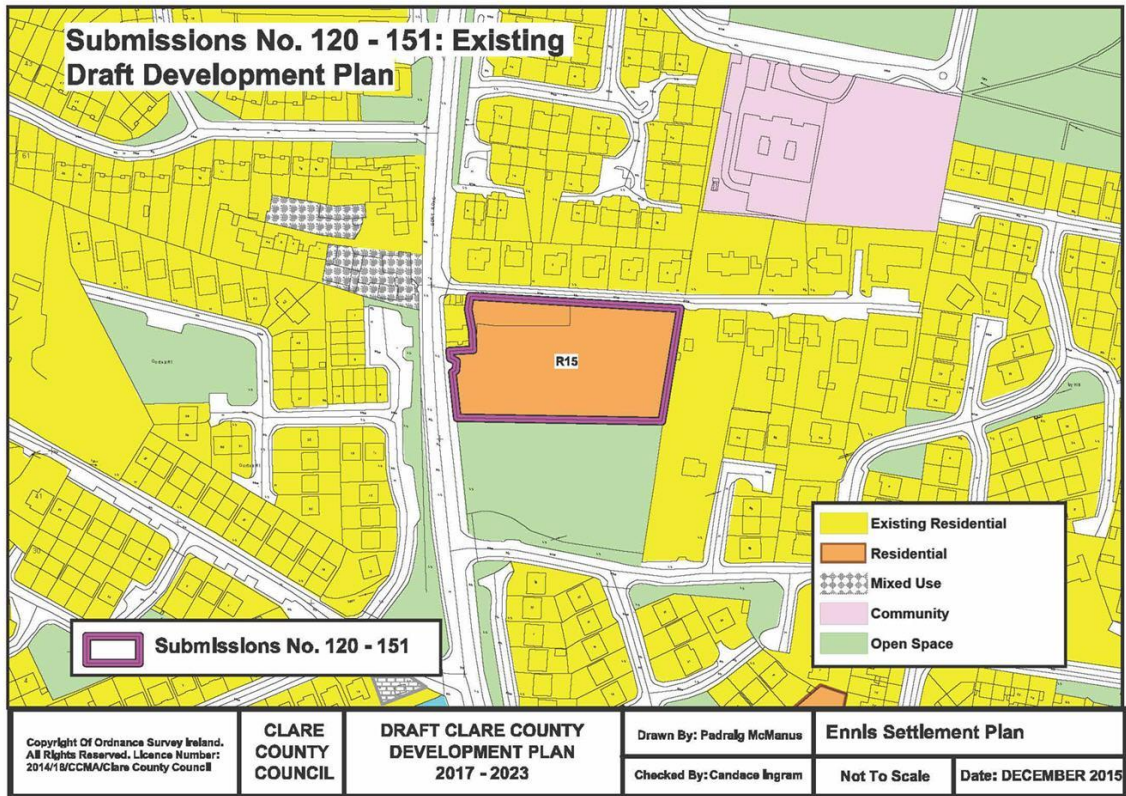
It is important that any development at the site does not impact on the drainage of the site, or the operation of the road drainage system. To achieve this, it is recommended that development is restricted to the northern portion of the site, and to land which is currently higher than the road level, which is proposed to be zoned Residential (R15) in the Draft Clare County Development Plan 2017-2023. I consider that no development, including raising land levels or laying areas of hard standing, should take place at lower levels as this may compromise the capability of the site to drain, and negatively impact on the runoff to the drainage network.

Surface water runoff from the residentially zoned portion of the land must be managed in such a way as to minimise the speed and quantity of runoff to the south-western corner of the site.

It is considered that development in the northern part of the site is possible, provided the southern part is kept as open space. This has informed the zoning for the site.

### **Chief Executive's Recommendation**

I recommend that no amendments are made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission.



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