

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 201 - 250

19th May 2016



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

Contents

Ref. 201 Michael McInerney	321
Ref. 202 Town and County Resources Ltd. on behalf of Abadair Investments Ltd.	323
Ref. 203 Kilkishen Construction Ltd.	326
Ref. 204 HRA Planning on behalf of Limerick and Clare Education and Training Board	328
Ref. 205 Sybill and Sean McGovern	330
Ref. 206 Michael Griffin	333
Ref. 207 Martin Cooney (Jnr.), Sixmilebridge	334
Ref. 208 James Nix	336
Ref. 209 Sean Dillon	338
Ref. 210 Jim and Teresa McMahon	340
Ref. 211 Tulla Comhaltas Development Committee (Breda McNamara)	342
Ref. 212 Brian Quin	344
Ref. 213 Killaloe/ Ballina Community Garden Group	346
Ref. 214 The Planning Partnership on behalf of Maccon Keane	348
Ref. 215 Cunnane, Stratton and Reynolds on behalf of Michael McHale.....	351
Ref. 216 Brendan McGrath on behalf of G. McNamara	353
Ref. 217 Michael Keating on behalf of JJ Fahy	356
Ref. 218 Michael Keating on behalf of Eugene O'Connor	358
Ref. 219 Michael Fahy	360
Ref. 220 Michael Keating on behalf of JJ Fahy	362
Ref. 221 Clare Accessible Transport/ Clare TCU	365
Ref. 222 Don Barrett, Chairman for Cluain Ros Leamhain Housing Committee.....	368
Ref. 223 William Halpin	370
Ref. 224 Eveleen Whelan.....	374
Ref. 225 Eibhlin de Staic	376
Ref. 226 Jean Wise	378
Ref. 227 Ronan Wise.....	380
Ref. 228 Residents of Maigh Dara	382

Ref. 229 John Hogan, Chairman of Board of Management, CBS Primary School	383
Ref. 230 Mr. Paul Tighe	385
Ref. 231 Flynn & Shaw on behalf of Vincent and Colette McInerney	387
Ref. 232 McKenna Consulting Engineers on behalf of Orla O Connell, Tomas McKenna and Mary Fahey	389
Ref. 233 McKenna Consulting Engineers on behalf of Patrick J. Egan and James J. Burke.....	391
Ref. 234 McKenna Consulting Engineers on behalf of Annmarie and Leonard Vaughan.....	393
Ref. 235 Seamus Durack Manufacturing Ltd.....	395
Ref. 236 Brian and Evelyn McMahon	397
Ref. 237 Enda and Carmel O'Connor	401
Ref. 238 Tony Mulqueen.....	403
Ref. 239 Declan and Catherine O'Regan	405
Ref. 240 Martin Haran.....	407
Ref. 241 Martin Haran.....	409
Ref. 242 Fergus Merriman	411
Ref. 243 Cathal and Bernie Blunnie.....	414
Ref. 244 Brendan McGrath and Associates on behalf of Tom Clair	416
Ref. 245 Peter O'Loughlen.....	418
Ref. 246 McCarthy Keville O'Sullivan on behalf of Elizabeth Howard	420
Ref. 247 J. Halpin	422
Ref. 248 Road Design Office, Clare Co Council.....	424
Ref. 249 Helen Walsh, County Librarian on behalf of Library Services, Clare County Council	427
Ref. 250 Ennis National School.....	429

Ref. 201 Michael McInerney

Keywords: Kilmurry

Summary of the Issues Raised in the Submission.

This submission refers to lands owned by the above to the south of the Kilmurry settlement plan boundary which are not proposed to be zoned in the Draft Clare County Development Plan 2017-2023. He is requesting that it be included for residential zoning and an accompanying map identifies the site location which has an area of approximately 2.9 Ha.

Chief Executive's Response

I thank Mr. Mc Inerney for his submission in relation to Kilmurry, the content of which is noted, and I reply as follows:

The submission requests an extension to the boundary of Kilmurry to include an additional 2.9 Ha for residential use. Since the quantum of land zoned must align with the Core Strategy figure for Kilmurry it is considered that this could be achieved by including 2 Ha of the land as low density residential. In doing so I propose to change the Residential zoned land R1 to LDR 1 which is considered more appropriate since the settlement is not served by a waste water treatment plant and therefore could not, in it's absence, accommodate higher density development.

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(c) Kilmurry Settlement Plan

- Change zoning on Site R1 from Residential to Low Density Residential and label site LDR1.
- Extend the settlement boundary to zone land between the R462 and Ballymulcashel Road Low Density Residential and label site LDR3

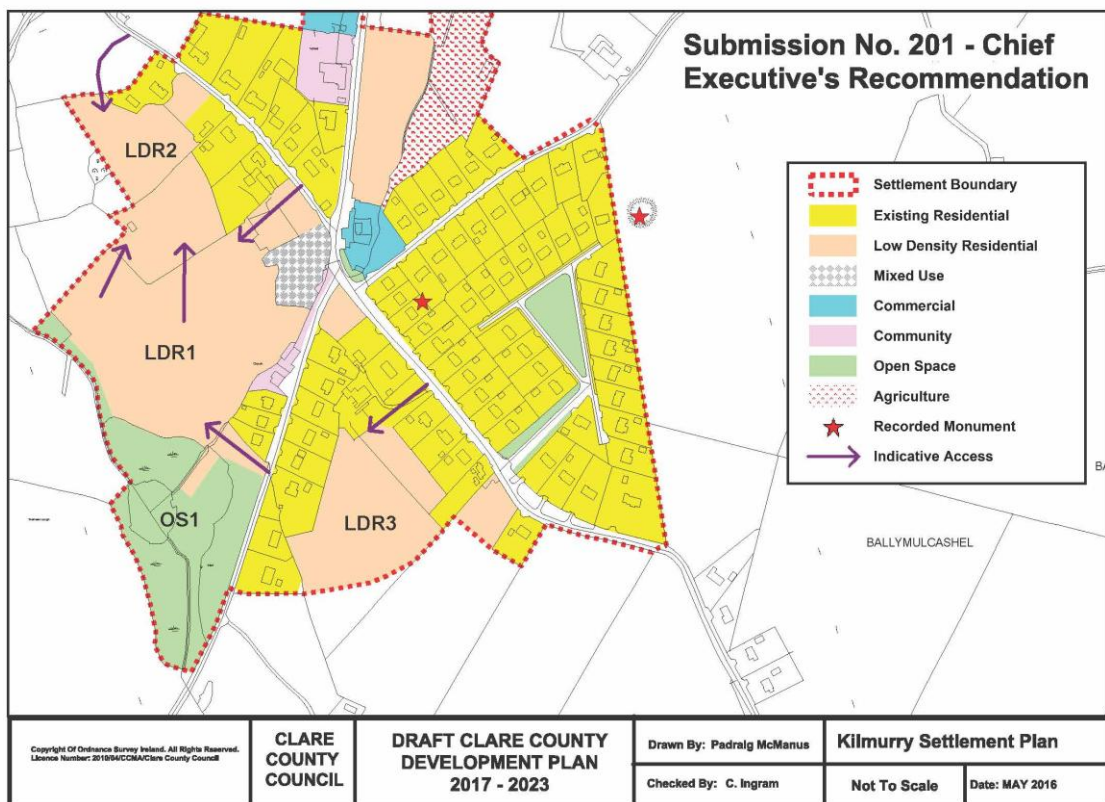
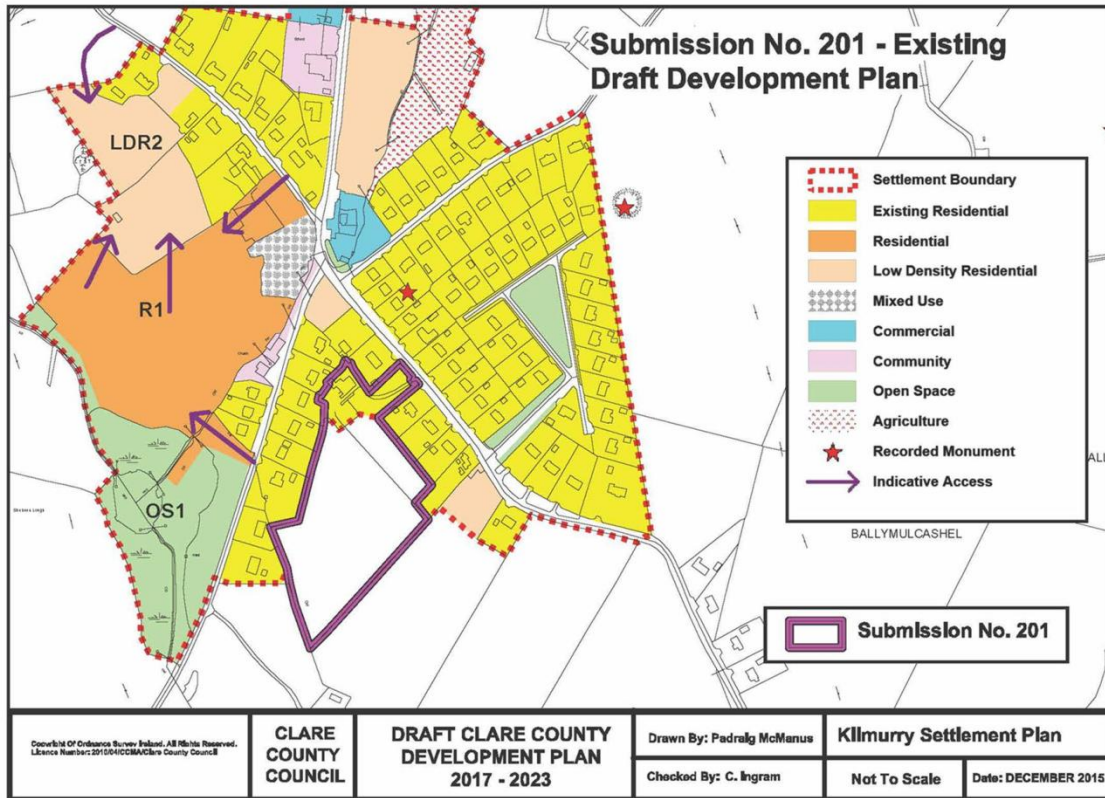
Amend the text in Kilmurry Settlement Plan to read:

~~R1~~ LDR1- Lands to the West of the Church

Add new text to the Kilmurry Settlement Plan to read:

LDR3 Lands between R462 and Ballymulcashel Road

These lands offer an opportunity to consolidate the existing development of low density residential housing with an appropriately designed low density layout. The access will need to be through the existing farm entrance.



Ref. 202 Town and County Resources Ltd. on behalf of Abadair Investments Ltd.

Key Words: Ennis

Summary of the Issues Raised in the Submission

This submission relates to 10.67ha of lands in the western sector of the Ennis town environs adjacent to the Golf Course. (site LDR66 Circular Rd)

This submission:

- Confirms its support of the Low Density Residential zoning on comprising 8.79 ha. It also supports Commercial zoning at Westpoint Business Park (Curleys).
- Seeks to amend the proposed zoning from Open Space to Low Density Residential at the northern most section of the lands
- Seeks to amend the proposed zoning from Recreation to Low Density Residential purposes at the north eastern point.
- Seeks to amend the proposed zoning from zoning for Buffer Space purposes to zoning for Low Density Residential purposes at the western boundary of the lands as the zoning duplicates the development objective seeking to provide for the protection of residential amenity

Chief Executive's Response

I wish to thank Abadair Investments Ltd. for their submission and I note that they support the Low Density Residential zoning on the site which covers an area of 8.79 ha. Their stated support for the specification regarding landscape management in the context of future development proposals on the residential sites within Cahircallamore and the Commercial zoning at Westpoint Business Park (Curleys) on the Kilrush Road is also acknowledged.

I would like to respond to the requests contained in the submission in the order they have been raised:

- Amend the proposed zoning from Open Space to Low Density Residential at the northern most section of the lands.
Having regard to the points raised in the submission I agreed that the zoning on some of these lands should be changed from Open Space to Low Density Residential. However I consider that the existing stand of trees in the northern part of the site makes an important contribution to the area. The part of the site on which the trees are located should remain zoned Open Space and be incorporated into any future development on these lands as such. Therefore I recommend that the Low Density Residential zoning be extended further north, but only as far as the trees (see map). To be consistent I consider that Buffer Space between the Low Density Residential zoning and the N85 should be extended further north along this new area of zoning.
- Amend the proposed zoning from Recreation purpose to Low Density Residential at the north eastern point of the site.
I acknowledge that the Recreation zoning at this location reflected the zoning in the Ennis and Environs Development Plan 2003 – 2008 and Ennis and Environs Development Plan 2008 – 2014 as varied. I am not in favour of changing the zoning from Recreation to Low Density Residential. Only a very small area of Recreation lands are within the boundary of the site (0.48ha) are the subject of this submission and I consider it more appropriate to change the zoning to Open Space, given that it directly adjoins the stand of tree that I have discussed in the point above.
- Change zoning from Buffer Space to Low Density Residential on the western boundary of the lands.
I am not in favour of this proposal. The area that has been zoned as Buffer Space corresponds with the area identified in the Clare Noise Action Plan 2013 as being subject to high noise levels. I therefore consider it important to retain the Buffer Space zoning to protect the

amenities of future residents. It also serves to reinforce the guidance for LDR66 as set out in Section 2.4 of Volume 3(a) of the Draft Plan.

Chief Executive's Recommendation

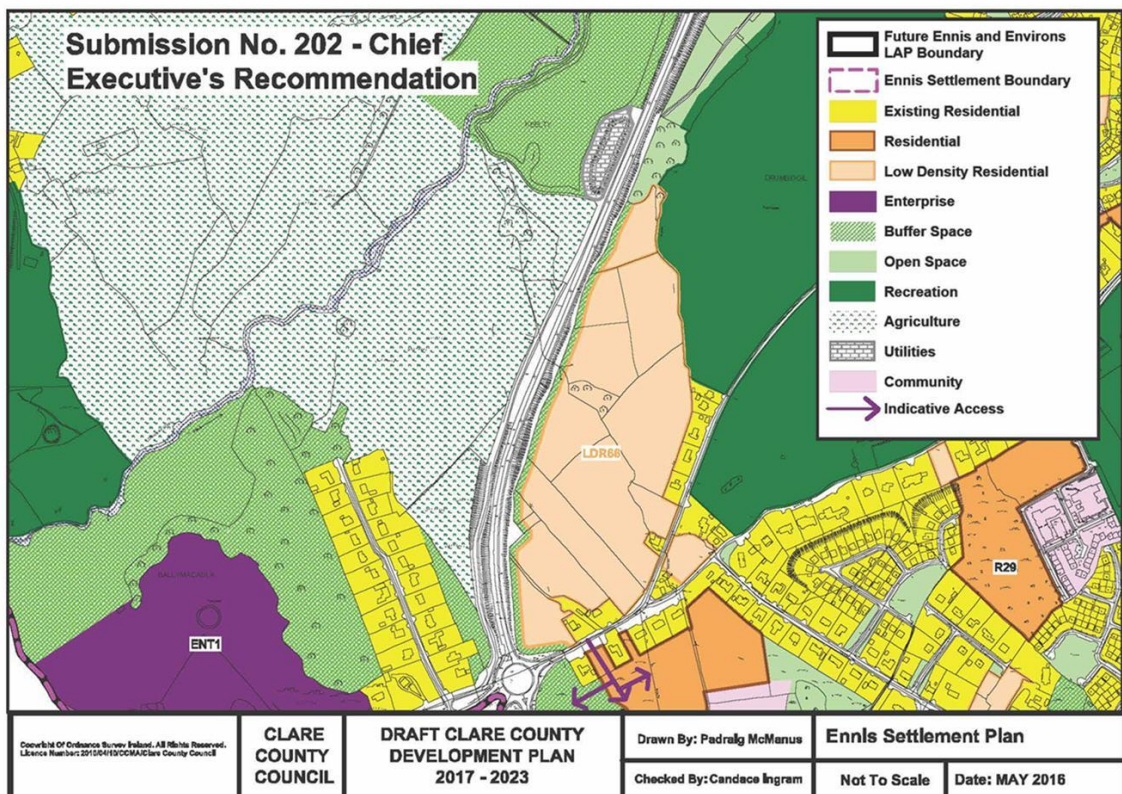
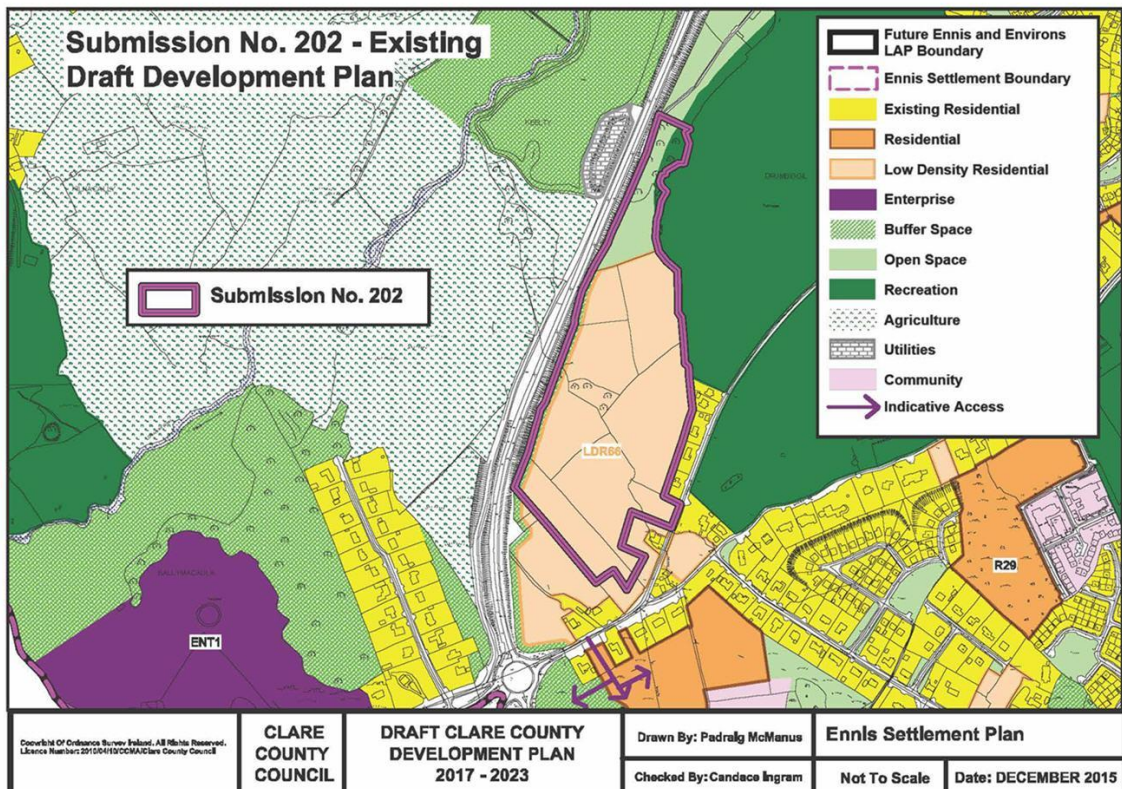
I recommend the following amendments to the Draft Clare County Development Plan 2017-2023:

Volume 3(a) – Ennis Settlement Plan – Site LDR66 – amend zoning map as follows:

- Extend Low Density Residential zoning further north as far as the stand of mature trees.
- Extend the Buffer Space zoning between LDR66 and the N85 further north alongside the new LDR zoning.
- Change zoning in northeast corner of the site from Recreation to Open Space
- Retain Buffer Space zoning along western boundary of the site

Volume 3(a), Ennis Settlement Plan, Section 2.5 – amend text in relation to Site LDR66 as follows:

"Residential development on this site will be required to incorporate a buffer of sufficient width between the proposed development and the N85 to protect residential amenity. Development proposals on the site shall be accompanied by a flood risk assessment to ensure that floor levels are set to an appropriate height (1 in 100 year flood event plus climate change allowance and freeboard). A drainage impact assessment will also be required."



Ref. 203 Kilkishen Construction Ltd.

Keywords: Kilkishen

Summary of the Issues Raised in the Submission

This submission relates to two areas of land in Kilkishen, Area 1 relates to a small Open Space area and it is submitted that these lands were never deemed to be green areas as they form part of the existing estate. This area was to be developed to provide access to the adjoining Residential lands. It is submitted that Existing Residential is a more appropriate zoning for Area 1.

Area 2 – the submission requests that the Low Density Residential zoning on this site be changed to Residential. This eliminates uses such as a retirement complex or semi-detached homes and would reduce the viability of constructing the required access road to serve adjoining site R1.

Chief Executive's Response

I thank Mr. Madden for his submission, the contents of which are acknowledged.

In respect of Area 1, shown as Open Space on the Kilkishen zoning map, I note that this area was included within the boundary of housing layout submitted with P03-1133. It was not identified as Open Space nor did it carry a housing unit in that scheme. An FI request sought masterplan proposals to include a link from this scheme through to the then community centre. However, as such a masterplan does not appear on the file, it is unknown whether this space was intended to perform a linking function. It is reasonable to have it rezoned as existing residential with its future development to be subject to Planning Permission.

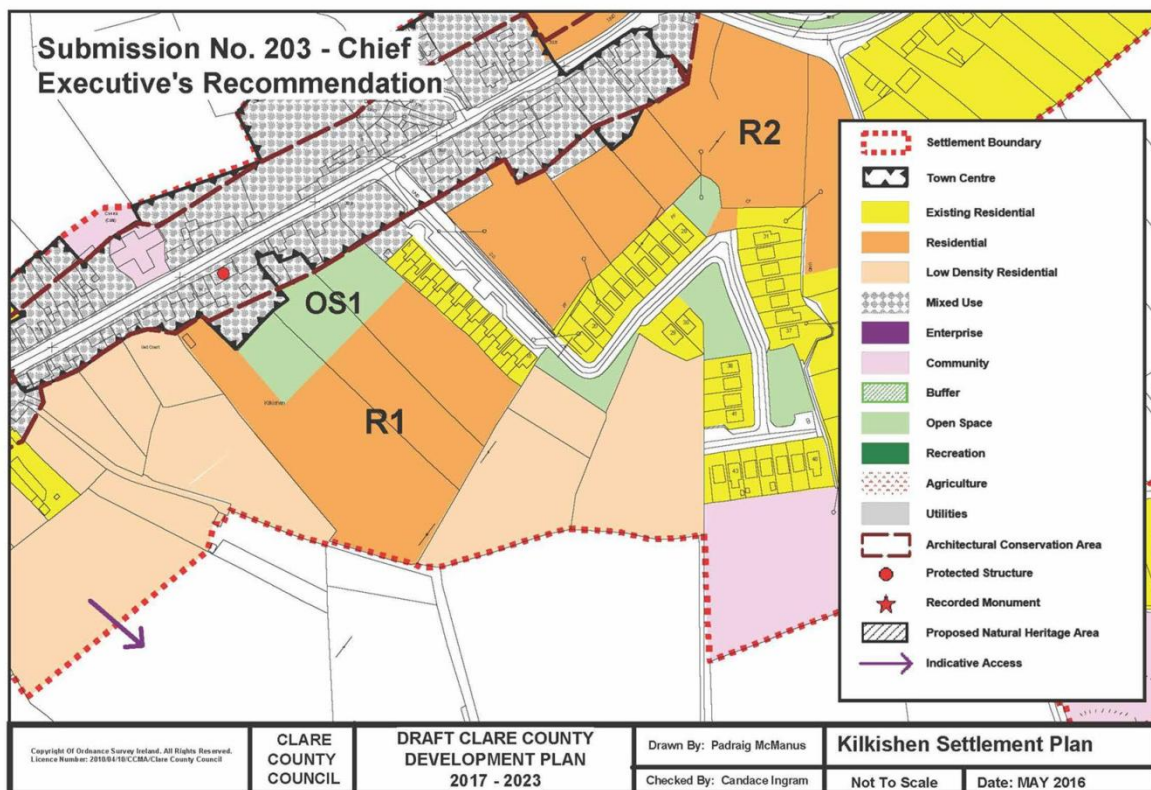
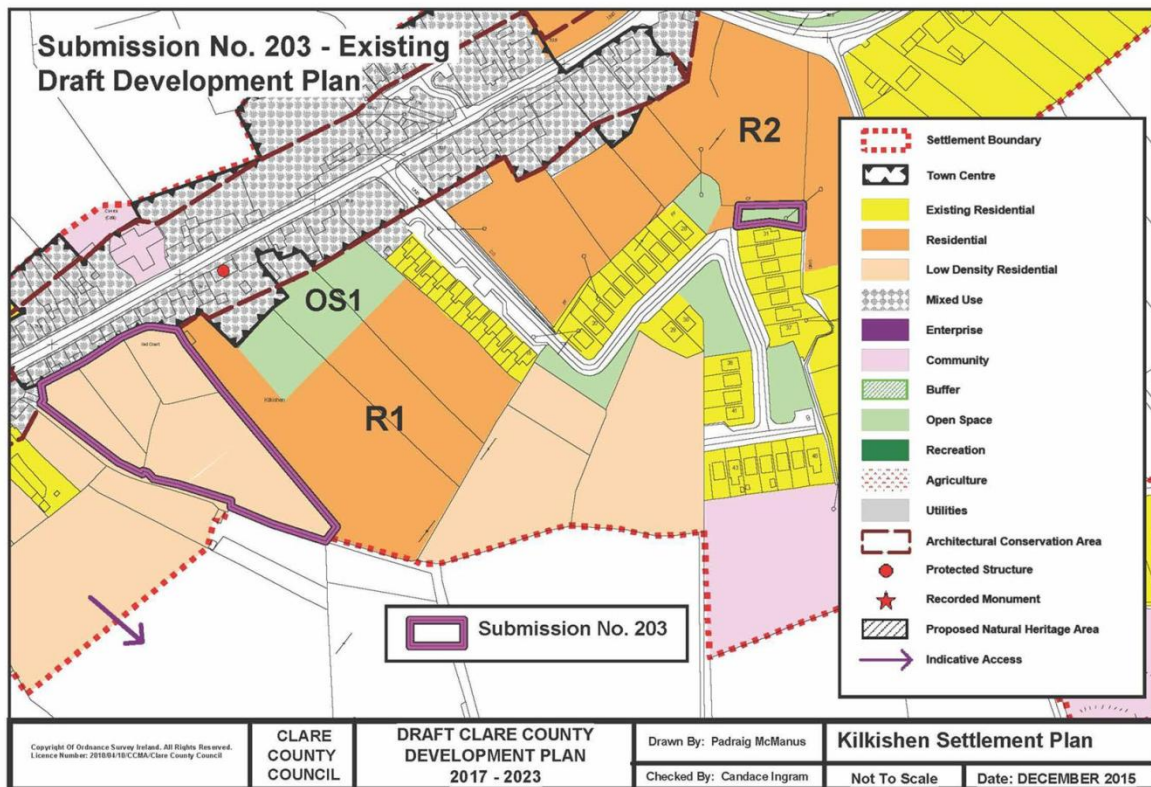
In respect of Area 2, the quantum of residentially zoned land required is calculated on the basis of the Core Strategy and population projections. This means that exchanging densities i.e. from Low Density Residential to Residential, would lead to an over-zoning of land. Since there is adequate land zoned in Kilkishen for both types of residential uses, the rezoning requested is not deemed appropriate. Low Density Residential is deemed more appropriate at this area of Kilkishen, a large village in the settlement hierarchy, on the basis of location outside the village centre and as a preferred setting for the cultural centre.

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(c), Kilkishen Settlement Plan – amend zoning map as follow:

- Change zoning on Area 1 from Open Space to Existing Residential



Ref. 204 HRA Planning on behalf of Limerick and Clare Education and Training Board

Keywords: Killaloe

Summary of the Issues Raised in the Submission.

This submission relates to the 1.6 ha of land in the settlement of Killaloe, currently zoned as open space in the East Clare LAP 2011- 2017 and proposed as open space in the Draft CDP 2017- 2023. The lands are surplus to the requirements of the LCETB .The subject site and its open space zoning provides for no practical or beneficial use to the community and needs to be reconsidered in the context of existing and proposed development at this location.

The submission sets out the reasons for changing the zoning to residential based on existing land use policy provision, residential land supply and site suitability. National planning policy links the location and provision of residential development with the location and provision of schools. This policy highlights the inextricable link that exists between existing and proposed residential development and existing and proposed residential sites. LCETB argues that the zoning of land as passive open space with limited public access and no direct surveillance is an in-efficient and unsustainable use of urban land in proximity to a post primary school in excess of 500 pupils.

The subject site with an area of 1.6 ha would meet an identified deficit in residential land supply in the town. The site is suitable based on sequential text criteria.

Chief Executive's Response

I thank Limerick and Clare Education and Training Board for this submission, the contents of which are acknowledged, and I reply as follows:

The quantum of residential land in the town is determined by the Core Strategy (Chapter 2 Vol. 1) and the land zoned in the Clare County Development Plan 2017-2023 for Killaloe provides for projected growth this plan period.

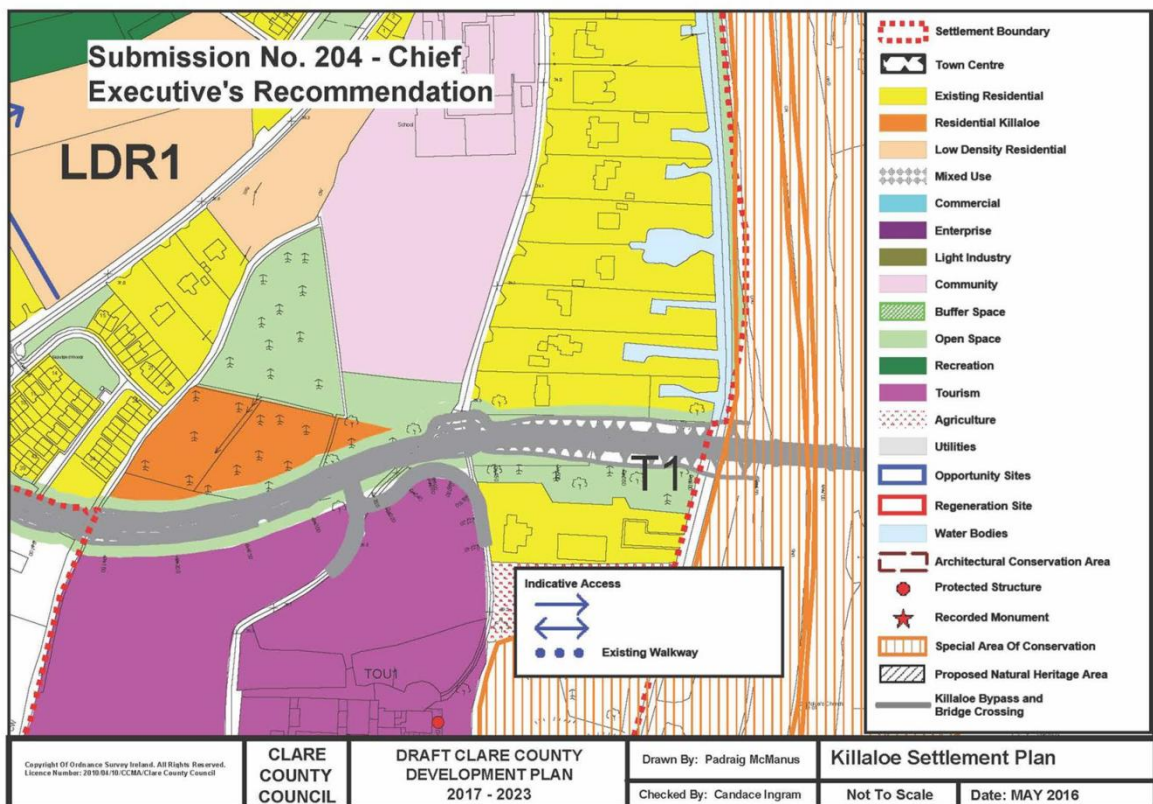
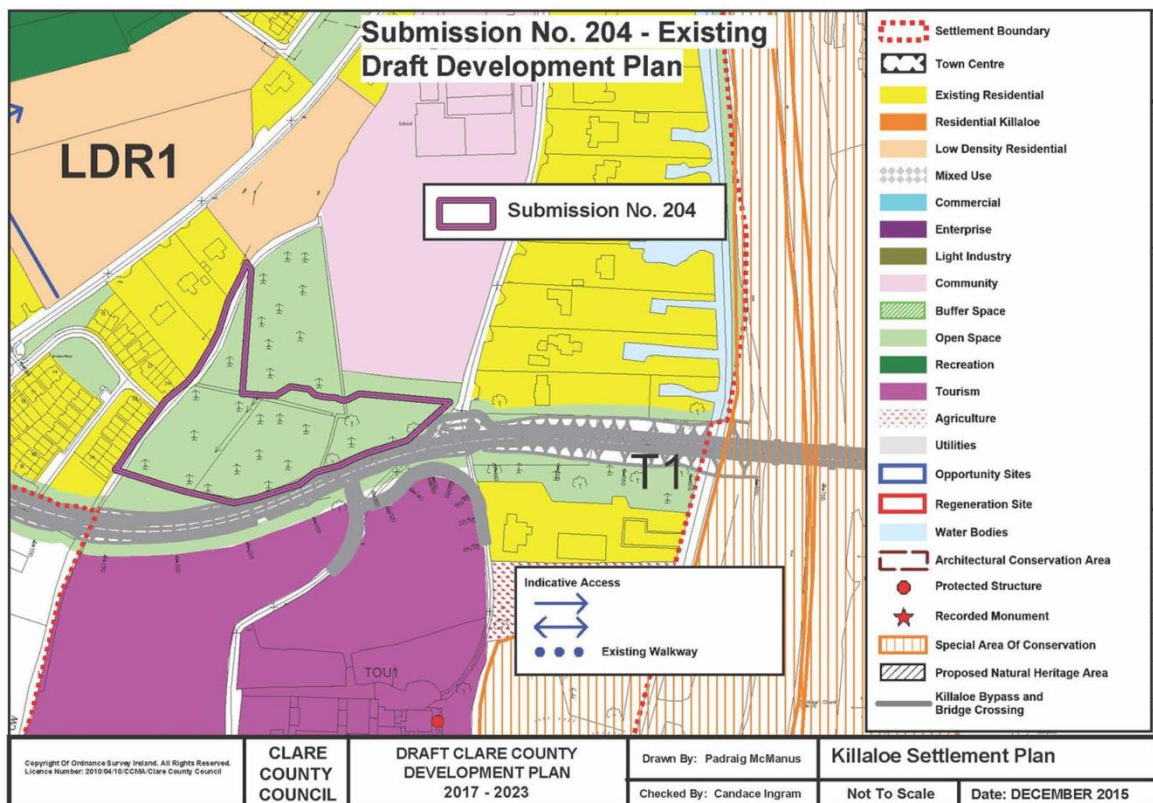
However, I consider that the proposal has merit in view of the site's accessibility to the town centre, the land location at the limit of the school grounds and it's potential accessibility from an adjoining existing residential area. In view of the surrounding uses, the road buffer required and the quantum of land required by Core Strategy, I consider that a parcel of 1Ha, is justifiable.

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(c) Killaloe Settlement Plan – amend zoning map as follows:

Change zoning on lands to the north of the Infrastructure Safeguard from Open Space to Residential



Ref. 205 Sybill and Sean McGovern

Keywords: Physical Infrastructure

Summary of the Issues Raised in the Submission.

This submission relates to two matters:

1. The proposed Northern Distributor Ring Rd
2. Listing of a Protected Structure.

This submission sets out objections to the Northern Distributor Ring Road for reasons relating to flood risk, environmental impact and potential impacts on the village of Parteen. It is submitted that the inclusion of the route is absurd when Limerick Co Council has rejected it.

In relation to the Listed Building Quinsborough House, Parteen, it is submitted that the proposed route will cut a corner of the Quinsborough estate. Traffic vibrations less than 250m away from the proposed structure will have a detrimental effect. The McGoverns also object to not being consulted. The building should be delisted and the owners should be consulted.

Chief Executive's Response

I thank Mr. and Mrs McGovern for their submission, note the contents and reply as follows:

The proposed Limerick Northern Distributor Road

In relation to the issue of flood risk, a Flood Risk Assessment was previously commissioned by Clare County Council for Variation No. 3 of the CCDP 2011-2017. This assessment outlined the sequential approach adopted in the selection process for the preferred route corridor of LNDR and included the required Justification Test. The Flood Risk Assessment, which is required as part of the process under the Planning System and Flood Risk Management Guidelines for Planning Authorities (November 2009), makes reference to all available information which pertains to the flood regime in the vicinity of the proposed scheme. This is to ensure that all relevant knowledge and information is compiled and considered as appropriate in the process.

The justification for the scheme at the location of the proposed Shannon crossing, in terms of management of the flood regime, was not primarily based on the use of CFRAMs mapping. CFRAMS mapping was referenced and incorporated because of its relevance, in the interests of completeness, because on date of display of the proposed variation, the mapping was in the public domain. Section 6.2.5 of the Flood Risk Assessment document states that a detailed flood modelling assessment was carried out, using a combination of 1-dimensional and 2-dimensional hydraulic models, to determine the potential impact of the river and floodplain crossing on flood levels and flood risk in the area. The conclusion reached from this assessment was that an embanked road crossing of the floodplain with provision for channel and overbank flow conveyance is feasible. From this exercise a minimum bridge span can be determined which will avoid any worsening of potential flood condition at properties or other areas which could be affected in a flooding context.

It is important to note that a submission was received from the Office of Public Works in 2015, in relation to the proposed variation No. 3. The following comments are noted in particular:

"The OPW welcomes the detailed Flood Risk Assessment for Proposed Variation No.3 to Clare County Development plan 2011-2017 carried out by Hydro Environmental Ltd, commissioned by Roughan O'Donovan Ltd on behalf of Clare Co. Council.

The OPW welcomes the considered comments made throughout the FRA in particular to Section 3.2 outlining the process for assessment of flood risk in accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities (November 2009) and in the application of the Justification Test in Section 7.

The OPW agree with the conclusions set out in Section 7.3 that the proposal to progress the Limerick Northern Distributor Road project passes the justification test set out in the Flood Risk

Management Planning Guidelines (Nov 2009), "given the clear strategic nature of the proposed road transport development, the sequential approach involved in the route corridor selection process and the findings from the flood risk assessment that flood risk to the proposed road development can be adequately managed and mitigated for and that the construction and operation of the road can be engineered not to cause unacceptable adverse flood impacts elsewhere."

The OPW welcomes reference to the Shannon CFRAM Flood Maps, such as in Figure 4.1 Draft CFRAM River Shannon Flood Mapping (Draft mapping November 2014) of the SFRA. The draft downstream model extent is available at http://shannoncfрамstudy.ie/interactive/shannon_upperlower/pdfs/N16/N16_Extent_Map06.pdf and would represent the flood zones more accurately in the figure.

The OPW are impressed with the amount of work which has gone into this FRA and adherence to the Planning System and Flood Risk Management Guidelines.

I am satisfied, based on the above the issue of the flood risk assessment has been considered in detail in relation to the proposed route. Furthermore, I note that the construction of the LNDR will also be subject to OPW Section 50 consent which will ensure that there are no negative impacts to others in terms of flooding.

The reasons for the construction of the LNDR are set out in a range of policy documents namely, the National Spatial Strategy, Regional Planning Guidelines 2010 – 2022, Mid West Area Strategic Plan (MWASP) Clare County Development Plan (2011-2017) and the South Clare Local Area Plan (2012-2018). In terms of route selection, detailed consideration was given to the selection of the preferred route corridor which included extensive periods of public consultation on three separate occasions. Feasible route options were analysed and compared under the five criteria of Economy, Safety, Environment, Accessibility and Integration. The selected option achieved the best scoring when the balance of all these factors was taken into consideration. In the case of the scheme in the vicinity of Parteen, the location was dictated by consideration of the impacts on the hydrogeological regime in the vicinity of the containment dams of the Ardnacrusha Headrace.

I recognise that there would be genuine concern in relation to the possibility of salmon spawning beds being disturbed. However, surveys for salmon and lamprey species were carried out by EirEco to identify potential spawning and nursery habitat at, and in the vicinity of, all river potential crossing points. No spawning habitat occurs at the proposed crossing point of the Shannon.

In terms of the Lower Shannon SAC, I can assure the McGoverns that at Route Corridor Selection stage, due to the imperative that any potential route would involve a crossing of the Lower River Shannon cSAC, a main concern from the outset was the identification of route options which avoided areas of priority habitat and minimised potential risks of impact. The assessment of the selected route options was then subject to detailed botanical surveys to map habitats and determine their classification with a view to avoiding areas supporting Annex I habitats listed as qualifying interests for the cSAC.

In response to the concerns regarding the perceived negative impacts on certain parts of the community as a result of the location of the proposed route, I would like to reassure the McGoverns that any new route will seek to provide connectivity both within Parteen and interconnectivity between the main villages. Access will be provided onto and off of the LNDR where villages and facilities need to be accessed.

The detailed design has not been decided upon to date and will be formulated at project level stage. The provisions of the Design Manual for Urban Roads and Streets (DMURS) will be brought to bear on the route design as it passes through the settlement area. An Environmental Impact Assessment of the route will be completed at this later stage which will examine the impacts on the local population, and critically will be subject to further consultation as required by the EIA Directives.

The LNDR has been adopted by Clare County Council as a logical implementation of the strategic objectives identified at National and Regional level. These objectives had been incorporated into County policy documents i.e. Clare County Development Plan (2011-2017) and the South Clare

Local Area Plan (2012-2018). It is entirely consistent and appropriate for the Council to carry forward these adopted policies on the LNDR into the Draft Plan. It is a matter for partner authorities to progress National and Regional level objectives according to their own timetable.

Listed Building - Quinsborough House Parteen

This matter is being dealt with as a submission under the Record of Protected Structures. Under this heading, Protected Structures, including Quinsborough House, have been notified of their listing. In respect of any physical impact on the property grounds arising from the construction of the LNDR, the detailed design of the road has not been decided upon to date and will be formulated at project level stage.

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. 206 Michael Griffin

Key Words: Miltown Malbay, Flooding

Summary of the Issues Raised in the Submission

This submission highlights the ongoing serious flood problem in Miltown Malbay on Church St, Ballard Rd and Ennistymon Road areas of the town. Flooding occurred at the rear of all the houses from O'Briens yard right down to Ballard Rd junction. The water seems to come from the drainage at the rear of the old vocational school upstream from same. Council work on the street at the front of the properties has led to trapping the flow of water along the kerb line across from the community centre at Jones Cross These works have diverted the flood waters back up on to the footpath in the front doors of some of the properties. Mr. Griffin would appreciate further investigation of these drainage systems and serious consideration given to the removal of the kerbs obstructing the flow of water. Many older people in Miltown Malbay have lived there for over 60 years have invaluable local knowledge in this matter and should be consulted in order to resolve the problem.

Chief Executive's Response

I thank Mr. Griffin for his submission and I acknowledge the importance of the issue that he has raised to the people of Miltown Malbay. I can confirm that Clare County Council is currently examining options in terms of possible defence against future flood events and it is hoped that this issue can be resolved in the near future.

