

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 301 - 350

19th May 2016



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

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Ref. 301 P. Coleman and Associates on behalf of Roche Ireland

Key words: Clarecastle,

Summary of the Issues Raised in the Submission

This submission refers to lands owned by Roche Ireland Ltd located on the southern side of the Clarecastle Settlement in the Ennis Municipal District. An accompanying map identifies the exact location of the site marked as Parcel A. The site has an estimated area of 1.419 ha and contains a single dwelling house to the northeast of the site and an ESB substation which serves the Roche facility and a temporary overflow car-park to the southeast of the site. The remainder of the site consists of maintained grass. Under the Draft Plan, the site is zoned as "Open Space" with the aforementioned structures zoned "existing residential" contained within an ACA and "utilities" and "car-parks" respectively.

The submission requests the planning authority to:

- Rezone the subject lands to "Light Industrial" or "Enterprise"

The author submits that the Parcel A lands are required by Roche Ireland Ltd to allow for the future expansion of the existing facility which they maintain would be stifled by the proposed "Open Space" zoning. The existing Roche Plant is landlocked to a certain extent and constrained by topography, flood risk, ecology and existing landfill cells. Their proposals for the subject lands are:

- relocation of existing car-parking facilities
- relocation of existing offices and some temporary offices
- creation of a separate access road for cars, bikes and pedestrians to the Roche Plant facility.

It is the opinion of Roche Ireland Ltd that either a "Light Industrial" or "Enterprise" zoning objective would be best suited to the future needs of the plant. Alternatively, they suggest the Council may consider identifying the subject land as an "Opportunity Site" with specific objectives that can successfully include the various options considered for the subject lands by the operators of the Roche Plant.

- Remove part of lands from Architectural Conservation Area (ACA)

The aforementioned building on this site was recently refurbished and the author submits that it no longer holds any architectural or historical value and therefore this portion of the land should be excluded from the ACA area.

- Proposed Open Space Zoning

The author submits that as these lands are in private ownership it is highly unlikely that they will ever be used as open space. The author refers to High Court case *Mahon-v-An Bord Pleanala*. The proposed zoning would have the effect of taking any future development potential away for the operations of the Roche facility and thus effect the future viability of the Roche Plant.

Chief Executive's Response

I wish to thank Roche Ireland for their submission, and I acknowledge the reputation of Roche Ireland in Clarecastle, which has built on their strong pharmaceutical tradition since 1974, contains a highly skilled workforce, and provides state of the art research and manufacturing facility. In order to respond to the submission, I will address each of the issues raised as per the submission

- Rezone the subject lands to "Light Industrial" or "Enterprise"

I acknowledge the submission to rezone the lands identified in Parcel A from Open Space to Light industrial / Enterprise. I note that there are both Enterprise and Light Industrial lands zoned on the Kildysert Road in Clarecastle, the aim of which is to provide an employment hub for the

surrounding area. Having regard to the designation of Roche Ireland as SEVESO site it is considered that this site is not suitable for more vulnerable uses such as residential. However consideration may be given to less vulnerable uses, such as those highlighted in the submission i.e. light industrial or enterprise uses. It is considered that there may be a beneficial spin off arising from the strong reputation of Roche Ireland, which can be built upon, and may lead to employment creating opportunities. Alternatively, ancillary facilities to the existing Roche Ireland may be accommodated on the site. I therefore consider the proposal to rezone the lands from Open Space to Light Industrial is acceptable. I do recommend that a buffer is maintained between the subject site and Patrick Street, and along the North-eastern site boundary, at the location of the existing mature trees, in the interests of visual amenities and to preserve the aesthetics of the village centre. Same shall be shown on a map.

Remove part of lands from Architectural Conservation Area (ACA)

I note that the original dwelling within the ACA has been demolished, and a new building has been constructed in its place. Having regard to same, I do not consider it necessary for the ACA to extend around the area as indicated in the submission. I therefore recommend that the ACA is amended so as not to include the subject site.

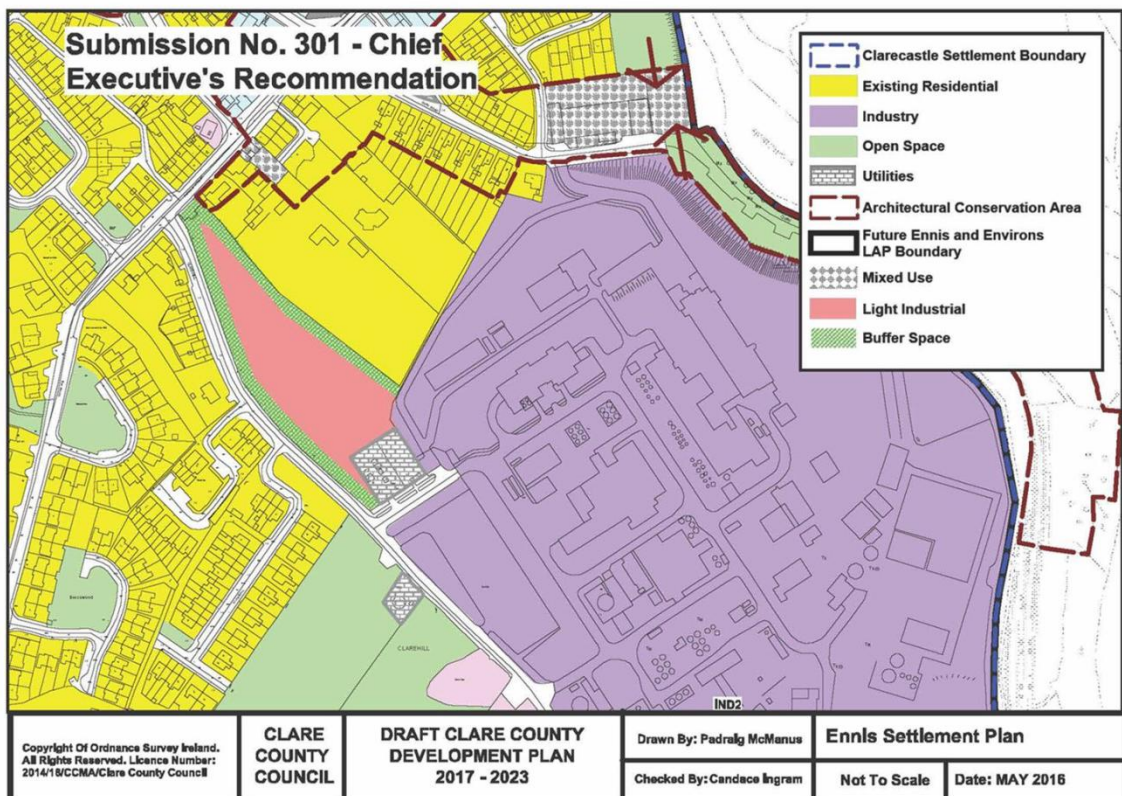
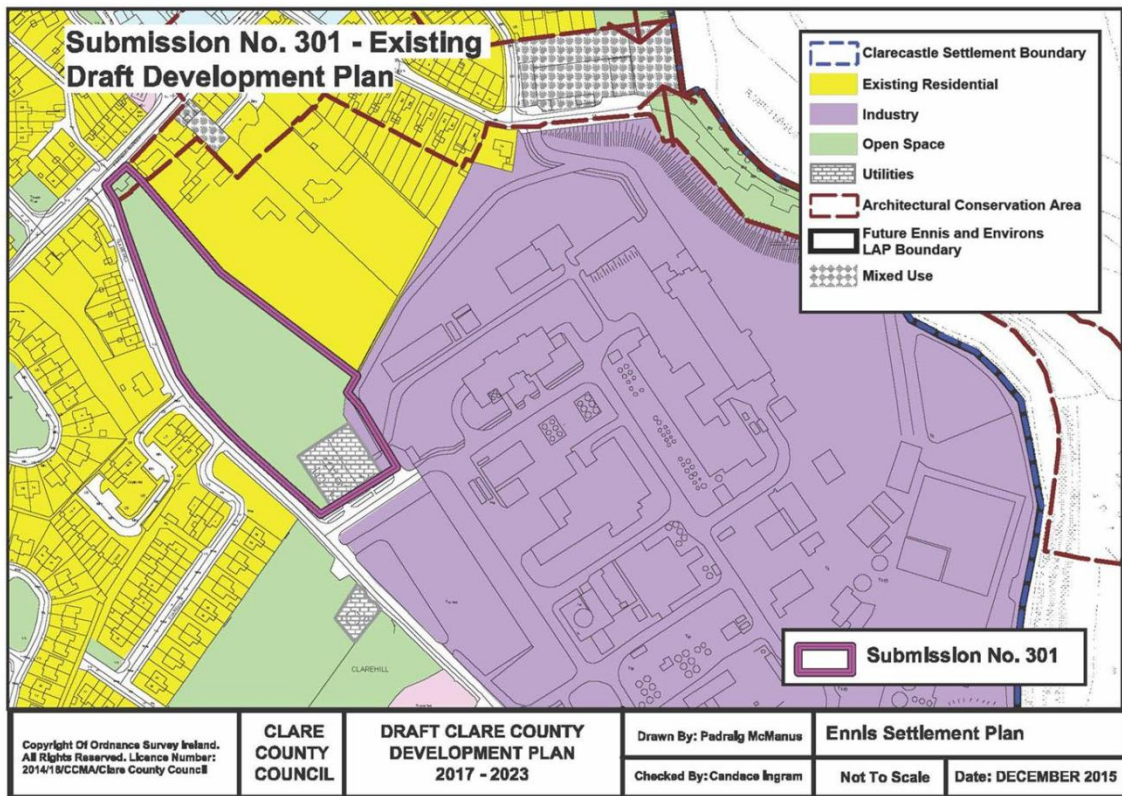
- Proposed Open Space Zoning

As stated above, I recommend that Parcel A as identified in Submission 301 is changed from Open Space to Light Industrial, with a buffer along the Northwest and North east site boundaries.

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 Light Industrial, incorporating a buffer around along the Northwest and North East site boundaries on the basis of this submission.

I further recommend that the Architectural Conservation Area boundary is amended so as not to include the subject site.



Ref. 302 P. Coleman and Associates on behalf of Roche Ireland

Keywords: Clarecastle

Summary of the Issues Raised in the Submission

This submission refers to lands owned by Roche Ireland Ltd located on the southern side of the Clarecastle Settlement in the Ennis Municipal District. An accompanying map identifies the exact location of the site marked as Parcel B. The site has an estimated area of 1.258 ha and is currently not in any use. The topsoil has been stripped and a layer of gravel has been spread on the land. Under the Draft Plan, the site is zoned as "Open Space". The author cites 3 no. previous planning applications made for the subject site but no development has taken place on foot of same.

The author also notes that the Roche Pharmaceutical Plant is governed by the European Community Directive on the Control of Major Accident Hazards involving Dangerous Substances. The SEVESO III Directive (2012/18/EU) which was implemented into Irish Law through the Chemicals Act (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015. As Roche Ireland are within the remit of the SEVESO III Directive, the author reminds Clare County Council that they are required to seek technical advice from the HSA in relation to any planning application directly pertaining to a SEVESO site or within "consultation distance" of these establishments.