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. 207 Martin Cooney (Jnr.), Sixmilebridge

Keywords: Sixmilebridge

Summary of the Issues Raised in the Submission

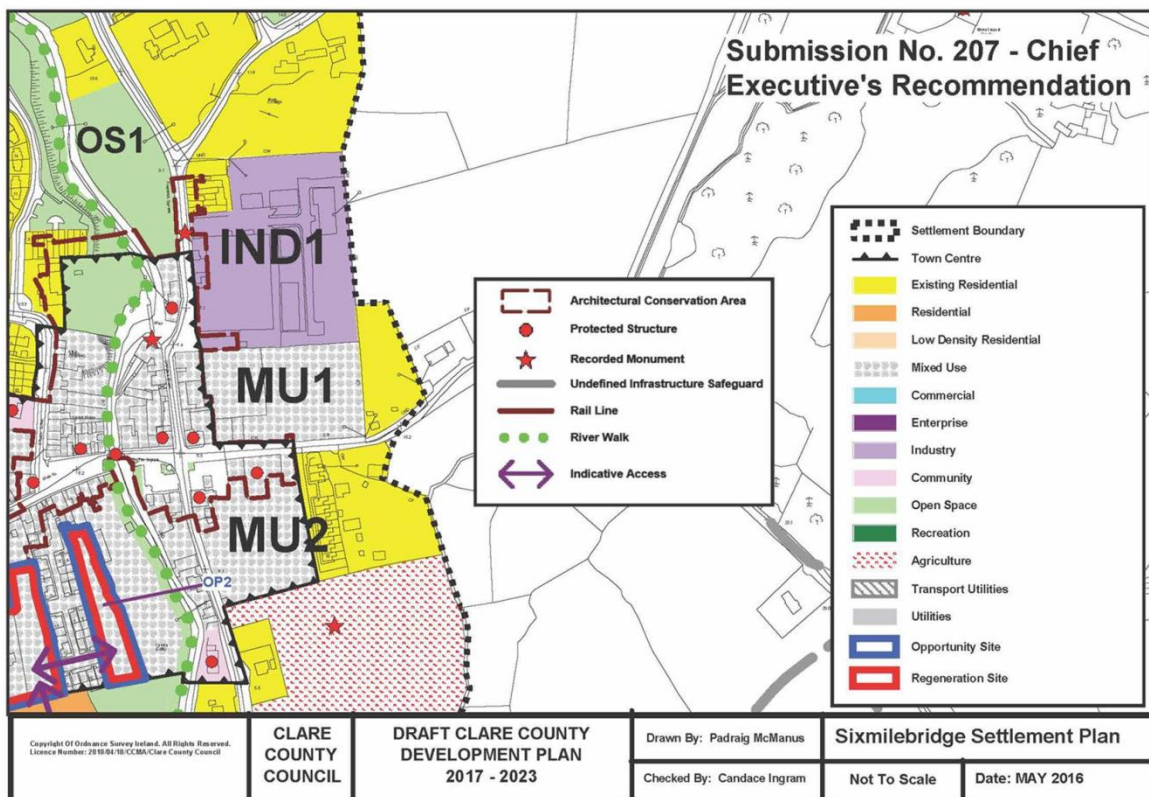
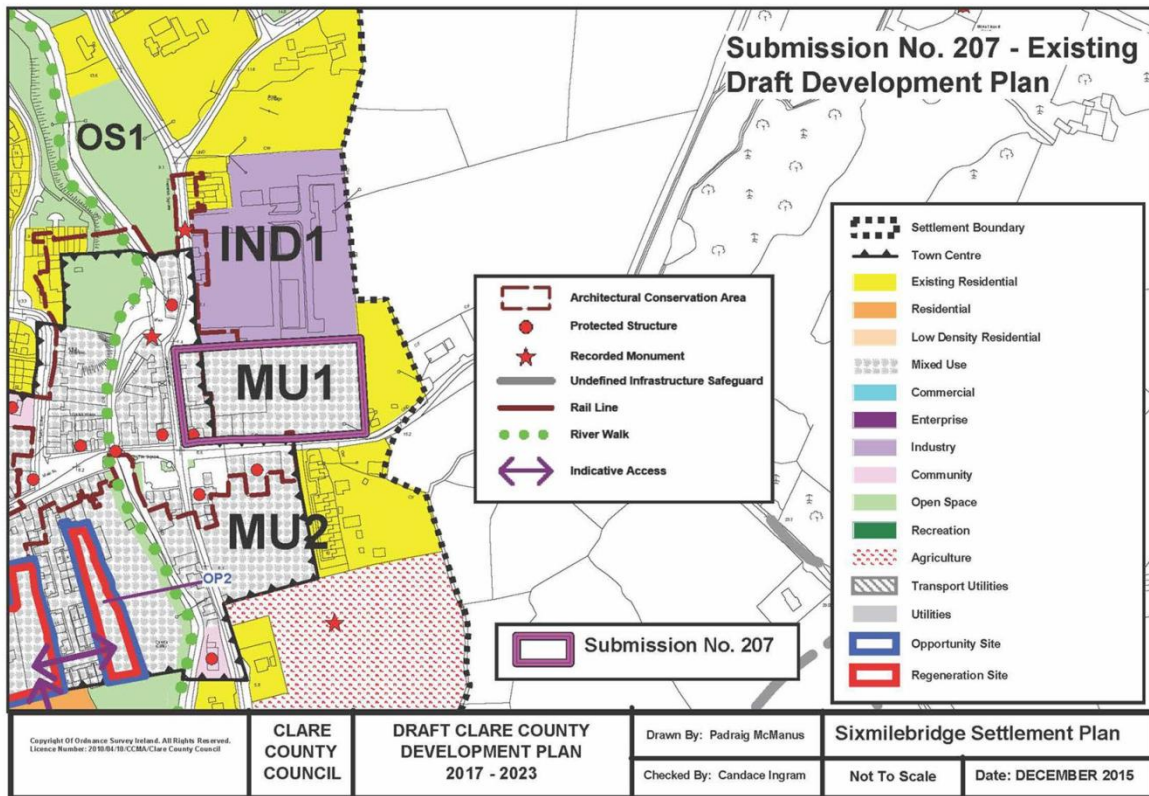
This submission requests that the Mixed Use zoning (MU1), in the centre of Sixmilebridge, as zoned in the Draft Clare County Development Plan 2017-2023, be retained in the Clare County Development Plan 2017- 2023.

Chief Executive's Response

I thank Mr. Cooney for his submission, the content of which is acknowledged. I consider the Mixed Use zoning on this site, as it appears in the Draft Clare County Development Plan 2017-2023, to be entirely appropriate for such a prominent town centre location. The zoning can facilitate a range of uses to appropriately consolidate the physical form of the town to enhance the public realm. It can also facilitate a rebalancing of development on the east side of the town centre.

Chief Executive's Recommendation

I recommend that no amendment is made to the Draft Clare County Development Plan 2017-2023 on the basis on this submission. However, I refer to my response to Submission Ref. 378 in which I make recommendations regarding the addition of text in relation the Mixed Use sites in the town of Sixmilebridge.



Ref. 208 James Nix

Key Words: Kilquane, Public Rights of Way

Summary of the Issues Raised in the Submission.

This submission relates to Written statement Vol 1 Appendix Public Rights of Way . This submission supports the establishment of a public right of way at Kilquane, Parteen from School Rd to Kilquane Graveyard. A public right of way is warranted to allow friends and family continue visiting the graves of loved ones. We were always able to gain access up to a recent change on ownership 2/ 3 years ago.

Chief Executive's Response

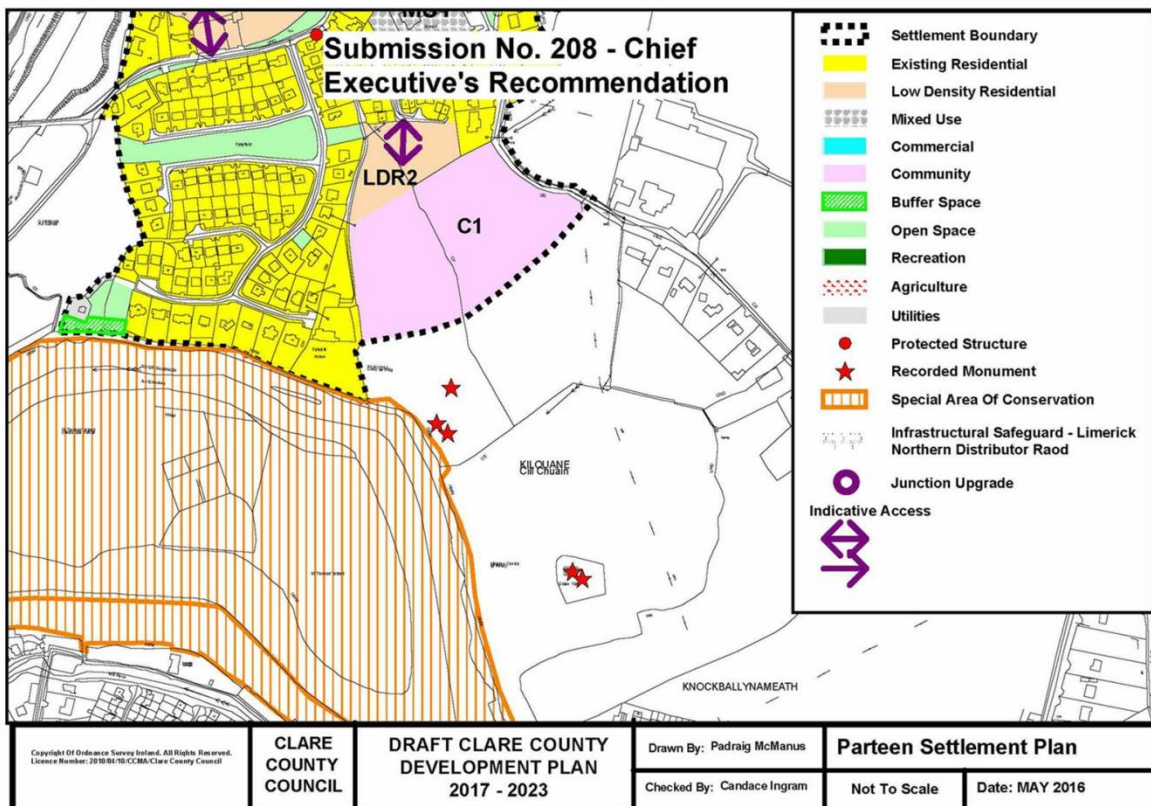
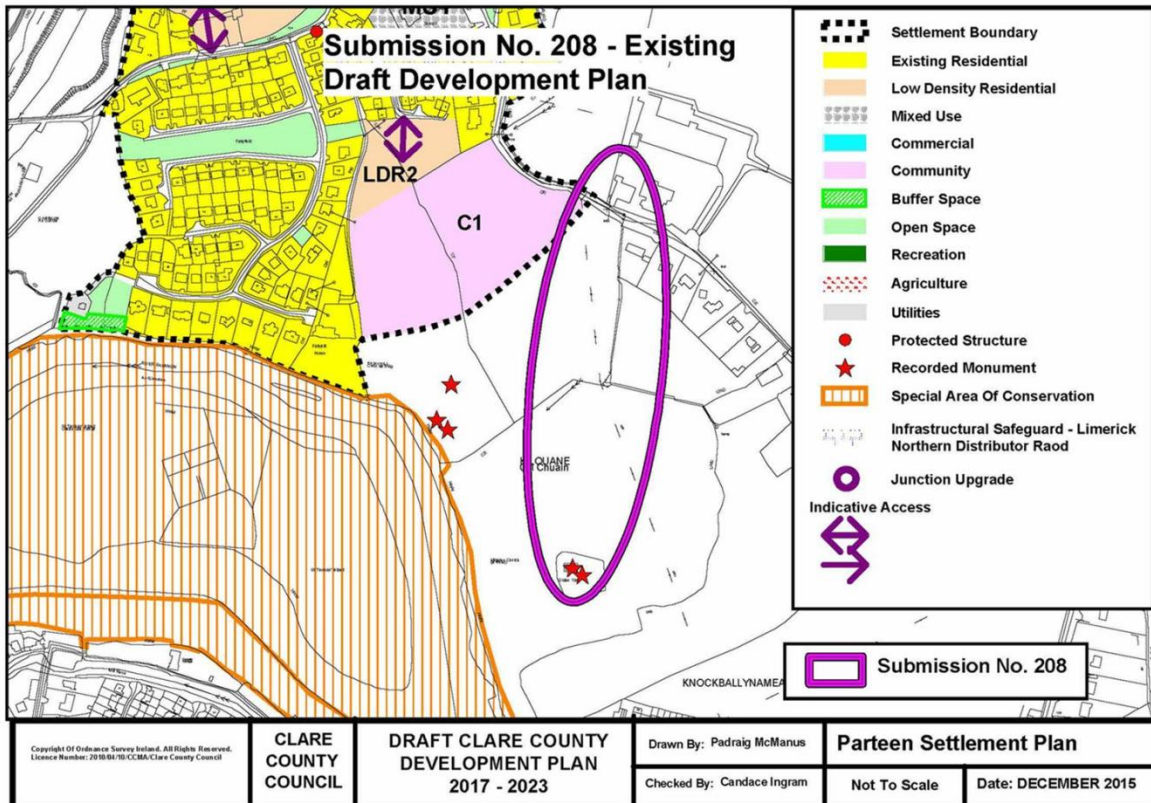
I wish to thank Mr. Nix for making his submission which is acknowledged. However, I have reviewed the Public Right of Way issue with the county solicitor and I am advised that the legislation and case law in relation to public rights of way clearly states that:

- There must be actual dedication by the landowner to the public use of the route in question or there must be sufficient evidence to show that such a dedication was intended;
- A public right of way must be open to the public and not just a class of persons or limited number of the public;
- A public right of way must start in and finish in a public area (i.e. it cannot terminate in private property);
- A public right of way cannot be obtained by stealth, by force or by licence i.e. it must be a route to which the public have a right of access as a right not by way of permission.

Based on the foregoing, there is insufficient evidence, although public access is permitted to support preservation of a designated public right of way at Newhall, Ennis..

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. 209 Sean Dillon

Keywords: Crusheen

Summary of the Issues Raised in the Submission

This submission relates to agricultural lands at Crusheen. The submission is seeking to have LDR4 zoning extended to the lands that are agriculture, as the site is within the settlement boundary, it will allow for options for linkages to LDR3, the area is serviced to provide access to land zoned and to utilities without going on to the public road. The existing public sewer has the capacity to take the additional load, Crusheen has more potential for expansion and development compared to other villages.

Chief Executive's Response

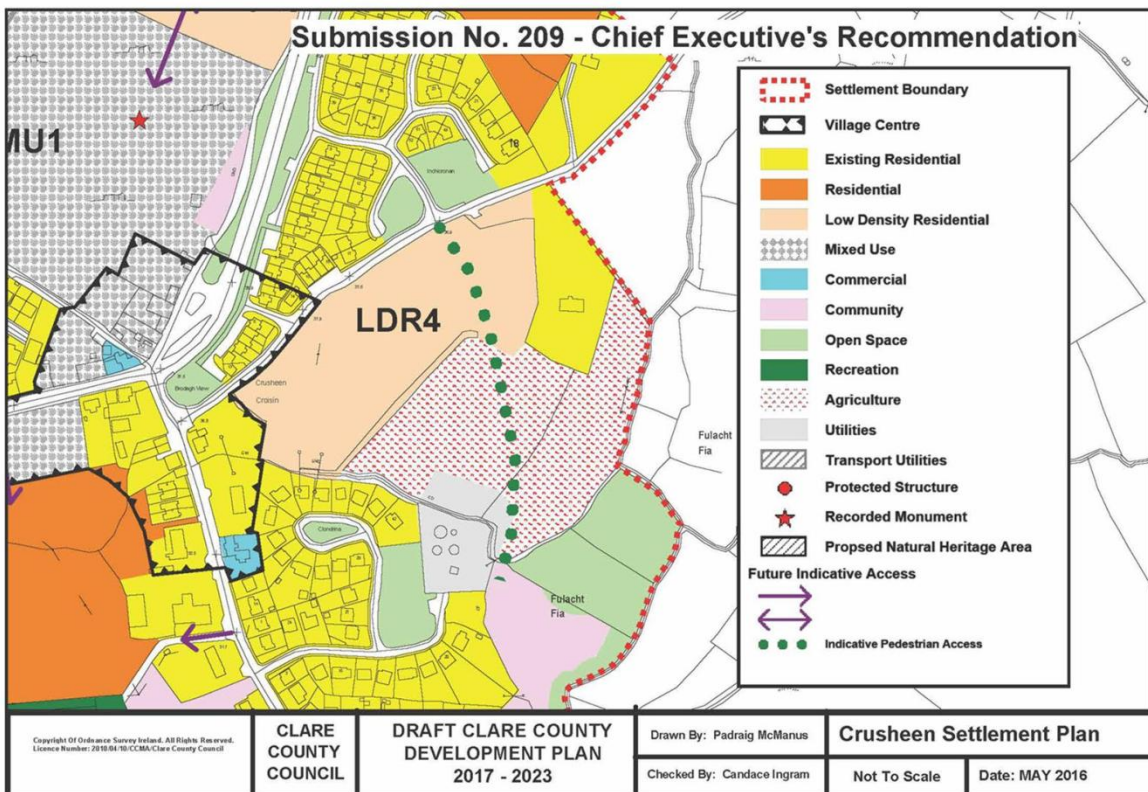
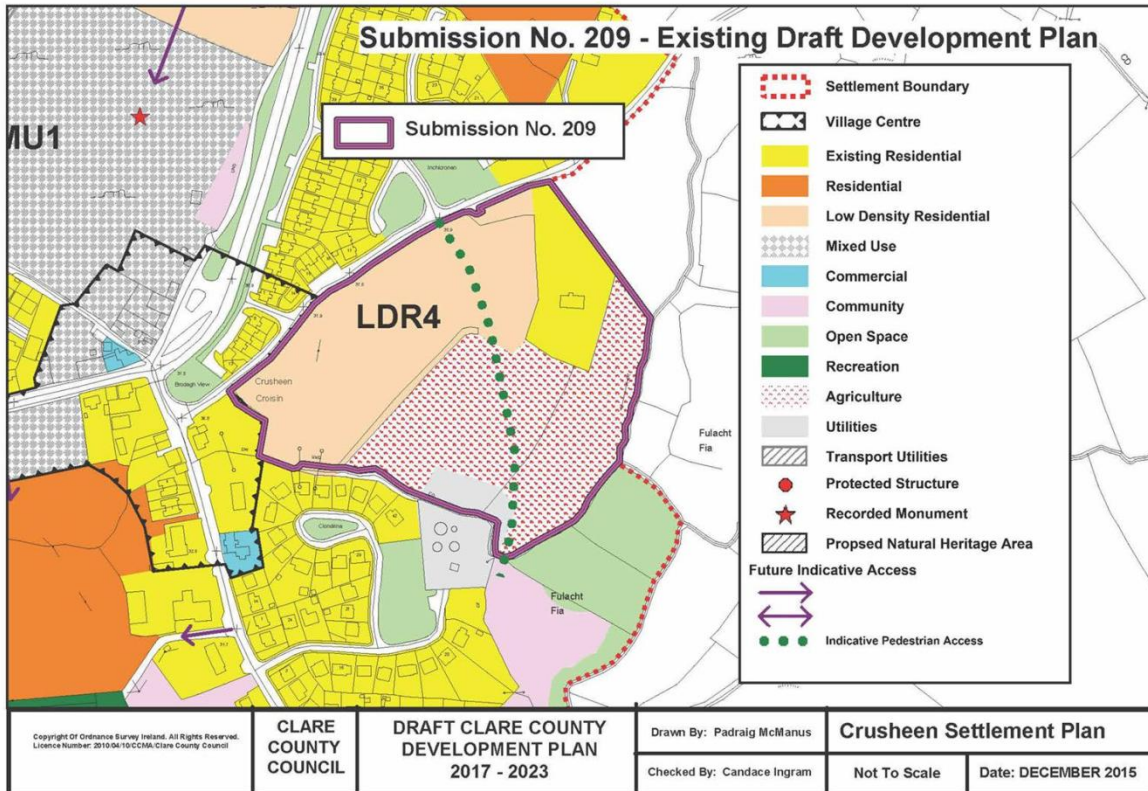
I thank Mr.Dillon for his submission in relation to Crusheen and I reply as follows:

It is noted that the submission refers to a zoning reference LDR3 which does not correlate with any zoning within the Draft Clare County Development Plan 2017-2023 for the settlement of Crusheen. In the interest of fairness I am taking the description and location map which accompanies your incorrect zoning reference as the basis for identifying the location to which the submission refers, which in this case is taken to be the land to the north-east of LDR4 and upon which I have formulated my response and recommendation.

The submission contains a request to extend the area of land, which I am taking to be LDR4, however the quantum of land zoned for Residential use in Crusheen matches that required by the Core Strategy for the period of the Plan. It would not be in the interest of sustainable development to exceed the recommended quantum for this plan period. It would be reasonable to expect that when these lands have developed the rezoning of the adjoining parcel could be reconsidered.

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. 210 Jim and Teresa McMahon

Keywords: Tulla

Summary of the Issues Raised in the Submission

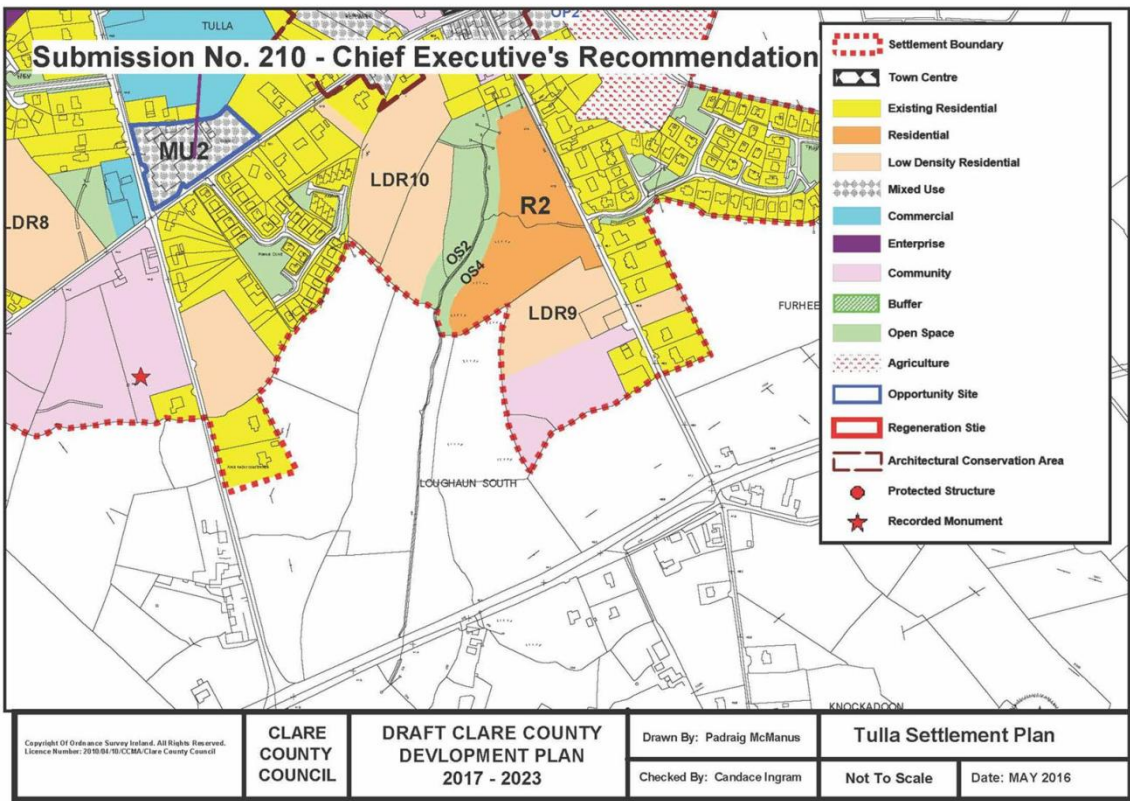
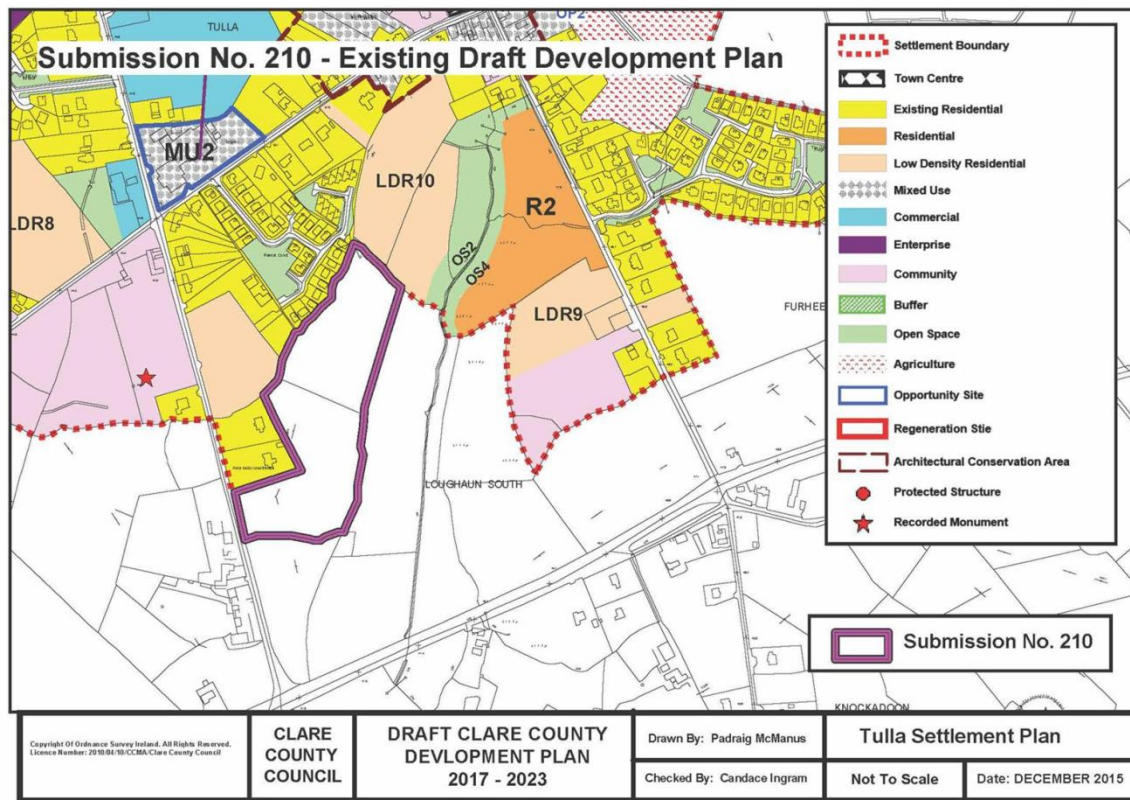
This submission relates to lands in the Tulla settlement area. The submission is seeking for lands outlined in red on the map accompanying the submission to be zoned low density residential development and to be included within the settlement boundary. The submission argues that the site is suitable because it is serviced, is flat and low lying and is linked to the village by a footpath.

Chief Executive's Response

I wish to thank Jim and Teresa McMahon for taking the time to review the Draft Clare County Development Plan 2017-2023 and make this submission. I have reviewed the Core Strategy which is set out in Chapter 2 of Volume 1 of the Draft Plan and I note for the town of Tulla that the total required area of residentially zoned lands up to the period 2023 is 7.5 ha. This has been catered for within the land use zoning map for Tulla town which has several parcels of lands that are identified for "low density residential" and "residential" to meet this projected population target. I therefore consider that to zone additional lands for residential development would be at variance with the Core Strategy for the town of Tulla.

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. 211 Tulla Comhaltas Development Committee (Breda McNamara)

Keywords: Tulla, Policy

Summary of the Issues Raised in the Submission

The development of the Tulla Comhaltas Cultural Centre on the site of the former Convent of mercy building merits inclusion on the Clare County Development Plan 2017- 2023, in the plan for the Tulla area. The building is now a thriving cultural centre Cnoc na Gaoithe. Planning permission has been agreed for development for the first floor for accommodation to enable residential workshops to take place. The long term plan for the centre is to build a performance venue.

The play ground in front of the school building which has access directly in to the Main Street in Tulla has potential to be used as a car park for the village which would alleviate the current parking crisis. Tulla Comhaltas would be happy to cooperate with Clare Co. Council if such a development was considered viable. A map accompanying the submission shows how the site could potentially be linked to the Main Street.

There is a mature orchard to the rear of the Convent building which could become a beautiful area in the centre of the village.

Chief Executive's Response

I thank Tulla Comhaltas Development Committee for the succinct but comprehensive submission, note the contents and wish to comment on the request made therein as follows:

I consider that Tulla Comhaltas Development Committee have, as outlined in their submission, made substantial progress in advancing the musical heritage of the area and in supporting the historic built fabric of the town. The ambitions and proposals put forward would be in line with many of the General Objectives for the town set out in the text on Tulla. I consider that the Introduction and Context section should reflect the presence and profile of Tulla Comhaltas and the Cnoc na Gaoithe Cultural Centre and propose to insert additional text in that regard.

The current zoning in the Draft Clare County Development Plan 2017-2023 will support the proposals outlined in the submission and there is no requirement to amend these. Some of the proposals will require the benefit of planning permission and the Council would be happy to give appropriate support to such proposals subject to resources. A general objective can be included on exploring the provision of a car park between the Culture Centre and Main Street.

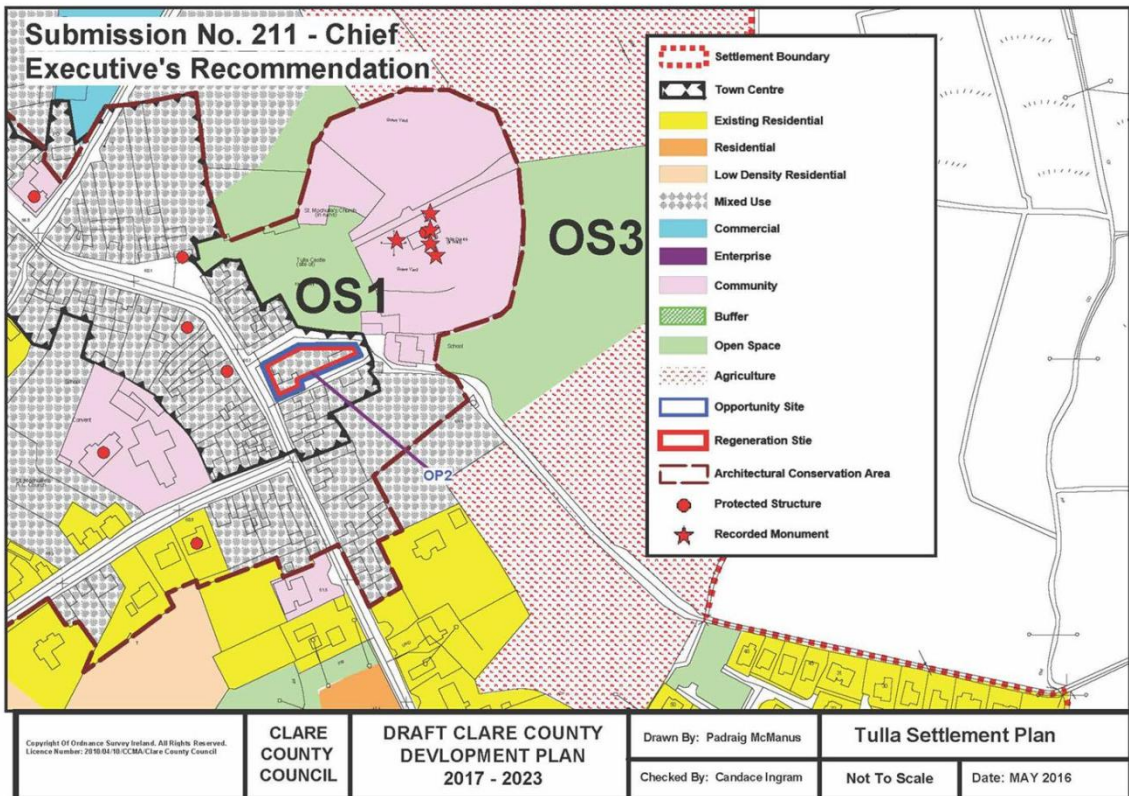
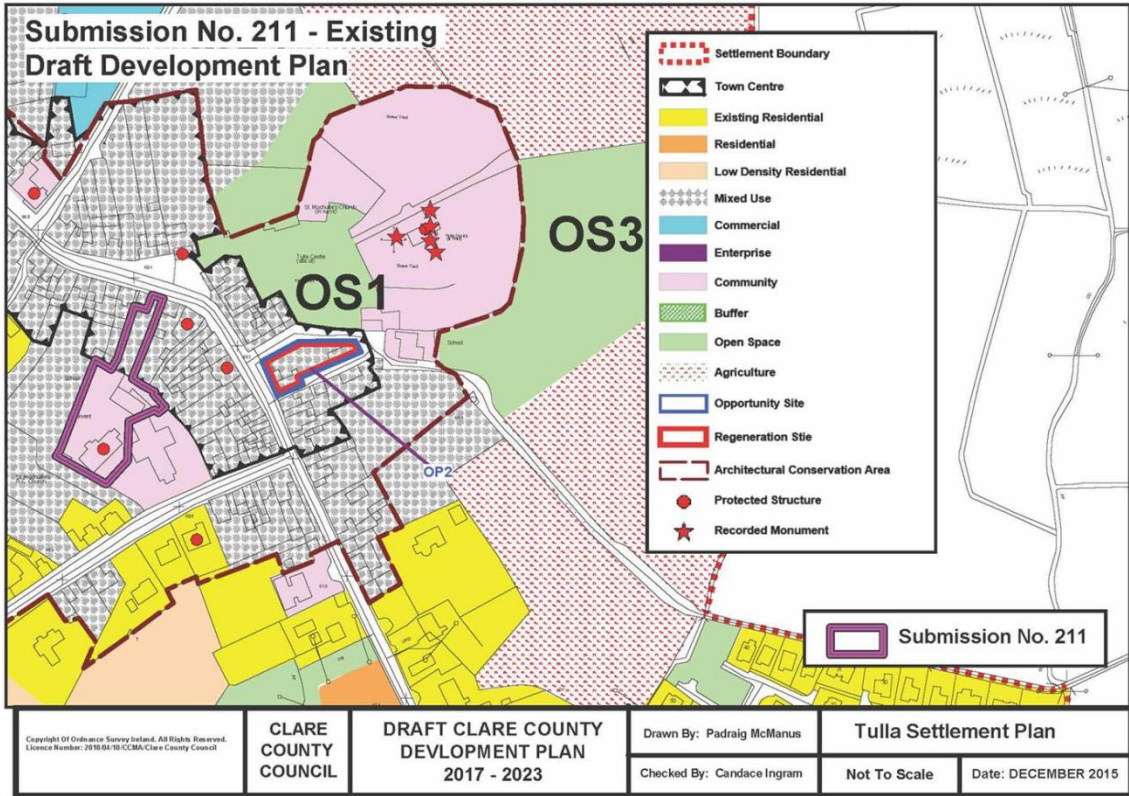
Chief Executive's Recommendation

I recommend that the following amendment is made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission: Insert the following text as paragraph three in the Introduction and Context section of Vol 3c Tulla settlement statement which reads:

Tulla has a proud musical tradition, being the base of the internationally renowned Tulla Ceile Band. Tulla Comhaltas has also been active over the decades in carrying on the cultural tradition. Their recent valuable work in establishing the Cnoc na Gaoithe Cultural Centre in the former convent, a protected structure, effectively promotes the musical heritage of the area and the historic built fabric of the town.

Under General Objectives include the following as a final point:

- To explore the provision of a carpark between Main Street and the Culture Centre subject to resources.



Ref. 212 Brian Quin

Keywords: Meelick

Summary of the Issues Raised in the Submission

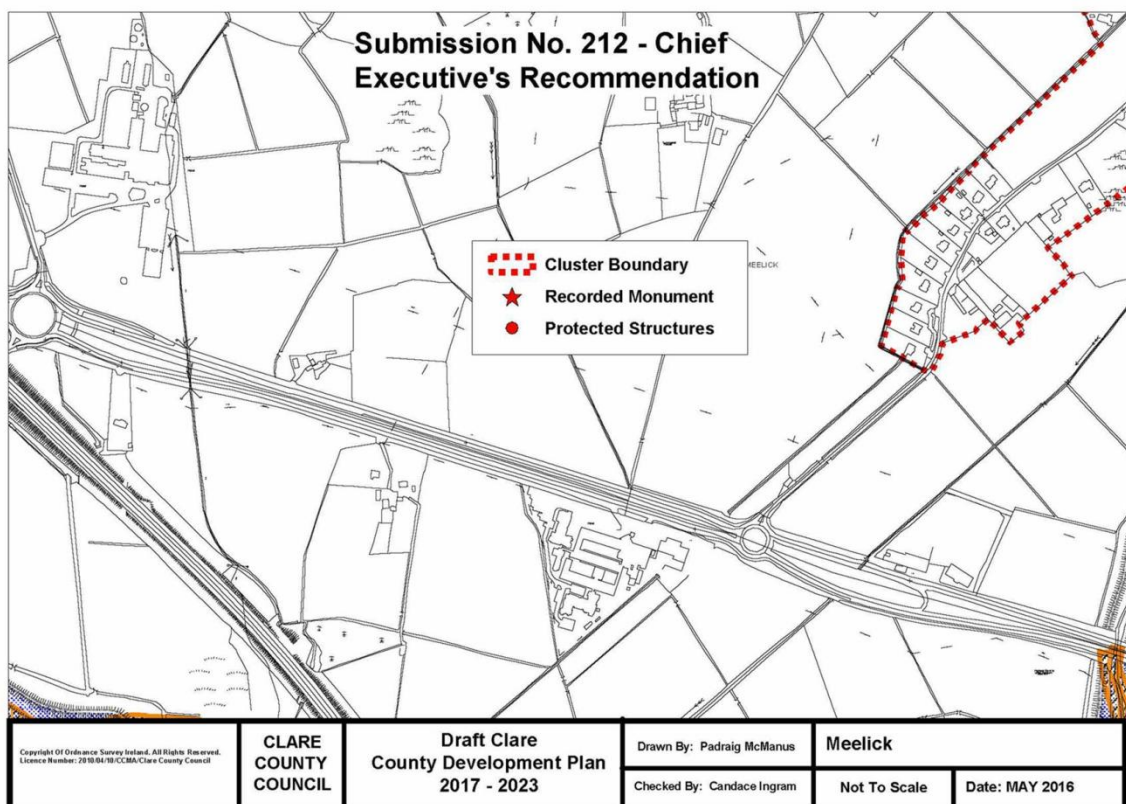
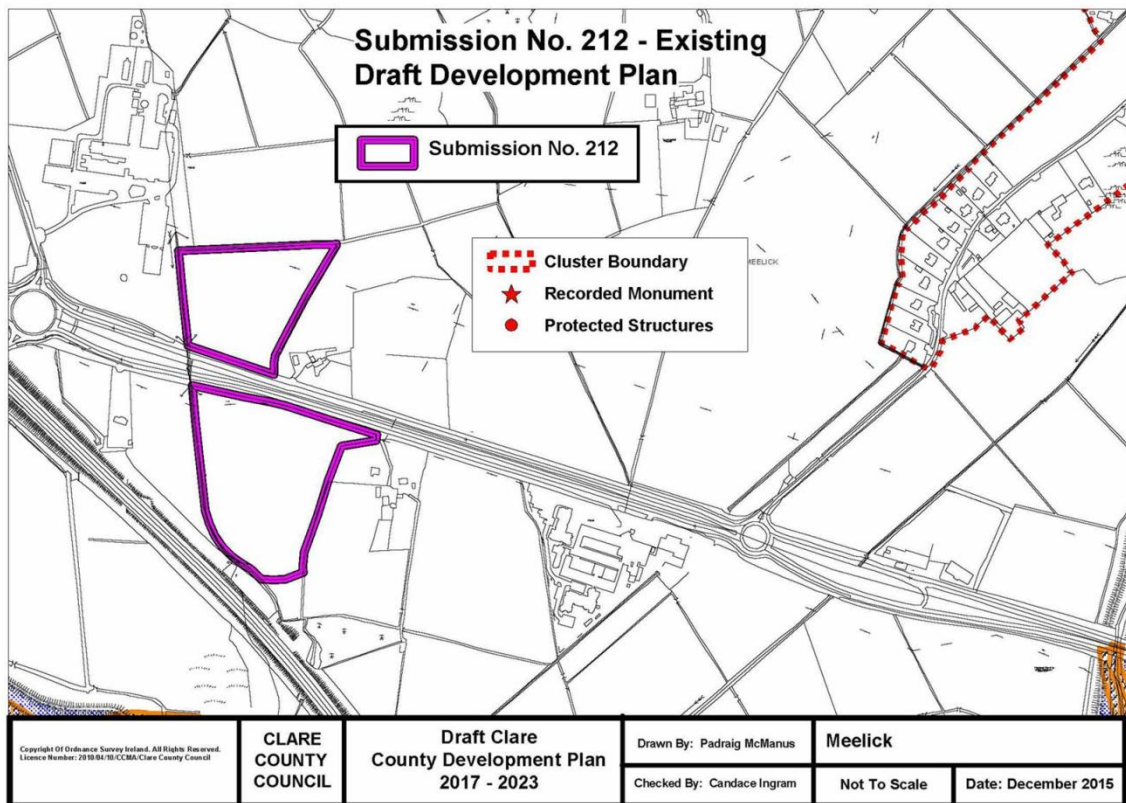
This submission seeks the zoning of land as Light Commercial at Meelick. A map outlining the submission outlines the area in red.

Chief Executive's Response

I thank Mr. Quin for his submission which relates to two parcels of land in Meelick, measuring approximately 7.5ha in area. The two parcels, one on either side of the N7 Limerick to Ennis road, are remote from any settlement or cluster. It is not consistent with proper planning and sustainable development to zone isolated parcels of land for development in an adhoc manner. It is both important and appropriate to focus development of this nature in settlements identified for growth such as Shannon or Limerick where they will contribute to the consolidation and sustainable growth of these service centres.

Chief Executive's Recommendation

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



Ref. 213 Killaloe/ Ballina Community Garden Group

Keywords: Killaloe

Summary of the Issues Raised in the Submission.

This submission relates to OP1 Bane Field and Tobermurragh Park. The Killaloe/ Ballina Community Garden Group confirms it's support for the general principals set out. They wish to discuss with the council their ideas for Bane Field and Tobermurragh Park which include continuation and expansion of the community garden as both a growing and learning facility, the development a natural performance space and linking the Park to the rest of the town making it suitable for all users.

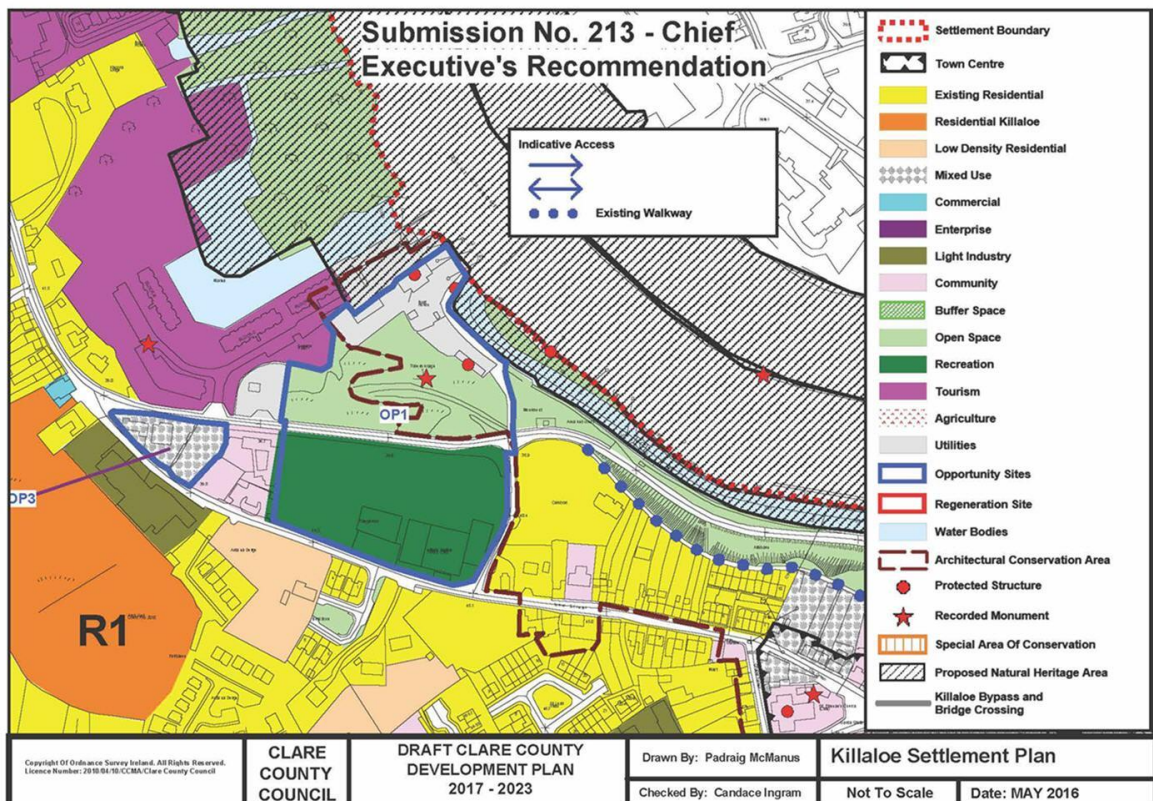
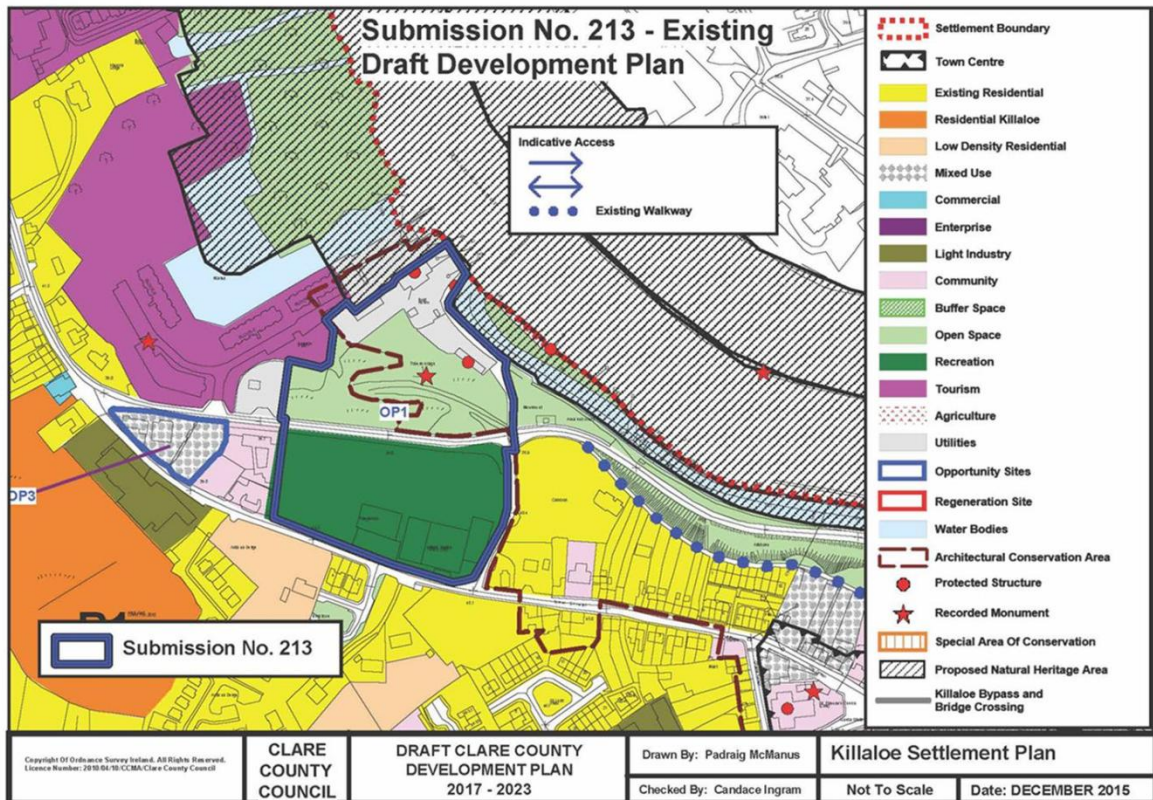
Chief Executive's Response.

I thank the Killaloe/ Ballina Community Garden Group for the submission, acknowledge the content and wish to comment on the request made therein as follows:

The contribution made to the community life of the area by the Group's work and activities is evident and very much appreciated. I see the Community Garden as an integral part of the ongoing and developing proposals for the wider Tobermurragh Park. The Garden is seen as a valuable community resource with potential for further development in educational and/or organic directions. Proposals for the park will be the subject of a separate process which will include public consultation when they reach a more advanced stage.

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. 214 The Planning Partnership on behalf of Maccon Keane

Keywords: Lisdoonvarna, Housing

Summary of the Issues Raised in the Submission

This submission related to lands at former Glenview Hotel Lisdoonvarna and surrounding lands to the west and south-west. The site is identified in the Draft County Development Plan as an opportunity site and a regeneration site and is proposed to be zoned mixed use. It is considered that the intention of the Urban and Regeneration Housing Act 2015 was to tackle run down areas in Dublin, and other cities. The designation of the subject site as a regeneration site is onerous and should be removed. Zoning of the site as mixed use is noted. The objective set out in relation to OP1 is unclear. The objective has the potential to prejudice the development of their clients lands by making any proposed development premature pending the preparation of a master plan. The objective should be amended to state 'A master plan will be prepared for the lands in consultation and agreement with the land owner' and / or 'Any planning application for any portion of the lands designated OP1 will be accompanied by a master plan or design statement to present the development rationale of the opportunity site in accordance with the under-lying mixed use zoning and architectural Conservation Area objectives'.

It is clear from other policies that the Council is willing to work with stakeholders in preparation of town improvement strategies.

Chief Executive's Response

I thank Mr. Keane for his submission the content of which I respond to as follows:

The submission expresses concern regarding the designation of the site of the former Glen View Hotel as an Opportunity Site and a Regeneration Site. I would like to clarify that these are two separate designations. A series of Opportunity Sites have been identified in the towns and villages across the county, the re-development of which would make a significant positive contribution to the settlement in which they are located. This contribution can be from either a physical or economic perspective.

I have reviewed the guidance for OP1 and consider an amendment to text would provide clarity by removing the reference to traffic management related to the impact on traffic speed in spaces where this is no enclosure.

I note that the former hotel site is part of a larger parcel of land. It is hoped that the former hotel site can in time make a substantial contribution to this. Indeed it is noted that the former hotel site is part of a larger parcel which I note is zoned as Mixed Use and allows for the site to be developed in conjunction with OP1. In this regard I do not consider there is a need to extend the boundaries of the Opportunity Site designation.

With regard to the preparation and function of a masterplan, it is primarily to examine development options for the site in a comprehensive and integrated manner. The masterplan would be produced by the land-owners in consultation with the planning authority.

Regarding the designation of the site for regeneration, this is done to incentivise the development of under-utilised vacant sites and buildings in urban areas for regeneration purposes in line with the Urban Regeneration and Housing Act 2015. Many of the towns and villages in the county contain under-utilised and vacant sites and buildings and it is important that owners of prominent sites address the challenge of appropriate development of their sites. Given that this designation could incur a vacant site levy in the future in the event that regeneration of the site does not occur I consider that in this instance it is an onerous requirement and should at this time be removed.

Lisdoonvarna is designated as one of only seven Small Towns in the county. However, I do appreciate the challenge of development in a situation possibly of low demand. For this reason I will recommend that, at this stage, the Regeneration designation is removed.

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:

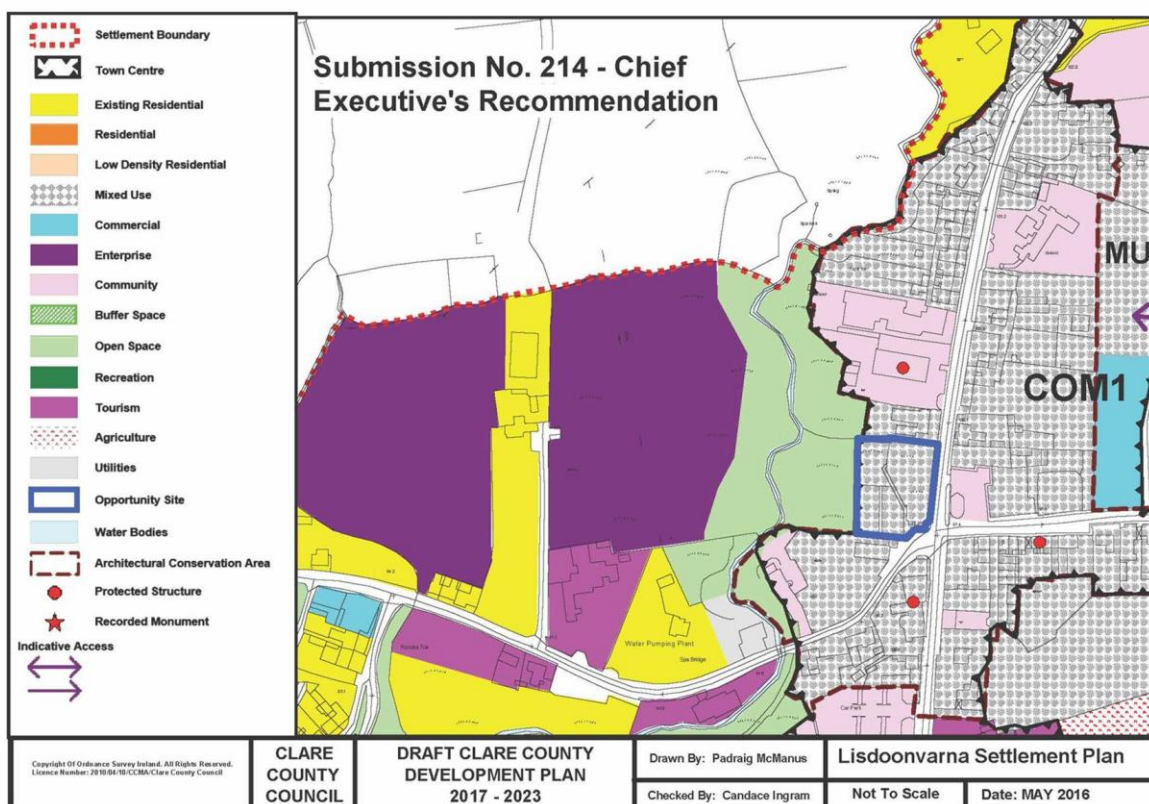
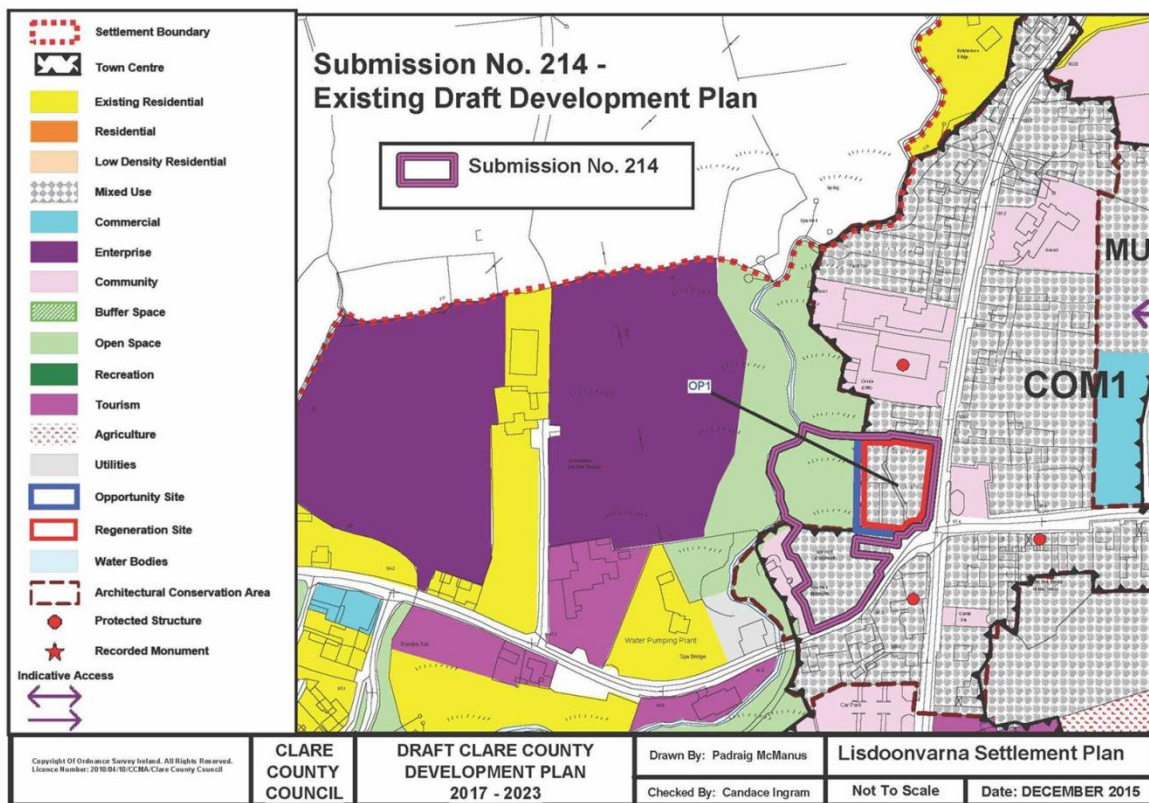
Volume 3(d) Lisdoonvarna Settlement Plan – amend zoning maps as follows:

- The Regeneration Site designation be removed from the site

That the text for the Opportunity Site is amended as follows:

"OP1 Former Glen View Hotel"

The site and its immediate environs would benefit from a master plan to explore options including defining the square, visual connection to green amenity and pedestrian linkages. ~~and possible role in traffic management.~~ The Square needs suitable physical definition on it's southern side, the site of the former Glenview Hotel. "



Ref. 215 Cunnane, Stratton and Reynolds on behalf of Michael McHale

Keywords: Killaloe

Summary of the Issues Raised in the Submission.

This submission related to lands designated TOU2 on the Killaloe zoning map.

In the East Clare Local Area Plan 2011-2017 there is a provision that stated with respect to these lands.

'Development proposals must make provision for safe vehicular access and pedestrian access to the site. Temporary vehicular access from the regional road to the TM2 site shall be considered on lands that are not zoned until such time as a Killaloe by pass is constructed. Access shall be addressed as part of a master plan for the overall TM2 site.

The submission requested that this designation is included in the TOU2 objective on p 15/ 16 of the Draft Plan provision as they relate to the Killaloe Municipal District.

The submission welcomes the provision of TOU 2 zoning and is requesting that the Council consider rezoning a portion of the lands adjacent to the north of the site for residential use (approx 10 acres)

Chief Executive's Response

I thank Michael Mc Hale for his submission, the content of which is noted, and I reply as follows:

I recognise that should development on TOU2 precede the Killaloe by-pass difficulties could be encountered in relation to access. In order to avoid such a scenario I favour the introduction of some text to facilitate access TOU2.

With regard to the request for additional residential zoning on the land, it is the case that these lands were zoned for tourism to facilitate a major tourism project which could contribute to the industry at a local and regional scale. It is disappointing that such a project has not been brought forward. In addition, residential use of these lands is not considered to be in the interest of sustainable development. The quantum of land zoned for residential use is determined by the Core Strategy. The Core Strategy is explained in Chapter 2 of Volume 1 and the amount of land proposed for zoning by the Draft Clare County Development Plan 2017-2023 is sufficient for Killaloe in this plan period.

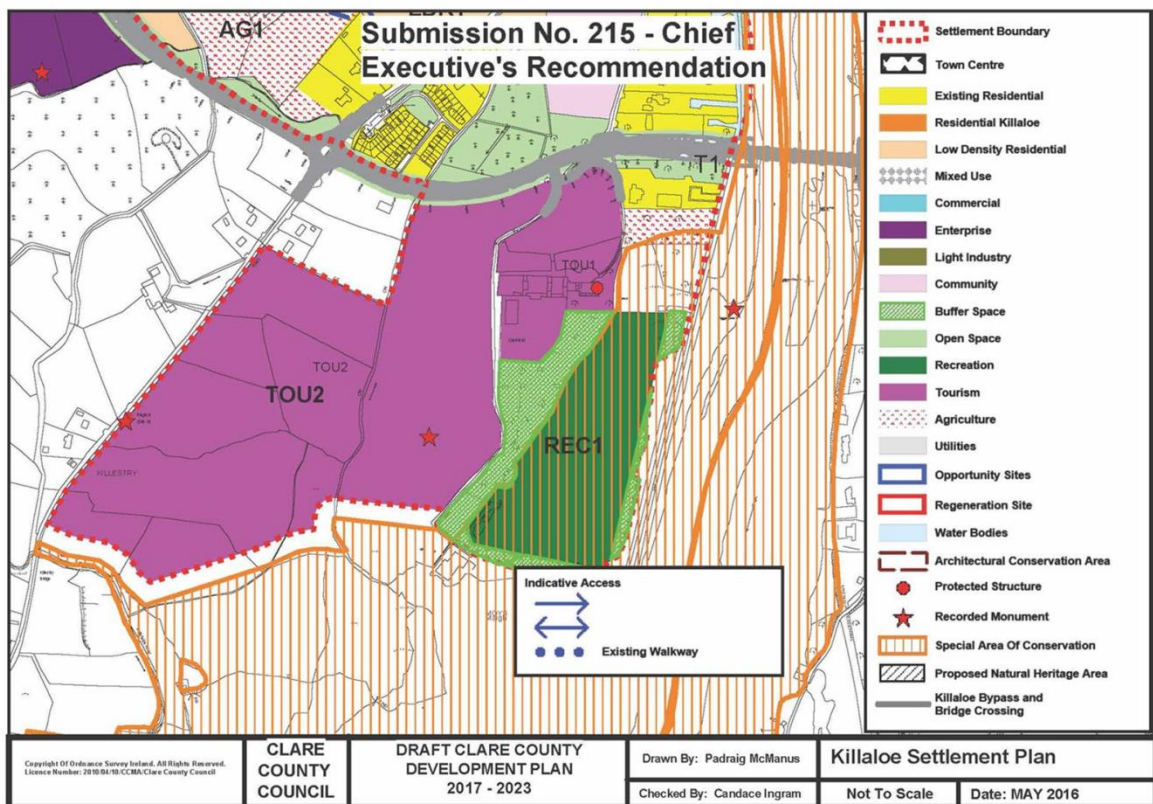
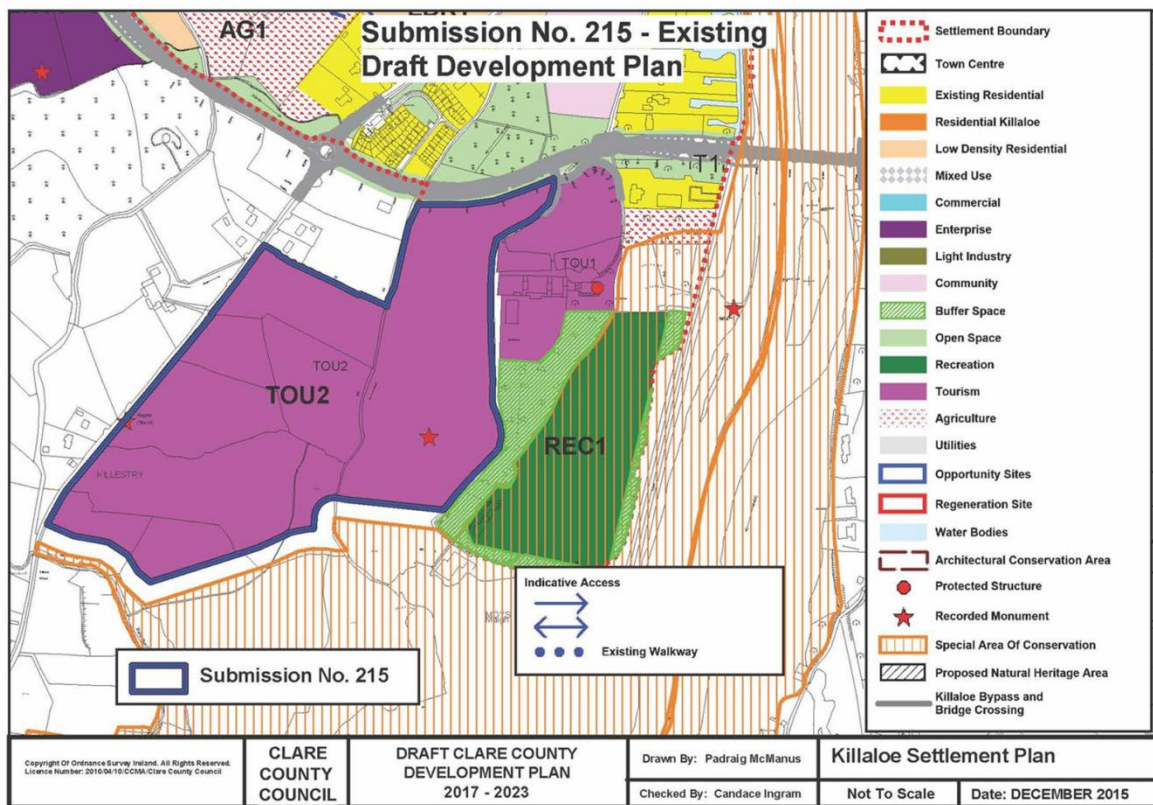
Chief Executive's Recommendation

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

TOU2 - Clarisford/Killestry Tourism Site

Amend the text which reads:

"Development proposals must make provision for safe vehicular and pedestrian access to the site. Permanent **or temporary** access shall be addressed as part of a masterplan for the overall TOU2 site. **Temporary access on unzoned lands to TOU2 may be considered in advance of the Killaloe bypass.**



Ref. 216 Brendan McGrath on behalf of G. McNamara

Keywords: Killaloe

Summary of the Issues Raised in the Submission.

This submission related to lands (approx 8.2 ha) on the south side of Killaloe which is currently in agriculture use. The land is proposed for low density housing, agriculture, and recreation uses which are the same zonings that were adopted in the 2011 Local Area Plan. The zoning proposed significantly underestimates the sustainable development potential of the land and the contribution it can make towards consolidating the physical growth of the town and creating a more permeable urban structure. It is requested that the plan be revised to include the following:

- A direct local distributor link from the Boys National School on Abbey St south to the R 463
- A residential development zone in place of a low density zone at LDR 1
- A low density residential zone in place of agriculture at AG1.
- Mr Mc Namara proposes to cede the land zoned recreational to the Boys National School and will build vehicular access to the recreation area.

Chief Executive's Response

I thank Mr McNamara for his submission the content of which is acknowledged and I reply as follows:

I consider that there is merit in a number of aspects of your submission. The vehicular access from Abbey Street would facilitate the change in zoning from LDR1 to residential zoning, provided sufficient width can be obtained for roadway and pavements. I accept that it would be necessary to retain a green strip including the hedge to effectively screen the development from the R363 and this would be likely to rule out vehicular access to the regional road on account of sightline provision for a housing scheme. Pedestrian and cycle access from the development to the regional road will be required although this may be acceptable through existing access points.

The quantum of land zoned for residential use in the settlements has to correspond with the Core Strategy requirements and the quantum as zoned in the Draft Plan is adequate for this plan period. For this reason it is not advisable to change the Agriculture zoning to Low Density Residential. Given the location of these lands, LDR1, I consider it appropriate to increase the density from low density residential to residential. Consequently, to ensure lands zoned are consistent with the Core Strategy, I propose to amend R2 to Low Density Residential on the western part of the site given the edge of town location.

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(c) Killaloe Settlement Plan

A change in zoning on the settlement map for Killaloe from:

- Change zoning on site LDR1 to Residential (R4) and Open Space
- Change a small area of the Recreation lands in Shantraud to Residential and
- Change the zoning on part of R2 to Low Density Residential (LDR1)

Text amended as follows:

~~This site is located to the north of the Limerick Road in the town and is in close proximity to the secondary school. The land is elevated over the adjoining public road and therefore there may be some areas within the site on which single storey dwellings only will be acceptable. Footpaths shall be provided to link development on the subject site to the existing footpath network in the area.~~

R4 Lands to the North of the R363.

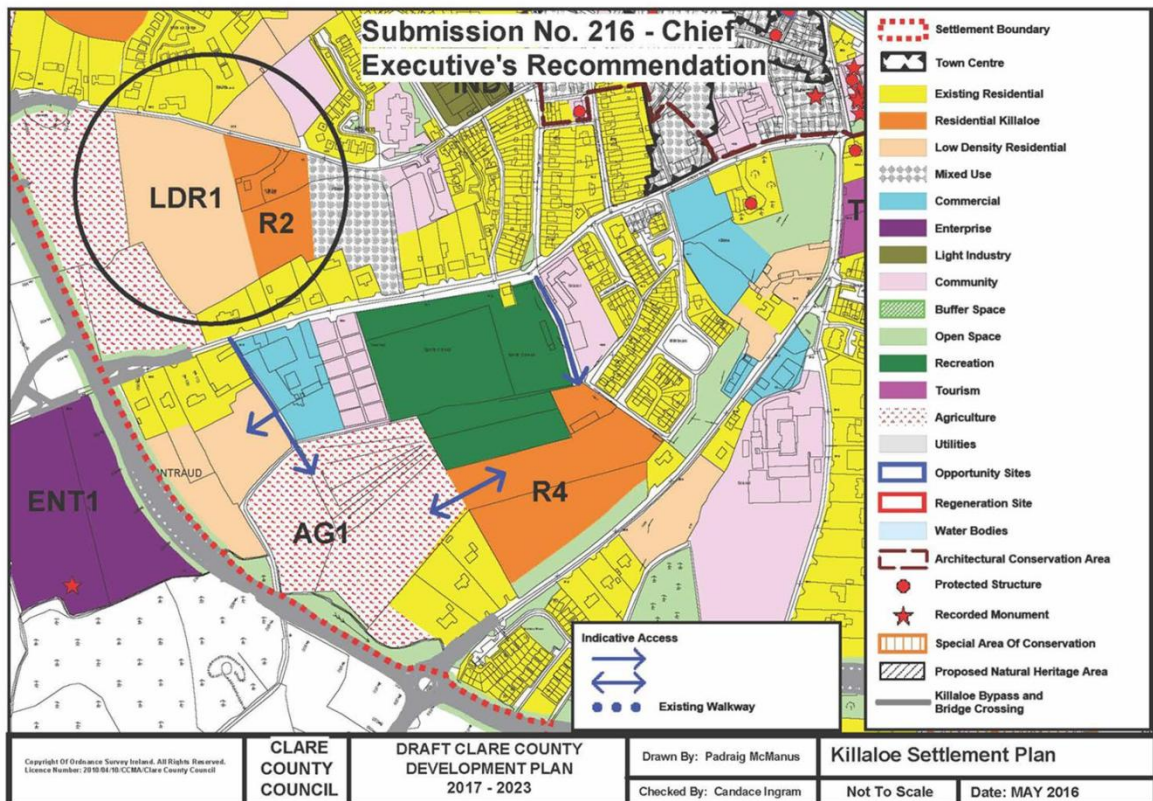
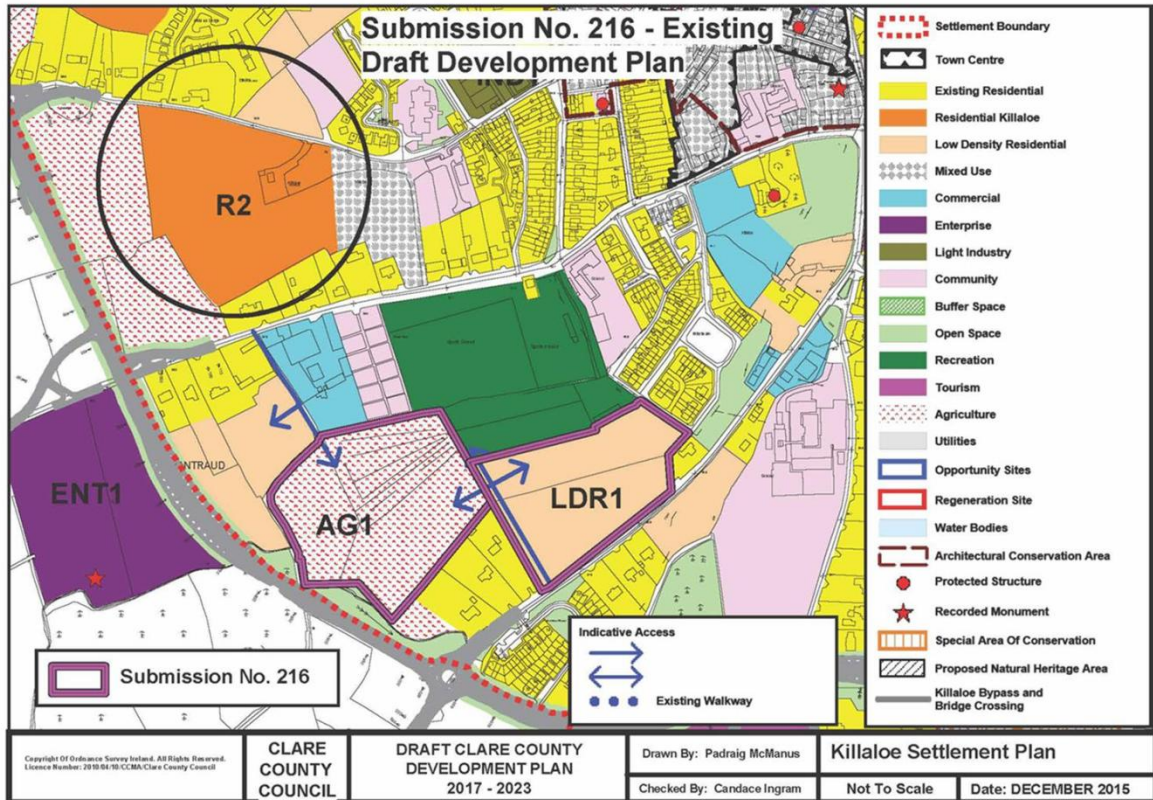
This site is located to the north of the Limerick Road in the town and is in close proximity to the secondary school. The land is elevated over the adjoining public road and it will be necessary to retain a green strip including the hedge to effectively screen the development from the R363. The vehicular access will be provided from Abbey Street subject to provision of sufficient width for roadway and pavements. Pedestrian and cycle access from the development to the regional road will be required although this may be acceptable through existing access points.

~~R2-Shantraud~~

~~This is a large site on the edge of the settlement. The site is well located to accommodate the future expansion of the town, being in close proximity to the town centre and all of its associated services. Access to the lands shall be from both the north and the south of the site. Future development on the lands shall be contingent upon the provision of the Killaloe western relief road, the upgrade of the roadway adjoining the northern boundary of the site and the provision of footpaths to link the development to the existing footpath network in the town.~~

R2 and LDR1 Shantraud

This is a site on the edge of the settlement. This site comprises both Residential zoning (1.27Ha) and Low Density Residential (2.72Ha) and this mixture is considered appropriate to add to the housing mix in the town. The site is well-located to accommodate some future expansion of the town, being in close proximity to the town centre and all of its associated services. Future development on the lands shall be contingent upon the provision of the Killaloe western relief road, the upgrade of the roadway adjoining the northern boundary of the site and the provision of footpaths to link the development to the existing footpath network in the town.



Ref. 217 Michael Keating on behalf of JJ Fahy

Key words: Ennis

Summary of the Issues Raised in the Submission

This submission relates to lands (1.8 ha) at Roslevan Ennis. Planning permission was previously granted under pl. ref. 06/ 161 in 2008. The submission states that there have been other developments granted in the area between 1999 and 2006.

Chief Executive's Response

I wish to thank Mr. Fahy for his submission. I acknowledge that this site was included in phase 1 of variation no. 2 of the Ennis and Environs Development Plan 2008- 2014. I also note that the pl. ref.06/ 21019 expired 18 Feb 2012.

While the submission does not specifically request a zoning change, having regard to the location of the site and the existing pattern of development in the area, and also that the Rosleaven Neighbourhood has been identified as one for growth in the Draft County Development Plan, I consider that part of this site is suitable for Low Density Residential development. I note that the new CFRAM mapping shows slight encroachment of Flood Zone B at the eastern end, the southern end and the northeastern side of the site, and therefore these portions of the site are not considered suitable for development and shall be zoned Open Space.

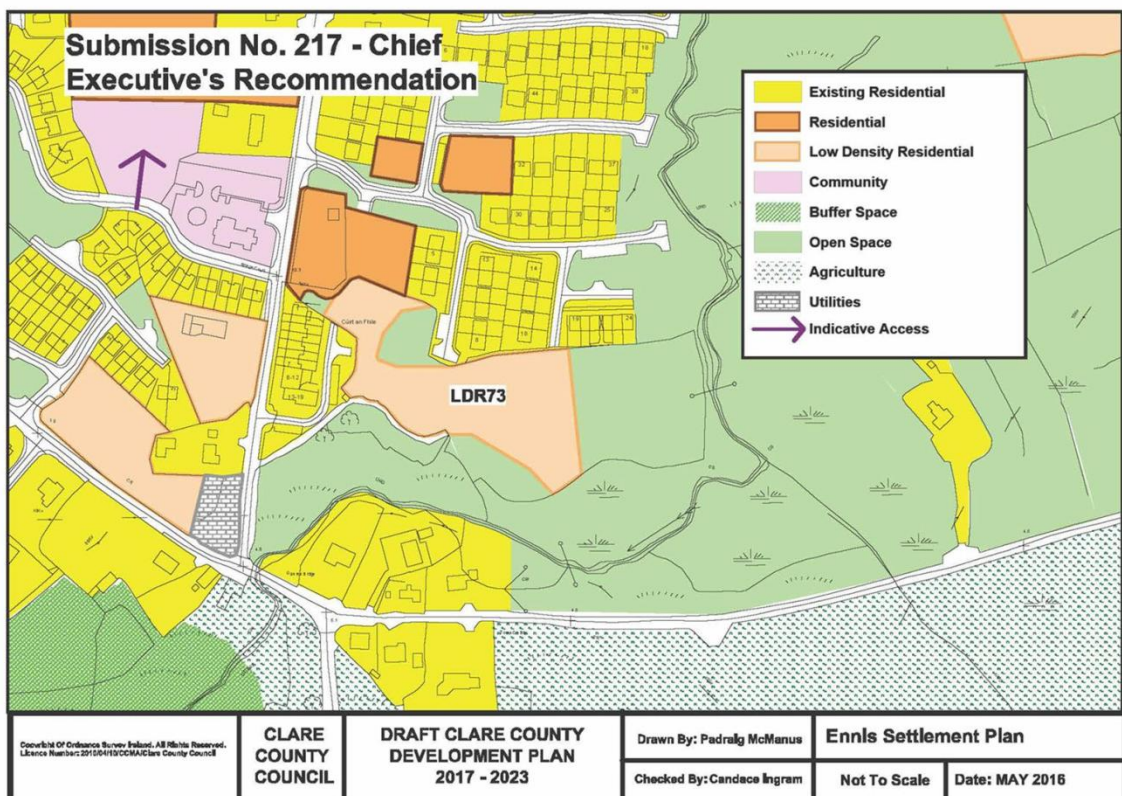
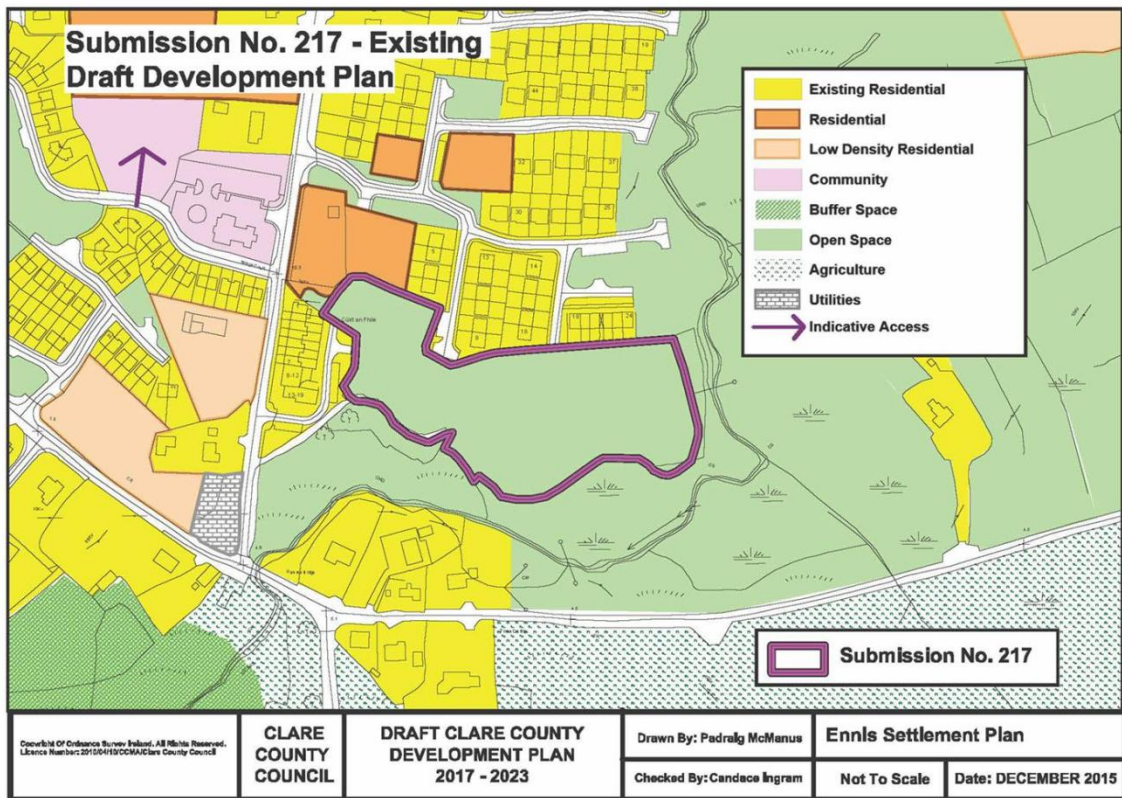
Chief Executive's Recommendation

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, with partial Open Space zoning contained within the plot on the basis of this submission, as per the attached map.

I further recommend that the following text is inserted into Volume 3(a) of the Draft County Development Plan:

LDR73

The site is suitable for a low density residential housing scheme of a high quality design and layout. Any development application shall be accompanied by proposals to provide a river walk from the site towards the river to the East, within the Open Space area. No residential development shall take place on the zoned Open Space areas. Additionally, development proposals shall be accompanied by a surface water management strategy and plan.



Ref. 218 Michael Keating on behalf of Eugene O'Connor

Key Words: Ballynacally

Summary of the Issues Raised in the Submission

This submission relates to lands at Cornfield, Ballynacally. The lands are north of the village outside the settlement boundary opposite Dangan castle. The land should be zoned for low density housing.

Chief Executive's Response

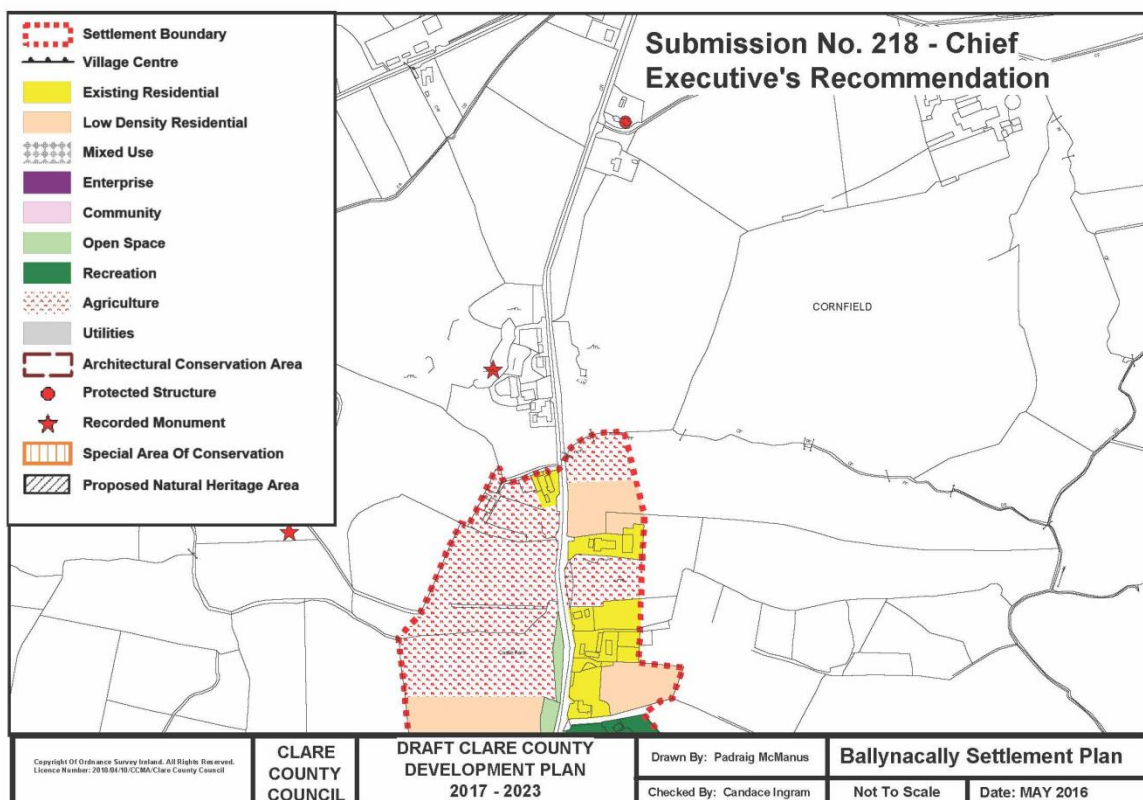
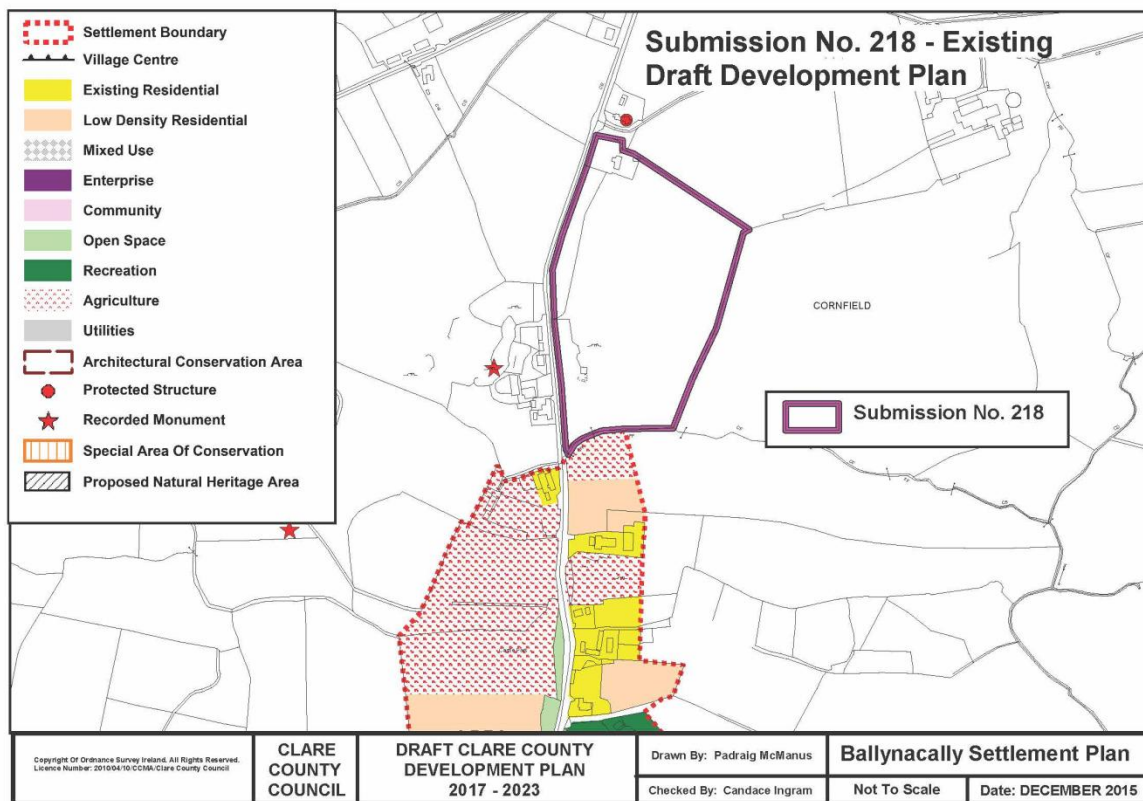
I thank Mr. O' Connor for his submission. The site in question is located on the northern boundary of the settlement and covers an area of approximately 5.8 hectares and I note that the total area of land required for residential development in Ballynacally for the plan period, as set out in the Core Strategy is 5.8 hectares which is provided for within the settlement area of the village within the Draft Clare County Development Plan 2017-2023. I consider that this site proposed for low density housing is disproportionate to the size of the village, located on the periphery of the settlement and is well in excess of required zoned housing land as set out in the Core Strategy in Chapter 2, Volume 1 of the Draft Clare County Development Plan 2017-2023 and as such would be contrary to the proper planning and sustainable development of the village.