The submission requests the planning authority to:

- Rezoning the subject lands to "Light Industrial" or "Enterprise"

The author submits that the Parcel B lands were acquired by Roche Ireland Ltd to (1) allow for the future expansion of the existing facility and (2) to ensure that no future conflict would arise between a future development on the subject lands and the likely expansion and development needs of the existing plant facility which would be stifled by the proposed "Open Space" zoning. The existing Roche Plant is landlocked to a certain extent and constrained by topography, flood risk, ecology and existing landfill cells.

The author further submits that there is no planning justification for the down-zoning of the Parcel B lands given that there is an existing valid planning permission for a light industrial development on the site. Some of the landowners proposals for the subject lands are:

- relocation of existing car-parking facilities
- development consisting of light industrial units
- relocation of existing offices and some temporary offices
- relocation of the canteen and/or training centre to the subject site

It is the opinion of Roche Ireland Ltd that either a "Light Industrial" or "Enterprise" zoning objective would be best suited to the future needs of the plant. Alternatively, they suggest the Council may consider identifying the subject land as an "Opportunity Site" with specific objectives that can successfully include the various options considered for the subject lands by the operators of the Roche Plant.

- Proposed Open Space Zoning

The author submits that use of these lands for "open space" would not be deemed to be qualitative would be out of the way for the general public. The author refers to High Court case *Mahon-v-An Bord Pleanala*. The proposed zoning would have the effect of taking any future development potential away from the operations of the Roche facility and thus effect the future viability of the Roche Plant.

Chief Executive's Response

I wish to thank Roche Ireland for their submission, and I acknowledge the reputation of Roche Ireland in Clarecastle, which has built on their strong pharmaceutical tradition since 1974, contains

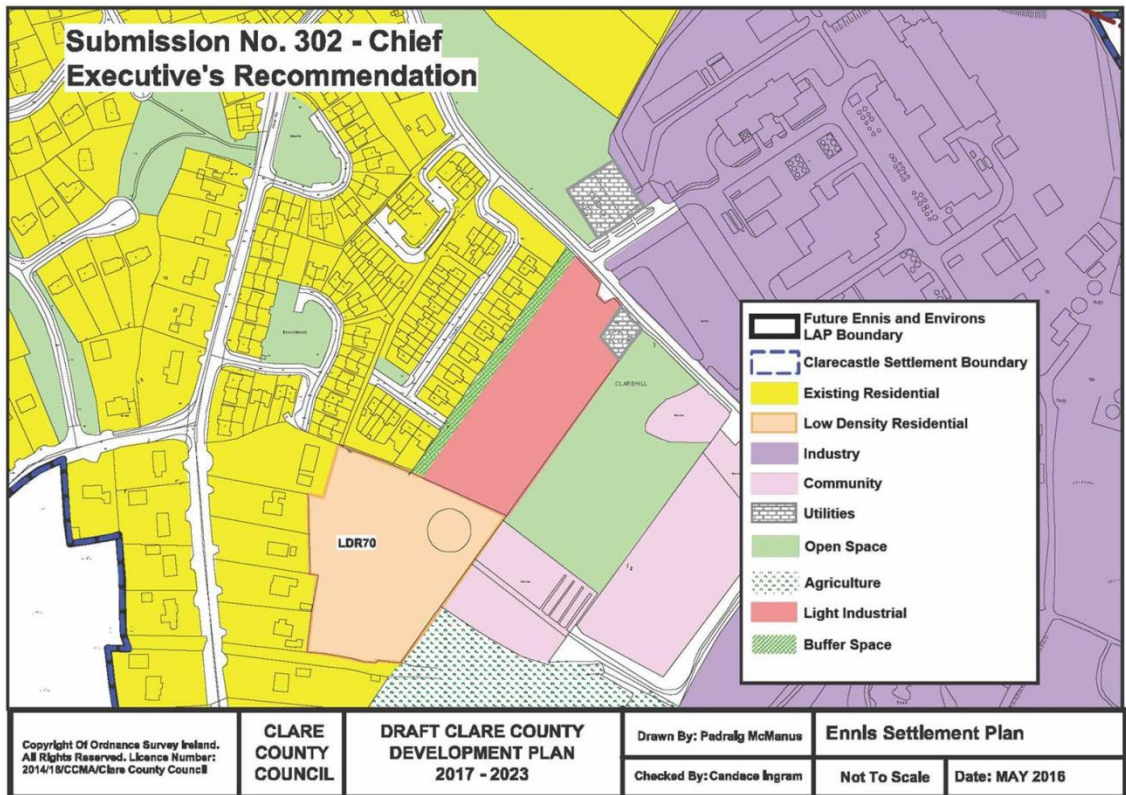
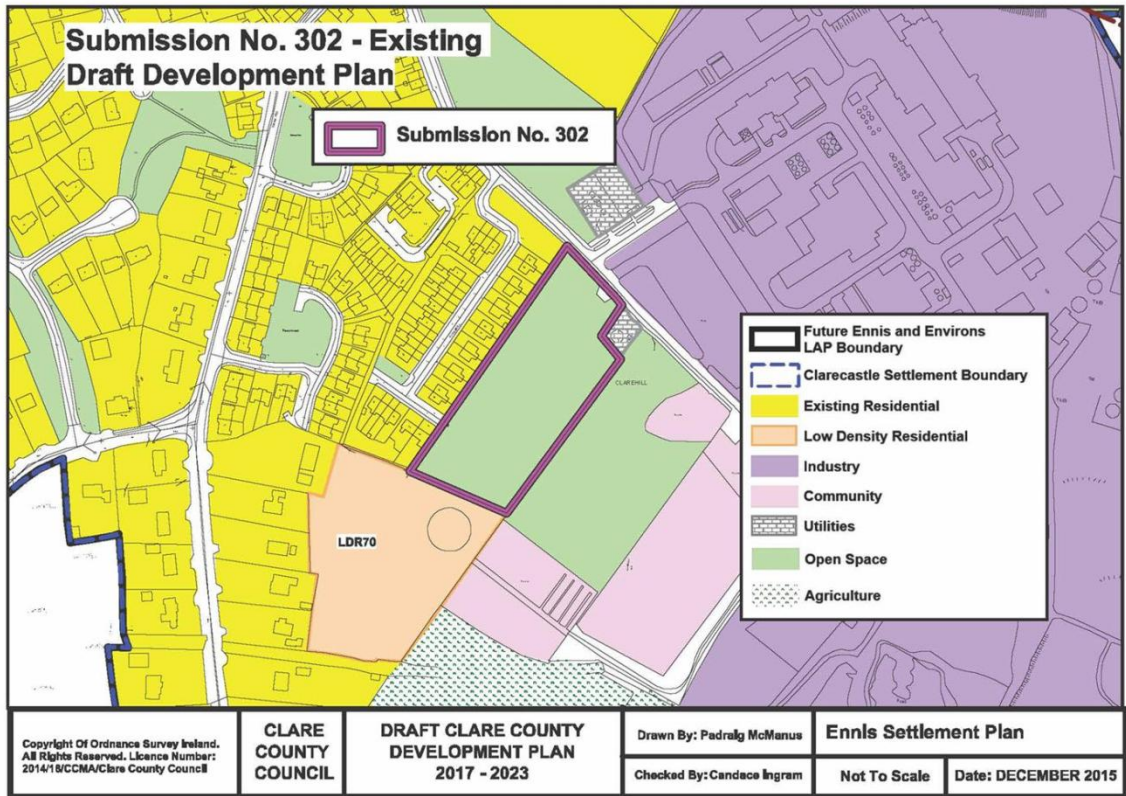
a highly skilled workforce, and provides state of the art research and manufacturing facility. In order to respond to the submission, I will address each of the issues raised as per the submission

- Rezone the subject lands to "Light Industrial" or "Enterprise"

I acknowledge the submission to rezone the lands identified in Parcel B from Open Space to Light industrial / Enterprise. I note that there are both Enterprise and Light Industrial lands zoned on the Kildysert Road in Clarecastle, the aim of which is to provide an employment hub for the surrounding area. Having regard to the designation of Roche Ireland as SEVESO site it is considered that this site is not suitable for more vulnerable uses such as residential. However consideration may be given to less vulnerable uses, such as those highlighted in the submission i.e. light industrial or enterprise uses. It is considered that there may be a beneficial spin off arising from the strong reputation of Roche Ireland, which can be built upon, and may lead to employment creating opportunities. Alternatively, ancillary facilities to the existing Roche Ireland may be accommodated on the site. I further note that the subject site has been levelled and gravelled. Having regard to the proximity of the site to existing residents, I consider the proposal to rezone the lands from Open Space to Light Industrial is acceptable, with the provision of a buffer space along the North western boundary.

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 Light Industrial on the basis of this submission, with the provision of a buffer zoning along the North western boundary.



Ref. 303 P. Coleman and Associates on behalf of Roche Ireland

Key words: Clarecastle

Summary of the Issues Raised in the Submission

This submission refers to lands owned by Roche Ireland Ltd located on the southern side of the Clarecastle Settlement in the Ennis Municipal District. An accompanying map identifies the exact location of the site marked as Parcel C. The site currently forms part of the existing Roche pharmaceutical complex which is currently zoned "General Industry" and it is proposed to remain the same under the Draft Plan. However it is proposed to zone the Parcel C site as identified in the submission as "Community".

The author also notes that the Roche Pharmaceutical Plant is governed by the European Community Directive on the Control of Major Accident Hazards involving Dangerous Substances. The SEVESO III Directive (2012/18/EU) which was implemented into Irish Law through the Chemicals Act (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015. As Roche Ireland are within the remit of the SEVESO III Directive, the author reminds Clare County Council that they are required to seek technical advice from the HSA in relation to any planning application directly pertaining to a SEVESO site or within "consultation distance" of these establishments.

The submission requests the planning authority to:

- Adopt the proposed "General Industry IND2" zoning and retain the Parcel C subject lands within same as per the current zoning.

The author submits that the Parcel C lands form part of the existing Roche facility and is presently in intermittent recreational use by Roche employees. Parcel C was intended to be available for the future expansion of the existing facility or for the relocation of some of the ancillary/complementary uses presently contained within the main Roche Plant.