I note the comments in relation to the consolidation of the village of Ballynacally and the cluster of Ballycorick. While I agree that the two settlements are very much inter-dependent in terms of service provision, they remain individual settlements and it is not desirable that the two should extend along the R474 and merge in the future.

I do not consider it appropriate to zone these lands for Low Density Residential uses.

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. 219 Michael Fahy

Key words: Ballaghboy

Summary of the Issues Raised in the Submission

This submission relates to lands at Ballaghboy, Ennis.

The lands in question are zoned Other Settlement Lands in the Ennis and Environs Development plan 2008- 2014, as varied. This submission is requesting that the zoning of the referred to lands is changed from agriculture as proposed in the Plan, to other settlement land.

Chief Executive's Response

I wish to thank Michael Fahy for his submission. I wish to advise the Other Settlement Lands zoning is not being carried forwards into the Draft Clare County Development Plan 2017 – 2023. Residential zoning is determined having regard to the core strategy. While I acknowledge Ballaghboy as a cluster, I do not consider that the zoning of land for low density residential to the extent proposed in the submission is in the interest of proper planning and sustainable development. Ballaghboy is not served by public sewerage system and it would not be in the interest of sustainable development to encourage more residential development at this location. In determining the scale, location, and distribution of residentially zoned land the core strategy is consistent with 'Guidance notes on Core Strategy Nov 2010', together with the provisions and conclusions of the SEA and HDA process and the Water Framework Directive. In addition site specific land use issues were considered. These criteria include inter alia availability of services, sequential test, flood risk assessment, planning history, consolidation or urban form etc. Having regard to the foregoing zoning land at this location for residential development would be contrary to the guiding principles of the core strategy. I therefore recommend no change to the zoning at this location on foot of this submission.

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. 220 Michael Keating on behalf of JJ Fahy

Key Words: Ennis

Summary of the Issues Raised in the Submission

This submission relates to lands at Newpark Ennis.

The submission is requesting that the lands (1 acre) be zoned Residential.

Chief Executive's Response

I would like to thank Mr Keating for making a submission on behalf of Mr Fahy in relation to lands at Newpark, Ennis and wish to respond as follows.

The council has an obligation as the competent authority in relation to the Habitats Directive to undertake Appropriate Assessment (AA) and Strategic Environmental Assessment processes which must be carried out in compliance with the relevant legislation before the CDP is made. The AA places particular emphasis on the implications of the Draft Plan for the conservation objectives of European sites. In contrast the SEA looks at the wider ecological and biodiversity issues with particular reference to strictly protected species and their key habitats, 'natural habitats and protected species', and ecological corridors and stepping stones.

Screening for appropriate assessment, and the appropriate assessment must be carried out in compliance with Part XAB of Planning and Development Act, 2000 as amended. The relevant tests, terminology and stages of this legislation should be followed and referenced in relation to the analyses undertaken and the determinations reached at screening and any subsequent stage(s) in the process. In accordance with Section 177U of the Act, screening is carried out to assess, in view of best scientific knowledge, if the draft plan, on its own or in-combination with other plans (including the existing plan) and projects, is likely to have a significant effect on a European site. Only if it can be excluded on the basis of objective information that the plan, individually or in combination with other plans and projects, will not have significant effects on a European site, may it be determined that an appropriate assessment is not required.

The Habitats Directive is the key piece of legislation in relation to undertaking AA which is transposed into Irish legislation through the Birds and Natural Habitats Regulations 2011.

In light of these regulations and the associated Appropriate Assessment Guidance for Planning Authorities 2009 it is no longer sufficient to say that protective policies or objectives included in parts of the plan will counteract potential significant or adverse effects of development of sites within the plan area. Strategic examination and analysis are required at the plan level as the basis for considering the effects alone or in combination with other plans and projects on European sites in view of their conservation objectives. Clare County Council as the competent authority must have sufficient information to screen out the potential for significant effects or otherwise zoning which leads to this significant effect cannot be accommodated.

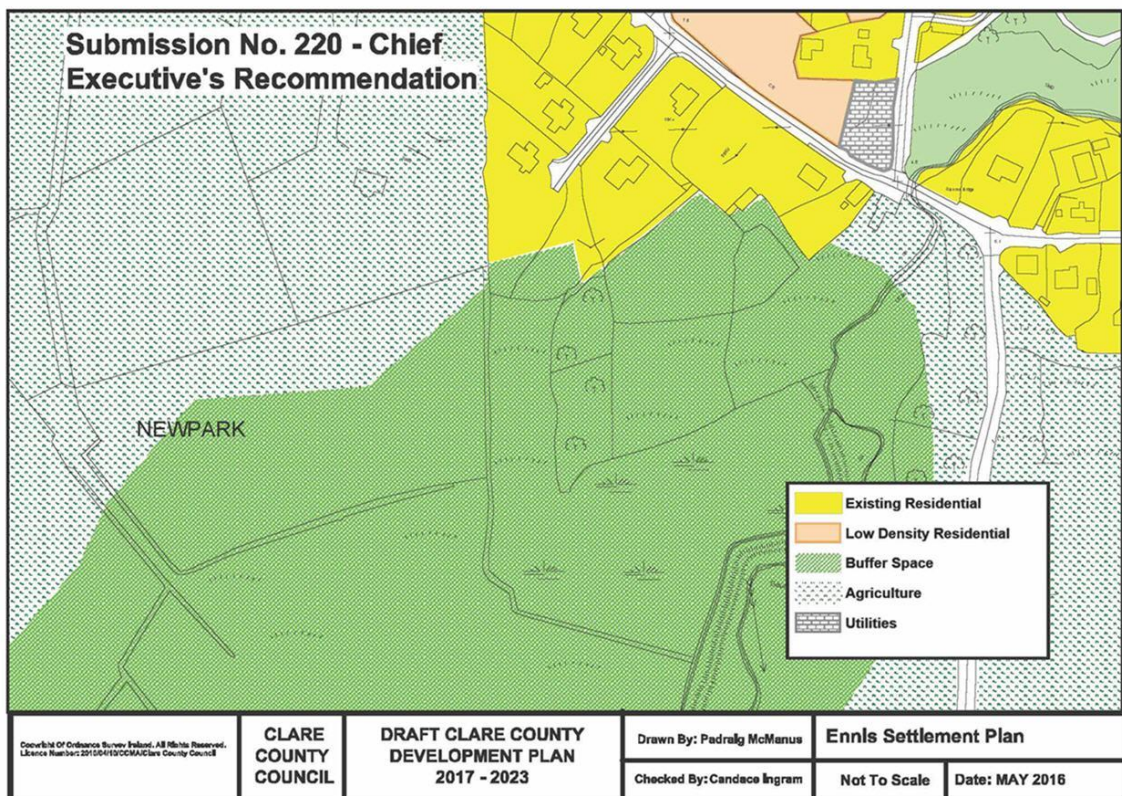
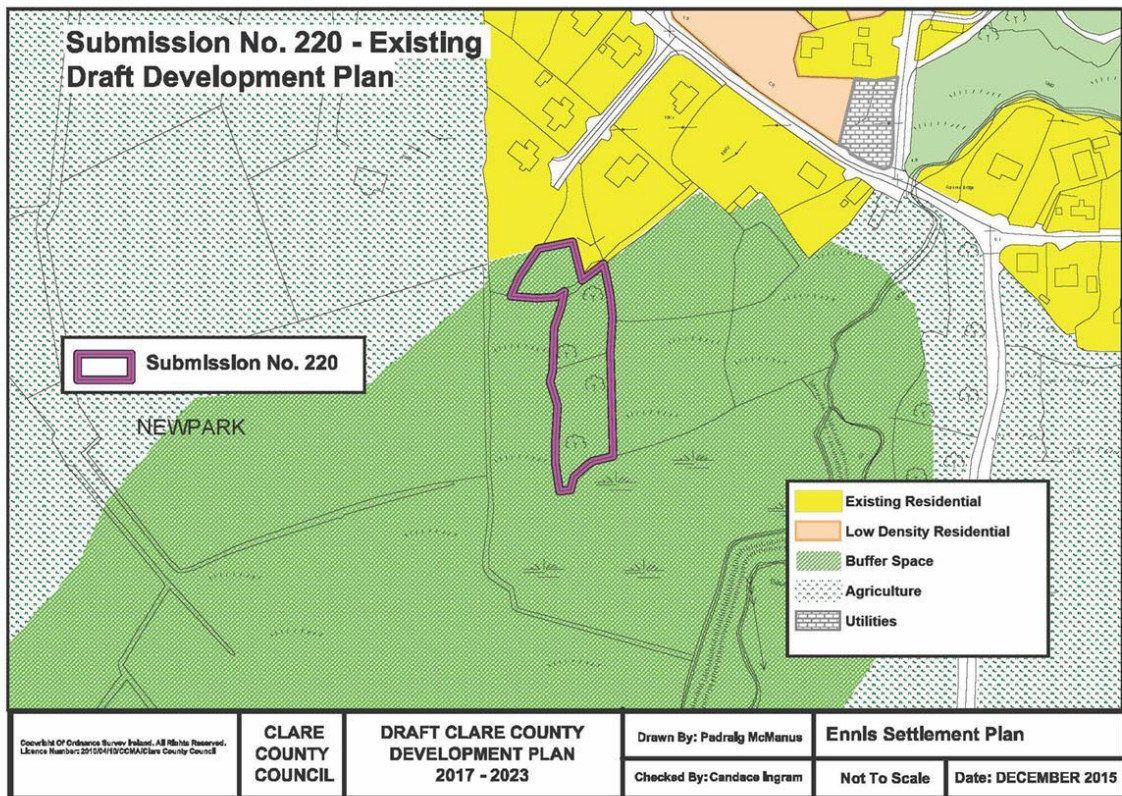
The lands which are the subject of this submission are almost entirely within the Lower River Shannon cSAC and within close proximity to the Gaurus River a tributary of the River Fergus. Due to the potential significant negative impact on the qualifying interest features of the Lower River Shannon cSAC it is not possible to rule out the potential for significant adverse effects.

Additionally, it is noted that significant parts of the southern and north western areas of the site are within Flood Zone A and Flood Zone B.

Having regard to same and the location of the land which is almost entirely within the Lower River Shannon cSAC and within close proximity to the Gaurus River a tributary of the River Fergus it is considered that that no amendments should be made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission.

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. 221 Clare Accessible Transport/ Clare TCU

Key Words: Policy, Access and Movement, Physical Infrastructure

Summary of the Issues Raised in the Submission

The submission commences by summarising the history and role of Clare Accessible Transport and Clare Transport Coordination Unit (TCU). The following comments are then made in the relation to the Draft Development Plan.

Section 5.3.1 Local Community Development Committee

"...support rural transport initiatives..."

It would be useful to know how Clare County Council and the LCDC will actually provide such support and what form such support might take. For example would it be by providing funding for new services or providing letters of support for funding applications?

Section 8.16 Bus Transportation

"Services in County Clare would be greatly enhanced by the provision of frequent bus services between Ennis, Shannon and key towns such as Ennistymon, Kilrush and Scarriff. This would ensure a strong regional public transport network."

Please note that Clare Bus already provides a service between Ennis and Scarriff, with three return journeys Monday-Friday and 2 return journeys on Saturdays, and between Ennis and Shannon one return journey daily Monday-Friday. Our buses are fully accessible, whereas Bus Éireann continues to operate high floor coaches with steep steps and little or no access for wheelchair users on local and regional services in Clare.

"The Council fully supports this service and will seek to facilitate expanded services throughout the lifetime of this plan."

It would be useful to know how exactly the County Council will seek to facilitate expanded services. The Clare Transport Co-ordination Unit would be the most appropriate body with which to liaise and we would like to request direct involvement of the TCU with representation on the relevant SPC and the LCDC as being a suitable way of facilitating such liaison.

"Services that provide connections to regional and national public transport services will be particularly encouraged."

How does the County Council intend to encourage such connections? For example will specific infrastructure be installed, including information about connecting services? Will operators be required to provide compatible vehicles and appropriate timing of connecting services? Please note that Clare Bus already provides connecting services at Ennis Bus and Train Station.

"In 2013 Clare County Council carried out a feasibility study of a bus service from Clarecastle to the Gort Road Business Park in Ennis...it is the Council's policy to encourage the provision of such a bus service."

It is important to note that this feasibility study was not fully completed as the likely estimated costs of operating such a town service was not included in the feasibility study, only the estimated revenue, which might be generated. Please note that Clare Bus has submitted a fully costed town service to the National Transport Authority for its consideration, which would require subvention for it to be viable.

It would be useful to know how the Council intends to encourage the provision of such a bus service. Will the Council provide financial assistance, bus stops, bus shelters and information?

Development Plan Objective: Bus Services - CDP8.16

It is an objective of Clare County Council:

"a) To support the provision of more regular and efficient bus services throughout the county and to encourage private/public partnership in the provision of more widespread rural bus services;"

It would be useful to explain in detail how this support will be provided, especially if it might involve financial support, and how private/public partnership will be encouraged and who the relevant stakeholders will be in such a partnership.

"b) To facilitate the creation of bus corridors, integrated bus transportation stations, and bus parking facilities within settlements and at tourist attractions, throughout the county;"

What form will this facilitation take, especially if it involves financial support from the County Council?

"c) To work with all relevant stakeholders to provide new bus pick up/drop off locations and bus shelters in towns and villages across the county;"

It would be useful to explain who the relevant stakeholders might be. Please note that Clare Accessible Transport has been working on this issue as part of the implementation of the Age Friendly Strategy for the county.

"d) To work with others to encourage and promote a sustainable, community-based public transport scheme that will enable access to service centres for all members of the community in the county."

Given that Clare Accessible Transport/Clare Bus has been providing such services since 2003, it would be better to re-word this objective to recognise this and to state that the County Council will work with Clare Accessible Transport on developing more services in areas of the County where gaps exist or existing services need to be increased.

Section 10.3.7 Rural Transport

"In particular the Council will encourage the development of linkages between community-based services such as Clare Bus and services provided by Irish Rail and Bus Éireann e.g. linking Clare Bus and Bus Éireann services with the Galway-Ennis-Limerick rail line."

It would be useful to explain what encouragement will be given, especially if it involves financial support. Please note that Clare Bus already provides connecting services at Ennis Bus and Train Station. However, our vehicles are fully accessible for all, whereas Bus Éireann's are not and only one platform is fully accessible at Ennis Station for train connections.

Mid-West Area Strategic Plan 2012-2023

The needs identified are welcomed by Clare Accessible Transport but it would be useful to clarify what is meant by "widen the base of custom to become more sustainable" beyond increasing the number of people from all categories.

"Becoming more integrated into the public transport system"

It is worth noting that the LEAP card is being extended to the operators of rural transport services and this will enhance the service being delivered to passengers on all public transport services.

Interchange facilities

It will be very important to ensure that bus stops, bus shelters and public transport information are provided at all interchange points, that all interchanges are made available to all operators of public transport services and that they are fully accessible to all, based on Universal Design principles.

Objective CDP10.5 Rural Transport

Clare Accessible Transport welcomes these objectives. However, it would be useful to clarify what is meant by the terms "support" and "encourage", especially if they involve financial support being provided by the County Council to fulfil the objectives listed.

Chief Executive's Response

I thank Clare Accessible Transport for their submission and I would like to comment on the issues raised therein as follows:

Clare Accessible Transport has requested that terms such as 'support', 'facilitate' and 'encourage' used in Section 5.3.1, Section 8.16, Objective CDP8.16, Section 10.3.7 and Objective CDP10.5 be further clarified. In response, it is important to note that this is a 6 year plan and various opportunities to support beneficial developments will arise during the lifetime of the Plan. The nature and extent of the support provided will depend very much on the nature of the activity or development that arises and the resources of the Council available at that time. Specifying individual actions would be counter-productive and restrictive. I consider it far more beneficial to tailor the supports provided to specific scenarios as they arise.

In relation to the request to rephrase Objective CDP8.16 (d), I acknowledge the exceptional service that Clare Accessible Transport is currently providing in the county. However, the role of the development plan is to support a wide range of services and service providers and as such must provide for other community-based transport schemes should any become operational during the lifetime of this plan and the County Development Plan encourages and supports all such schemes including Clare Accessible Transport.

I agree that infrastructure such as bus stops, bus shelters and information areas are very important to supporting the use of public transport and I am satisfied that this is addressed in Objective CDP8.16 Bus Services.

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. 222 Don Barrett, Chairman for Cluain Ros Leamhain Housing Committee

Key words: Ennis

Summary of the Issues Raised in the Submission

This submission objects to high density residential zoning at R3 in Ennis, to the north of the Cluain Ros Leamhain and also to the low density residential zoning of lands shown as LDR3 behind R3. The submission raises concerns in relation to the scale of the development and requests that R3 be rezoned to low density and LDR 3 be shown as Phase 2, to be developed after R3 is completed and occupied. The submission also objects to the three access roads proposed through the estate as the only roads for traffic including construction traffic into R3. The submission considers that the only access should be from the continuation of the distributor road.

Chief Executive's Response

I wish to thank Mr. Barrett for his submission. R3 and LD3 relate only to the residential and low density residential zonings at this location and do not relate to the green open space zoning in the immediate vicinity of Roslevan house and walled garden area.

Having regard to core strategy requirements to zone sufficient quantity of lands for a mixture of densities and proximity of the site to the Roslevan neighbourhood centre, I do not agree that R3 residential should be changed to low density and the LDR3 become Phase 2. I agree that the access should be a continuation of the distributor road for access to R3 and LDR3. However having regard to *Design Manual Urban Roads and Streets* (Department of Transport, Tourism and Sport and Department of Environment, Community and Local Government), I consider that access to LDR3 is best examined at development management stage. It is considered that development of a high quality design and layout is appropriate for the site. Additionally it is considered that a surface water management plan must be submitted as part of any planning application on these lands.

Chief Executive's Recommendation

I recommend that no amendments are made to the zoning as set out in the Draft Clare County Development Plan 2017-2023 on the basis of this submission. However I recommend that the following changes are made to the text in Volume 3(a), Section 2.3.1, pertaining to R3 and LDR3 Roslevan House:

Sites R3 and LDR3 ~~Roslevan House~~

Development proposals for these two sites must protect the character and setting of Roslevan House and Walled Garden. Views to and from the historic Roslevan House should also be a key consideration in the overall layout of future development proposals. *It is the preferred option that access to the lands shall be a continuation of the existing distributor road. Development of a high quality design and layout shall be provided for this site. Additionally a surface water management plan should be submitted as part of any future planning application on these lands.*

Ref. 223 William Halpin

Key Words: Ennis

Summary of the Issues Raised in the Submission

This submission refers to the area known as Claremount in the townland of Ballaghfadda West, Clarecastle. The author raises concerns in relation to the following aspects of the draft Plan

- Site L1: Kildysart Road, Clarecastle.

This site is currently zoned "Agricultural" and it is proposed to rezone it "Light Industrial - L1" in the draft Plan. The author submits that the overall rezoning of land along the Kildysart Road to "Light Industrial" is excessive and contradicts the overall objective of the Plan as set out in objective V3(a)1(b).

- Contradictions in the Plan

It is the authors' opinion that light industrial zoning on site L1 contradicts the aim as set out in *Volume 3(a) Section 1.5.1. Strategic Aims for Economic Development and Enterprise*. They envisage traffic problems as a potential major difficulty for the area and feel it would make more sense to develop sites along the motorway thus avoiding the problems that will exist along the Kildysart Road.

The author further queries why the greenfield environment surrounding important architectural and heritage assets should be replaced by concrete thus impacting on current visual amenities in the area.

The author also has concerns regarding increased noise levels from light industrial areas.

The author submits that existing houses to the southeast of the subject lands were flooded in January 2016 as a result of water from the subject lands and contents that there will be an increased risk of flooding if there is a change to the landscape/structure of this field.

It is the opinion of the author that there should be a "green buffer" between their residences and the lands proposed as "light industrial" but would prefer that the lands remain "green".

- Site C2: Kildysart Road, Clarecastle.

The author submits that the imposition of a crematorium at this site is inappropriate, taking into account the rural setting and feels that the area should consist of a nature reserve with walkways and cycleways similar to Ballyalla Lake/Amenity area.

Chief Executive's Response

I wish to thank Mr. Halpin for his submission. In order to respond, I shall address each of the issues under the headings as stated above.

- Site L1: Kildysart Road, Clarecastle

I acknowledge the concerns as raised in the submission regarding the proposed zoning of LI1. However I consider that this is a strategic site for employment purposes which will build on the reputation of Clarecastle as a place to do business. I consider that LI1 zoning along with the enterprise zoning adjacent is well positioned to form an employment hub in the plan area taking advantage of its location close to the motorway. I note that the zoning of Light Industrial ensures that the use of such lands must be such that could be carried out or installed without detriment to the amenity of that area, by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. I consider that a comprehensive approach is undertaken to the development of the site, so as to avoid incremental / incompatible uses within the site. Additionally an archaeological assessment, details of how surface water will be controlled and a high quality design that has regard to the location and context of the site shall be required. Further hedgerows and treelines

shall be retained and a suitable buffer shall be put in place to ensure their protection. Future development proposals shall demonstrate through a light spill modelling study that there will be no increase in ambient light levels beyond the perimeter of the development footprint. Each of these requirements shall be assessed under the Development Management process, however I consider that with the implementation of same, the amenities of the residents in the vicinity of this site will be retained and not interfered with.

- Contradictions in the Plan

I do not consider that there are contradictions in the Draft Plan. As stated above, the zoning of Light Industrial is to allow for uses which would not be detrimental to residential amenities. Additionally and as stated above, a comprehensive, master plan approach to the development of the entire site shall be required. Additionally, any planning application received on the site will require the submission of a detailed traffic management plan. The subject site has been examined in detail as part of the Strategic Flood Risk Assessment Land which concluded that the site is suited to proposed light industrial use, with a drainage impact assessment to be submitted and assessed during the Development Management process. I recommend that the text pertaining to Site LI1 Kildysert Road, as contained in Volume 3 (a) which accompanies the Draft County Development Plan 2017 – 2023.

- Site C2: Kildysart Road, Clarecastle

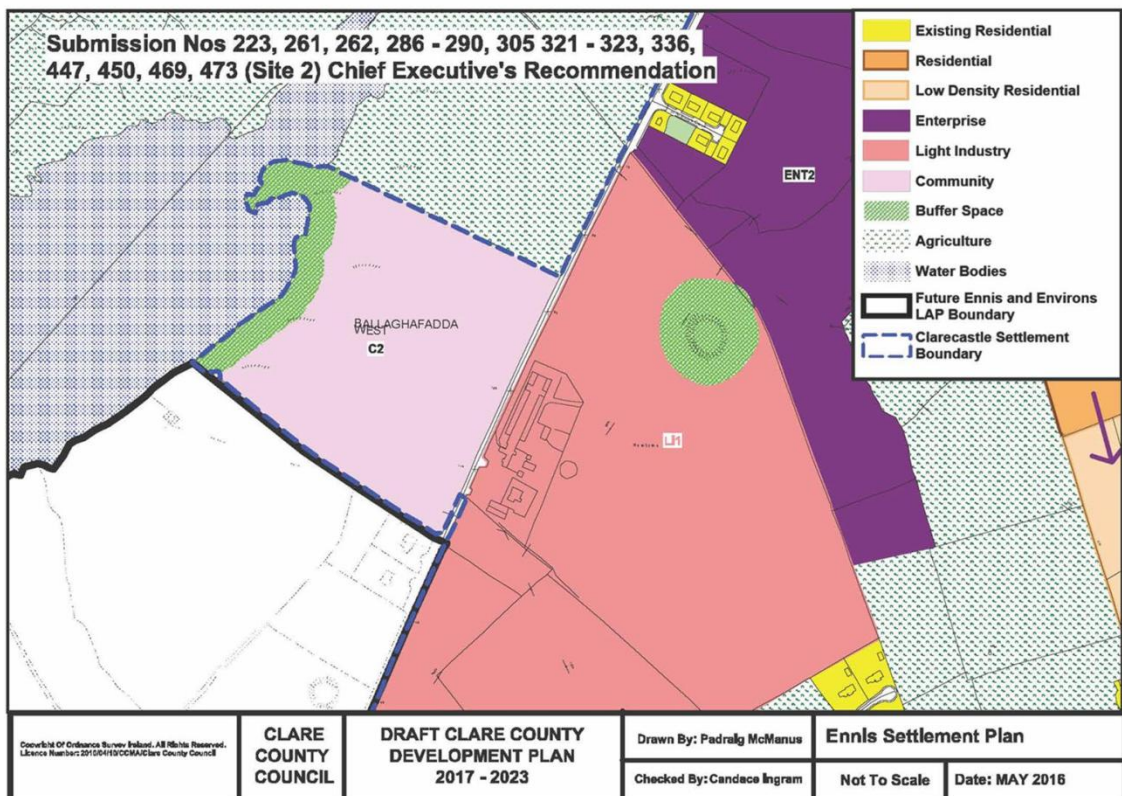
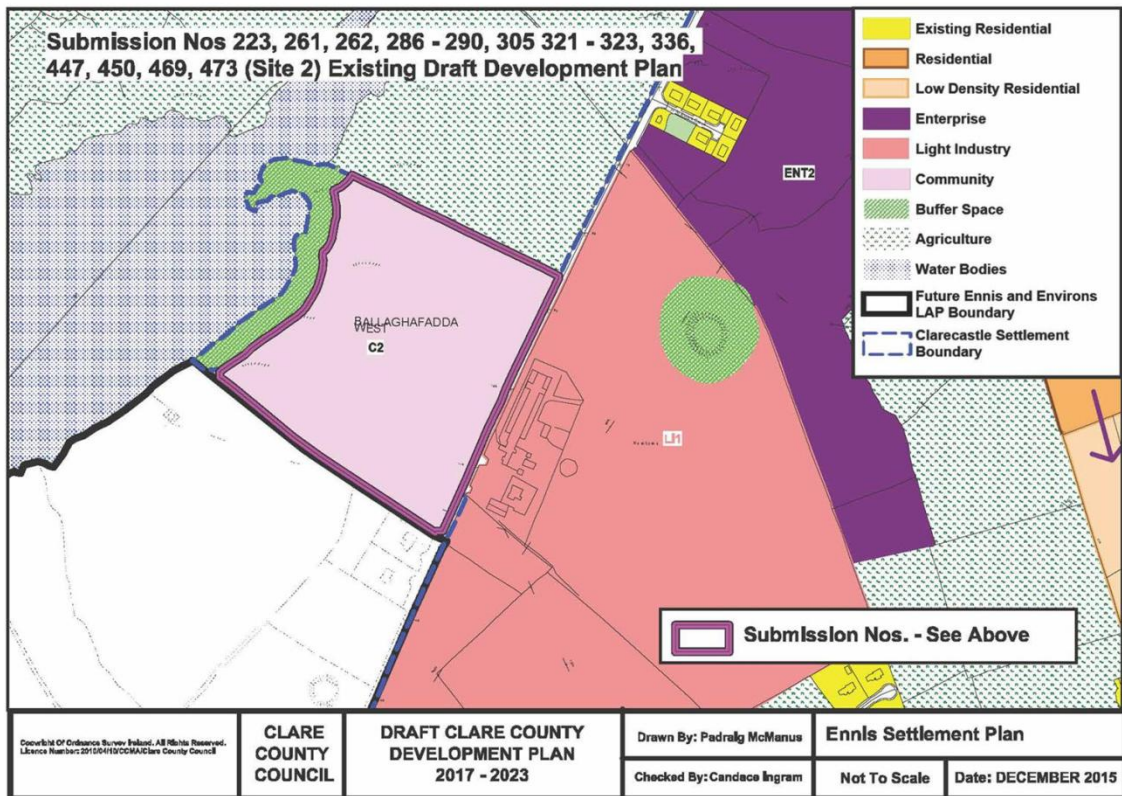
I acknowledge the concerns as raised in the submission, however I consider that this site is suitable for a crematorium, with potential for the co-location of a graveyard having regard to the location of same, which has excellent connections to the surrounding area and wider region, via the local, regional and national road network. I consider it appropriate that any proposals for development of the site include the provision of footpaths, cycle lanes (and associated road widening if required) and public lighting to connect with the existing network in the adjoining Clarecastle village, which will provide an amenity to the locality.

Chief Executive's Recommendation

I recommend that no amendments are made to the zoning of LI1 as contained in Draft Clare County Development Plan 2017-2023 on the basis of this submission. However I recommend that the following additional text is inserted under Site LI1 Kildysert Road, Clarecaslte as contained in Volume 3 (a) which accompanies the Draft County Development Plan 2017 – 2023:

The masterplan shall incorporate the following elements:

- Design and site layout rationale;
- A detailed landscaping plan, utilising as far as possible existing landscaping features;
- Consideration of the future / existing development of adjacent areas;
- Measures to prevent significant negative effects on adjacent land use zonings;
- Detailed traffic management plan;
- An infrastructural services plan;
- A drainage impact assessment;
- Archaeological assessment;
- Light spill modelling;
- Flood risk assessment



Ref. 224 Eveleen Whelan

Keywords: Ardnacrusha

Summary of the Issues Raised in the Submission

This submission relates to lands at Blackwater Ardnacrusha. This submission seeks the inclusion of 12 acres of a 24 acre plot at Blackwater, Ardnacrusha in the Development Plan for Low Density Residential development. It is submitted that the lands adjoin an existing residential cluster and have access to the public road.

Chief Executive's Response

I thank Ms. Whelan for her submission the contents of which are noted and I reply as follows:

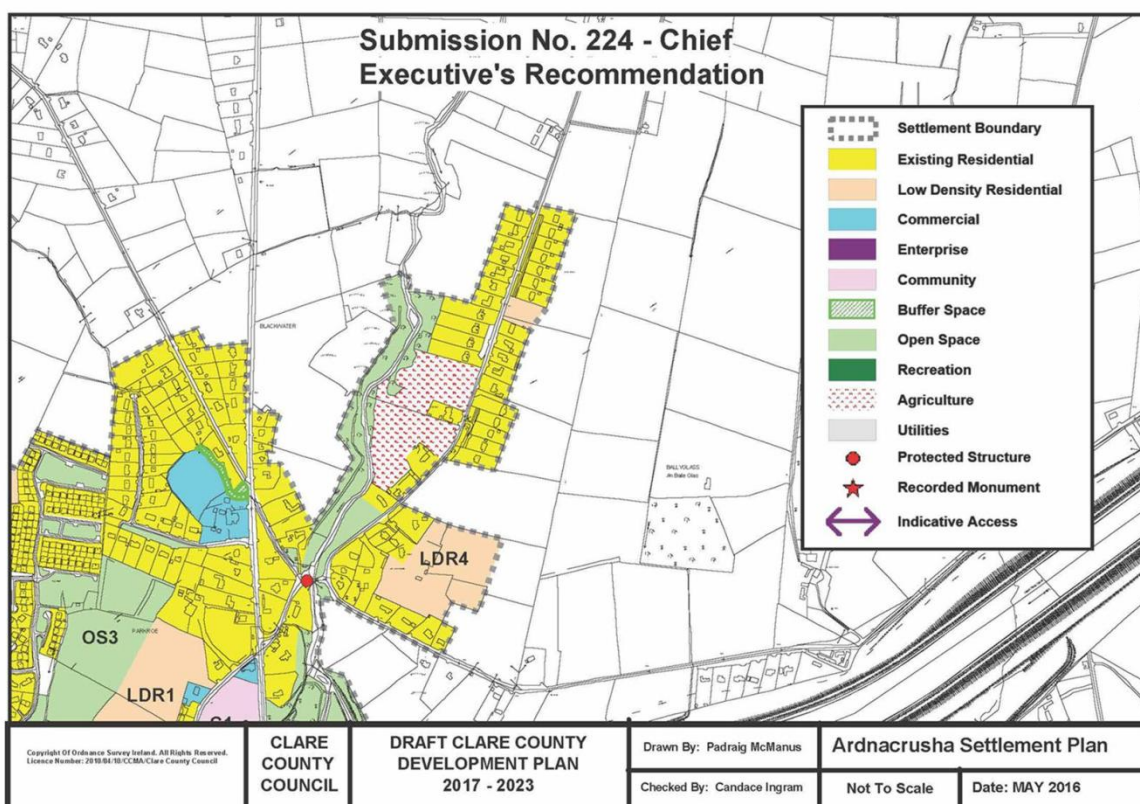
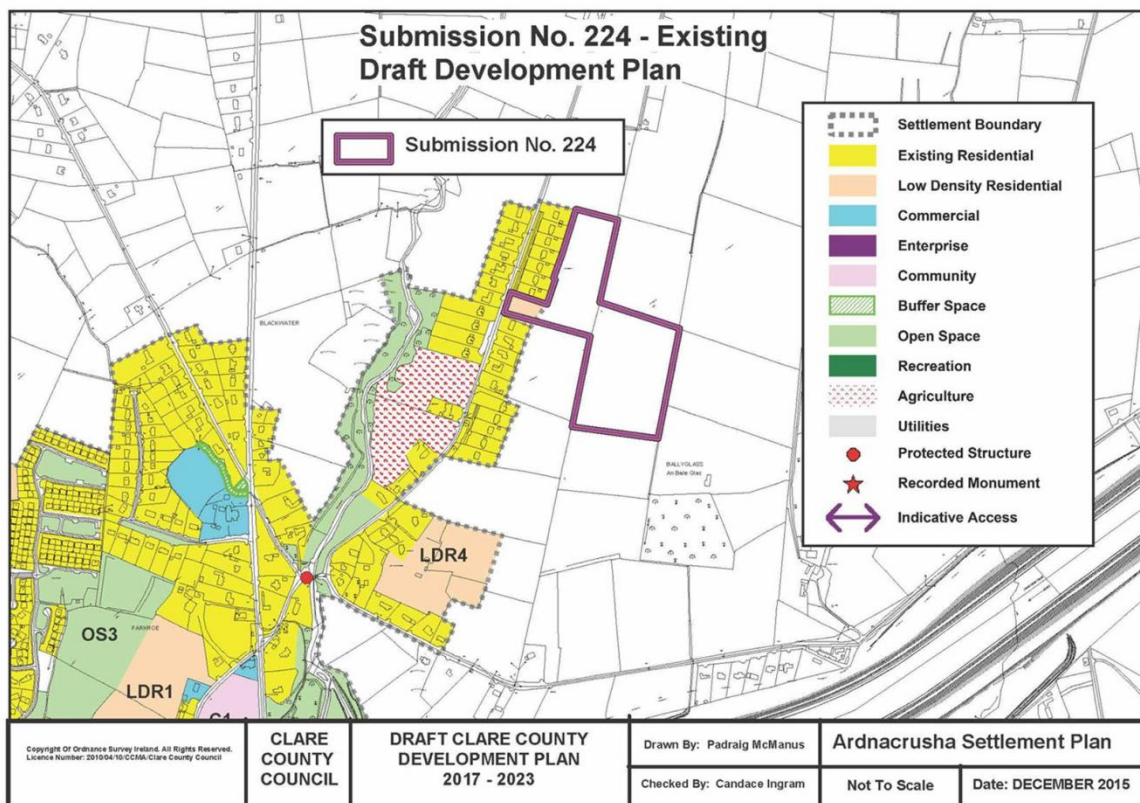
The subject site is location to the north-east of the settlement of Ardnacrusha and is designated as a Rural Area under Strong Urban Pressure. The quantum of land zoned for residential use within each settlement is established in to Core Strategy as set out in Chapter 2, Volume 1 of the Draft Clare County Development Plan 2017-2023. The quantum of residential land required to meet the population target in Ardnacrusha during the lifetime of the development plan is 6.7ha and this has already been provided in the draft Settlement Plan. To exceed the quantum by zoning further lands would be contrary to the proper planning and sustainable development of the area.

Furthermore, the subject lands are located on the periphery of the settlement, in an area that is predominantly rural in character. The lands are located to the rear of an existing line of houses in an area where in-depth development is not desirable at this time, given the availability of lands for in-depth development closer to the services and amenities at the core of the settlement.

Having regard to the concerns outlined above I do not consider it appropriate to zone the subject lands for Low Density Residential uses.

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. 225 Eibhlin de Staic

Keywords: Ennis

Summary of the Issues Raised in the Submission

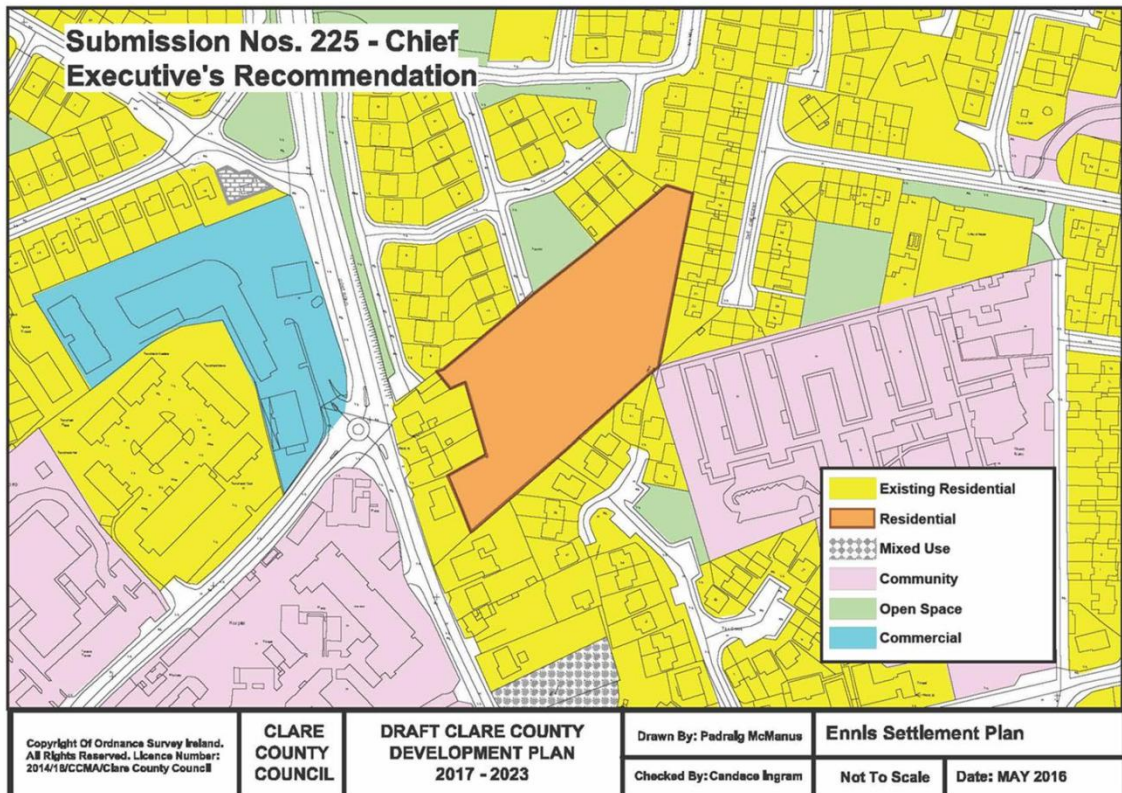
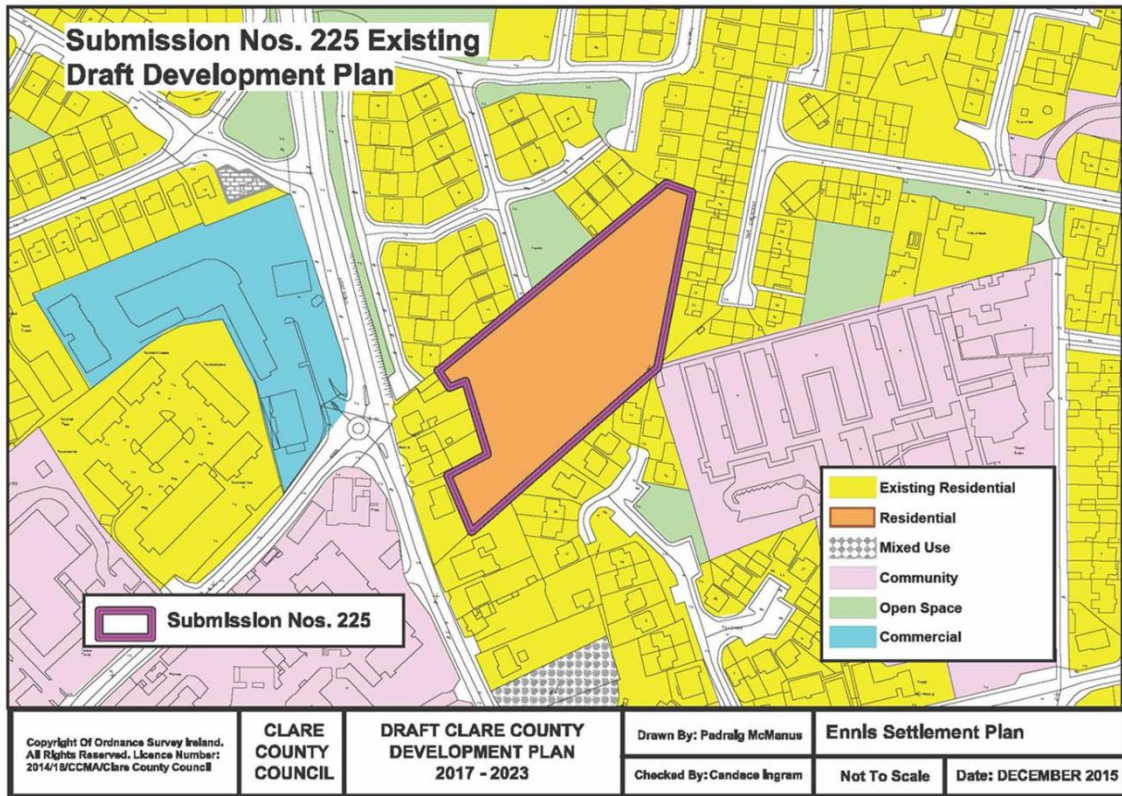
This submission relates to the proposed change of zoning of land at Fern Hill on the Gort Road, Ennis (which the submission states is designated R16 in the Draft Clare County Development Plan 2017-2023), from its current open green zoning to residential zoning. They are also concerned about the possibility of a link road through Fern Hill connecting the residential development with the Gort Road and its associated implications vis-à-vis traffic congestion and residents safety.

Chief Executive's Response

I wish to thank Ms de Staic for her submission. It is noted that the submission refers to a zoning reference R16 which does not correlate with any zoning within the Draft County Development Plan for the settlement of Ennis. In the interest of fairness I am taking the description and location map which accompanied the incorrect zoning reference as the basis for identifying the location to which the submission refers, which in this case is taken to be land zoned residential to the south of Fernhill, and upon which I have formulated my response and recommendation. Zoning of this site for residential development purposes considers the guiding principles of the core strategy where a sequential approach to development is recommended. The subject site is situated within the built up area of Lifford neighbourhood and within walking distance of the town centre.

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. 226 Jean Wise

Keywords: Ennis

Summary of the Issues Raised in the Submission

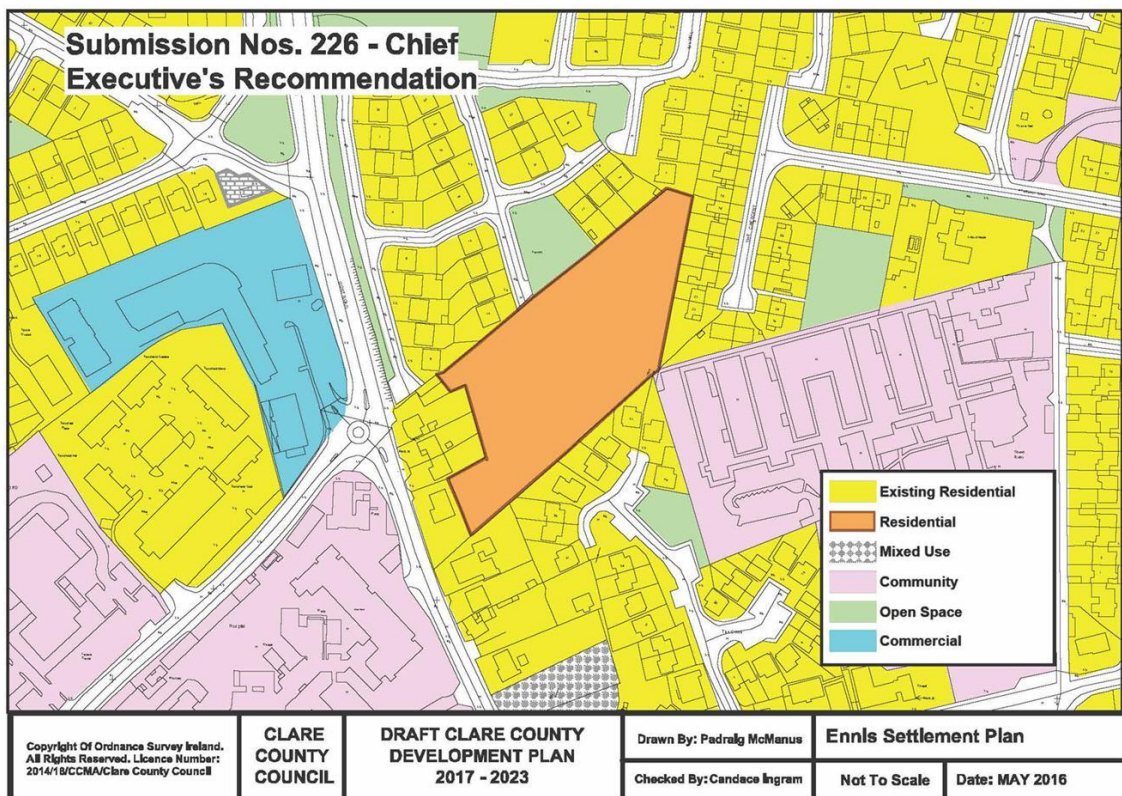
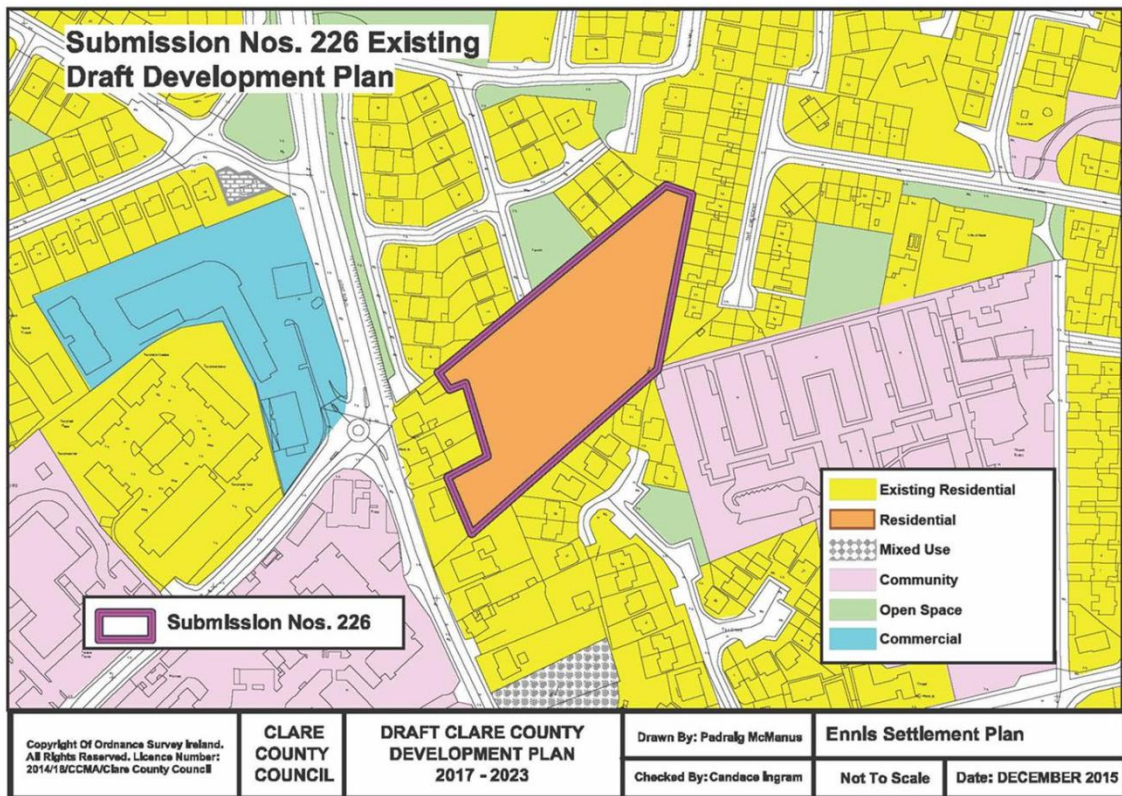
This submission relates to the proposed change of zoning of land at Fern Hill on the Gort Road, Ennis (which the submission states is designated R16 in the Draft Clare County Development Plan 2017-2023), from its current open green zoning to residential zoning. She is also concerned about the possibility of a link road through Fern Hill connecting the residential development with the Gort Road and its associated implications vis-à-vis traffic congestion and residents safety.

Chief Executive's Response

I wish to thank Ms. Wise for her submission. It is noted that the submission refers to a zoning reference R16 which does not correlate with any zoning within the Draft County Development Plan for the settlement of Ennis. In the interest of fairness I am taking the description and location map which accompanied the incorrect zoning reference as the basis for identifying the location to which the submission refers, which in this case is taken to be land zoned residential to the south of Fernhill, and upon which I have formulated my response and recommendation. Zoning of this site for residential development purposes considers the guiding principles of the core strategy where a sequential approach to development is recommended. The subject site is situated within the built up area of Lifford neighbourhood and within walking distance of the town centre.

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. 227 Ronan Wise

Keywords: Ennis

Summary of the Issues Raised in the Submission

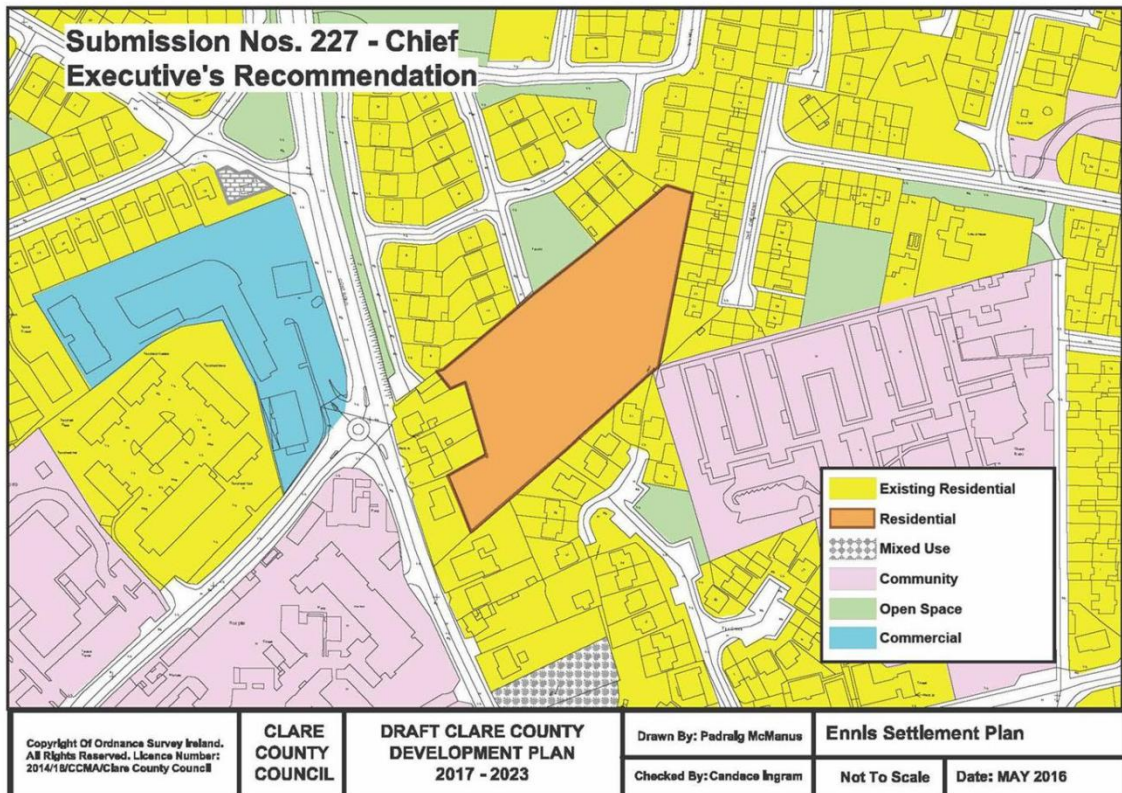
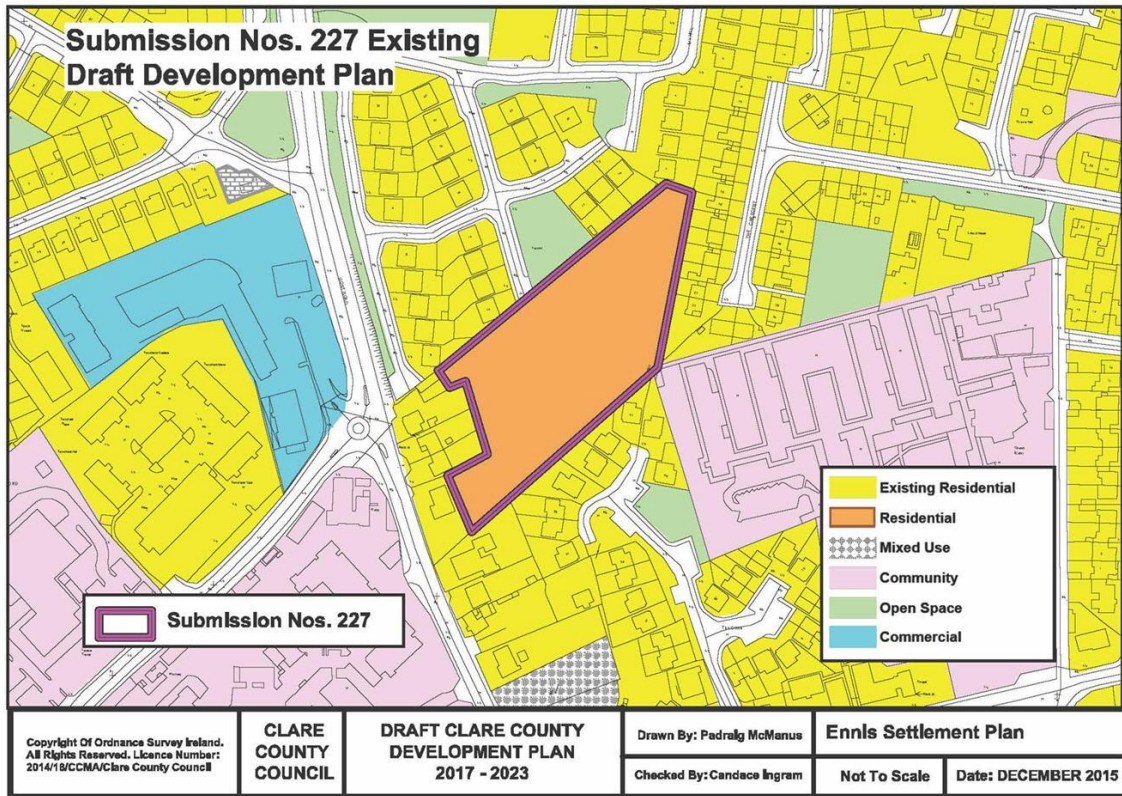
This submission relates to the proposed change of zoning of land at Fern Hill on the Gort Road, Ennis (which the submission states is designated R16 in the Draft Clare County Development Plan 2017-2023), from its current open green zoning to residential zoning. He is also concerned about the possibility of a link road through Fern Hill connecting the residential development with the Gort Road and its associated implications vis-à-vis traffic congestion and residents safety.

Chief Executive's Response

I wish to thank Mr. Wise for his submission. It is noted that the submission refers to a zoning reference R16 which does not correlate with any zoning within the Draft County Development Plan for the settlement of Ennis. In the interest of fairness I am taking the description and location map which accompanied the incorrect zoning reference as the basis for identifying the location to which the submission refers, which in this case is taken to be land zoned residential to the south of Fernhill, and upon which I have formulated my response and recommendation. Zoning of this site for residential development purposes considers the guiding principles of the core strategy where a sequential approach to development is recommended. The subject site is situated within the built up area of Lifford neighbourhood and within walking distance of the town centre.

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. 228 Residents of Maigh Dara

Key Words: Quin, Flooding, Access and Movement.

Summary of the Issues Raised in the Submission.

It is submitted that development of R2 in Quin would lead to flooding of Maigh Dara estate. Flooding already poses a threat to house numbers 10 and 16. In-filling of R2 will most likely lead to flooding in Maigh Dara. The submission requests that this land be rezoned for agricultural use. It is further submitted that the existing road through the estate will not be able to cater for access to R3 and R4. Rock breaking will be required on R4. If development is to take place R3 and R4 an alternative access should be found.

Chief Executive's Response

I thank the residents of Maigh Dara for their submission and I would like to comment on the issues raised as follows:

Having regard to the assessment of the site contained in the Strategic Flood Risk Assessment (Volume 10(c) of the Draft Plan), I consider that site R2 currently functions as a surface water storage area and development of the land might exacerbate this issue. The location of the site in a topographic hollow and concern that potential mitigation measures provided as part of any future development may not be effective have resulted in a reconsideration of the zoning on this site.

The protection of existing and future residences from flood risk is of paramount importance. Given the information currently available, I do not consider it appropriate to retain the residential zoning on this site. In this regard I refer to my recommendation in relation to Submission Ref. 361, which specifically relates to Site R2 in Quin.

In relation to Site R3, planning permission was previously granted for the development of additional houses in this area and the road layout in Maigh Dara was designed to accommodate these additional houses. I have noted the concern in relation to additional traffic movements in the estate and to alleviate this issue I have made recommendations in response to Submission Ref. 299 to change the zoning on these lands to Low Density Residential and to introduce new text into the Plan in relation to traffic management.

With regard to Site R4, I refer to my recommendation in response to Submission Ref. 240 in which I propose alternative access to the site. I note the concerns raised in relation to the noise associated with future construction works and I consider this to be an issue that can be addressed as part of the Development Management process.

Chief Executive's Recommendation

I refer to my recommendation regarding the subject sites as set out in Submission 361 (refers to R2), Submission 299 (refers to site R3) and Submission 240 (refers to Site R4)

Ref. 229 John Hogan, Chairman of Board of Management, CBS Primary School

Keywords; Ennis

Summary of the Issues Raised in the Submission

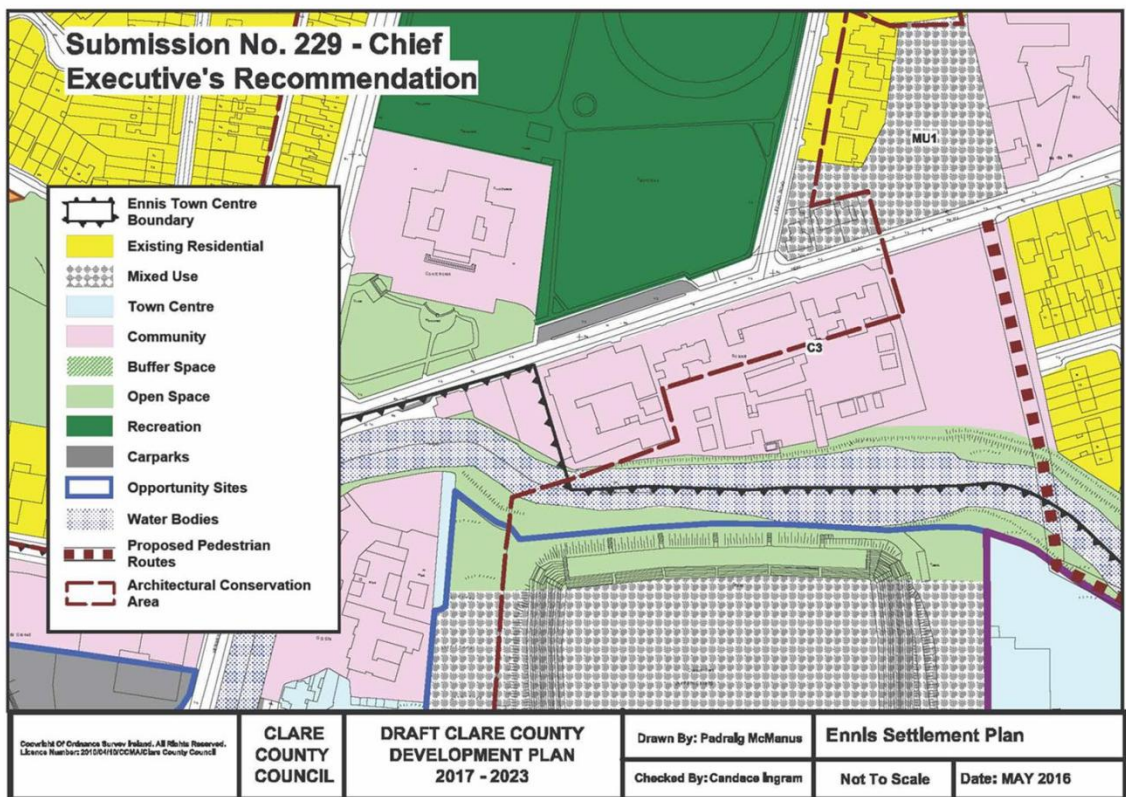
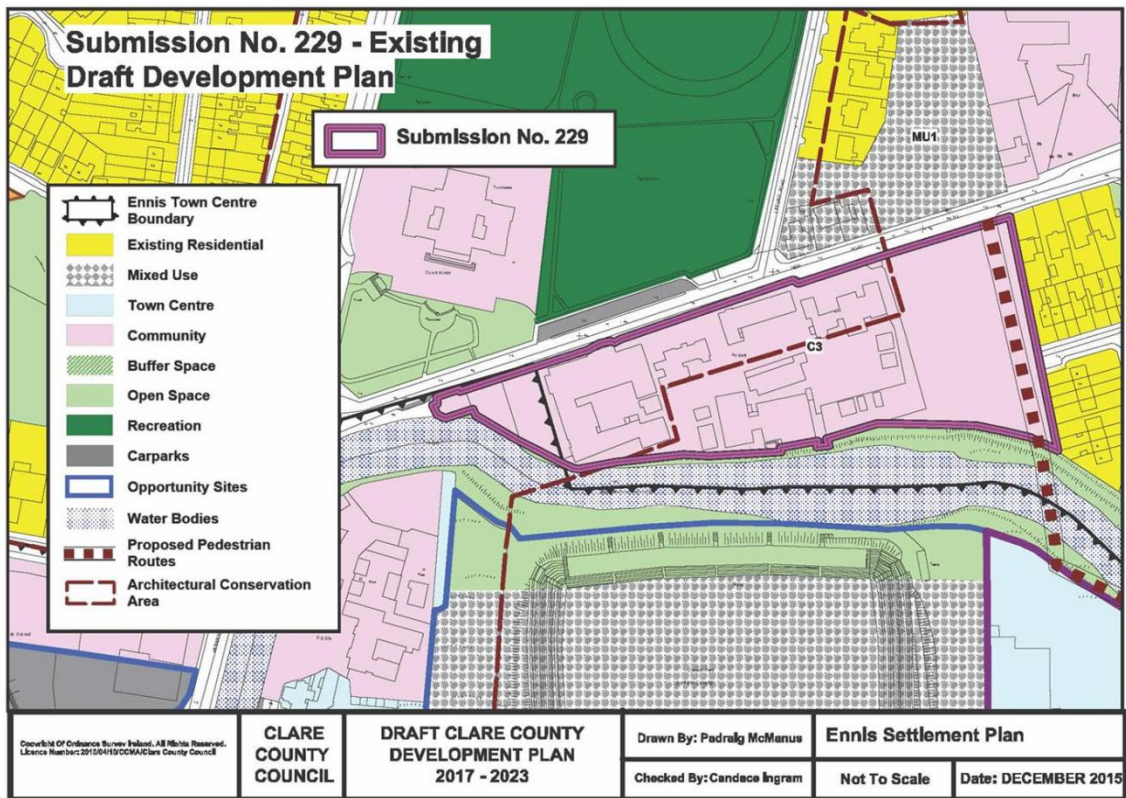
This submission objects to the intention in the Draft County Development Plan 2017 - 2023 to enforce the building of a pedestrian bridge from ALDI car park to the grounds of the school as part of any new development. This seems like a mercenary and cynical form of opportunism that will hopefully and after reasoned judgement be undone. Reasons for objecting relate to space availability, land grab, lack of thinking, planning gain, road capacity, child protection and due process. The submission argues that there is an urgent need for new school. The submission also argues that there is a better alternative for providing connectivity to the town centre. It is argued that the Council should consider providing a pedestrian crossing from the northern side of the Fergus to the Southern bank from FBD office to the proposed car park at the GAA/Cloister.

Chief Executive's Response

I wish to thank CBS Primary School for their submission. From the outset, I wish to state that Clare County Council is committed to working with the school management and the Board of Management, as well as the Department of Education and Skills in any future redevelopment of this educational facility. In relation to the access/bridge issue as raised in the submission, the matter remains a concern. Having regard to the operation of school, there are clearly traffic and pedestrian congestion / management issues with the existing access arrangements to the school. I refer to section 1.10 of Vol 3(a), which states that any future expansion or upgrade of the site would be contingent upon the provision of a pedestrian bridge crossing the River Fergus to provide connectivity to the town centre. I am not in favour of changing the text relating to the development of this site C3 or changing the zoning for the site. A strategic aim of this plan is to maintain and improve pedestrian and walking permeability in order to prioritise walking as the preferred mode of transport in the settlement area, particularly in Ennis town centre. This aim will be further detailed in the forthcoming Ennis and Environs Local Area 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. 230 Mr. Paul Tighe

Key Words: Quin

Summary of the Issues Raised in the Submission

The submission relates to the zoning of land in Quin settlement for Enterprise use. The objection is based on the following points:

The subject site flooded in December 2015 (photo attached to submission). It is submitted that the subject site is a flood plain for the River Rine and not fit for any development. Mr. Tighe has submitted extracts from the Flood Risk Assessment associated with the Clare County Development Plan 2011-2017, indicating that the subject site is located partially in Flood Zone A and Flood Zone B.

Chief Executive's Response

I wish to thank Mr Tighe for his submission. I acknowledge the issues raised and would like to respond as follows:

The flood risk assessment contained in Volume 10(c) of the Draft Development Plan contains the most recent data and information, including Draft CFRAM maps from the OPW. The information submitted by Mr. Tighe was also taken into consideration in this assessment. This new, more up-to-date assessment identifies the majority of the site as being in Flood Zone C but also finds that the site is subject to pluvial flooding which must be taken into consideration in the assessment of any future development proposals on this land.

It should also be noted that, in response to a large number of other submissions made in relation to this site, I have recommended that the zoning on the site be changed from Enterprise to Residential.

Chief Executive's Recommendation

I recommend that the zoning on this site be changed from Enterprise to Residential and labelled 'R1'. I also recommend that the following text be added to the plan:

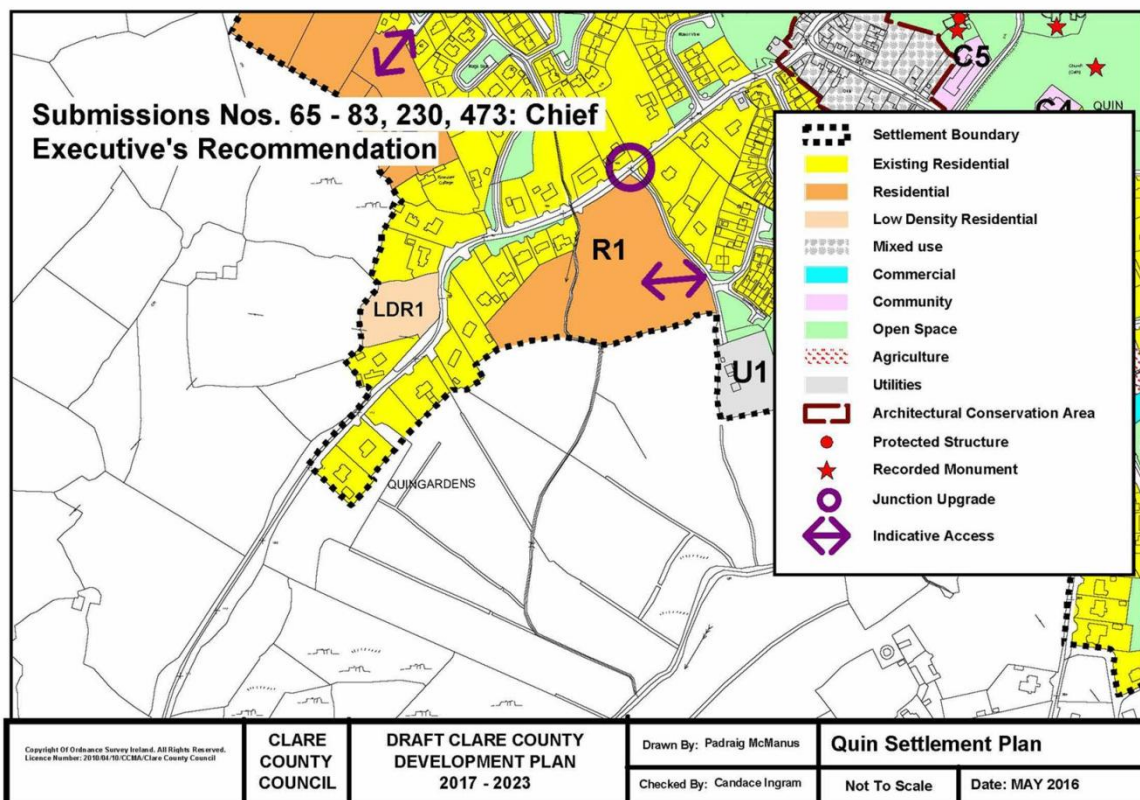
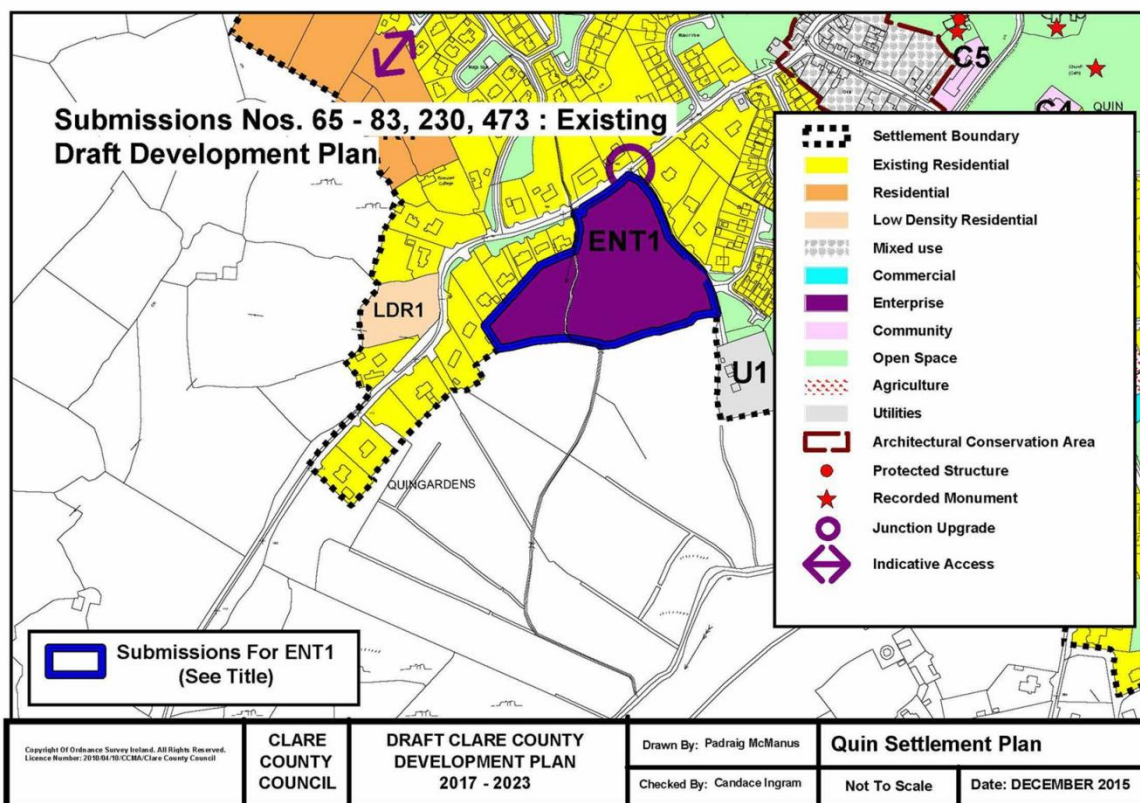
Volume 3(a), Quin Settlement Plan

R1 – Quingardens

This large site is located within easy walking distance of the village core and open space area OS3. It is bounded by mature hedgerows with existing housing to the west and east. A small stream traverses the site and any development proposals which involve crossing this stream shall ensure that it is adequately piped to ensure that no backup of waters occurs to the north of the subject site.

Due to evidence of pluvial flooding on the site, any planning application must be accompanied by a Stage 3 detailed Flood Risk Assessment.

Access to the lands shall be taken from the east. Layout and design of units of this site shall ensure that the residential amenities of existing adjacent houses at the northwest boundary are protected.



Ref. 231 Flynn & Shaw on behalf of Vincent and Colette McInerney

Keywords: Shannon Municipal District,

Summary of the Issues Raised in the Submission.

This submission requests that lands at Lisconnor, Newmarket on Fergus be included in the Ballinooskey/Lisconnor cluster. It is submitted that there is a school in the cluster which serves the cluster and the local community.

Chief Executive's Response

I thank Flynn & Shaw for the submission, made on behalf of Vincent and Colette McInerney, and wish to comment on the request made therein as follows:

The subject site is located to the south of the existing cluster boundary and is currently in agricultural use, though I note that some work has been done on this land in the past in terms of infilling (waste permitted granted by Clare County Council).

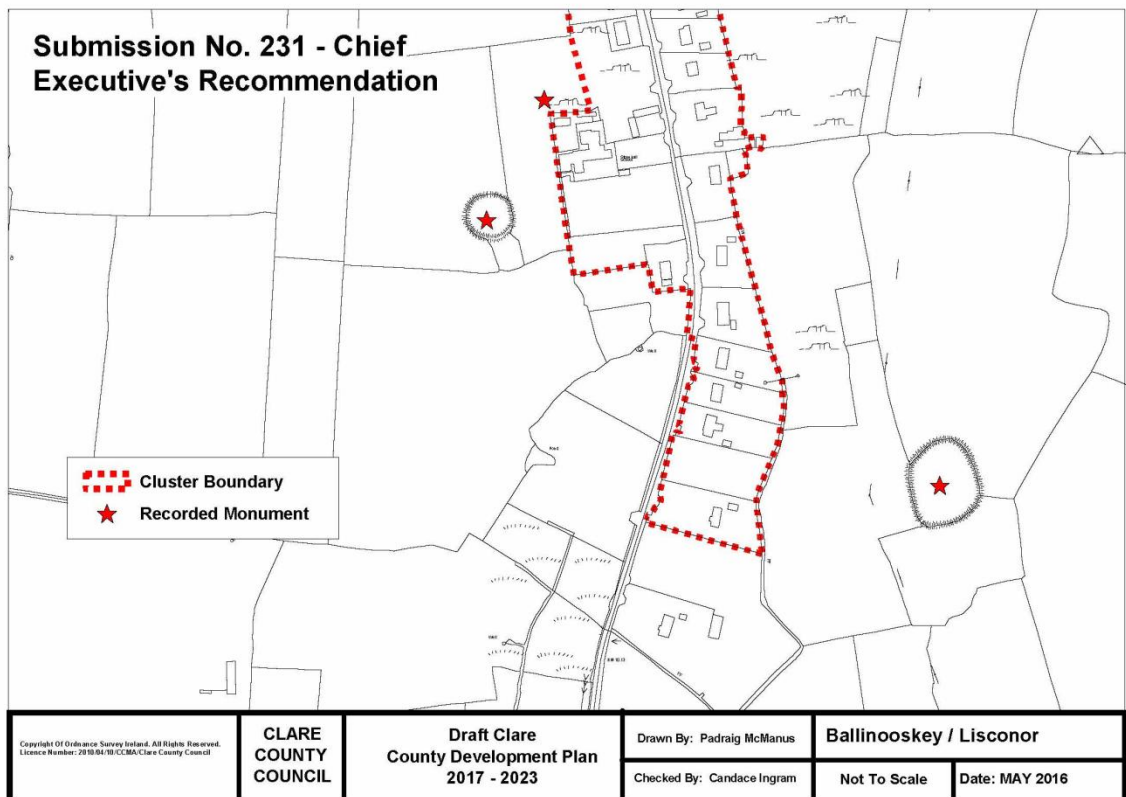
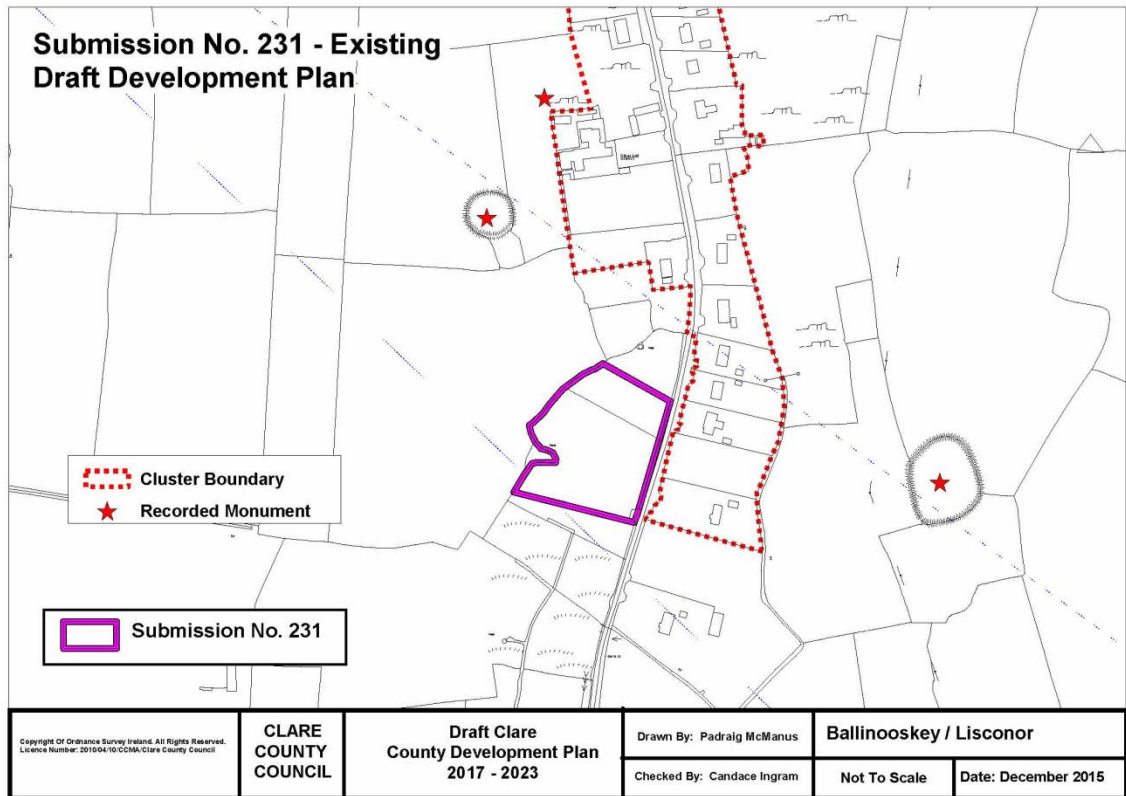
Notwithstanding this, it is important to note that the EPA Domestic Waste Water Risk methodology, which identifies areas of high risk to human health and the environment from domestic waste water treatment systems, has identified the area within which the site is located as being at very high risk. This is based on a number of factors including the ease with which pollutants can enter surface water and groundwater. Given the soil, subsoil and habitat conditions in the surrounding area and the potential for seepage into the aquifer and contamination of the groundwater, I do not consider it appropriate to include further lands in this cluster.

Furthermore the cluster is located in close proximity to Shannon town, where services and amenities are concentrated. It is desirable to direct new residential development to Shannon in order to create sustainable communities, build critical mass and consolidate the built form. The cluster is currently just 600 from the settlement boundary of Shannon and, while I recognise that it functions as a strong and independent community, I do not consider it appropriate to grow the cluster beyond its current extent, particularly having regard to the extensive, fully serviced, residential options available in the adjoining settlement.

Having regard to the issues outlined above, I do not consider it appropriate to include the subject land in the Ballinooskey/Lisconnor cluster.

Chief Executive's Recommendation

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



Ref. 232 McKenna Consulting Engineers on behalf of Orla O Connell, Tomas McKenna and Mary Fahey

Key Words: Miltown Malbay

Summary of the Issues Raised in the Submission.

This submission relates to 2.7ha of land on the Mullagh Road in Miltown Malbay. The submission seeks a change in the zoning on the subject lands from Agriculture / open countryside to Low Density Residential. The submission sets out the attributes of the site including connectivity to the surrounding road network, proximity to local services and amenity, the zoning history of the site and the potential to connect/provide the necessary infrastructure.

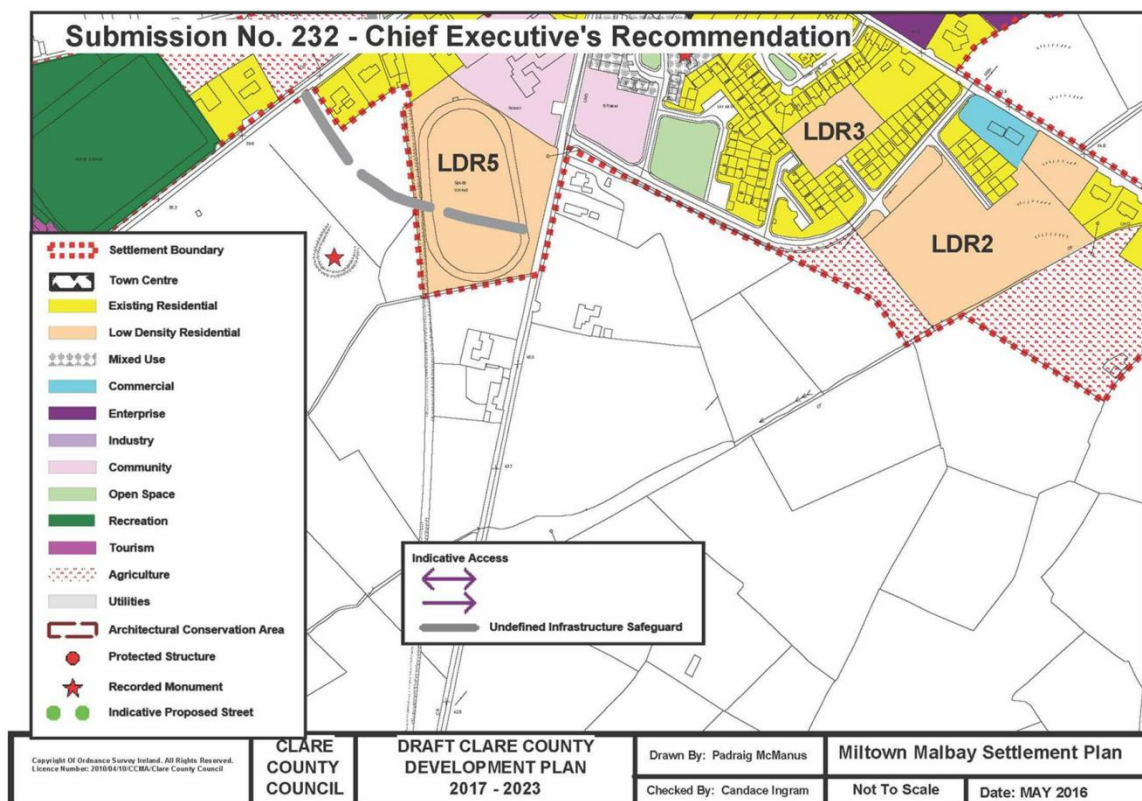
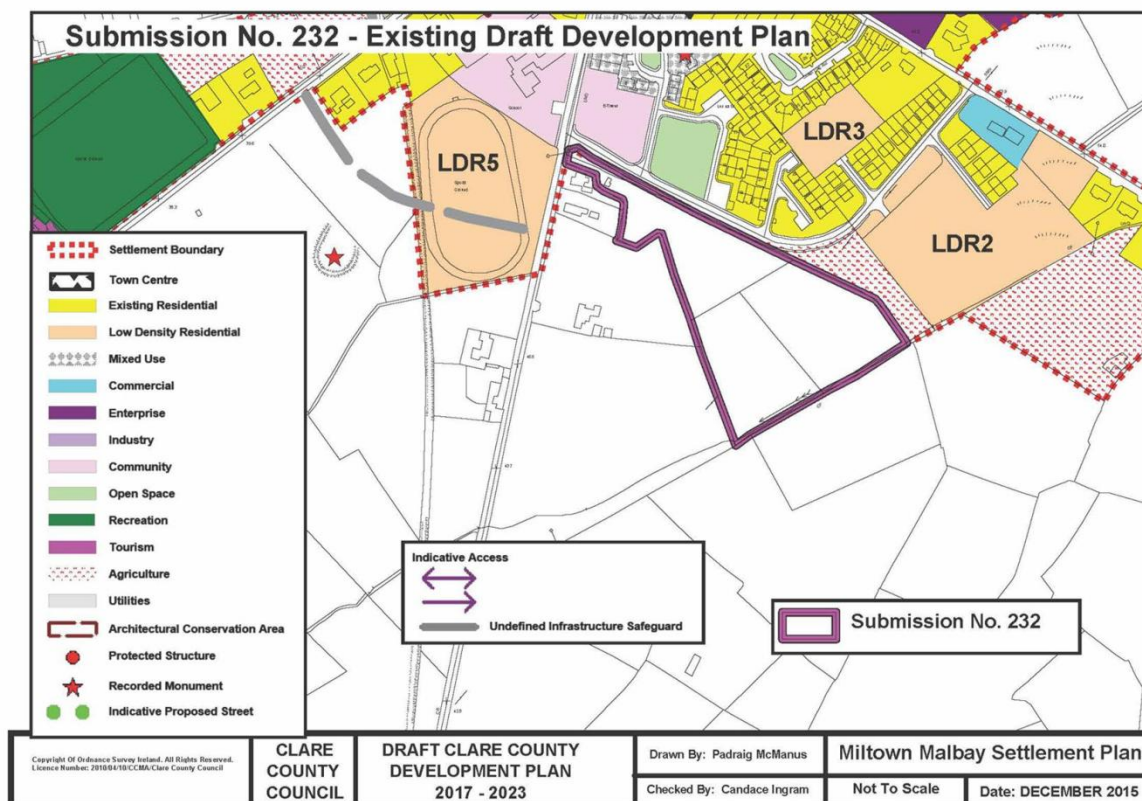
Chief Executive's Response

I acknowledge the request contained in this submission and the supporting information provided and I wish to respond as follows:

The subject site is currently located outside of the settlement boundary of Miltown Malbay on the southern periphery of the town and is designated Open Countryside. The extent of land zoned for residential uses in Miltown Malbay is established in the Core Strategy, as contained in Chapter 2, Volume 1 of the Draft Clare County Development Plan 2017-2023. The Core Strategy indicates that 4.4ha of residential land is required in the town to accommodate population growth during the lifetime of the Plan and this is provided for in the Draft Miltown Malbay Settlement Plan. To extend the settlement boundary and to zone lands in excess of this requirement would be contrary to the proper planning and sustainable development of the town.