Roche Ireland Ltd seeks to ensure that the full extent of the present "Industrial" zoning objective which applies to their facility remains which requires the inclusion of the Parcel C land within the proposed "General Industry"/"IND2" zoning objective. The author contends that the principal use of the lands as "Industrial" is deemed acceptable and would be in accordance with the proper planning and sustainable development of the area

Chief Executive's Response

I wish to thank Roche Ireland for their submission, and I acknowledge the reputation of Roche Ireland in Clarecastle, which has built on their strong pharmaceutical tradition since 1974, contains a highly skilled workforce, and provides state of the art research and manufacturing facility. In order to respond to the submission, I will address each of the issues raised as per the submission

- Adopt the proposed "General Industry IND2" zoning

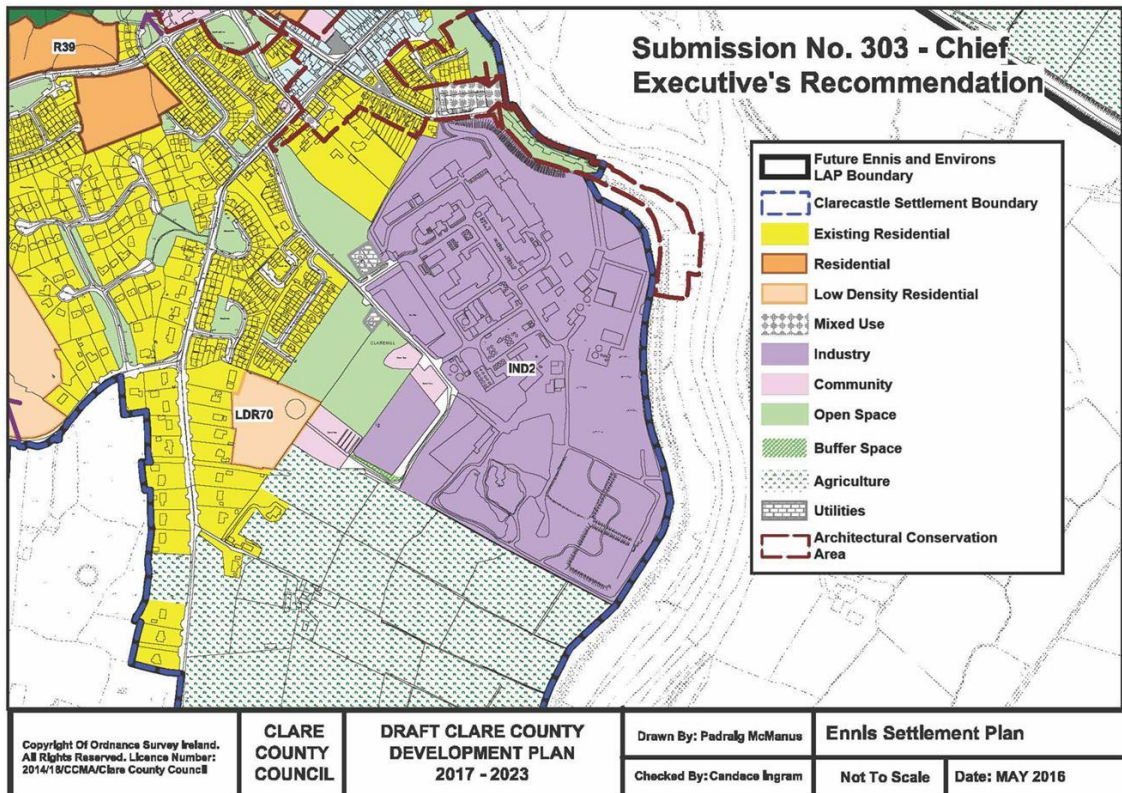
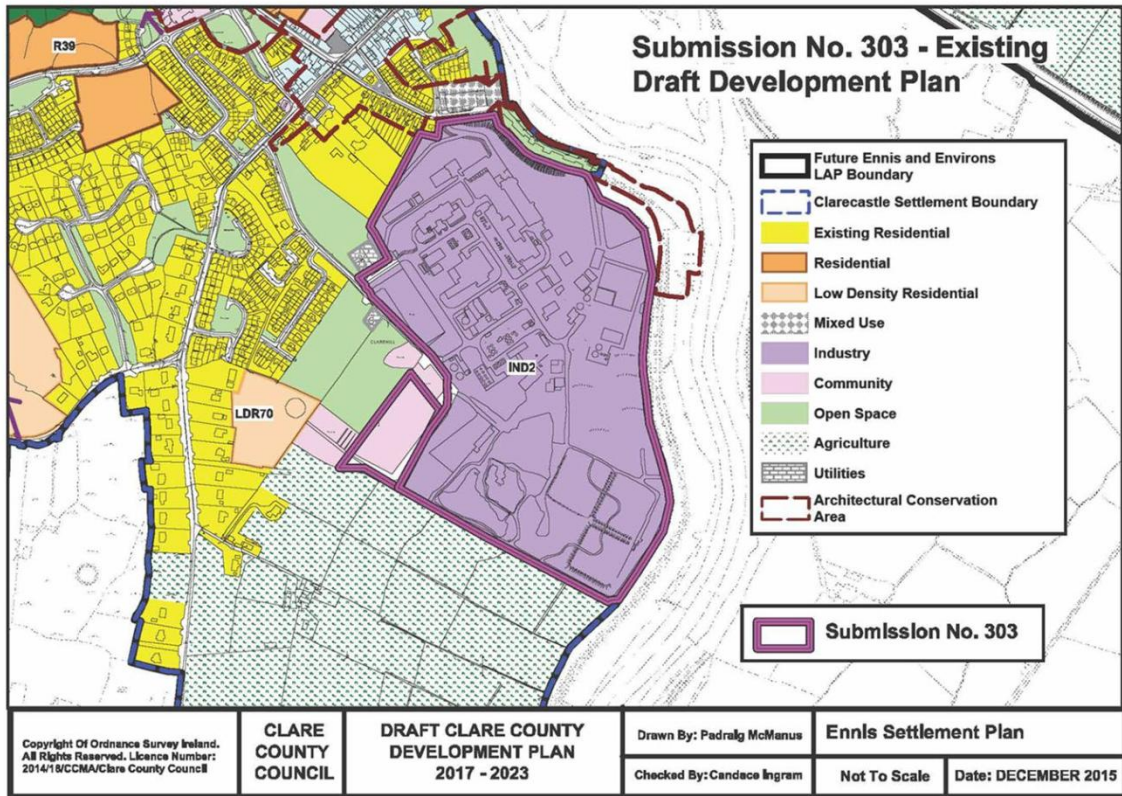
I note that Roche Ireland is satisfied with the proposed zoning on the existing Roche Ireland facility.

- Zone Parcel C "General Industry / IND2"

Having regard to the location of the site, which is in close proximity to the existing main Roche Ireland facility, I consider it appropriate to zone this parcel of land for Industrial purposes. I further consider it appropriate that a buffer zoning is provided for around the perimeter, so as to protect residential amenities.

Chief Executive's Recommendation

I recommend that the zoning as proposed in the Draft Clare County Development Plan 2017-2023 be amended from Community to Industrial, with buffer zoning around the perimeter on the basis of this submission.



Ref. 304 P. Coleman & Associates on behalf of Acha Bhile Construction Ltd.

Key Words: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above located off the main N85 at Loughville, Lahinch Road, to the northwest of the Ennis Settlement Plan. An accompanying map identifies the exact location of the site which has an estimated area of 1.48 ha and is located to the rear of the existing Acha Bhile Housing Development. The subject land has substantial road frontage onto Lee's Road which forms its north/eastern boundary with existing residential units and undeveloped lands to the south and east of this parcel of land.

The land which is currently zoned "Other Settlement Land" is proposed to be rezoned "Residential"/"R41" and "Existing Residential" under the Draft Plan.

The submission requests the planning authority to adopt the proposed "Residential"/"R41" zoning

The author submits that it is imperative that this land continue to have a "Residential" zoning objective to facilitate the completion of the Acha Bhile Housing Development which is an essential part of the ongoing Site Resolution Plan for the overall estate of which the subject land forms Phase 3 of the SRP.

The submission also requests the Planning Authority to include the small portion of land proposed to be zoned "Existing Residential" to be included in the "R41" zoning objective.

As part of a Site Resolution Plan a new planning application for dwelling houses has been lodged for the subject land and is presently awaiting decision. Inclusion of the site as "R41" zoning would provide consistency with the full site having the same zoning objective.

Chief Executive's Response

I wish to thank Acha Bhile Construction Ltd. for their submission. My response is set out as follows:

Adoption of the proposed "Residential"/"R41" zoning

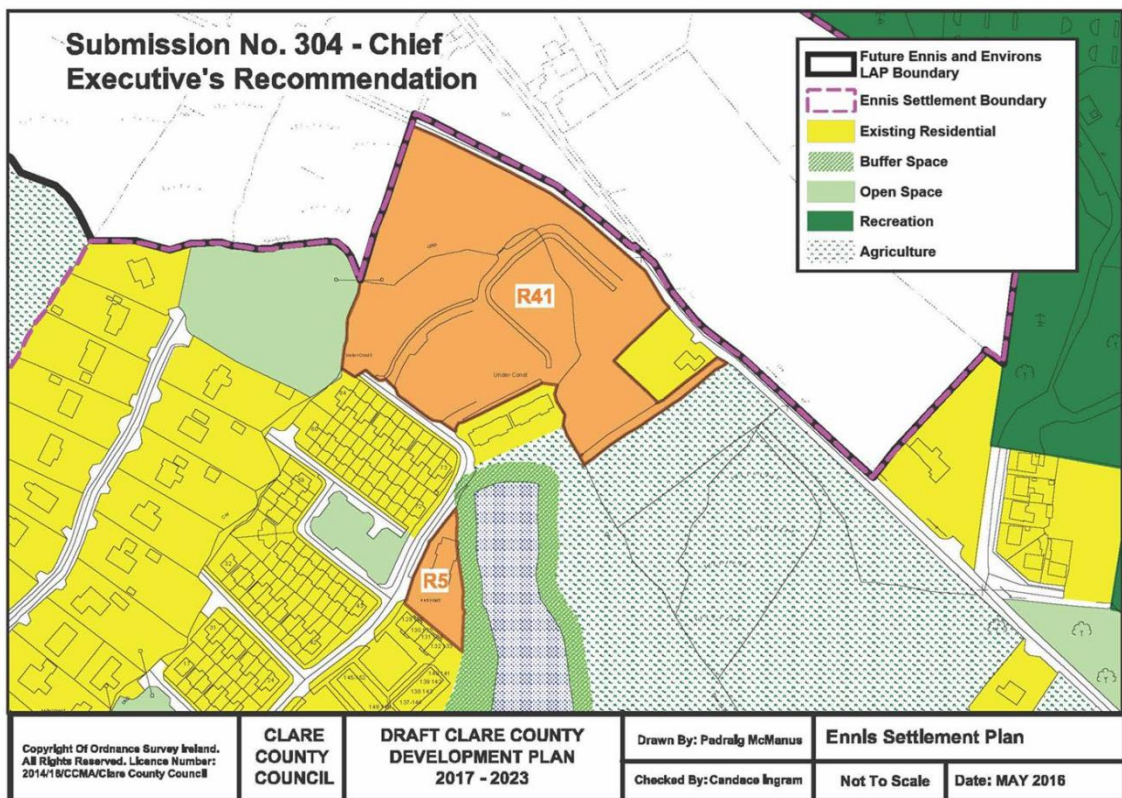
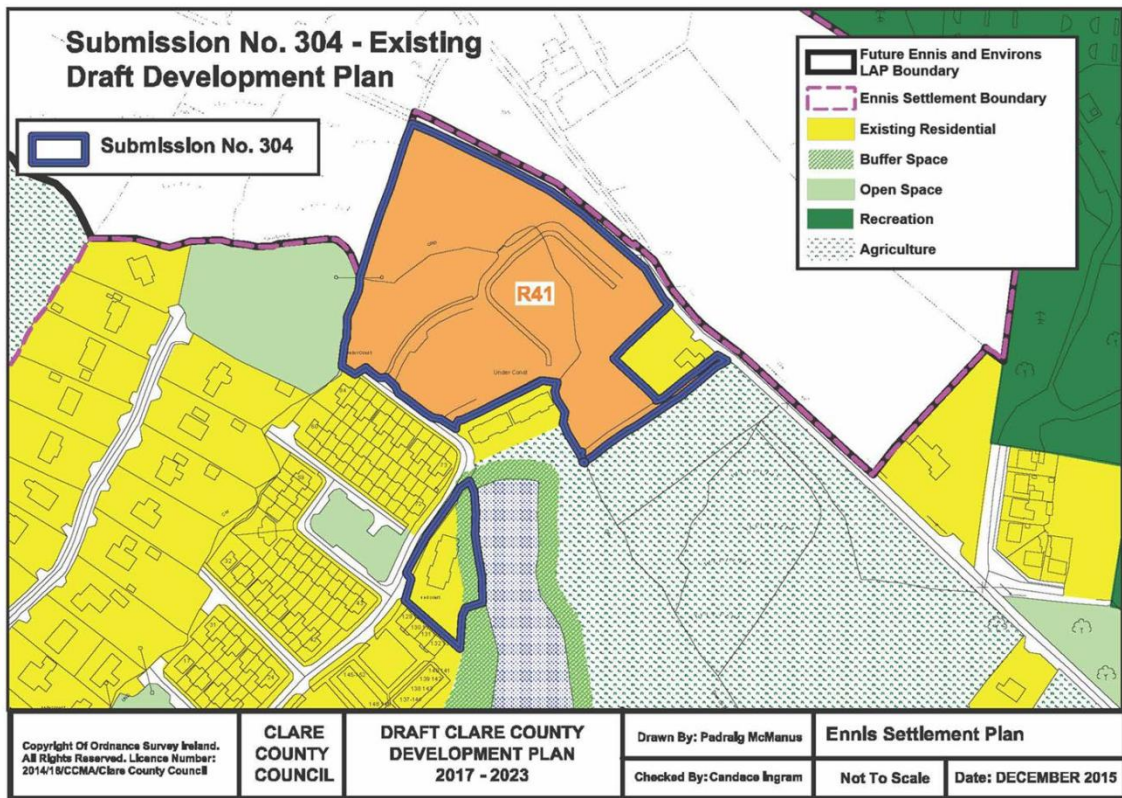
I note that the submission is satisfied with the zoning of R41 and seeks the adoption of the proposed "Residential"/"R41" zoning.