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. 233 McKenna Consulting Engineers on behalf of Patrick J. Egan and James J. Burke

Key Words: Miltown Malbay

Summary of the Issues Raised in the Submission

This submission relates to lands at Leagard South (1.2ha) Miltown Malbay. The purpose of the submission is to seek a change in the zoning from Open Space to Low Density Residential. The subject lands are proximate to St Joseph's secondary school making it a prime location for future residential development. The site is well positioned given its proximity to roads, sewers and other infrastructural services. Provision can be made for on-site treatment of foul effluent. Connection to the public sewer can be made in due course pending upgrade of the public treatment system.

Chief Executive's Response

I acknowledge this submission which, as point of clarification, relates to lands at Spanish Point rather than Miltown Malbay. My response to the issues raised is as follows:

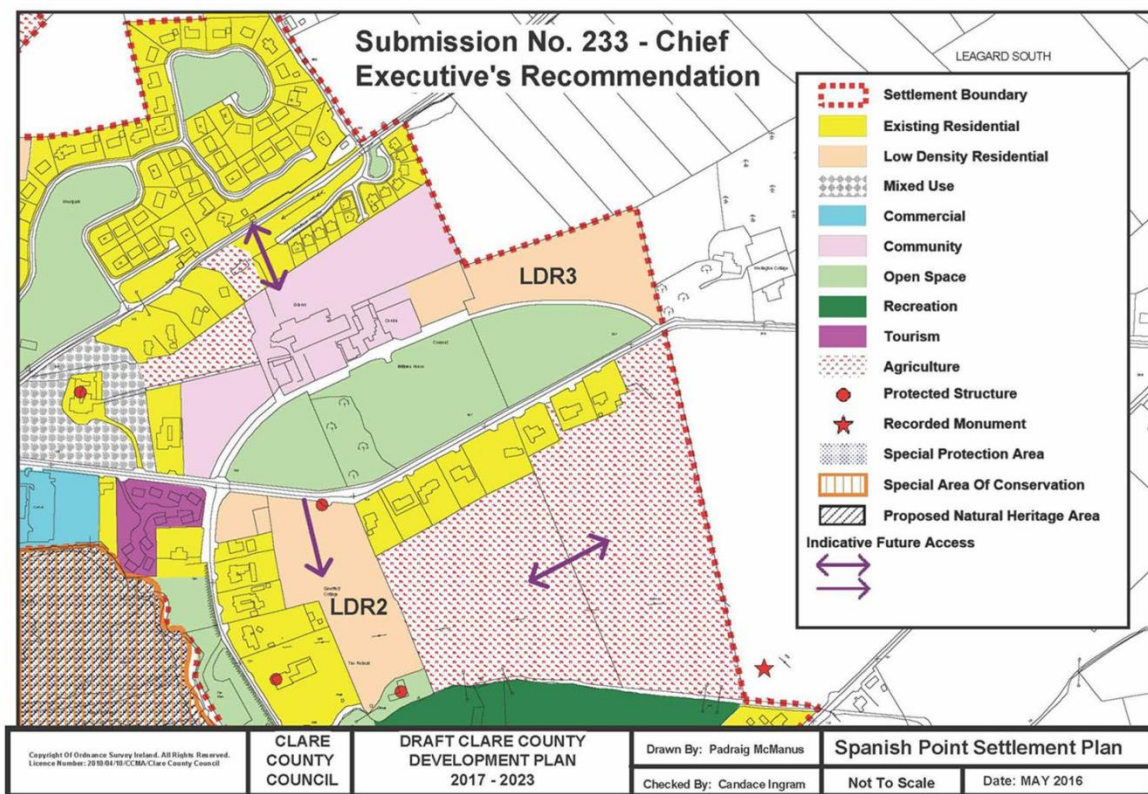
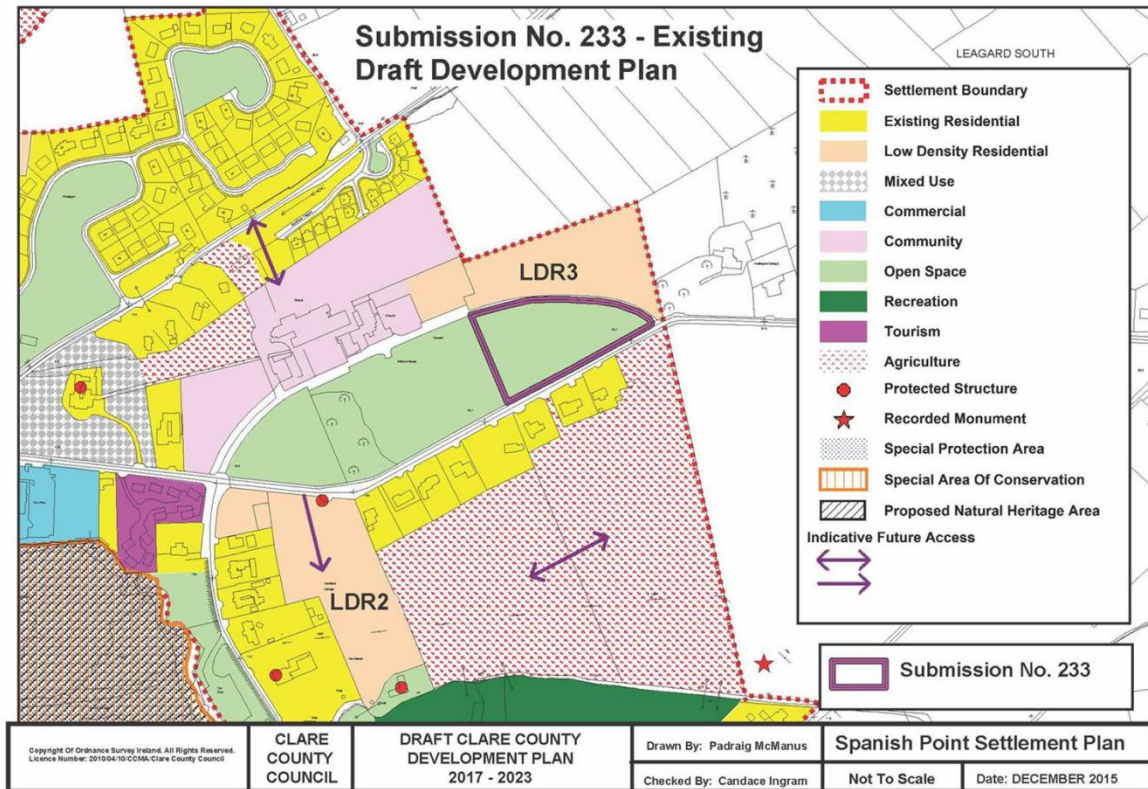
Lands are zoned for development in accordance with the Core Strategy which sets out the extent of land required to provide for residential development to meet projected population growth in Spanish Point during the lifetime of the plan. I consider that in the interest of proper planning and sustainable development, lands are identified to provide for sequential growth by extending out from the village centre, which is close to local services and facilities, prior to considering the zoning of peripheral lands on the edge of the settlement.

In addition, the subject lands are at the entry point to the settlement in a highly prominent location from a visual perspective. The views across these lands towards the convent visually dominate the entrance to the village from the L-2108 approach.

Having regard to the requirements of the Core Strategy which have been met in the provision of zoned lands in Spanish Point and the visually prominent location of the subject site I do not consider it appropriate to zone this land for residential 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. 234 McKenna Consulting Engineers on behalf of Annmarie and Leonard Vaughan

Key Words: Miltown Malbay

Summary of the Issues Raised in the Submission

This submission relates to lands (0.2ha) at Leagard South, Miltown Malbay. The submission seeks a change in the zoning from Open Countryside/existing retail garage to Commercial and to include the area within the town boundary. It is submitted that, based on the current use of the lands as a garage, the area should be rezoned Commercial to facilitate potential future growth. These lands have an unrivalled position on the edge of town.

Chief Executive's Response

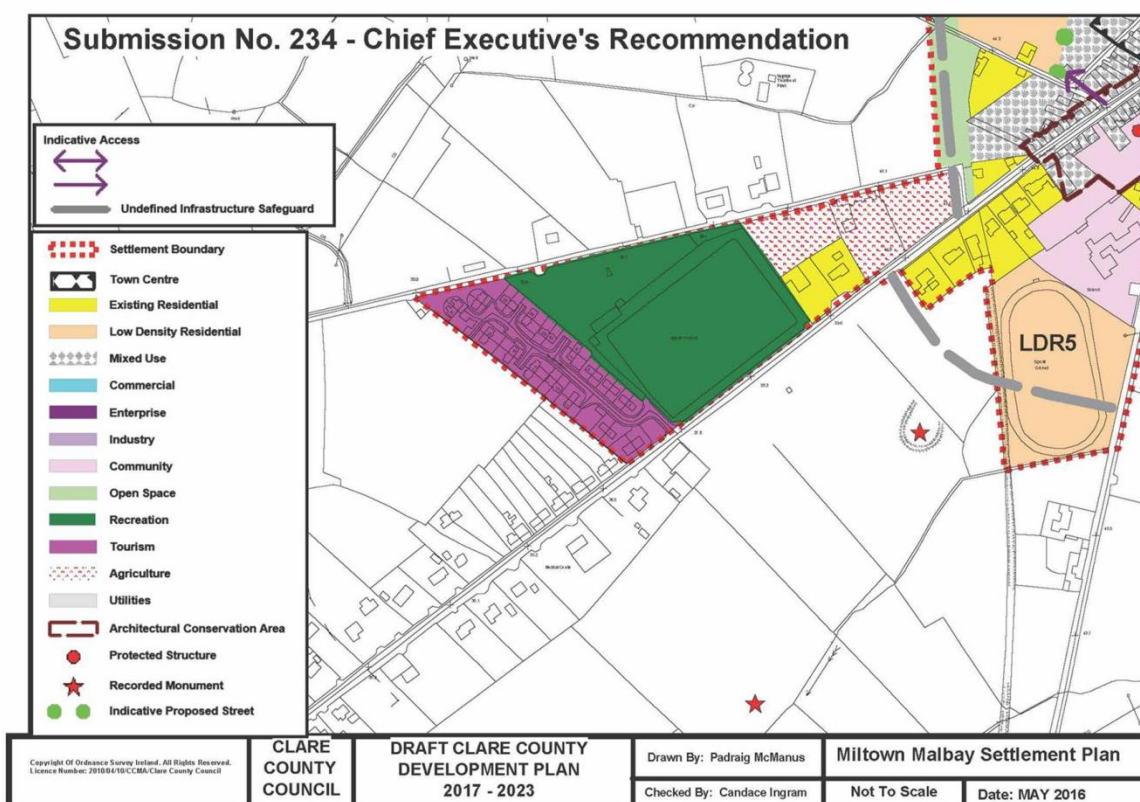
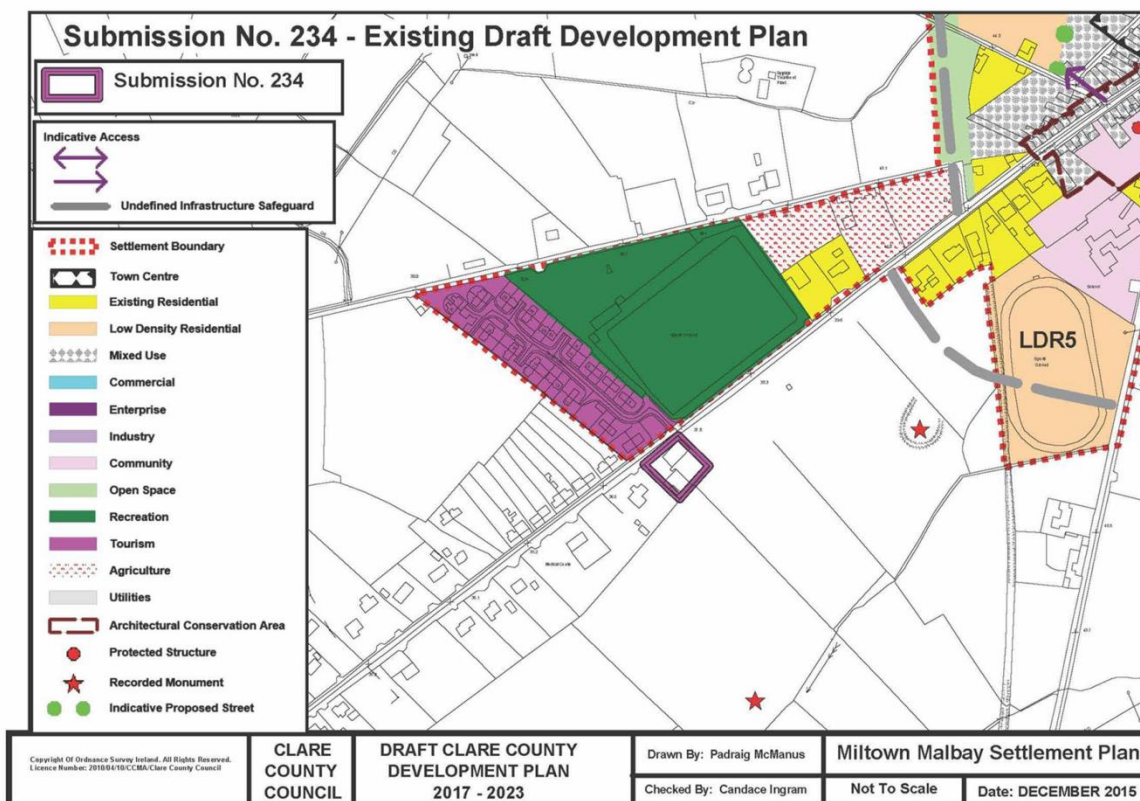
I acknowledge the request contained in this submission and I would like to respond as follows:

The subject site is located on the Spanish Point road (N67) in Miltown Malbay and, at present, a garage, shop and filling station are operating on the site. I have reviewed the site and note that there is a significant break in development of approximately 250m on the southern side of the N67 between the garage site and the settlement edge, as defined by the existing settlement boundary.

I note that significant development has taken place on the Vaughan's property in recent years and this development has been supported by Clare County Council notwithstanding the location of the site outside the settlement boundary. The Draft Clare County Development Plan 2017-2023 supports rural enterprise and the redevelopment of brownfield sites in rural area. Therefore, while recognising the important service that the current business on the site provides to local residents, I do not consider the zoning of this site necessary to facilitate potential future growth, nor do I consider it appropriate or desirable to extend the settlement boundary a significant distance to incorporate this 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. 235 Seamus Durack Manufacturing Ltd.

Key words: Ennis

Summary of the Issues Raised in the Submission

This submission relates to lands at Tracklands Retail and Business Park Clonroadmore Ennis. It is proposed under the Draft County Development Plan 2017- 2023 to zone the lands light industrial. (the site was zoned Other Settlement Lands in the Ennis and Environs Development Plan 2008-2014, and subsequently zoned Commercial 4 in the variation to that Plan). The submission highlights that uses such as office based development or retail are not considered appropriate in light industrial zoning under the Draft County Development Plan 2017- 2023. The proposal to zone the land light industrial takes no account of the mix of uses that are existing within the Business Park and is too restrictive going forward. The submission is requesting the zoning be changed to allow for a mix of uses. The submission is accompanied by a list of the various types of uses such as retail manufacturing, manufacturing and sales, show room, children's fun world, hotel central reservation centre, wedding & event management, HSE offices, Security company, bakeries, sales and repair, fruit and vegetable distribution, chryotherapy clinic.

Chief Executive's Response

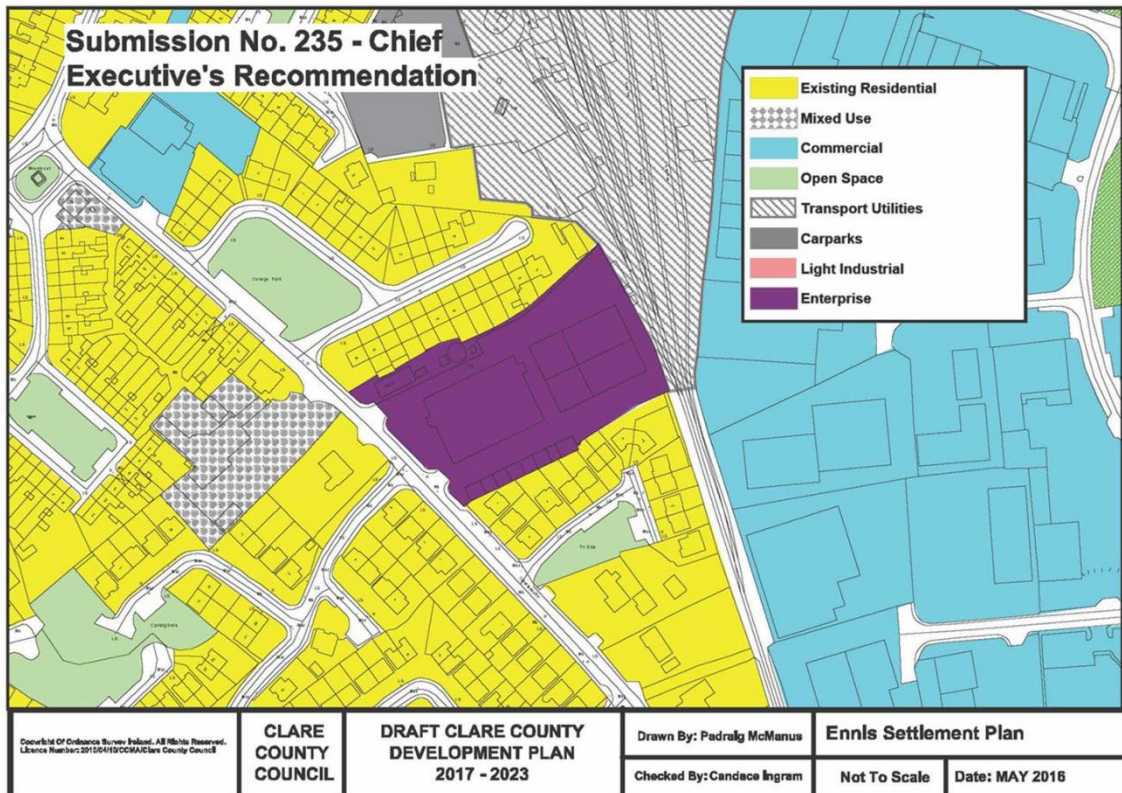
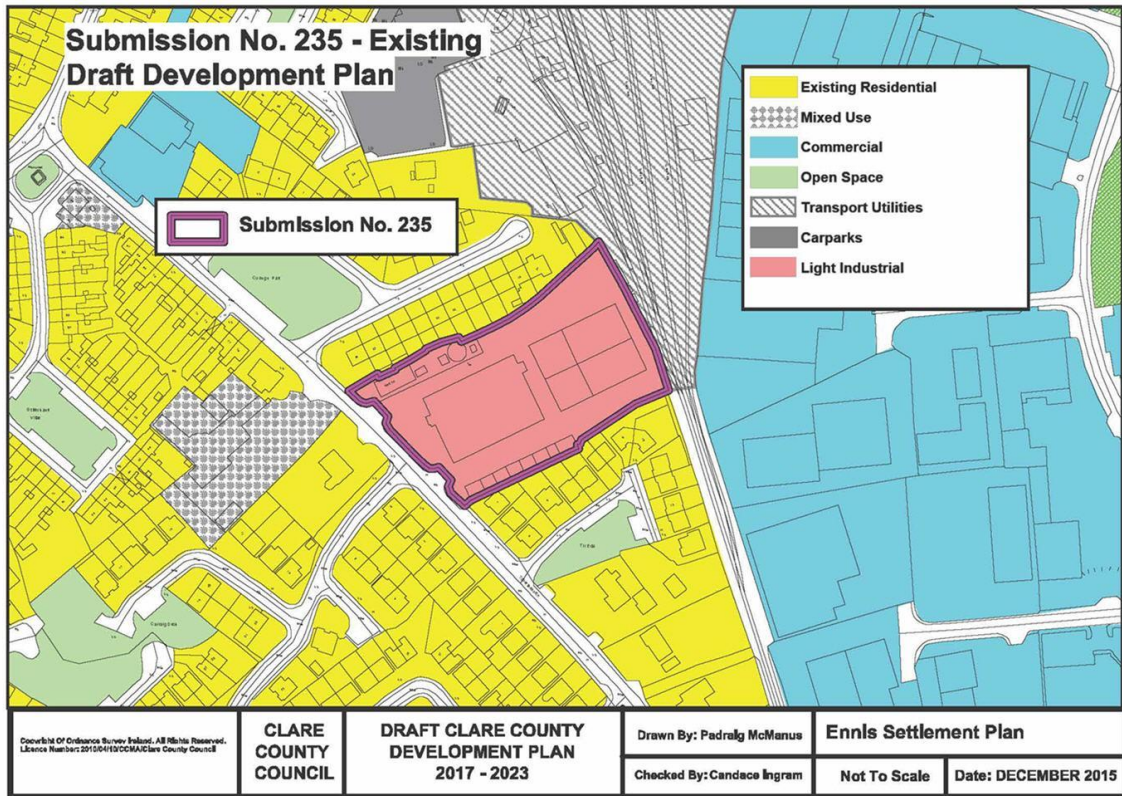
I wish to thank Mr. Durack for his submission. I acknowledge the concern raised by Mr. Durack regarding the types of uses that could be accommodated under the light industrial. I also acknowledge the types of uses that currently occupy the buildings and the nature of uses that have previously been accommodated. I agree that it would be in the interest of proper planning to change the zoning from Light Industrial to Enterprise to better reflect the mix of uses on site.

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(a) Ennis Settlement Plan – amend zoning map as follows:

Change zoning at Tracklands Retail and Business Park from Light Industry to Enterprise.



Ref. 236 Brian and Evelyn McMahon

Keywords: Ennis

Summary of the Issues Raised in the Submission

This submission relates to lands in Drumcarronmore, Loughville west Ennis. In summary it is:

- Requesting the revision of the plan boundary to run along the roadway
- Requesting residential zoning of Acha Bhilla to natural boundary on roadway at rear of estate.
- Request residential zoning of Acha Bhilla to adjoining lands.

The subject site was reviewed in the strategic flood risk assessment, which recommended that the site appeared to be at groundwater risk and is therefore likely to operate as a storage basin for this water, and development could be directly at risk, or through the natural infiltration route could increase flood risk elsewhere. The site is suitable for water compatible uses as open space or agriculture.

The submission considers that the above is at variance with the on-site position. Water is being piped from the lands adjoining the garage identified as historical flooding across the road and allowed to flow into the area identified within the subject lands. In retaining the existing and proposed residential zoning it is a matter of fact that the provision of a piped storm system will reduce the area contributing to the pluvial run off thereby reducing the extent of flooding. There are many solutions under Sustainable Urban Drainage systems that could be employed to solve flooding. The submission submits that the land should be designated for housing based on a report and recommendation in the existing causes of flooding, followed by recommendations for its management based on SUDs principles.

Chief Executive's Response

I would like to thank Mr and Mrs McMahon for their submission and would like to respond as follows:

- Requesting the revision of the plan boundary to run along the roadway.

I am not in favour of changing the plan boundary as it is not required to provide development zonings at this particular location. I do not see the planning merit in extending the boundary to provide more agriculture zoning.

- Requesting residential zoning of Acha Bhille to natural boundary on roadway at rear of estate.

I note that the Residential zoning at R41 at the rear of Acha Bhille extends to the boundary on roadway as currently proposed.

- Request residential zoning of Acha Bhille to adjoining lands.

The subject site has been examined in detail as part of the Strategic Flood Risk Assessment (Vol. 10c) and following on from same, there is pluvial/groundwater risk in this area. The site appears to be at surface water/groundwater risk, and is therefore likely to operate as a storage basin for any surface water flow conveyed to the site from local drainage pipes or groundwater upwelling. Historical flooding is noted in and around the site which is clearly marked on the flood risk maps which implies groundwater flood risk from turloughs. Any development could be directly at risk of flooding, or through blocking the natural infiltration route, could increase flood risk elsewhere.

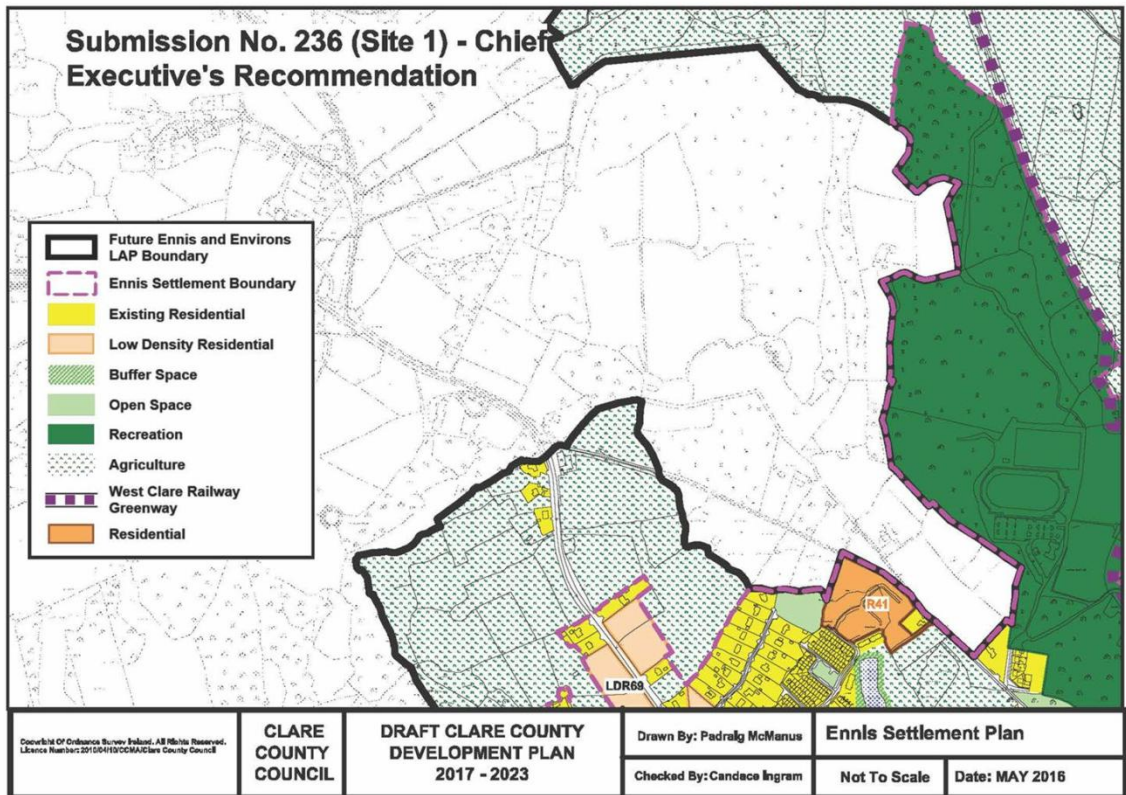
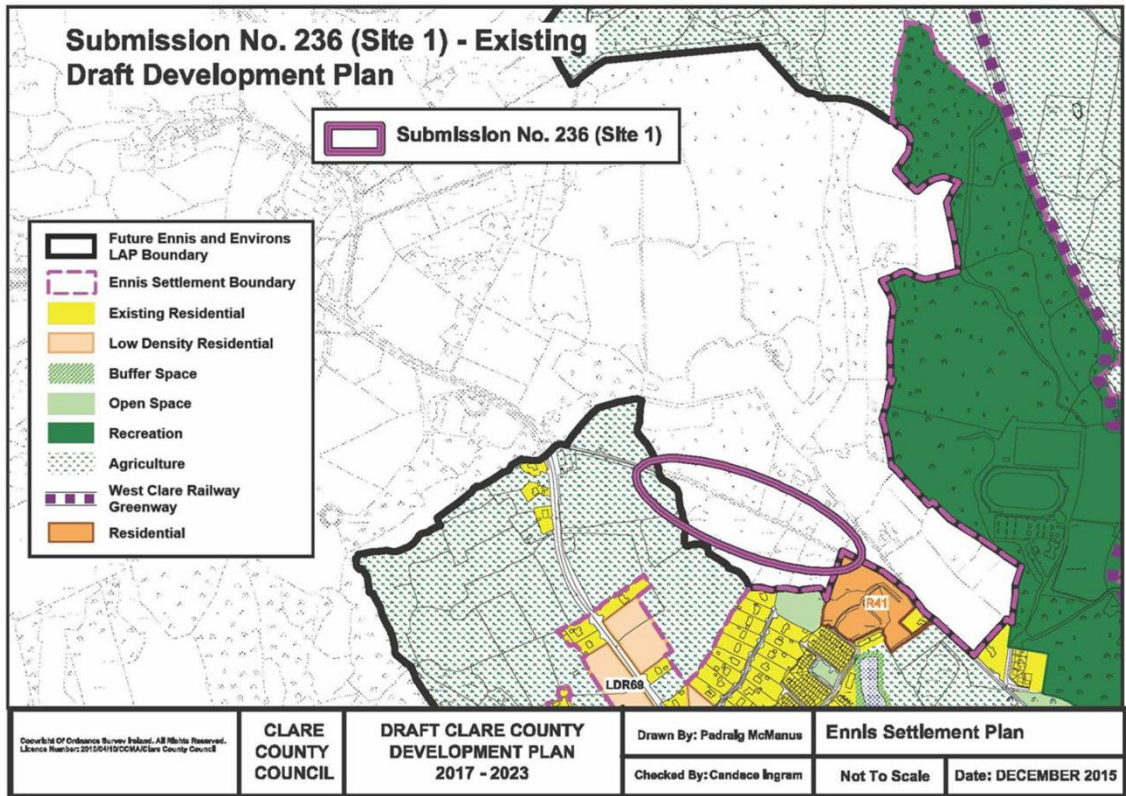
The water supply for Ennis town and its environs is taken from Drumcliff Springs whose recharge area is karst aquifer. This submission relates to an area which is located within the Zone of Contribution as delineated by the GSI for the Drumcliff Springs. Previous studies have indicated that due to the geology of the catchment, the varying thickness in overlying soils and fast travel time in the groundwater flow regime, there is minimal attenuation of contaminants, both natural

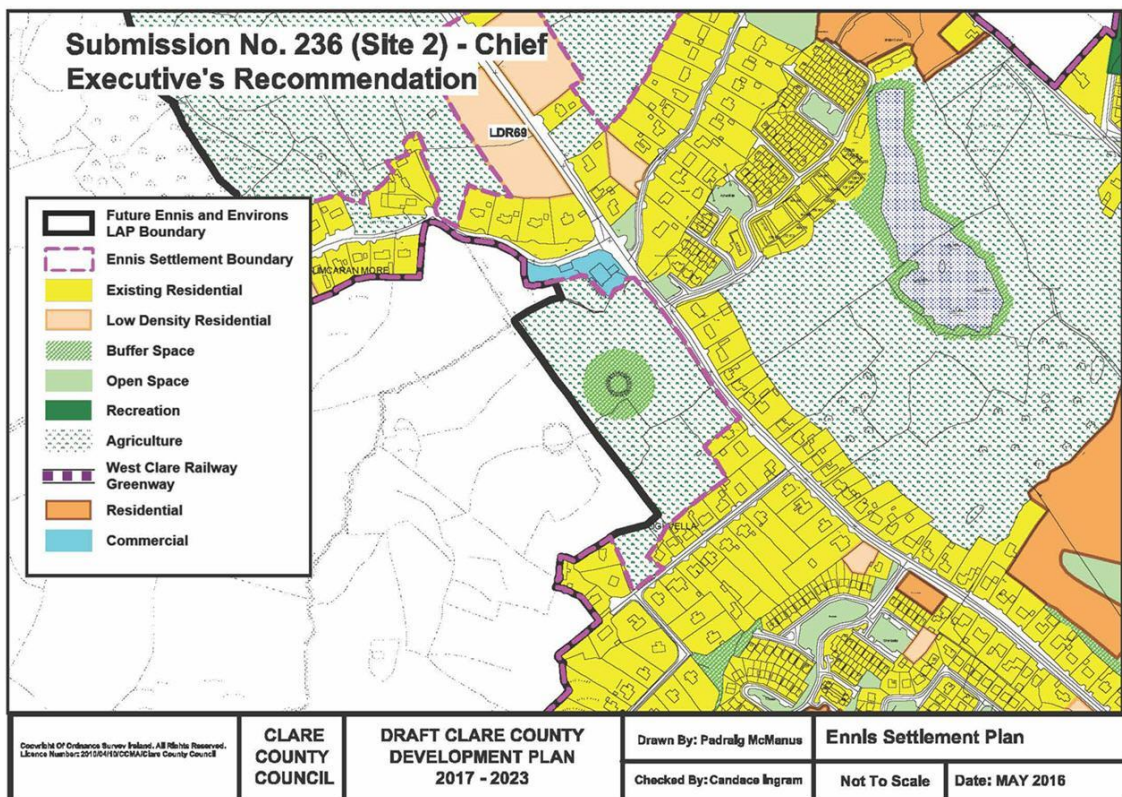
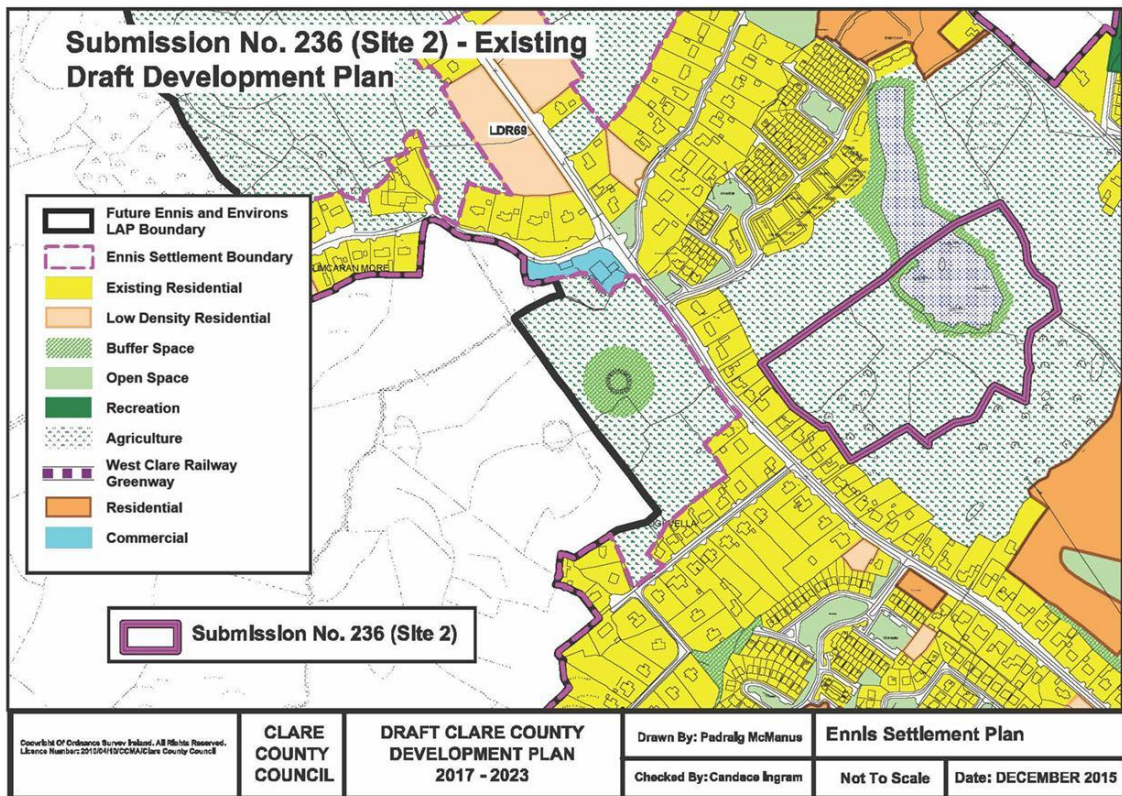
and anthropogenic, thereby making the groundwater and the Drumcliff Springs supply well extremely vulnerable to pollution. According to the GSI Source Protection Report¹ there are five main tributary river systems which are of significance to the Drumcliff Springs. The Greenpark system to the south which sinks at Drumcarron More swallow holes is a key supply of the Drumcliff Springs and it is highly dependent on the surface water catchment of it, within which the subject site of this submission relates. Following analysis of the groundwater flow and associated tracing by the GSI, Drumcliff Springs are considered as both surface water and groundwater source with Drumcarron More swallow hole contributing both from a surface and groundwater perspective with very good connectivity they need to be considered together in protecting the source. The National Groundwater Protection Scheme has therefore delineated the Inner Protection Area which protects the source from microbial and viral contamination and the Outer Protection Area which is designed to protect the source from chemical contamination. The lands which are the subject of this submission are within the Inner Protection Area for the Drumcliff Springs. Any loss of this surface water catchment supplying water to the Drumcarron More swallow hole would also have a know on effect in terms of supply to the Drumcliff Springs.

¹ <http://www.gsi.ie/nr/rdonlyres/c32601e4-a939-4905-92f8-6aee112b83c4/0/drumcliffe09.pdf>

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. 237 Enda and Carmel O'Connor

Key words: Ennis, Flooding

Summary of the Issues Raised in the Submission

The submission refers to land in the Doora Industrial Estate, on the western side of Ennis. The submission notes the various planning permission associated with the site, which include planning reference no.'s p99 144, p04 37 and p09 76. Planning reference no. p99 144 refers to 5 buildings. comprising of offices, retail outlets, manufacturing & light industry warehouse units and all ancillary works necessary for the proposed development. Planning permission was granted subject to 27 no. conditions. Planning reference no. p04 37 refers to a change of design and layout for five buildings for retail outlets, light industry and warehousing with car parking, signage and all ancillary services. In this instance, planning permission was granted subject to 17 no. conditions. Planning reference no. p09 76 was an application to extend the appropriate period of planning permission p04 37. The permission was extended until 6th January 2012. The submission states that building no. 5 associated with the above permissions has not been completed, and while some of this site is zoned, it is not of sufficient size to allow for the completion of site 5. The submission states that the development as permitted was designed as one incorporating parking and services for the 5 units.

The submission also notes that the site has been filled over 7 years, and the distribution road and services road remains incomplete.

The submission contends that the general tone of the SFRA attached to the Draft Plan was not to object to the zoning proposal but to set out requirements to facilitate zoning.

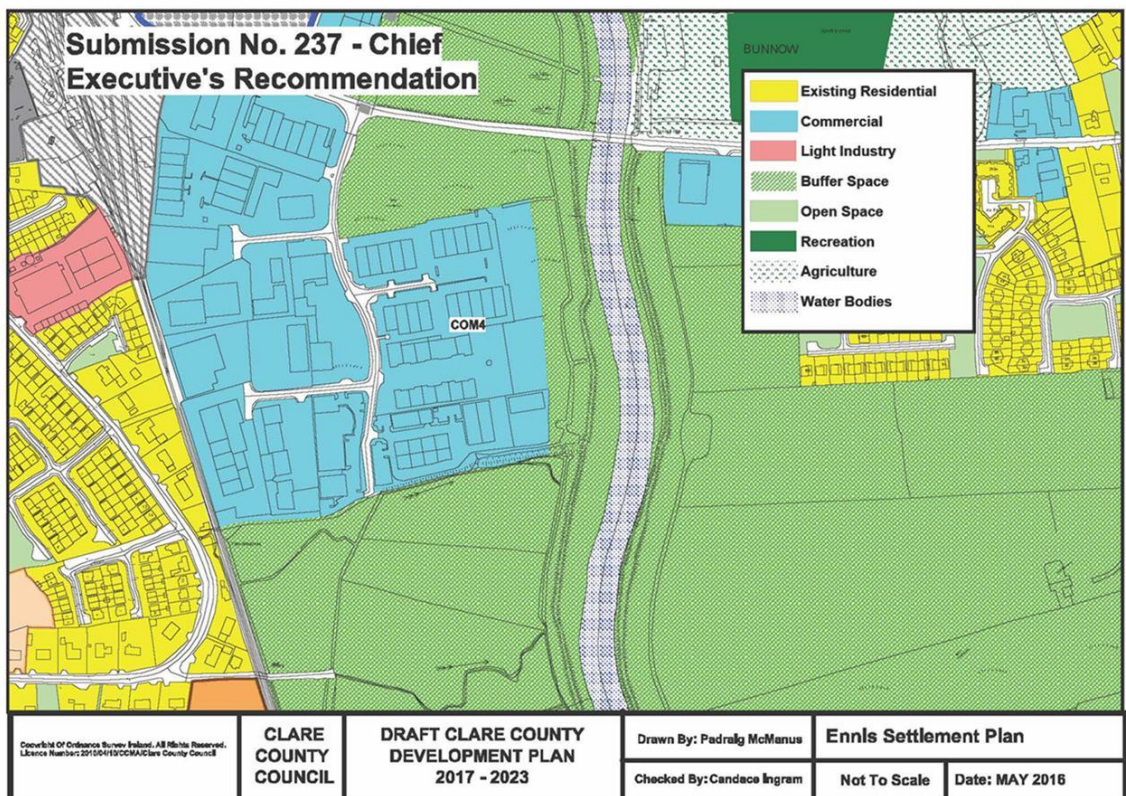
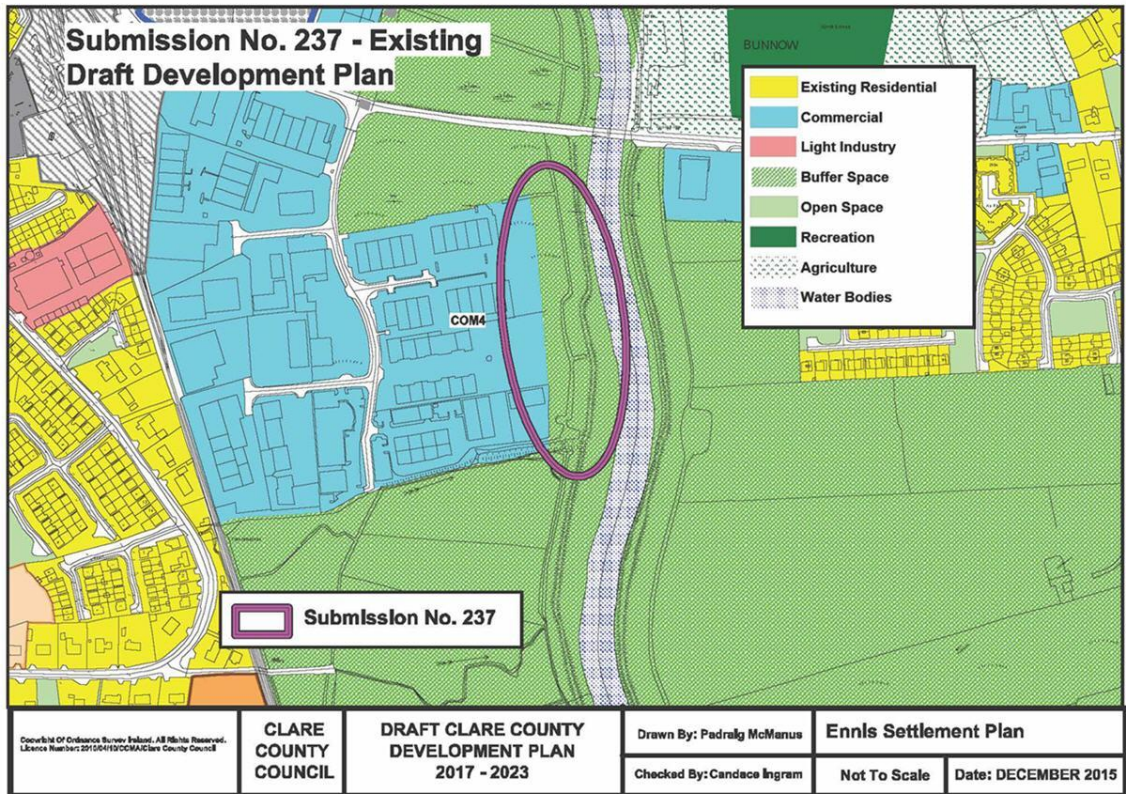
The submission considers that it is normal practice to consider planning histories when considering whether to zone a site. Further it is stated that planning contributions were paid on the basis of the entire development, and the drainage system has been upgraded.