Change the small portion of land proposed to be zoned "Existing Residential" to be included in the "R41" zoning objective.

I acknowledge that a new planning application for dwelling houses has been lodged for the subject land and is presently awaiting decision. I further note that the owners have engaged with the Unfinished Housing Estates Team within the Planning Department in order to complete a Site Resolution Plan for the development. I agree that Inclusion of the site as "R41" zoning would provide consistency with the full site having the same zoning objective.

Chief Executive's Recommendation

I recommend that the zoning as proposed in the Draft Clare County Development Plan 2017-2023 be amended from "Existing Residential" to "Residential (R41)" on the basis of this submission.



Ref. 305 Mark McGuane

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. McGuane 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, exemplified by Roche (Ireland). 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

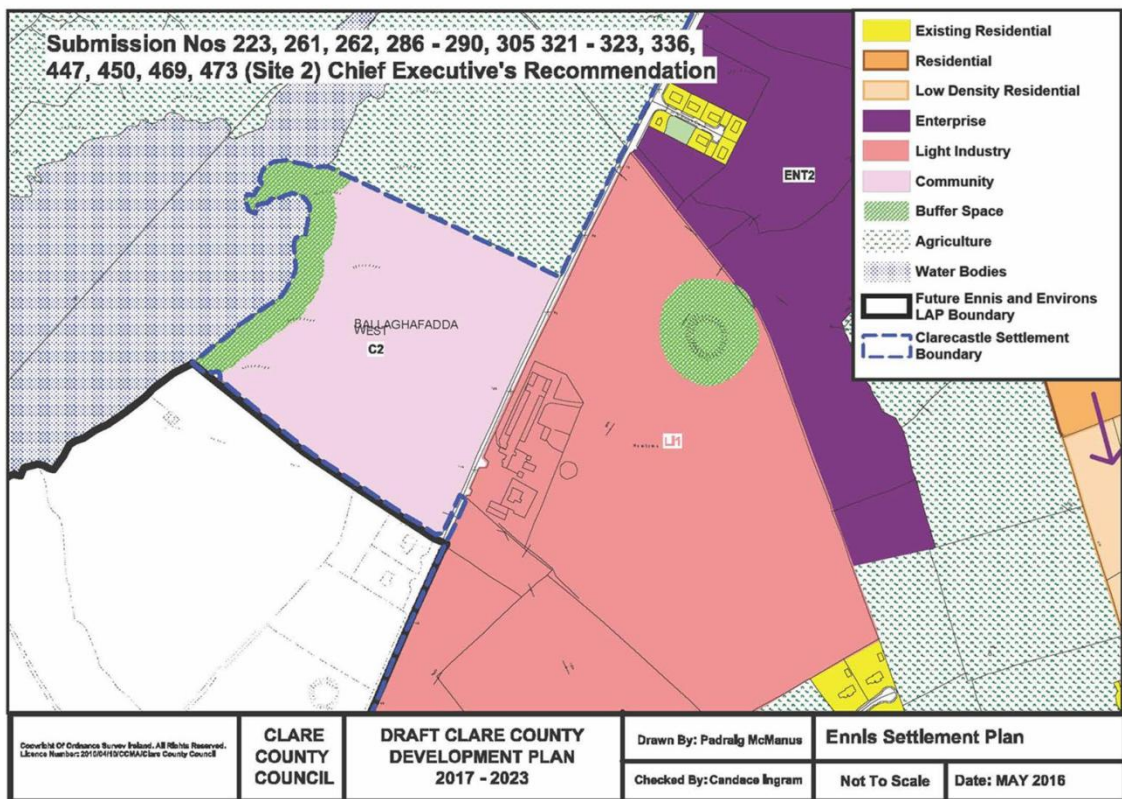
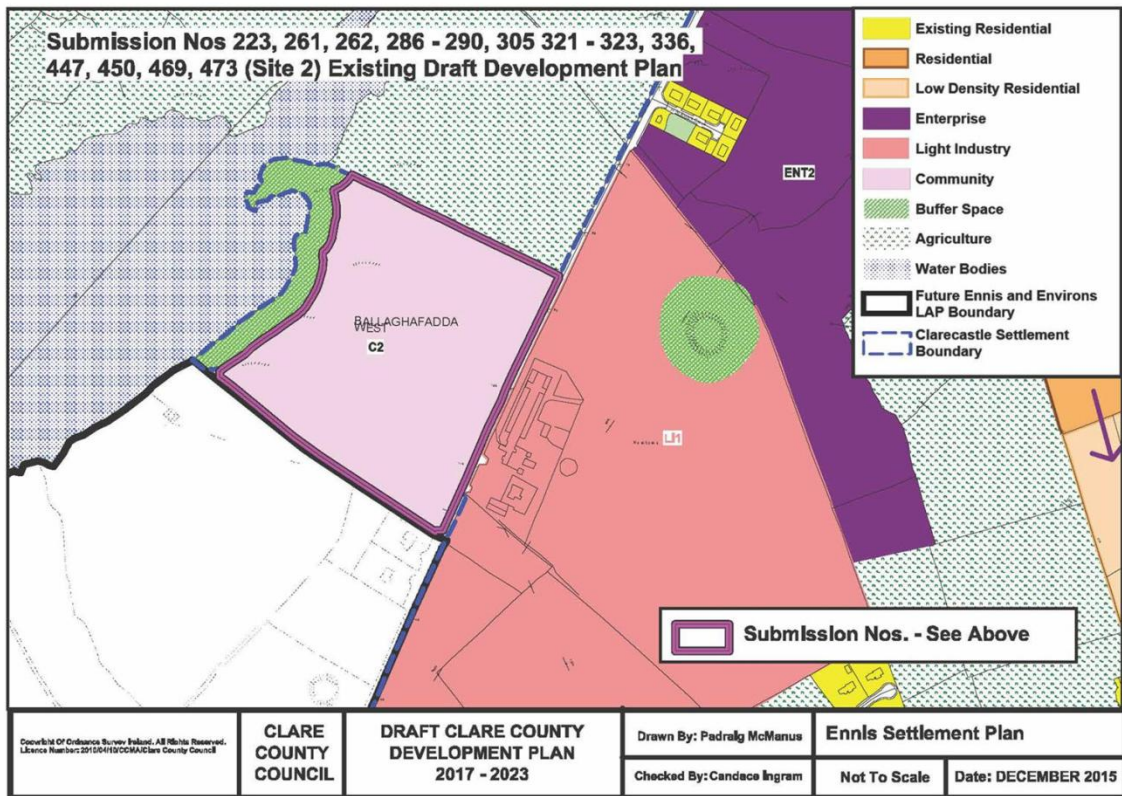
I acknowledge the concerns as raised in the submission, however I consider that this site is suitable for a crematorium, with potential for the co-location of a graveyard having regard to the location of same, which has excellent connections to the surrounding area and wider region, via the local, regional 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.