Chief Executive's Response

I wish to thank Enda and Carmel O'Connor for their submission. The subject site has been examined in detail as part of the Strategic Flood Risk Assessment (Vol. 10c). I note that the site as referred to has been the subject to infilling over the previous seven year. It is further noted that the site is behind existing embankments, which have been in place since the 1940s, although have needed to be repaired on a number of occasions. The site will benefit from the Ennis South Flood Relief Scheme (currently at Design Stage). The Cost Benefit Analysis for the Ennis South Flood Alleviation Scheme notes that the flood level at the upstream of the barrage was 2.8m O. D, and that the Quin Road Business and Retail Park (amongst other locations) was at risk of flooding. I further note correspondence regarding planning permissions within the Industrial Estate which indicate fill levels of 2.49m O.D. If these levels are correct and the site is below 2.99 m O.D (Flood Zone A) it is suggested that development on this site is premature until the scheme is completed. The submission would require zoning of land that is not yet formally defended and would therefore be considered premature.

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. 238 Tony Mulqueen

Key Words: Ennis

Summary of the Issues Raised in the Submission

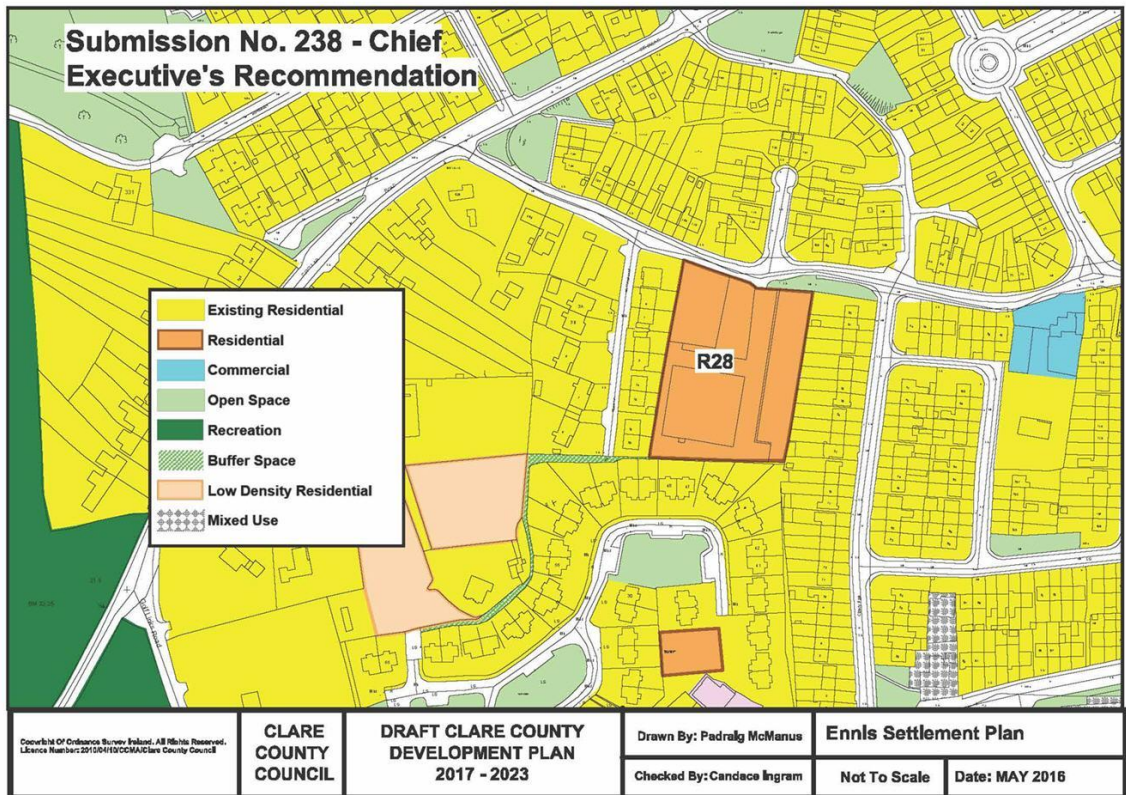
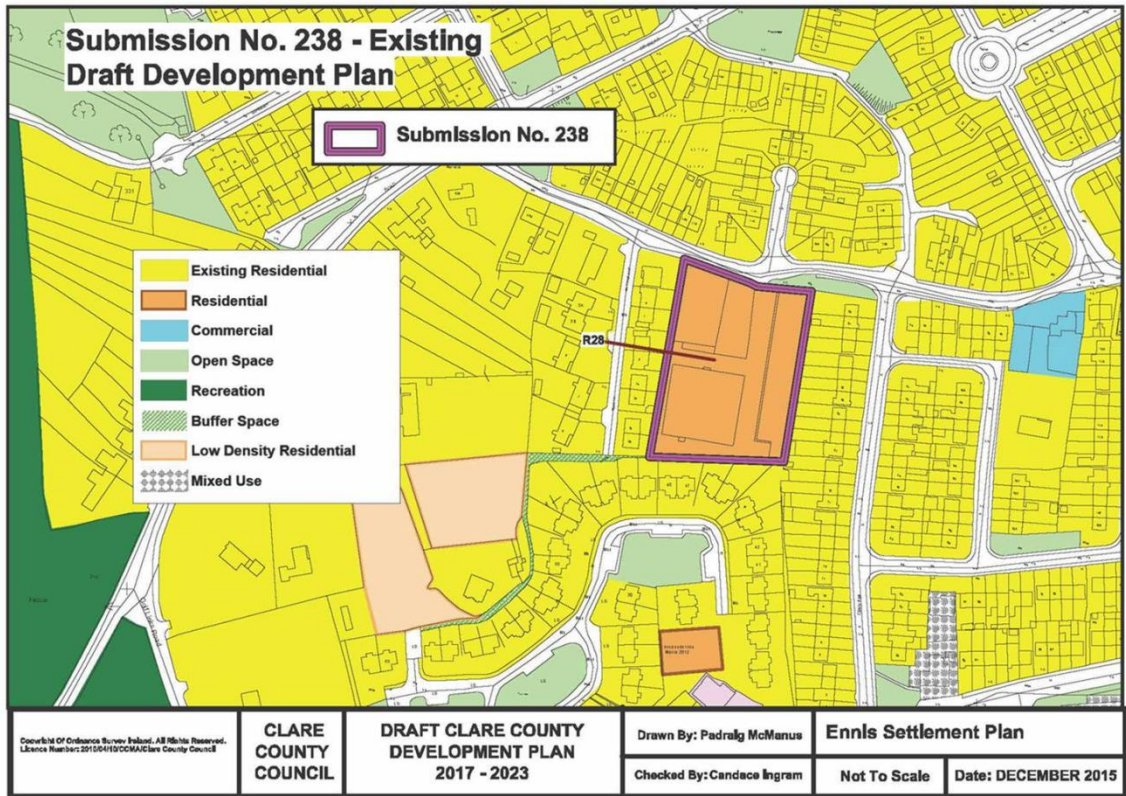
This submission requests that zoning at centre point Orchard Lane in Ennis be left as Enterprise.

Chief Executive's Response

I wish to thank Mr. Mulqueen for his submission regarding lands zoned R28. Having regard to the surrounding existing residential use, the proximity of the site to the town centre and the attraction of the site as an infill site in the interest of proper planning and sustainable development I consider that the request for the site to be zoned as "Enterprise" cannot be accommodated

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. 239 Declan and Catherine O'Regan

Key Words: Ennis

Summary of the Issues Raised in the Submission

This submission relates to lands at Killnacally, Shanaway Road, Ennis. The submission requests that the land be zoned for low density residential development. The submission states that members of the O'Regan family wish to construct dwellings for their own use on such lands in the future.

Chief Executive's Response

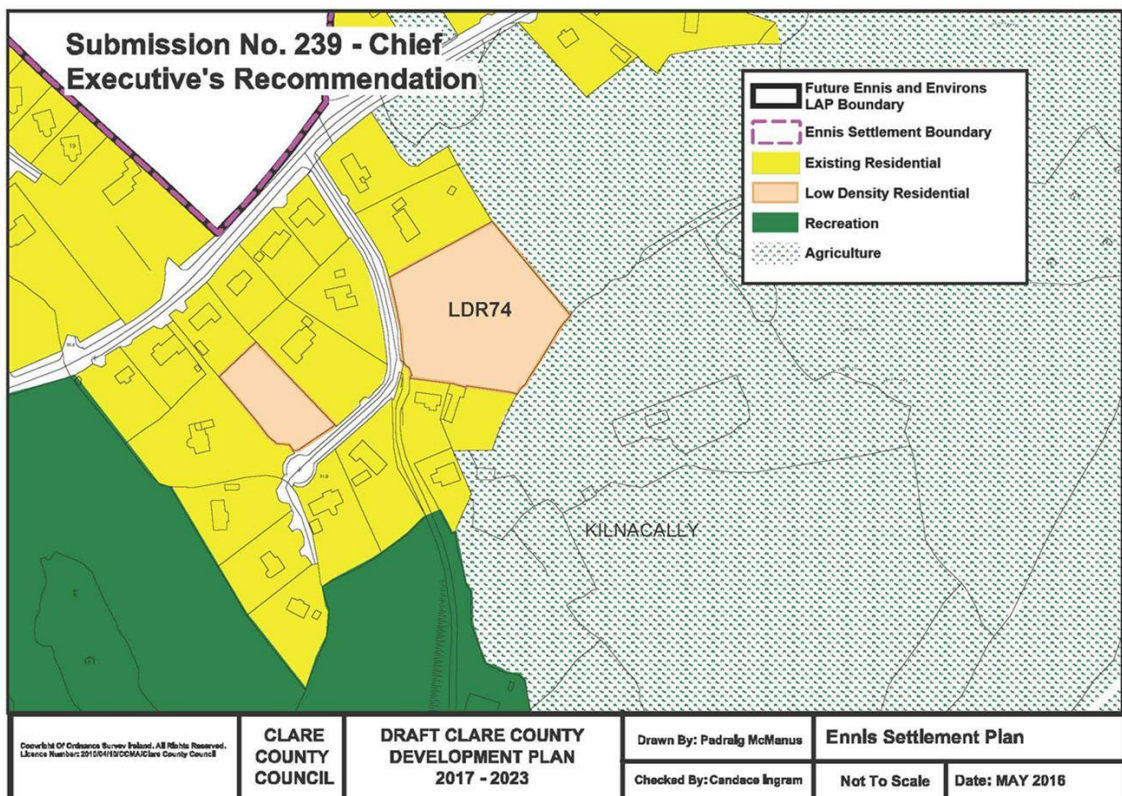
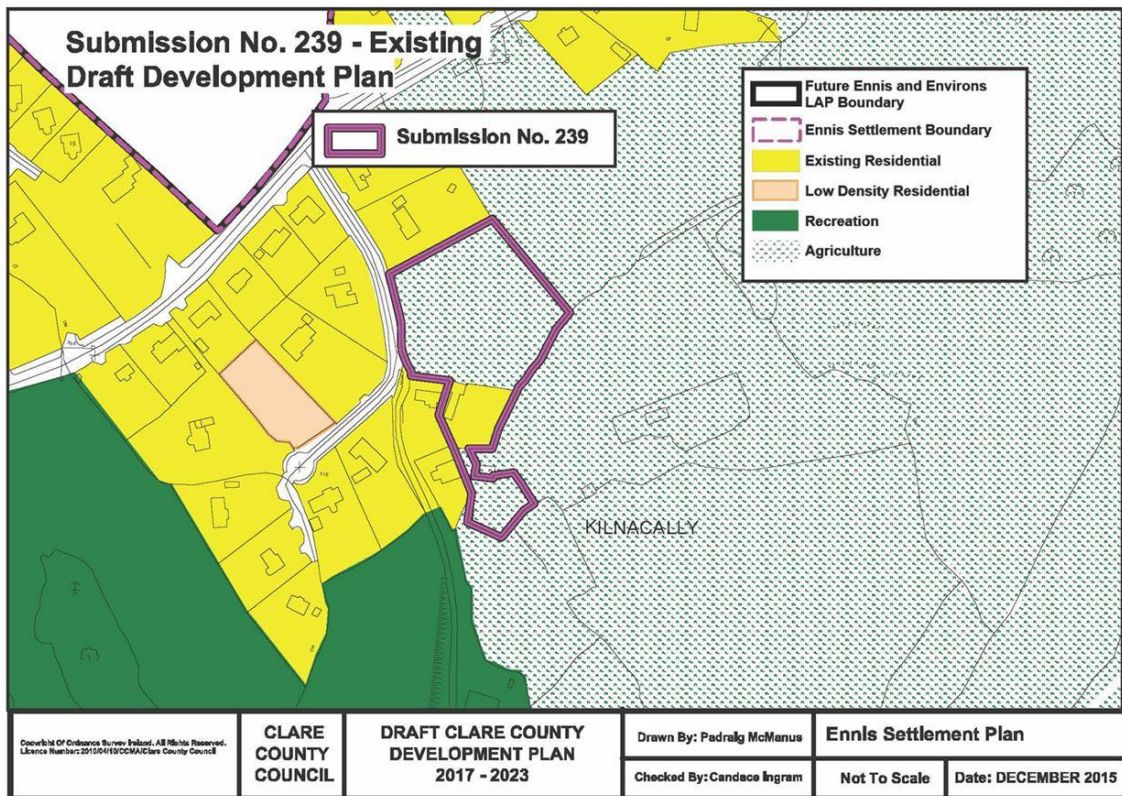
I wish to thank Declan and Catherine O' Regan for their submission. I note that it is the intention of the O' Regan family members to build dwelling houses for their own use at this location. Having regards to the infill nature of this site I will recommend zoning a portion of the lands identified at Killnacally for "Low Density Residential" development.

Chief Executive's Recommendation

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

Volume 3(a) Ennis Settlement Plan – amend zoning map as follows:

Change zoning on lands at Killnacally from Agriculture to Low Density Residential and label LDR74



Ref. 240 Martin Haran

Key Words: Quin

Summary of the Issues Raised in the Submission.

This submission relates to LDR1 and lands west of LDR1 in Quin. This submission requests that LDR1 zoning be extended westwards. The submission argues that access to R2, R3 and R4 is through Madara estate which is unfinished and is not suitable to access these lands. The submission puts forward the reason why the subject lands are suitable for residential development having regard to its location and availability of services.

Chief Executive's Response

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

The extent of land required to accommodate population growth in each settlement in the county is established in the Core Strategy, which is contained in Chapter 2 of Volume 1 of the Draft County Development Plan. Having regard to the Core Strategy I consider there is capacity to zone additional land in Quin to accommodate the stated population target for the village within the Plan period. The attributes of this site, as set out in submission are noted and I have made a recommendation below to zone these lands for low density residential development.

I consider it appropriate to also zone a further area of land to the north of the subject site. This will provide for the orderly and consolidated development of this area of the village and will also allow for alternative access to site R4.

Chief Executive's Recommendation

I recommend that the following amendments are made to the Draft Clare County Development Plan 2017-2023:

Volume 3(a), Quin Settlement Plan – amend zoning map as follows:

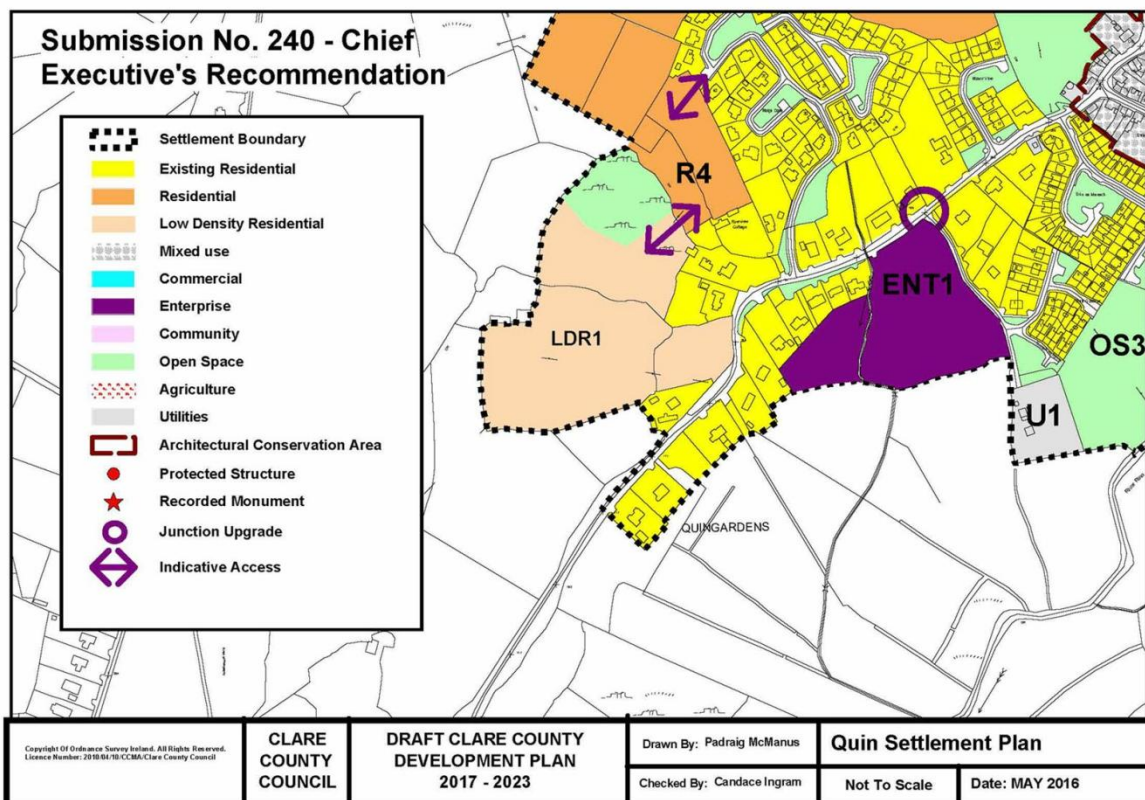
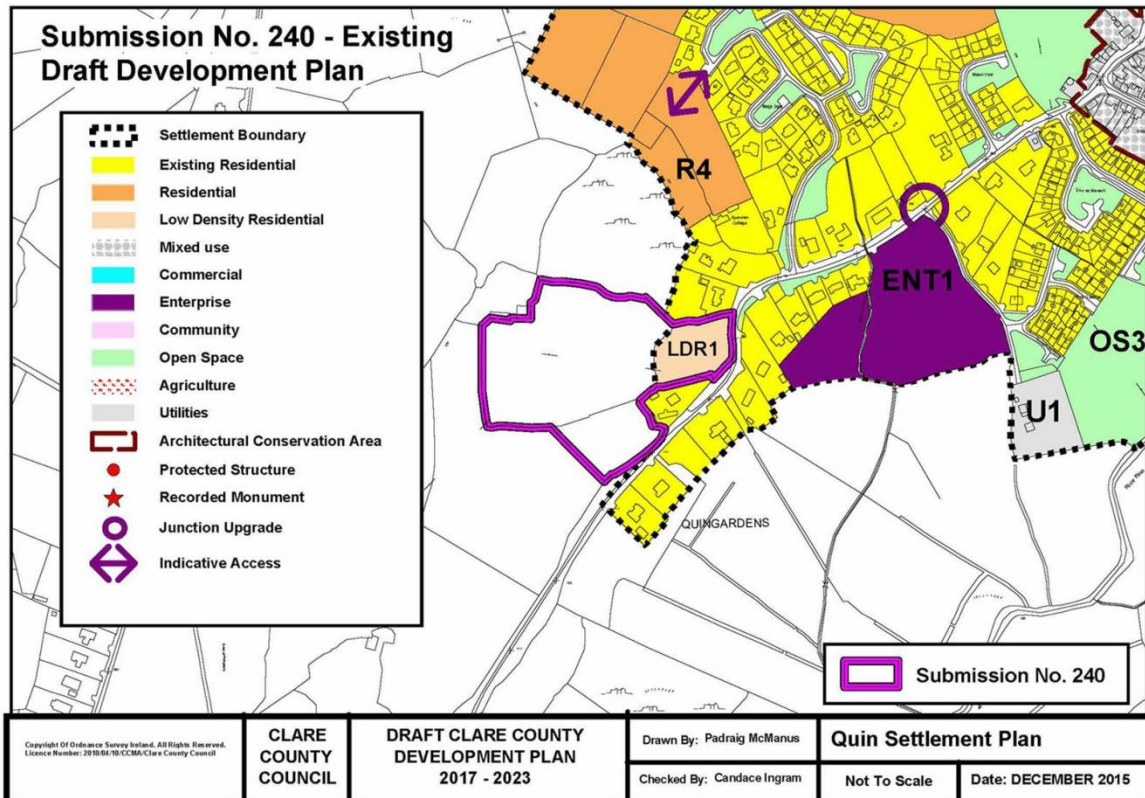
- Extend zoning on site LDR1 to the west and northwest
- Zone area of rock outcrop as Open Space
- Include 'indicative access' arrow between site LDR1 and site R4

Volume 3(a), Quin Settlement Plan – amend text to read:

LDR1 Western Edge **of the Village**

This is a visually sensitive gateway site, located at the southwest entrance to the village and as such the design and layout of future residential development on these lands must create an attractive approach to the village and reflect the rural character of the area. Development of this site is strictly conditional on achieving a safe road access, as it has poor horizontal and vertical alignment in the vicinity of the site. Layout and design shall ensure that the residential amenities of existing adjacent houses are protected.

The housing development shall incorporate the lands zoned as "Open Space" into the scheme as public open space. The layout of future development on these lands shall provide for access to R4 to the north. It is important that any such access does not have a negative impact on the amenities of the private open space associated with existing houses in the area.



Ref. 241 Martin Haran

Key Words: Quin

Summary of the Issues Raised in the Submission.

This submission relates to lands at Moyreisk, Quin. The submission is requesting to have the land zoned light industrial/ commercial having regard to the two existing buildings to the north. This zoning would give recognition to the existing group of buildings, it would support rural enterprise and it would avoid the creation of derelict structures by the re use of existing buildings.

Chief Executive's Response

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

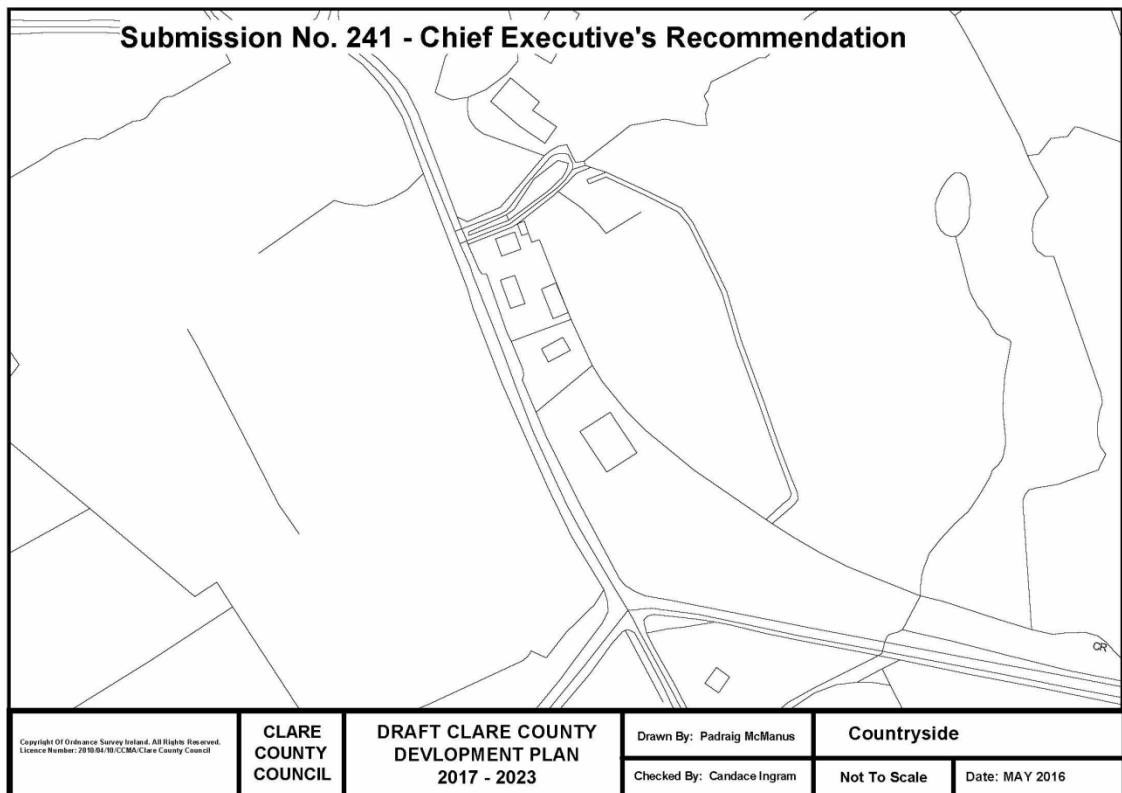
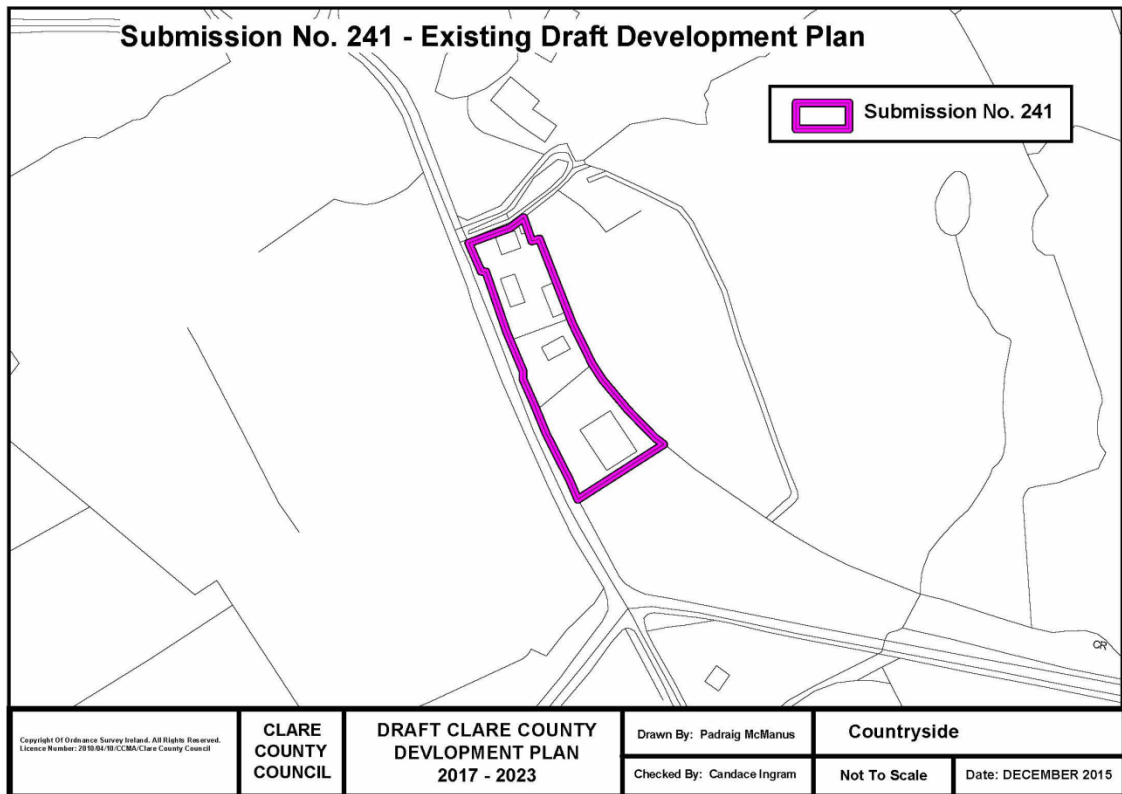
I note that there are numerous policies and objectives in the Draft Clare County Development Plan to support rural enterprises such as CDP6.20 Rural Enterprises and the objectives of Chapter 10 Rural Development and Natural Resources.

The zoning of land in towns and villages throughout the county is important in order to facilitate development, to maximise investment in infrastructure and to ensure that new developments are directed to the most appropriate location. The zoning of land in rural areas would lead to an ad hoc pattern of development that is contrary to the proper planning and development of the county.

I do not consider it appropriate to zone these lands, which are in a rural area at distance from an established settlement, for light industrial / commercial uses.

Chief Executive's Recommendation

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



Ref. 242 Fergus Merriman

Key Words: Clarecastle

Summary of the Issues Raised in the Submission.

This submission requests the extension of the zone of development at Clarecastle in order that a fully integrated achievable, sustainable plan is adopted. The current zoning is single sided to the river thereby restricting cross river development. Single sided zoning skews the development of the town to the existing brownfield sites and prevents integrated development of the town. The submission is accompanied by a map showing development potential on the eastern side of the quay. Clarecastle has a flood relief barrier upstream of the town which presents the perfect location to protect the Ennis basin and Clarecastle from sea level change. Kilrush is not considered a 'port of asylum'. The potential exists to create a larger marina at Clarecastle close to all main transport. It would constitute a 'port of asylum' and create a very attractive tourism destination. The submission is accompanied by a 'Vision for Clarecastle' document.

Chief Executive's Response

I thank Mr. Merriman for this submission and I acknowledge the accompanying document entitled "A Vision for Clarecastle". I acknowledge the importance of Clarecastle Pier to the future development of the settlement. I refer to Volume 3(a) of the Draft County Development Plan 2017 – 2023, and specifically Sections 1.11.6 which acknowledges that significant opportunities exist for developments that will attract visitors to Clarecastle and Section 2.12 where priorities for Clarecastle are set out which includes promoting the development of sustainable tourism products in the area, the quay and associated river estuary amenity.

However I do not agree that it is appropriate to zone both sides of the estuary as suggested in the submission. In the making of the County Development Plan, the Council has an obligation, as the competent authority in relation to the Habitats Directive, to undertake Appropriate Assessment (AA) and Strategic Environmental Assessment processes which must be carried out in compliance with the relevant legislation. The AA places particular emphasis on the implications of the Draft Plan for the conservation objectives of European sites. In contrast the SEA looks at the wider ecological and biodiversity issues with particular reference to strictly protected species and their key habitats, 'natural habitats and protected species', and ecological corridors and stepping stones.

Screening for appropriate assessment, and the appropriate assessment must be carried out in compliance with Part XAB of Planning and Development Act, 2000 as amended. The relevant tests, terminology and stages of this legislation should be followed and referenced in relation to the analyses undertaken and the determinations reached at screening and any subsequent stage(s) in the process. In accordance with Section 177U of the Act, screening is carried out to assess, in view of best scientific knowledge, if the draft plan, on its own or in-combination with other plans (including the existing plan) and projects, is likely to have a significant effect on a European site. Only if it can be excluded on the basis of objective information that the plan, individually or in combination with other plans and projects, will not have significant effects on a European site, may it be determined that an appropriate assessment is not required.

In light of recent changes to legislation it is no longer sufficient to say that protective policies or objectives included in the plan will counteract potential significant or adverse effects of development or redevelopment of sites within the plan area. Strategic examination and analysis are required at the plan level as the basis for considering the effects alone or in combination with other plans and projects on European sites in view of their conservation objectives. Clare County Council, as the competent authority, must have sufficient information to screen out the potential for significant effects before any land-use zoning which might lead to this significant effect can be accommodated.

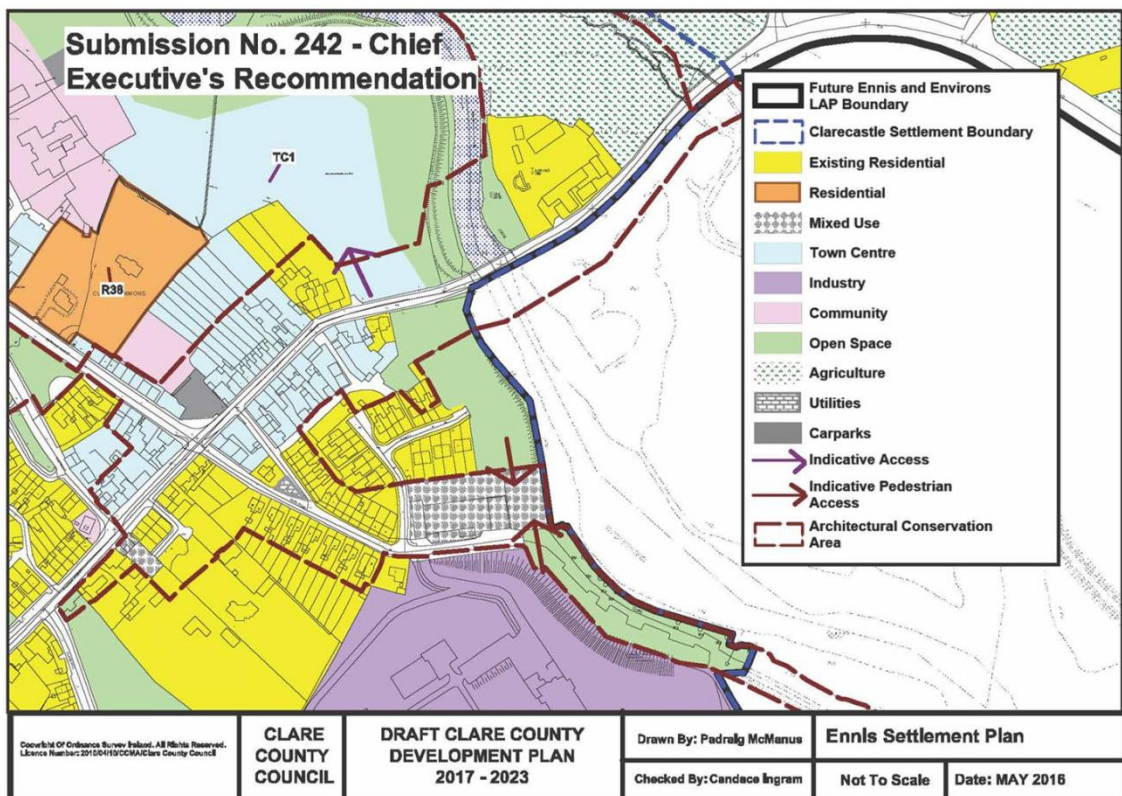
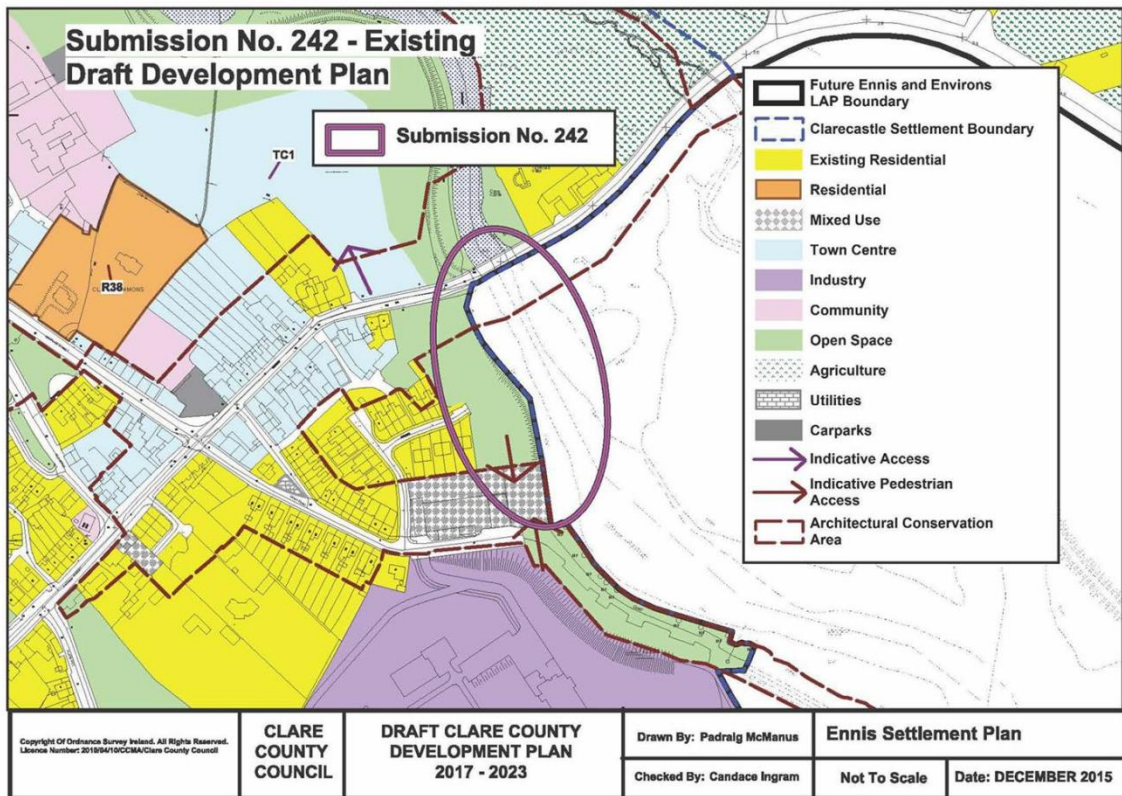
The lands which are the subject of this submission are located within the Lower River Shannon SAC (Site Code 2165). The area identified for a marina, coupled with the proposed barrage, pump generation turbines and lock gates, lie within the site boundary of the SAC also. In the absence of detailed site specific studies and investigations it is not possible to rule out the potential for significant adverse effects at this location. The potential for the marina in particular to lead to the

loss of habitats or species for which the Lower River Shannon is designated may require the derogation steps of Article 6(4) of the Habitats Directive. However, this is only applicable in cases where there are imperative reasons of overriding public interest (IROPI) requiring a project to proceed and there are no less damaging alternative solutions, and compensatory measures have been identified that can be put in place.

In light of the foregoing I cannot recommend the inclusion of the submitted proposals in the Draft Clare County Development Plan 2017-2023.

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. 243 Cathal and Bernie Blunnie

Key Words: Policy, Doonbeg

Summary of the Issues Raised in the Submission.

This submission relates to issues in both Volume 1 and Volume 3(d).

In relation to Objective CDP9.24 Tourism in West Clare, as contained in Volume 1, it is requested that Doonbeg is added to the settlements names in point (a) of that objective. With regard to point (h) of the same objective, it is submitted that 'marine tourism' should be added to the products that can be expanded in the area based on the coastal location and availability of fresh local produce.

The submission refers to page 63 of Volume 3(d) and the text in relation to MAR1 – Existing Pier and Harbour Area on Doonbeg Bay. Having regard to the proximity of the pier to an SAC and an SPA, which are home to a number of important habitats and species, the following additional text is suggested:

for the further development of existing and new water based services and to develop visitor moorings for tourism and leisure users.

It is important that Doonbeg pier and harbour is developed so that it can realise its tourism and leisure potential.

Chief Executive's Response

I would like to thank Cathal and Bernie Blunnie for taking the time to review the Draft County Development Plan and for making this submission. In relation to the issues that have been raised I would like to respond as follows:

Point (a) of Objective CDP9.24 generally refers to coastal and cliff walks in the Loop Head area and I do not consider it appropriate to add reference to Doonbeg within this objective. I note that the Doonbeg Settlement Plan contains a specific objective in relation to Economic Development as follows:

- To provide for the development of a diverse tourism product which offers potential to expand the tourism season to provide year-round employment and economic activity.

This existing objective will support the development of a range of tourism activities, including the development of walking routes/walking tourism in the coastal areas surrounding Doonbeg. I do not consider a further addition to the Draft Plan to be necessary.

In relation to the addition of 'marine tourism' to point (h) of Objective CDP9.24, this element of the objective is intended to relate primarily to the food industry and developing the reputation of West Clare as a destination of culinary excellence. I consider Marine Tourism to be a separate issue which is addressed in Section 9.3.11 Coastal Tourism which encourages and supports water-related activities whilst also working to protect the natural environment in coastal areas. This issue is also addressed in Objective CDP10.8 Non-Commercial Fishing which supports the expansion of non-commercial fishing activities in coastal communities and associated on-shore hospitality facilities. However, I consider that the inclusion of a cross-reference from Section 9.3.11 Coastal Tourism to the objective in relation to non-commercial fishing activities would be beneficial.

Chief Executive's Recommendation

In light of the issues raised in this submission I recommend that the following amendments are made to the Draft Clare County Development Plan 2017-2023:

Section 9.3.11 Coastal Tourism

Add a cross-reference to Section 10.4.1 Fishing and Aquaculture.

Ref. 244 Brendan McGrath and Associates on behalf of Tom Clair

Key Words: Policy, Lahinch

Summary of the Issues Raised in the Submission

This submission request that ambiguity between Objective CDP9.4(b) and CDP 9.4(c) be rectified.

Objective CDP 9.4(b) encourages holiday accommodation to locate within the settlement boundaries of towns and villages whereas CDP9.4(c) supports the development of new camping and glamping facilities and facilities for campervans/motor homes at a variety of locations across the county.

The following amendments are requested:

Objective CDP9.4 Tourist Accommodation

b) To generally encourage holiday accommodation to locate within the settlement boundaries of towns and villages.

c) To support the development of new camping and glamping facilities for campervans/motorhomes on or near touring routes and, in the case of camping and glamping facilities, to support their development not necessarily within towns and villages.