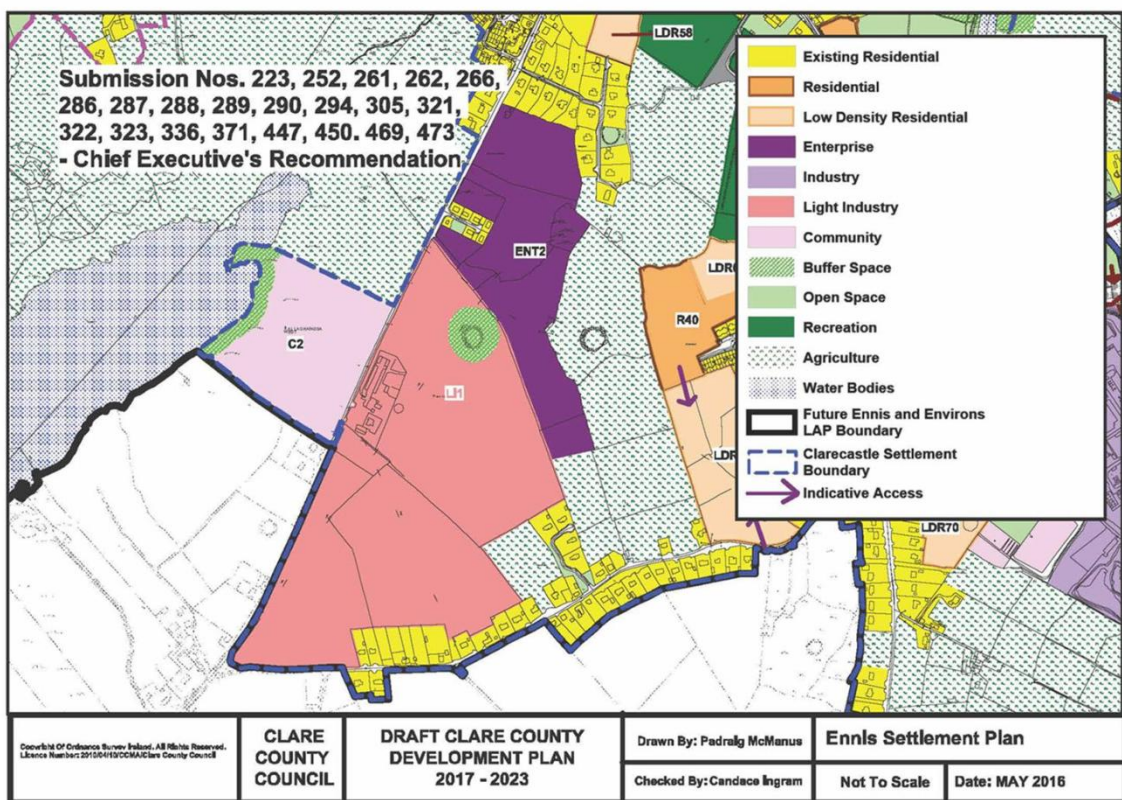
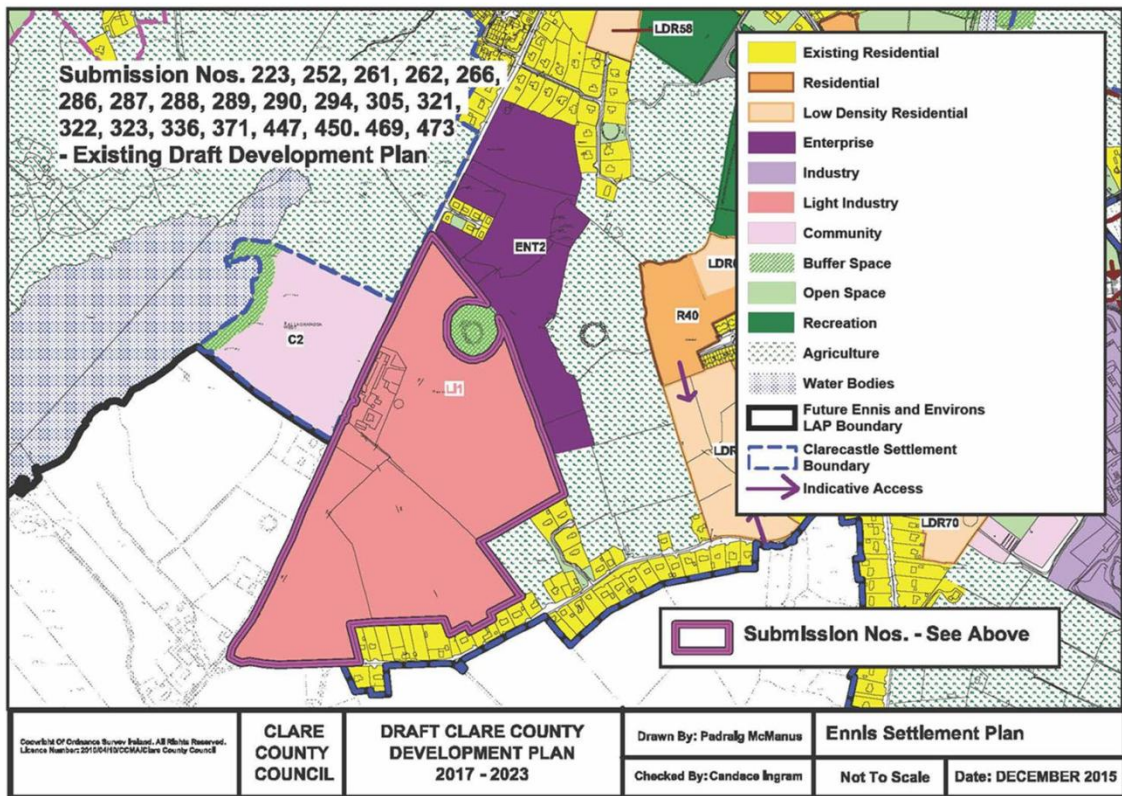
Chief Executive's Recommendation

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 study;
- Flood risk assessment





Ref. 306 William Browne, Parteen

Keywords: Parteen

Summary of the Issues Raised in the Submission

This submission refers to land owned by Gerard Brown, father of the above, in the Parteen Settlement Plan which is presently in use as agricultural land. It is proposed to zone the site as "Open Space – OS1" in the draft Plan. The author is objecting to the proposed creation of a public park on this site for the following reasons:

- He is of the opinion that a public park is not required by the community at this location
- The area is highly dangerous due to its elevated position on the busy main Limerick Road
- The author feels that his property will devalue as a result of such proposed zoning and possible development
- The author submits that enough of his fathers' landholding has already been zoned recreational and open space

Chief Executive's Response

I thank Mr. Browne for his submission.

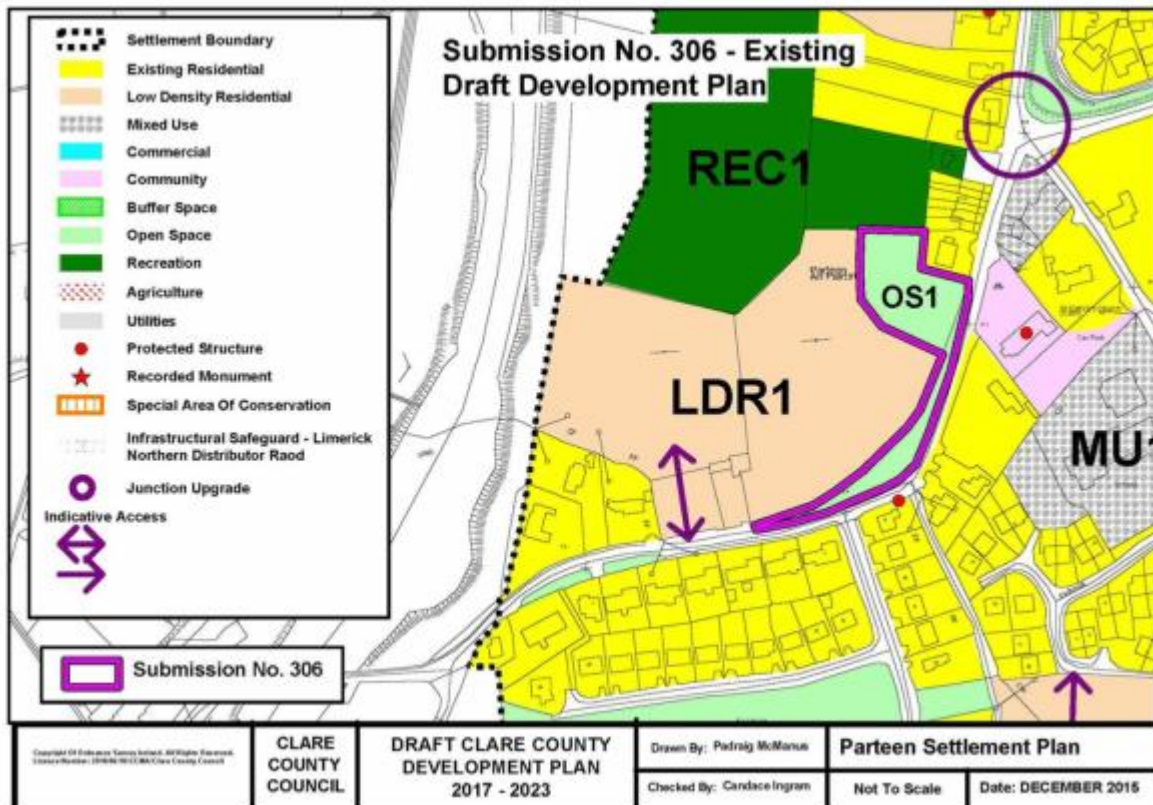
Firstly I would like to state that zoning designations do not affect existing land uses, in this case Agriculture. This use can continue unimpeded. In this instance a substantial parcel of land in the vicinity of the subject site is zoned for Low Density Residential and it is in this context that open space on OS1, along with the existing planted boundary area, has its principal meaning. The additional residents in the village that would be brought by the development of LDR1, when combined with existing residents, will result in the requirement for additional amenities in Parteen. Furthermore, I note that the lands zoned for Low Density Residential at LDR1 appear to also be in Mr. Browne's ownership and he does not appear to object to this zoning.

I acknowledge that an area of land within Mr. Browne's landholding is currently zoned Recreation. However this zoning has not been applied to a greenfield site. There is a Pitch and Putt business being operated on these lands and therefore the Recreation zoning is representative of the current use.

Having regard to these issues, and in particular the need to provide attractive amenities space in the village for current and future residents, I consider the Open Space zoning as it appears in the Draft Clare County Development Plan 2017-2023 to be in accordance with the proper planning and sustainable development of the area.

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. 307 P. Coleman & Associates on behalf of Loughville Property Ltd.

Key Words: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above located off the main N85 at Loughville, Lahinch Road, to the northwest of the Ennis Settlement Plan. An accompanying map identifies the exact location of the site which has an estimated area of 4.285 ha and is located directly adjacent to the existing Acha Bhile Housing Development which forms part of its north/west boundary. The subject land comprises undeveloped agricultural land to the north/east and south/west of its boundaries with a ribbon of existing housing onto the N85 on its south/west boundary.

Previous planning permission was granted for 138 housing units on these lands which were not developed and has since expired. The land quality is poor and not suited to any form of agricultural use and there is a central area identified as a water body on the subject land. The land which is currently zoned "Residential" is proposed to be rezoned "Agricultural" under the Draft Plan.

The submission requests the planning authority to:

Rezone the subject lands as "Low Density Residential"

The author submits that their client acquired the subject lands on the basis of the current zoning of the land at that time. They are proposing to provide individual serviced sites for self build houses for sale on these lands with a planning application to provide the appropriate infrastructure to serve these sites presently with the planning authority. Furthermore, it is submitted that the subject land could be regarded as "brownfield" as the land had an interim use as the main builders' compound for the construction of the Acha Bhile Housing Estate and that the land is not suitable for any form of agricultural use as a result.

In conclusion, the author submits that there is no planning justification to down-zone the subject land to an agricultural use given this highly valued site location on the town side of an existing substantial housing development.

Chief Executive's Response

I would like to thank Loughville Property Ltd for their submission and would like to respond as follows setting out the present situation on this site.