Objective CDP 9.5 Wild Atlantic Way

An additional point is proposed:

h) To support the development of new camping and glamping facilities and facilities for campervan/motor homes on or near the Wild Atlantic Way.

Lahinch Settlement Plan

The submission requests that the settlement boundary of Lahinch be extended to include further lands on which a glamping facility is proposed.

Chief Executive's Response

I thank Mr. McGrath for this submission on behalf of Mr. Clair. I consider the points that have been raised to be valid and, to provide clarity in this regard, I propose to include new wording to Section 9.3.4 Visitor Accommodation and the associated objective in the 'Recommendations' section below. In light of my proposed amendments to Section 9.3.4 I do not consider the proposed addition to Objective CDP9.5 to be necessary.

Furthermore the zoning of land outside of Lahinch, which is undesirable given the distance of the site from the centre of the town, will not be required given the proposed new wording which supports such facilities in rural areas.

I refer also to my response and recommendations in relation to Submission 416 and 423 which also address the issue of tourist accommodation.

Chief Executive's Recommendation

I recommend that the following amendments are made to Section 9.3.4 and CDP Objective 9.4 of the Draft Clare County Development Plan 2017-2023:

Volume 1, Section 9.3.4 Visitor Accommodation –amend text as follows:

Tourism can generate great benefits to the local economy and it is therefore considered appropriate to maintain, improve and increase the provision of good quality accommodation for visitors and encourage longer term stays in the county. It is important that a wide range of

accommodation options are available to ensure that County Clare is an attractive and convenient tourism location for a wide range of tourists. Objective CDP9.4 below addresses all forms of holiday accommodation with the exception of Holiday Homes which are addressed in Chapter 4 Housing.

While it is an objective for new tourist accommodation to locate in towns and villages, in close proximity to services and amenities, it is recognised that some forms of tourism developments, due to their scale, require a location outside of settlement boundaries. Such developments include international-scale, integrated tourism developments e.g. hotel, golf course, conference facilities etc. located on one site. Such developments, and their requirement to locate outside of an established settlement, will be assessed on a case-by-case basis having regard to their scale, site suitability and normal planning considerations.

Development Plan Objective: Tourist Accommodation

CDP9.4 It is an objective of the development plan:

- a) To promote, encourage and facilitate the provision of new visitor accommodation and the expansion/upgrade of existing hotels, guesthouses, B&Bs and other tourist accommodation at appropriate locations throughout the county;
- b) To support the redevelopment of brownfield sites, both in settlements and in rural areas, for the provision of tourist accommodation;
- b) To support the development of new camping and glamping facilities and facilities for campervans/motor homes/touring caravans ~~at a variety of locations~~ both within settlements and in rural locations across the county;
- ~~e) To encourage holiday accommodation to locate within the settlement boundaries of towns and villages.~~

Ref. 245 Peter O’Loghlen

Key Words: Ballyvaughan

Summary of the Issues Raised in the Submission

This submission relates to lands in the centre of Ballyvaughan. This submission requests that LDR5 be extended to all of the land outlined in accompanying map. The submission sets out a number of reasons as to why this land should be zoned. It refers to the need to maintain the population, to provide for small scale well designed permanent residences in the centre of the village rather than outside it. There is easy access to water and waste water services. The site is also accessible by path and there is public lighting.

Chief Executive’s Response

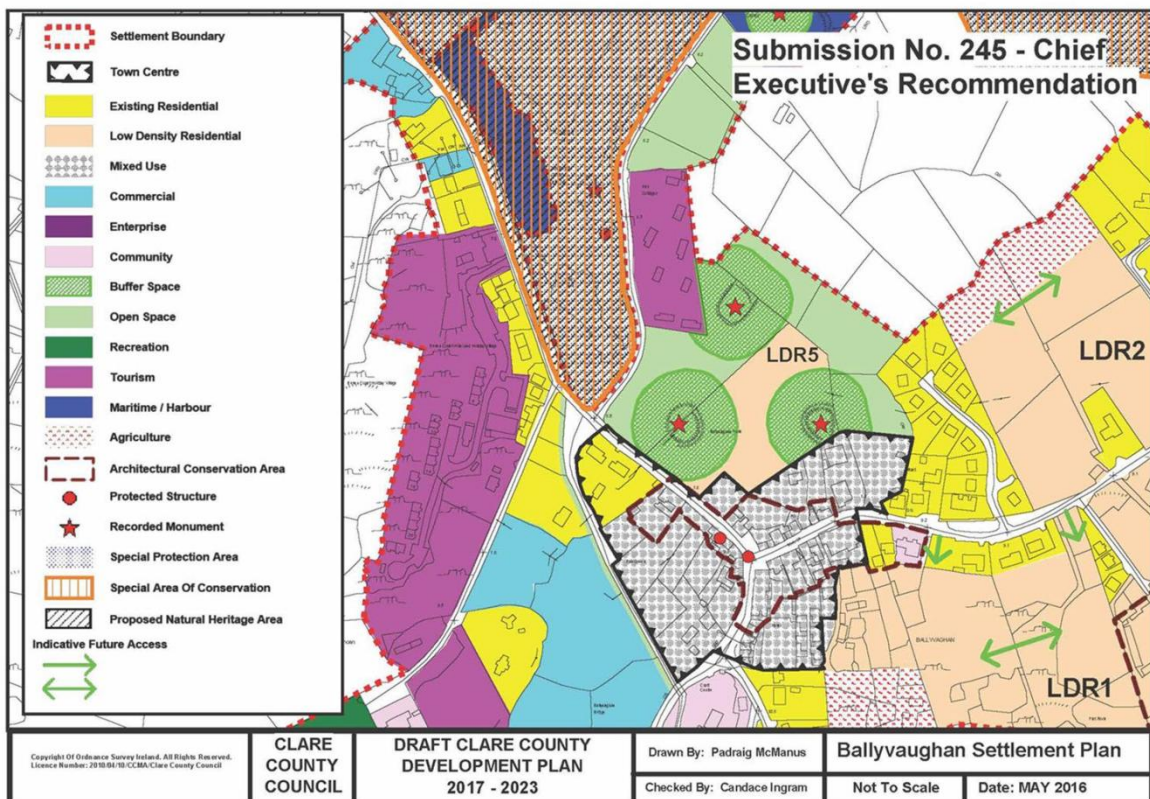
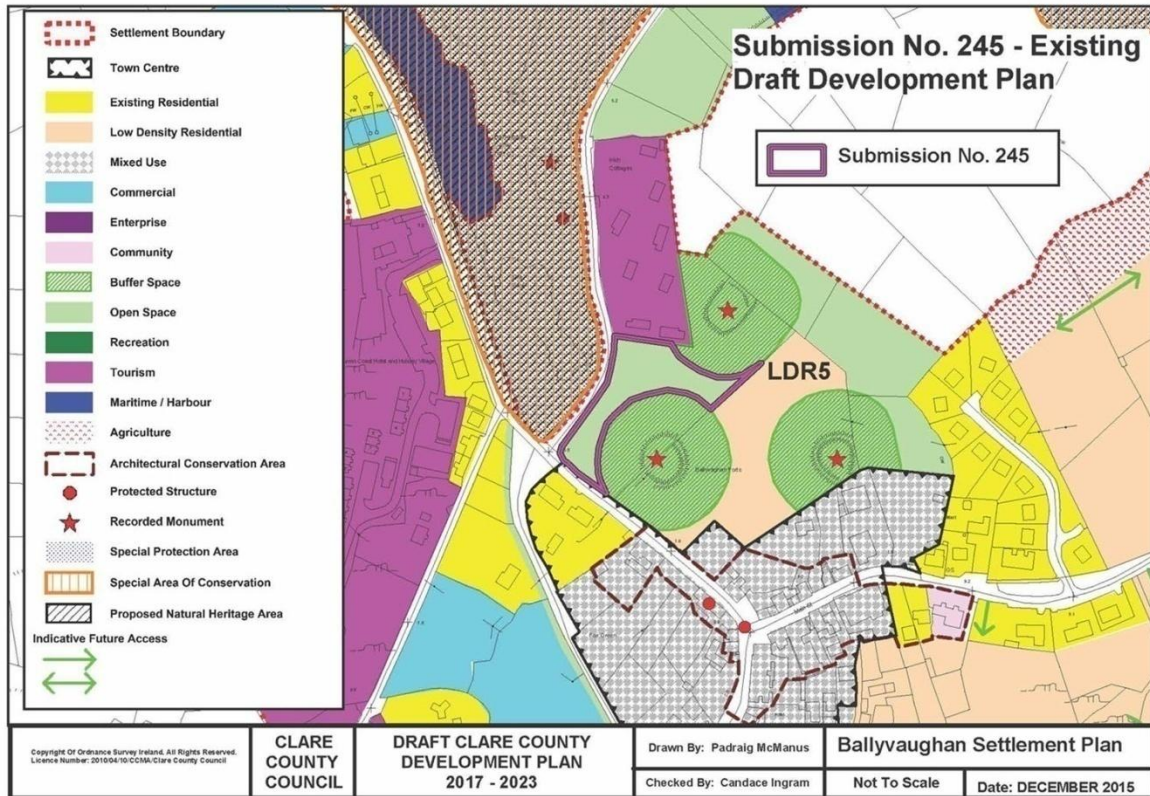
I thank Mr. O’ Loghlen for his submission and I wish to comment on the request contained therein as follows:

The subject site is of great historical importance to both Ballyvaughan and the wider area. The site is also visually prominent. It is highly visible on the approach road to the village from the northwest (from Fanore). When viewed from the village centre towards Fanore there are also expansive views across these lands towards Ballyvaughan Bay and Galway Bay.

While it may be possible to integrate a sensitive housing scheme on the more eastern areas of the site (currently zoned LDR5), the lands that are currently proposed are more prominent and development here would have a much greater impact. Furthermore, taking into consideration the close proximity to the regional route, archaeological restrictions and the lack of depth associated with much of the area proposed for inclusion, I consider that this would result in a very poor level of amenity for future residents.

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. 246 McCarthy Keville O’Sullivan on behalf of Elizabeth Howard

Key Words: Ennis

Summary of the Issues Raised in the Submission

The submission notes that Elizabeth Howard, owns the site at Brookville, Lahinch Road as indicated on the Map which accompanies the submission. The site was previously zoned Residential in the Ennis and Environs Development Plan 2008 – 2014, as varied. The submission notes that it is proposed to down zone the site from Residential to Open Space. The submission requests that Clare County Council zone the subject site for residential development in the finalised Clare County Development Plan 2017-2023.

The submission notes that the subject site is located well within the Ennis Town urban area boundary in the Brookville housing development and measures an estimated 0.07 hectares (0.17 acres). The subject site at Brookville is fully serviced and accessible and was always intended to be developed for residential development, in accordance with the current zoning and the established layout of the existing residential development.

The submission considers that Brookville Estate is more than adequately served by existing communal open space. There are various usable open spaces throughout the estate which are in everyday use by residents. The site is not required as additional open space will be an isolated pocket not linked to other areas within the scheme. The provision of additional open space at this location is therefore considered to be unnecessary.

It is submitted that the Planning Authority should prioritise the development of suitably located and serviced infill sites, such as the subject site, in the interests of sustainable neighbourhoods. This site is serviced and immediately available for development.

The submission considers that the development of this site would help in the consolidation and completion of the Brookville development. It would also benefit the streetscape of the Lahinch Road and Ennis in general, if this infill site was to be developed.

As part of this submission we requested the expertise of a Hydrologist to address any possible flooding concerns. Anthony Cawley, managing director of Hydro Environmental Ltd., carried out an assessment of the subject site his findings are listed below;

This site is part of the Brookfield housing estate immediately adjacent to an existing dwelling house in the estate and represents an end of cul-de-sac site. It is a stoned hardcore site measuring some 800m². The topography varies from 5.6m O.D. Malin at the front (north) to 6m O.D. Malin at the rear of the site (south). This puts the site based on the estimated Claureen Design Flood levels in flood Zones A and B (approximately 50% flood zone A and 50% Flood Zone B). Development of this small site is feasible and will not result in any perceptible impact on flooding from the Claureen as the potential loss of flood storage at 100year and 1000year flood events would be very minor and of little significance in respect to the Claureen Flood magnitude and the available flood attenuation in the Claureen Floodplain lands upstream of Ennis. The Brookfield estate access road to the site is prone to flooding and a section is located within the 100 year Flood Zone.

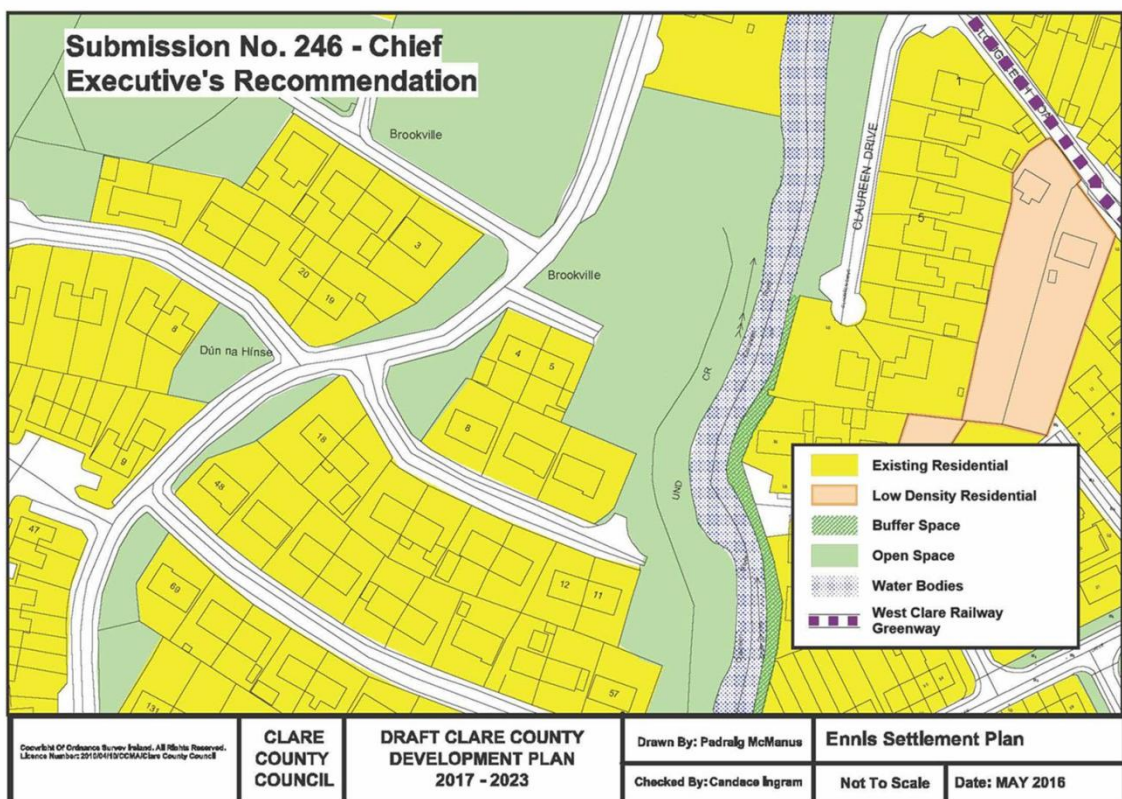
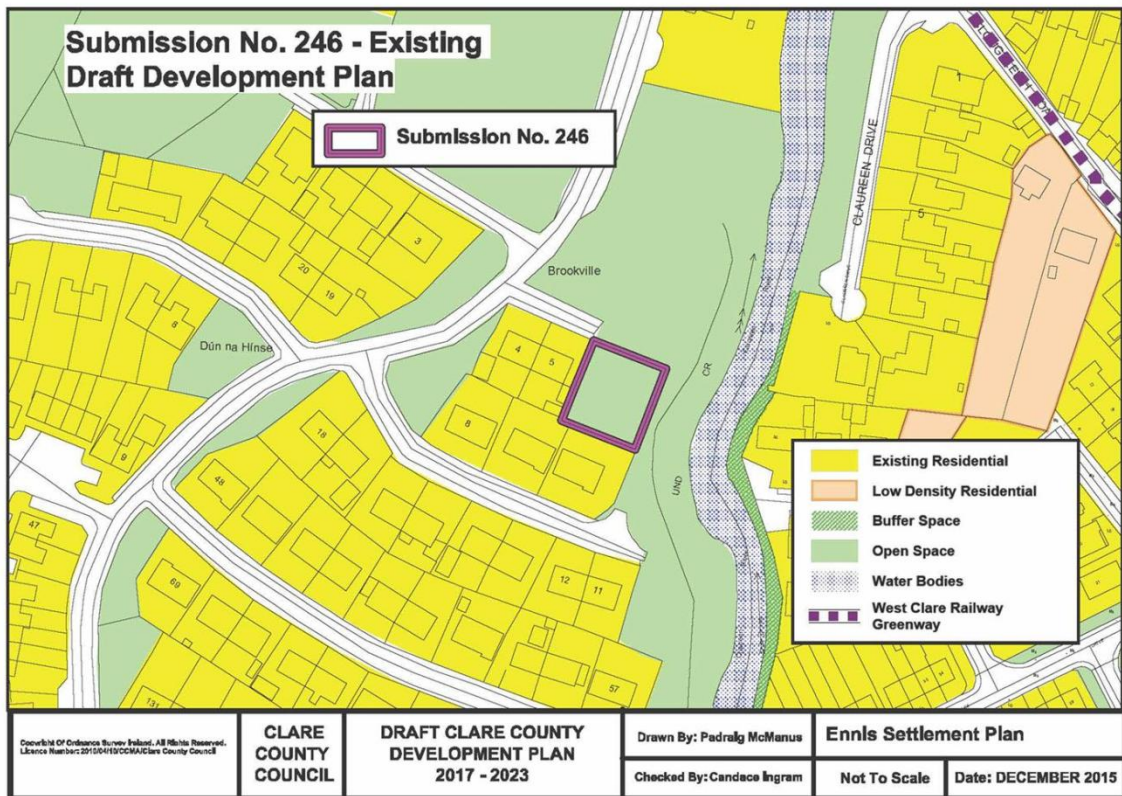
Chief Executive’s Response

I wish to thank Elizabeth Howard for her submission. The subject site has been examined in detail as part of the Strategic Flood Risk Assessment (Vol. 10c). It is noted that this site is located within Flood Zone A and B as shown on Clare County Council and new CFRAM mapping. Highly vulnerable residential development is not therefore recommended.

Additionally, I do not consider this site would pass the justification test as provided for in The Planning System and Flood Risk Management - Guidelines for Planning Authorities (November 2009, DoEHLG) as there is an availability of others lands for residential purposes which are not subject to flooding.

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. 247 J. Halpin

Key Words: Newmarket on Fergus

Summary of the Issues Raised in the Submission

This submission relates to lands (1.15 ha) at Limerick RD, Newmarket on Fergus. The Draft Clare County Development Plan 2017- 2023 proposes to zone the entire site for enterprise. This submission is seeking to have enterprise zoning on the northern section of the site and residential or low density residential on the southern part of the site. There is no requirement for enterprise given the amount of vacant units in the village on the Limerick Rd. The objective for the site in terms of it's prominence and 'first impression' can still be met with a high standard of design and layout.

Chief Executive's Response

I thank NAPS for the submission, made on behalf of Mr. Halpin, and wish to comment on the request made therein as follows:

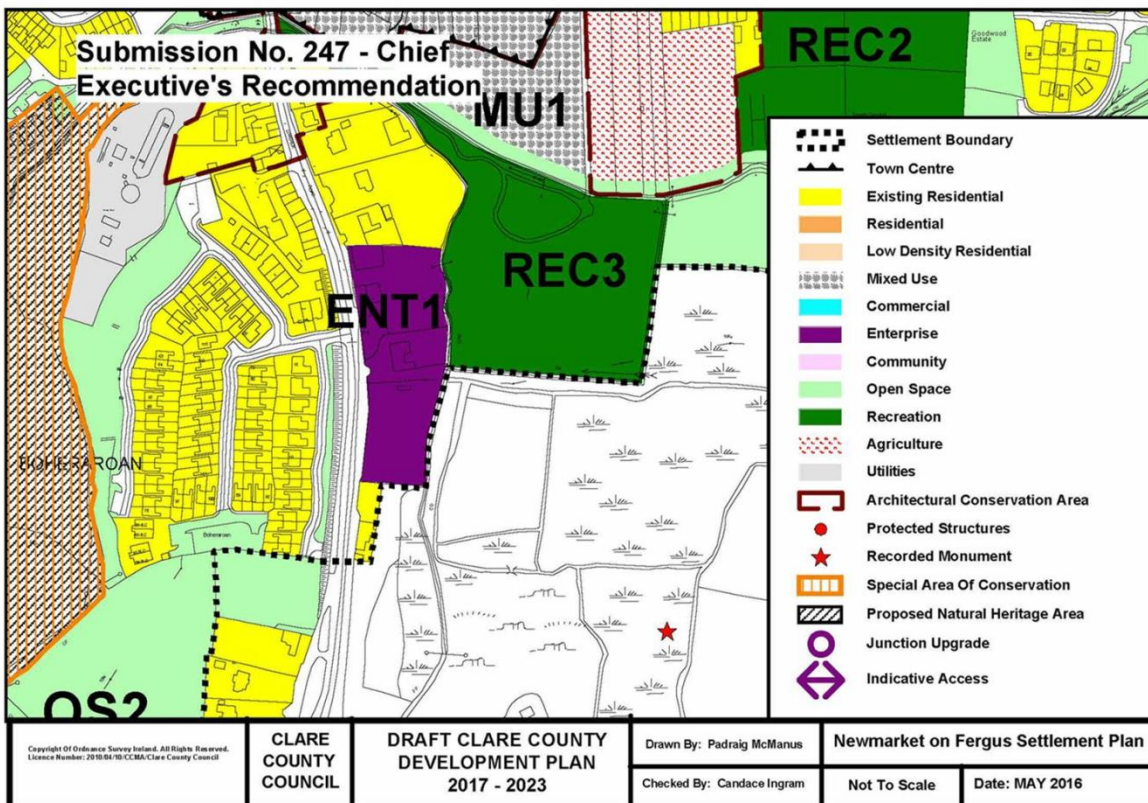
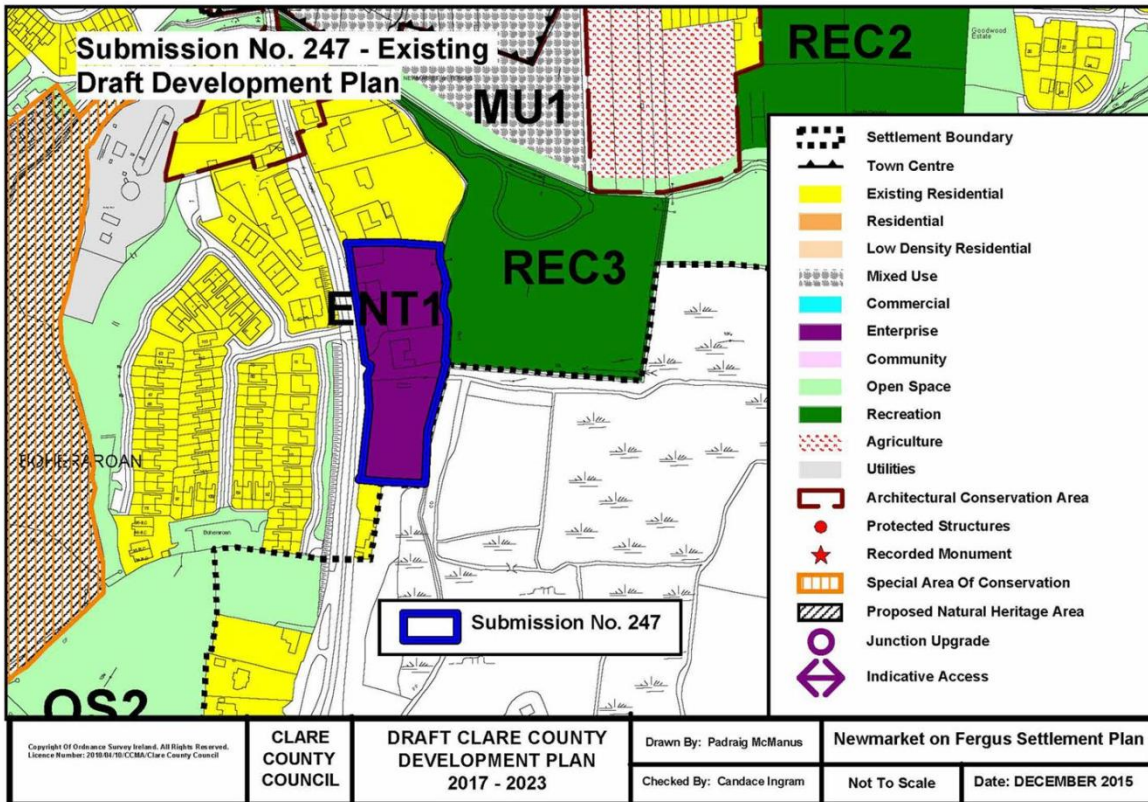
Newmarket on Fergus is one of only seven settlements designated as small towns in the settlement hierarchy of the county. They are of fundamental importance in offering services and facilities to their own populations and surrounding rural areas as the following text from Chapter 3 Urban and Rural Settlement Strategy, Section 3.2, makes clear:

"They are also important employment and tourist centres. The strategy for these settlements is to ensure that their existing role is maintained and strengthened. This can be achieved through adequate zoning of lands and a facilitatory approach towards appropriately scaled and designed urban development."

I believe the quantum of land zoned for Enterprise in Newmarket on Fergus is appropriate to the size of the settlement and that the quantum of land zoned for Residential use is consistent with the requirement as set out in the Core Strategy in Chapter 2 of Volume 1 of the Draft Clare County Development Plan 2017- 2023 .

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. 248 Road Design Office, Clare Co Council

Key Words: Policy, Physical Infrastructure

Summary of the Issues Raised in the Submission.

The author submits that it is widely expressed the large contribution the Transport Sector plays in generating Greenhouse Gas Emissions coupled with the fact that Ireland is experiencing a significant increase in ill health due to transportation pollutants and other ancillary poor health conditions. The Development Plan for the county should set out and establish clear cycling parameters to contribute to lowering Greenhouse Gas emissions and mobilise the population on a sustainable mode of transport – Cycling - whilst also improving the population health.

This submission requests the planning authority to consider inclusion of the following:

- All new developments should be required to make provision for cycle parking according to land use such as Retail, Employment, Residential, Hotel/ Restaurant/ Public house, Leisure Development and non residential institutions (schools, etc).
- The provision of cycle parking where provided in public areas should ensure a mixture of parking type facilities for different users i.e. stand v Cycloc enclosed type system. All urban areas should be provided with appropriate type and location of parking.
- To increase the use of cycling, Clare County Council, by the provision of an integrated approach between improving cycling infrastructure and promoting its use
- New developments should encourage and foster a positive modal shift to cycling by:
 - Providing high quality parking facilities,
 - Ensuring the provision of cycle facilities/routes on roads within major developments;
 - Regulating traffic speed to encourage modal shift to cycling,
 - Developing a main cycling network for Clare County which can be used as the basis for development control within the county and implementation locally.
- All new and alterations to existing developments within the county should be contributing cycling infrastructure and cycling development levies locally and where this cannot be achieved for valid reasons a contribution to the provision of cycling infrastructure and maintenance should be attained for the wider areas locally.
- Developments which exhibit a positive promotion to cycling could be considered exempted or a reduction to certain contributions.
- Larger developments should provide a broad range of facilities for cyclists to foster a cultural shift to cycling such measures as lockers, changing rooms, drying rooms and shower facilities.
- The design of any future new urban roads and developments should be designed to include cyclists.
- Clare County Council should establish measures to achieve a set target for cycling by the term of the County Development Plan such as 10% of all journeys by cycling and provide the provision of interim evaluation to be taken place.
- On street urban cycle friendly cycling infrastructure should be provided to foster and promote behavioural change
- All streets in urban areas should provide 'Accessibility' for ALL pedestrians and cyclists.
- It should be ensured that all infrastructure provided at planning stage is designed to meet the needs of pedestrians and cyclists.
- Cycle trials/cycleways to route corridors should link to and from airports (Shannon), ports (Tarbert/Killimer, Foynes Harbour, Doolin and other ports of potential in the county), bus and train facilities.
- Provide connectivity from Development Infrastructure to existing cycle facilities.
- Additional conditions to all new and altered developments and to be taken in charge by Clare Co Council at the appropriate stage.
- Development of a section within Clare County Councils' website to show the provision of infrastructure in the county, parking, routes distances and level of facility provided etc.
- Provide for mapped routes within the Development Plan for the council to advance cycling infrastructure through the county.
- Set out to foster links for the provision of infrastructure and achievement of behavioural change by linking with schools, workplaces, Gardai (to deter bike theft) etc.

- Ensure that Mobility Management Plans are put in place for all major developments on designated routes. The aim is to reduce demand for and use of cars by increasing the attractiveness and practicality of other modes of transport.
- Clare County Council should take the initiative as the Roads Authority to link with National Agencies, Semi State Organisations, Irish Rail, Bus Eireann, Aer Lingus, Ryanair, other Airport carriers, Shannon Development, Dublin Bus and Bord Failte to promote the provision of cycling Infrastructure.
- Clare County Council should take the initiative to link with tourism attractions in Clare to promote, enhance and provide provision of cycling infrastructure such as the Burren Visitor Centre and Bunratty etc.

Chief Executive's Response

I would like to respond as follows:

- Section A1.9.3 of the Draft Development Plan sets out the Bicycle Parking Standards for all forms of development.
- I consider that the design of cycle parking should be assessed on a case-by-case basis and should be determined by the needs of the given area. In relation to the provision of cycle parking, I agree that it should be an objective of the Plan to provide cycle parking of an appropriate type in a suitable location in all urban settlements and recommend that this be added to the Draft Plan.
- The promotion of cycling and the provision of necessary infrastructure is well-integrated into the Draft Plan e.g. Section 8.2.9 Cycling and Walking, Section 5.4.2 Physical Recreation and Active Living, Section 5.4.2.1 Off-Road Walking and Cycling Routes, and Section 17.4.2 Urban Design.
- I agree that it is important for new developments to contribute to positive modal shift. This issue is supported in the Draft Plan through support for the National Cycle Strategy (Section 17.4.2), the promotion of green infrastructure development (Section 14.4) and the Development Management Standards set out in Appendix 1 (Section A1.9.3).
- A number of suggestions are made in relation to development contributions for cycling infrastructure/exemptions from contributions in certain circumstances. This is a matter to be considered in the context of the Development Contribution Scheme which is due for review in 2017 rather than a matter for the County Development Plan.
- I agree that it is important for large businesses to support modal shift through the provision of facilities for their staff and text to this effect will be added to the Draft Plan.
- In relation to establishing targets for cycling and undertaking evaluations would involve county-wide surveys of mode of transport usage. It is beyond the resources of the Council to undertake such research. Information on mode of transportation is collected by the CSO during their Census and this information is used by the Council to monitor modal shift.
- Objective CDP8.8 requires all new urban roads and developments to be designed in accordance with the Design Manual and Urban Roads and Streets. Active Travel, Sustainable Urban Mobility Plans and Active Travels Town Programmes are also strongly supported in the Draft Plan.
- The Draft County Development Plan supports the development of long distance cycling routes in the county, in accordance with the National Cycling Scoping Study 2010 (Objective CDP8.13). The development of the routes contained in that study would effectively link major transport hubs in the county by a network of cycle routes.
- In relation to the proposed additions the Council website, this is part of the day-to-day work of the local authority and is not a matter for the County Development Plan.
- The Draft Development Plan has an objective *"to work in coordination with all relevant stakeholders to ensure that the necessary facilities and infrastructure are in place to support active living and increased levels of physical recreation"* (Objective CDP5.11). These stakeholders include schools, workplace, state agencies, tourist operators etc. I am satisfied that this issue is addressed in the Draft Development Plan.
- In relation to the provision of mapped routes for cycle infrastructure in the Draft Plan, such mapping cannot be provided without the benefit of site specific detailed maps which have been the subject of ecological assessment which has been subject to at least screening for appropriate assessment. Appropriate Assessment at Plan level cannot be carried out by Clare County Council as the competent authority in the absence of specific details on the nature and location of the proposed cycleway. Given that this information is not currently available, proposed routes cannot be included on the maps in the development plan. The

development of future cycle routes is supported in the objective in the Draft Plan e.g. Objective CDP8.13 Walking and Cycling.

- I agree that Mobility Management Plans would be of benefit to large-scale developments taking place in the county and I propose that wording to this effect be added to the Draft Plan.

Chief Executive's Recommendation

I recommend that the following amendments are made to the Draft Clare County Development Plan 2017-2023:

Objective CDP5.11 Physical Recreation and Active Living – new point to be added which reads:

"To support the development of cycle-parking facilities at appropriate locations in all urban areas in the county."

Objective CDP6.13 High Quality Development – new point to be added which reads:

"To require new large-scale developments (>75 employees) to prepare and implement a Mobility Management Plan to support the use of sustainable modes of transport."

"To encourage new employment-generating developments to support modal shift through the provision of facilities such as lockers, changing rooms and drying rooms for their employees."

Ref. 249 Helen Walsh, County Librarian on behalf of Library Services, Clare County Council

Keywords: Physical Infrastructure, Access and Movement

Summary of the Issues Raised in the Submission

The submission notes that the Draft Clare County Development Plan 2017- 2023 identified a proposed pedestrian route to the rear of the car park of Glór passing along the site of Glór, TESCO and an unoccupied development to the northwest. The submission notes that the Department has granted funding to develop the site of Glór to accommodate a new county library for Clare. The submission considers that the proposed pedestrian route as identified in the Draft Plan is along the 'back of house' service part of the buildings with little passive surveillance and is dependent on radical development of sites unlikely to be modified with the life of the plan.

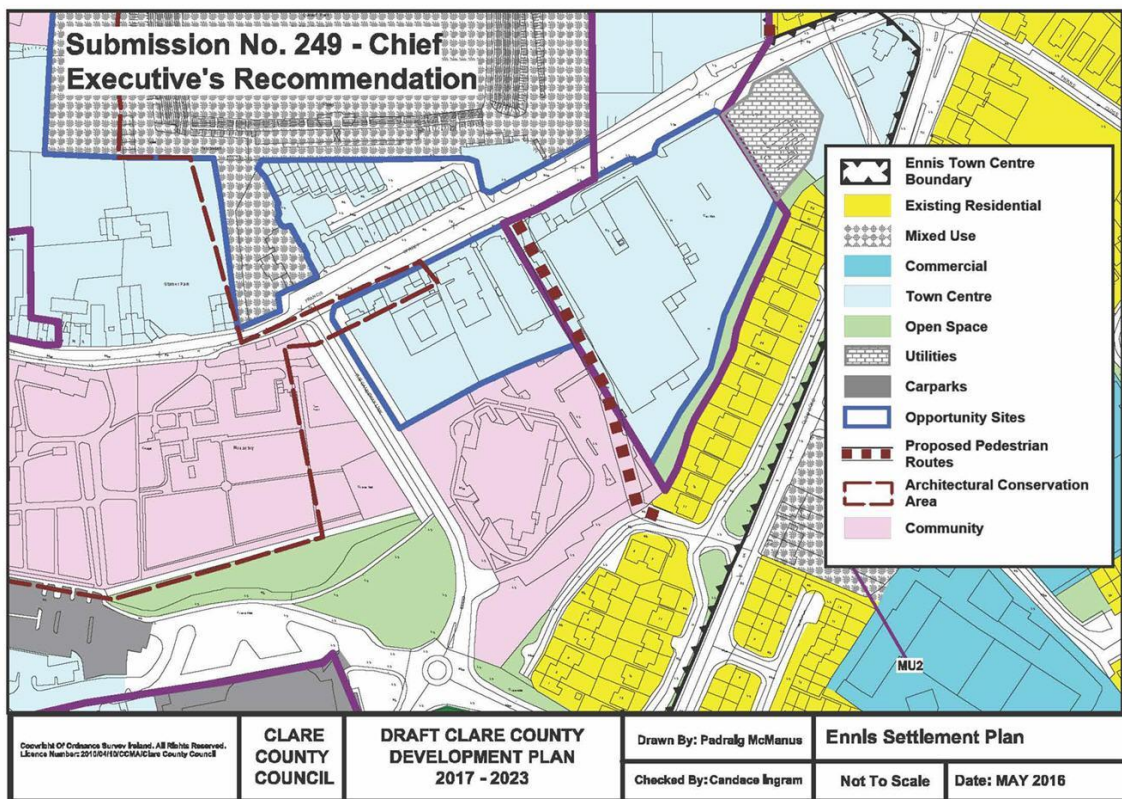
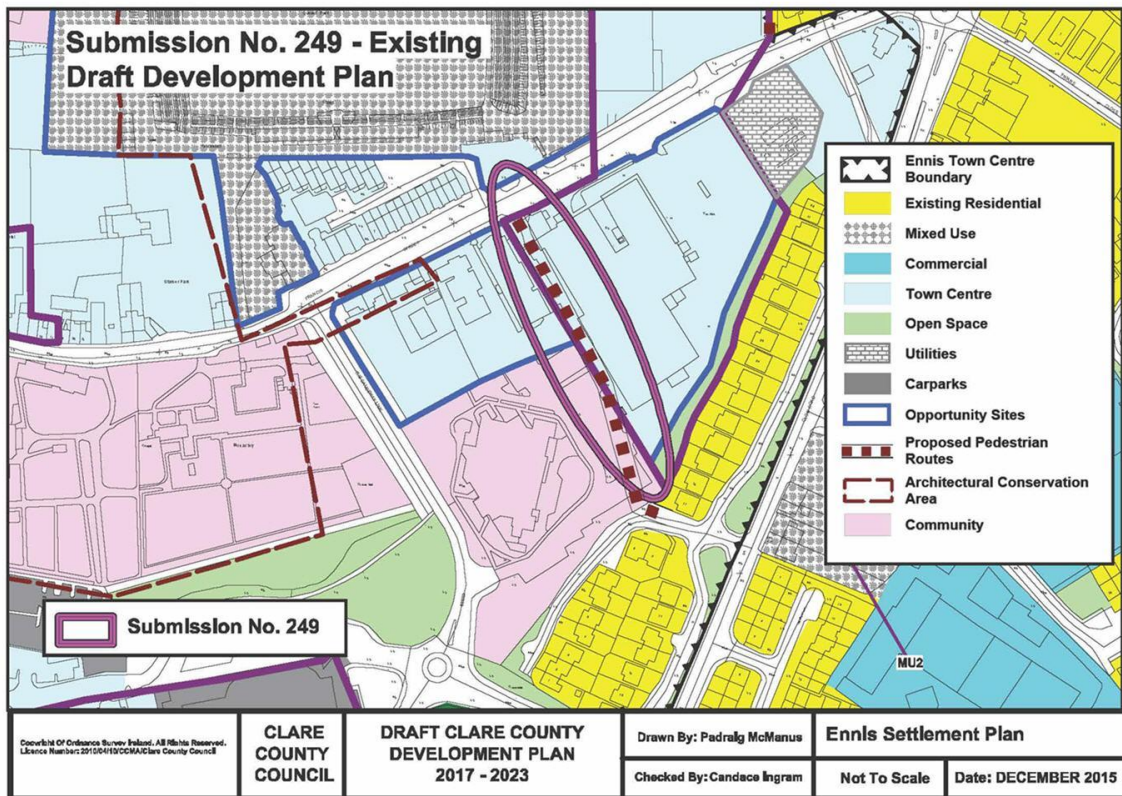
The submission requests that the route identified for pedestrians is flexible in its location between Francis Street and the Clonroad to enhance the pedestrian experience while optimising access and exposure to the new library and theatre.

Chief Executive's Response

I wish to thank the Library Services for their submission. I note that the link from Glór to Francis Street via the grounds of the office block site is well established. Such link is vital for encouraging sustainable movement to and from the library and Glór. It is essential that children in particular can walk from their school to this site in a safe and convenient manner. Therefore I am not in favour of removing this link from the 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. 250 Ennis National School

Key Words: Policy, Ennis, Access and Movement

Summary of the Issues raised in the Submission.

- The School community welcomes any initiative that would promote and facilitate ease of access between the school campus and the Cahercalla / Cuan campus.
- The Board of Management would be very supportive of the creation of cycle lands along the Kilrush Rd.
- The Board of Management requests that consideration be given to the creation of a local bus service to make all schools in Ennis accessible via bus.
- The Board of Management recommends that consideration be given to providing a safe route of travel to school to Ennis NS for walking and cycling from Drumbiggil and Cahercalla Rd. The Board of Management suggests the inclusion of proposals around cycle lanes in the vicinity of the school. The Board of Management wishes to engage with the council to explore solutions to alleviate traffic management issues at school drop off and collection time with the purpose of ensuring that it is easy for pupils to access the school.
- The board supports the provision of affordable and accessible childcare and preschool facilities throughout the plan area and in particular in the proposed Cahircalla More neighbourhood.
- It will be essential that attention is given to the need for recreation space in Cahircalla More neighbourhood. It is also important that sufficient parking is incorporated into the development.

Chief Executive's Response

I wish to thank the Board of Management of Ennis National School for their comprehensive and thoughtful submission. I will respond to the key points raised as follows:

I note that the school community welcomes any initiative that would promote and facilitate ease of access between the school campus and the Cahercalla / Cuan campus and would be very supportive of the creation of cycle lanes along the Kilrush Rd. The forthcoming Ennis and Environs Local Area Plan will address walking and cycling which will be based on origin and destination statistics from the CSO. I also agree that a shortcut route through Cahircalla Hospital grounds would be hugely beneficial and I encourage the Board to explore this possibility in cooperation with the relevant land owners.

I note the request that consideration be given to the creation of a local bus service to make all schools in Ennis accessible via bus. I fully support such an initiative. A feasibility study of a bus service linking residential, employment and education centres in the Ennis and Environs area has been carried out and Section 8.2.10 of the Draft Plan supports the enhancement of public transport, not only in Ennis but also in the wider county.

In relation to the provision of safe routes of travel to school, the development of cycle lanes and the alleviation of traffic management issues, I note that this is an operational issues rather than an issue to be addressed through the development plan process. However the Council will continue to work with the school on a ongoing basis to address issues of this nature and I have referred this submission to the Ennis Municipal District Office. Furthermore I note that the Draft Plan provides support for projects such as the Active Travel Towns Programme and many of the issues raised in this submission may be addressed through the implementation of projects and programmes of this nature.

With regard to the provision of affordable and accessible childcare and preschool facilities throughout the plan area and, in particular, the Cahircalla More neighbourhood, I acknowledge the support for these objectives that is set out in the submission.

I agree that recreation space is a highly important element of a sustainable and healthy community. There are a number of sites identified for recreation/community use in the Draft Settlement Plan for Ennis and this issue will be progressed in greater detail in the forthcoming Ennis and Environs Local Area 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.

Index

Access and Movement, 365, 382, 427, 429
Ardnacrusha, 374
Ballaghboy, 360
Ballynacally, 358
Ballyvaughan, 418
Clarecastle, 411
Crusheen, 338
Doonbeg, 414
Ennis, 323, 356, 362, 368, 370, 376, 378, 380, 383, 395, 397, 401, 403, 405, 420, 429
Flooding, 333, 382, 401
Housing, 348
Kilkishen, 326
Killaloe, 328, 346, 351, 353
Kilmurry, 321
Kilquane, 336
Lahinch, 416
Lisdoonvarna, 348
Meelick, 344
Miltown Malbay, 333, 389, 391, 393
Newmarket on Fergus, 422
Physical Infrastructure, 330, 365, 424, 427
Policy, 342, 365, 414, 416, 424, 429
Public Rights of Way, 336
Quin, 382, 385, 407, 409
Shannon Municipal District, 387
Sixmilebridge, 334
Tulla, 340, 342