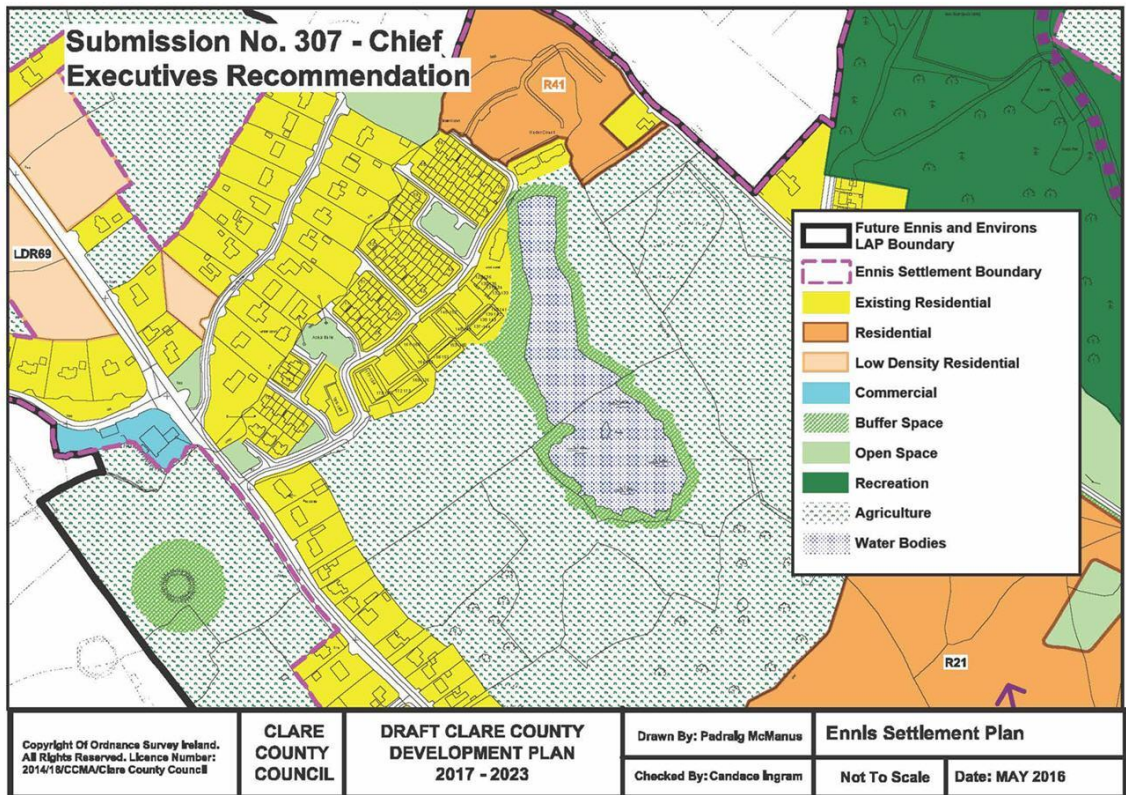
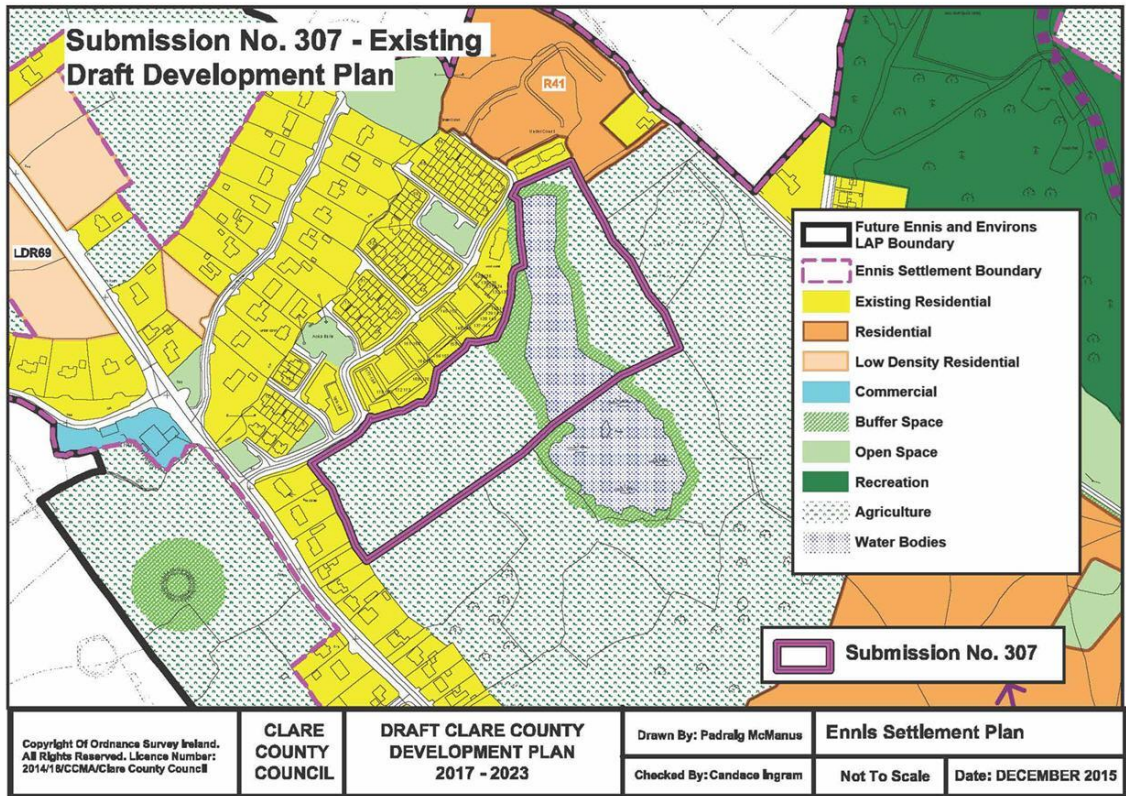
The water supply for Ennis town and its environs is taken from Drumcliff Springs whose recharge area is karst aquifer. This submission relates to an area which is located within the Zone of Contribution as delineated by the GSI for the Drumcliff Springs. Previous studies have indicated that due to the 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 knock 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>

In addition and to reiterate the findings of the Strategic Flood Risk Assessment the site is within Flood Zone C (for fluvial and tidal flooding), however 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, or through blocking the natural infiltration route, could increase flood risk elsewhere. The site is suitable for water compatible uses such as open space or agriculture.

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. 308 P. Coleman and Associates on behalf of Protogenia Ltd

Key words: Ennis,

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Ballycorey and Ballymaley, Gort Road, Ennis on the old N18 (now R445). An accompanying map identifies the location of the subject lands which are approximately 10 ha. The land is bounded by Lough Girroga to the south and by other agricultural used lands zoned for "Residential" or "Other Settlement Land" purposes. There are recorded monuments on the lands CL033-124 and CL033-144. It is proposed to rezone the lands "Agricultural" with a small section where the lands access the public road to be zoned as "Existing Residential" in the draft Plan.

The submission requests the planning authority to zone part of the subject land to "Low Density Residential"

The portion selected to be zoned for this use coincides with the Phase 1 area of the site which formed part of 2 no. planning applications for a combined housing development on the land.

The author submits that the land can be regarded as infill and is extremely suitable for low density housing and/or for serviced sites being located adjacent to other low density residential uses and being strategically located within an overall area of mixed uses. He further submits that a low density approach to this landholding would be in keeping with the established character and existing pattern of development in the area and therefore would be in accordance with the proper planning and sustainable development of this area.

The landowner proposes to provide the infrastructure to serve an infill development of 17 no. individual self build homes with 2 no. access points onto the public road, the southern being for pedestrian and cycle use only.

By zoning a portion of this landholding only, the balance of land could be zoned "Agriculture" as proposed in the draft Plan.

The submission also requests the Planning Authority to rezone area proposed as "Existing Residential" to "Low Density Residential"

The author submits that said area does not contain any existing residential properties but consists of an infill gap between 2 no. existing residential properties which the landowner proposes to use for pedestrian and cycle access to serve a future proposed development. By including in the "low density residential" zoning objective, it would provide consistency by having the same zoning objective over this section of the landholding.

Chief Executive's Response

I wish to thank Protogenia for their submission. I note that the subject lands lie to the North of Lough Girroga and are bisected by a watercourse flowing from the north and discharging into the lough. There is a narrow flood plain associated with this watercourse. In order to respond to the submission I will address each of the issues as raised in the submission.

Zone part of the subject land to "Low Density Residential"

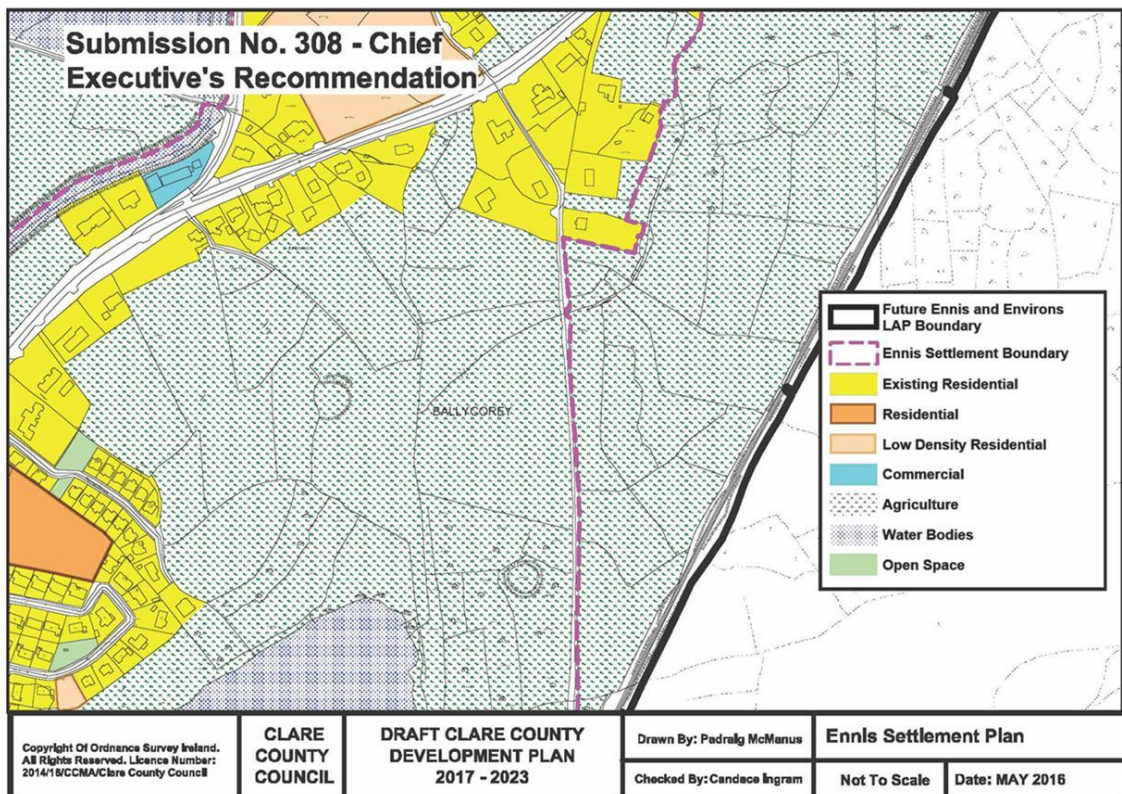
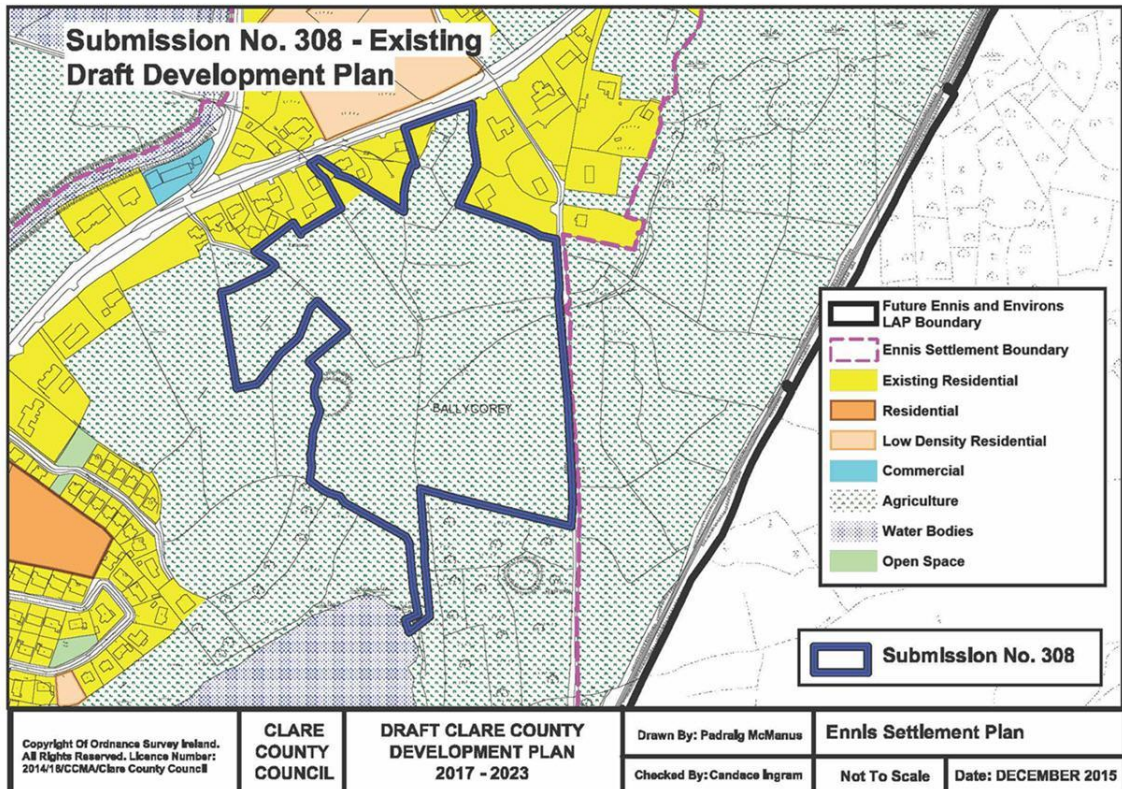
The submission is requesting that the subject lands are zoned Low Density Residential. However, having regard to the location of the site, I consider that the zoning of the lands for development purposes would be contrary to the guiding principles of the core strategy where a sequential approach to development is recommended. I consider the zoning should remain agriculture.

Rezone area proposed as "Existing Residential" to "Low Density Residential"

I note the submission contention in relation to the zoning of the highlighted lands as Existing Residential. I note that under the Zoning matrix as contained in Volume a single dwelling is open to consideration. Any development proposals that are received in respect of this parcel of land shall be subject to the Development Management process.

Chief Executive's Recommendation

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



Ref. 309 P. Coleman and Associates on behalf of Mr. Pat Burke

Key words: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Knockanoura, Tulla Road, Ennis. An accompanying map identifies the location of the Plot A site located off Kevin Barry Avenue which leads onto the river and has the railway embankment as its rear boundary with an estimated area of 0.095 ha. Plot A is presently zoned "Other Settlement Land" and is proposed to be zoned in the draft Plan as "Existing Residential" with the section directly adjacent the river being zoned as "Buffer Space".

The submission requests the planning authority to rezone Plot A from "Existing Residential" to "Low Density Residential"

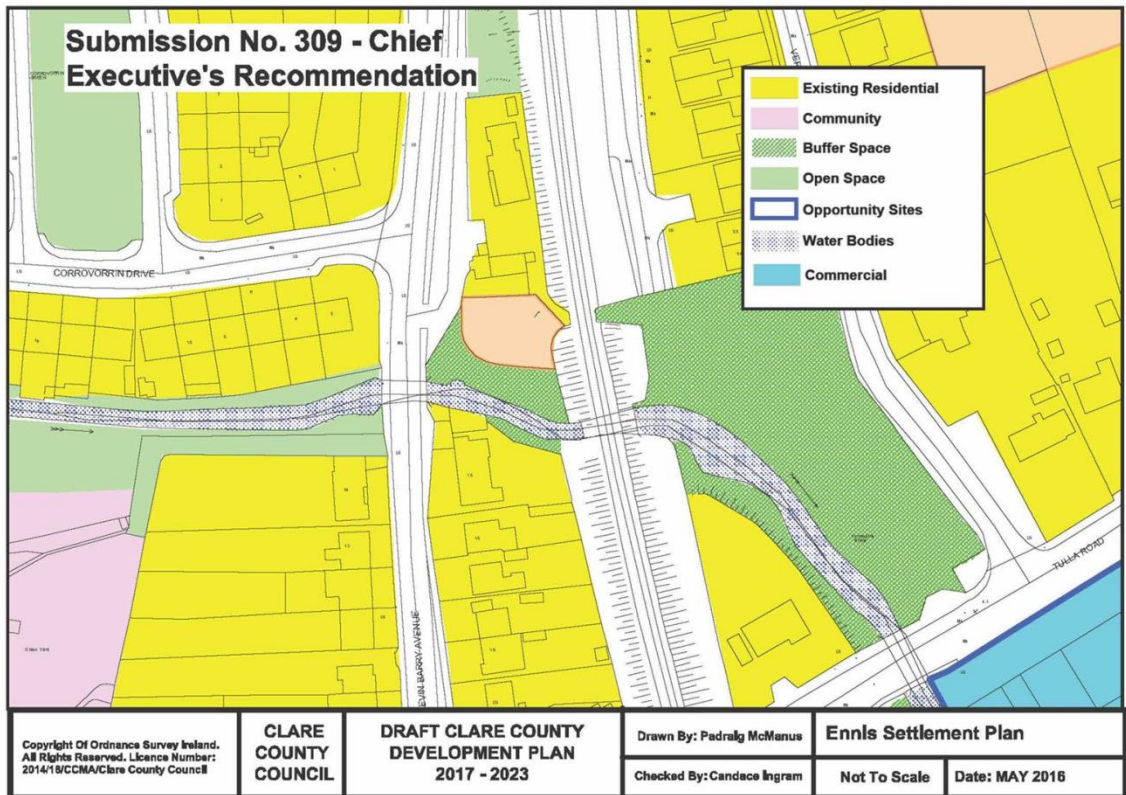
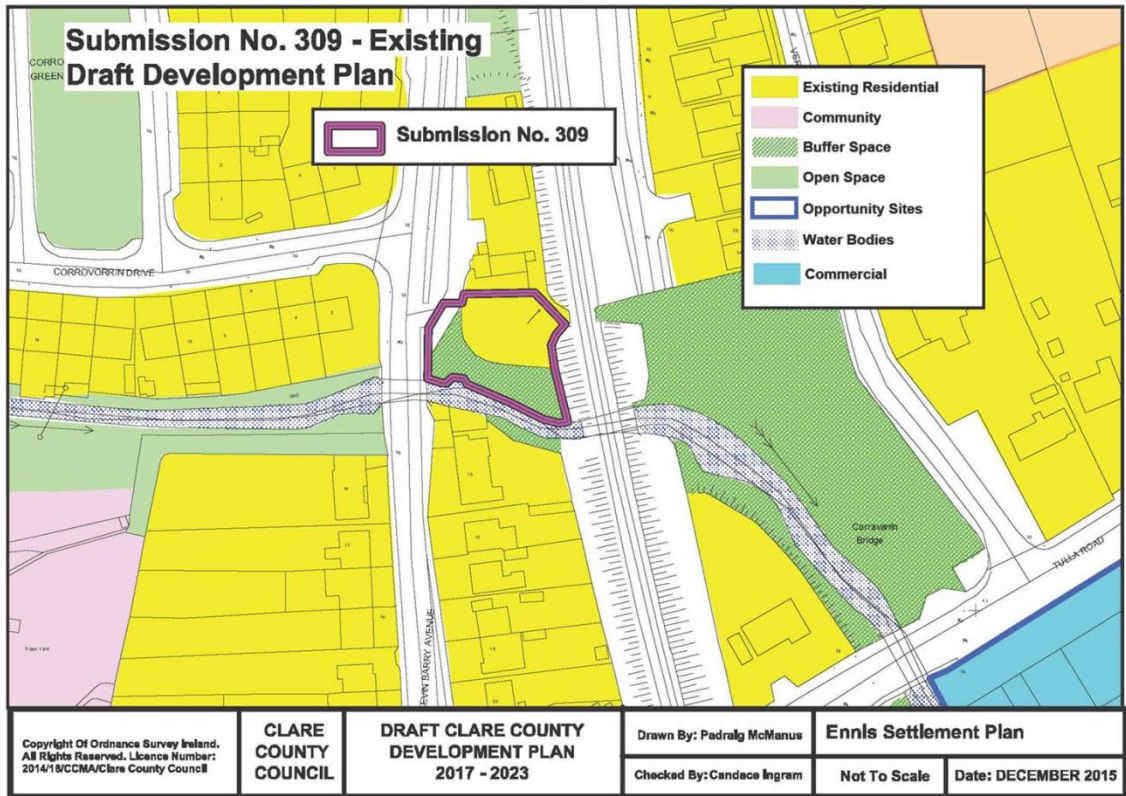
The author submits that their client seeks to ensure that this plot is zoned with an appropriate zoning to enable the development of a dwelling house on it. Currently there is no dwelling house on this plot and the surrounding land use is existing residential. As the plot of land is an infill site between existing dwelling houses to the south and north the principle of infill residential development is therefore suitable. The plot is fully serviced.

Chief Executive's Response

I wish to thank Mr. Burke for his submission. I acknowledge that the plot of land as referred to in the submission does not contain an existing dwelling. I further note that the plot of land is an infill site between existing dwelling houses to the south and north so the principle infill residential development is therefore suitable. I do recommend that the buffer zoning along the southern boundary of the plot remains in situ.

Chief Executive's Recommendation

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



Ref. 310 P. Coleman and Associates on behalf of Mr. Pat Burke

Keywords: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Knockanoura, Tulla Road, Ennis. An accompanying map identifies the location of the Plot B site located on the main Tulla Road approximately 70 metres to the east of the railway bridge with an estimated area of 0.463 ha. Plot B is presently zoned "Other Settlement Land" and is proposed to be zoned as "Buffer Space" in the draft Plan.

The submission requests the planning authority to reclassify Plot B from "Buffer Space" to "Residential"

The author submits that their client wishes to keep a portion of this plot B along the river bank as a "Buffer Space" to allow for the proposed indicative green route along the river bank, but requests to zone the remainder of this plot as "Residential".

They further submit that only a very small portion of the site is identified as being within "Flood Risk Zone A" and that the extent of the potential flood risk is limited and does not encroach significantly on this Plot. The subject lands are not located in a flood plain or within a riparian zone and are not designated or of a particular specific amenity value.

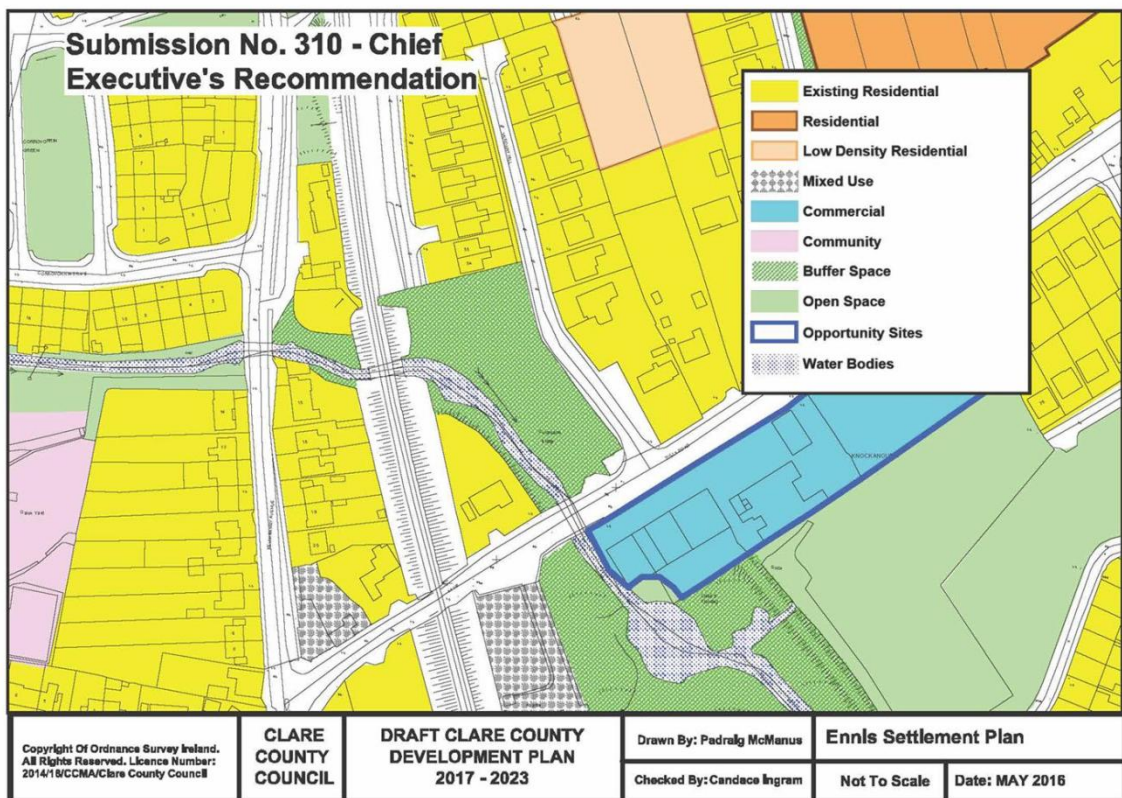
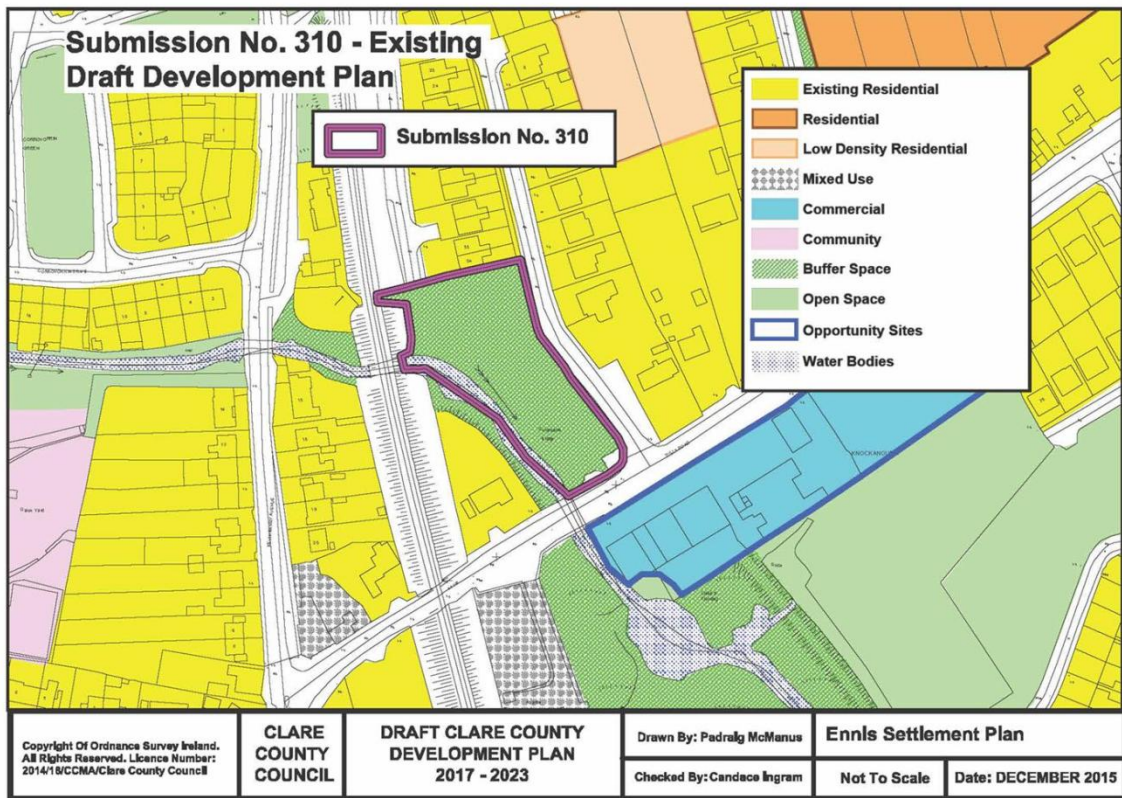
They submit that the subject plot is located within and adjoining existing residential developments and is regarded as infill and that the general principle of high-density residential development is therefore suitable on this infill plot.

Chief Executive's Response

I do not consider that this site is suitable for residential development having regard to the steep gradient and topography of the site. Additionally I consider that the provision of a Buffer Space is in the interests of the residential amenities of the existing dwellings within the Beechpark Housing 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. 311 P. Coleman and Associates on behalf of Mr. Pat Burke.

Keywords: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Knockanoura, Tulla Road, Ennis. An accompanying map identifies the location of the Plot C site located off the main Tulla Road in the centre of a housing estate with an estimated area of 0.217 ha. Plot C is presently zoned "Other Settlement Land" and is proposed to be zoned as "Low Density Residential" and "Existing Residential" in the draft Plan.

The submission requests the planning authority to adopt "Existing Residential" and rezone Plot C from proposed "Low Density Residential" to "Residential"

The author submits that this is an infill site surrounded on three of its boundaries by existing medium/high residential density housing estates with low residential density bounding the southern boundary of the land. The land is within a serviced development area where existing infrastructure exists.

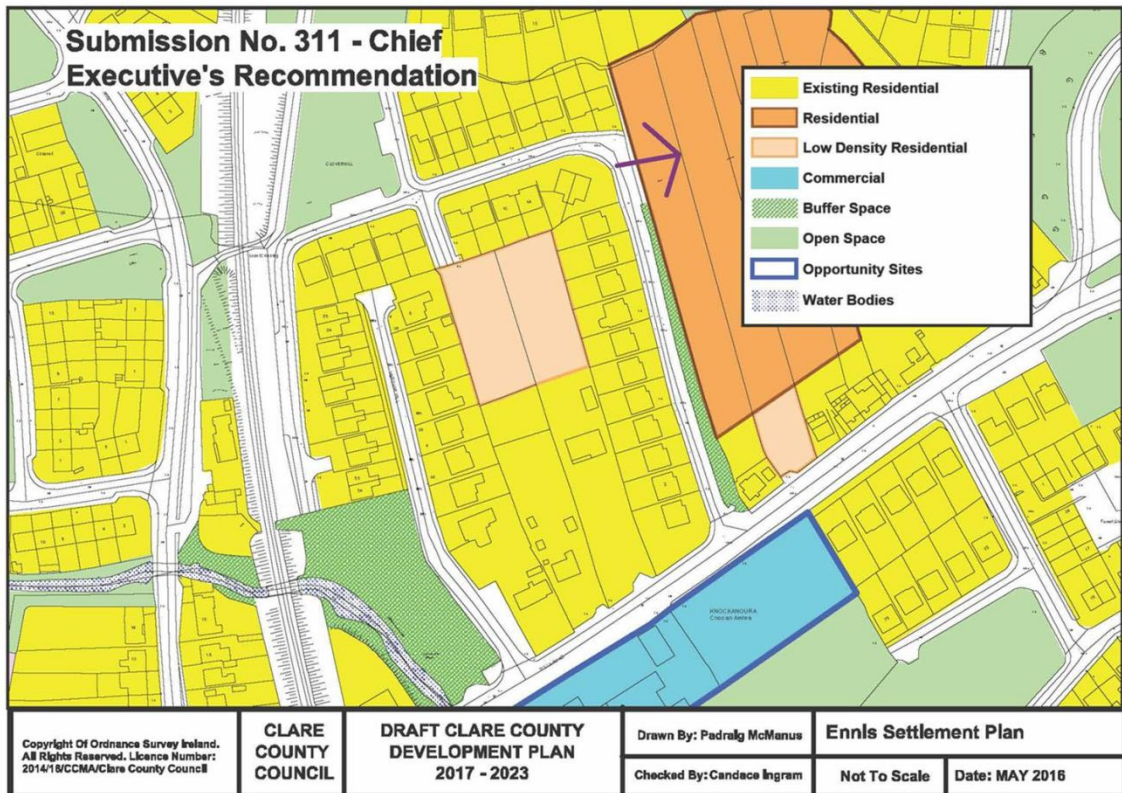
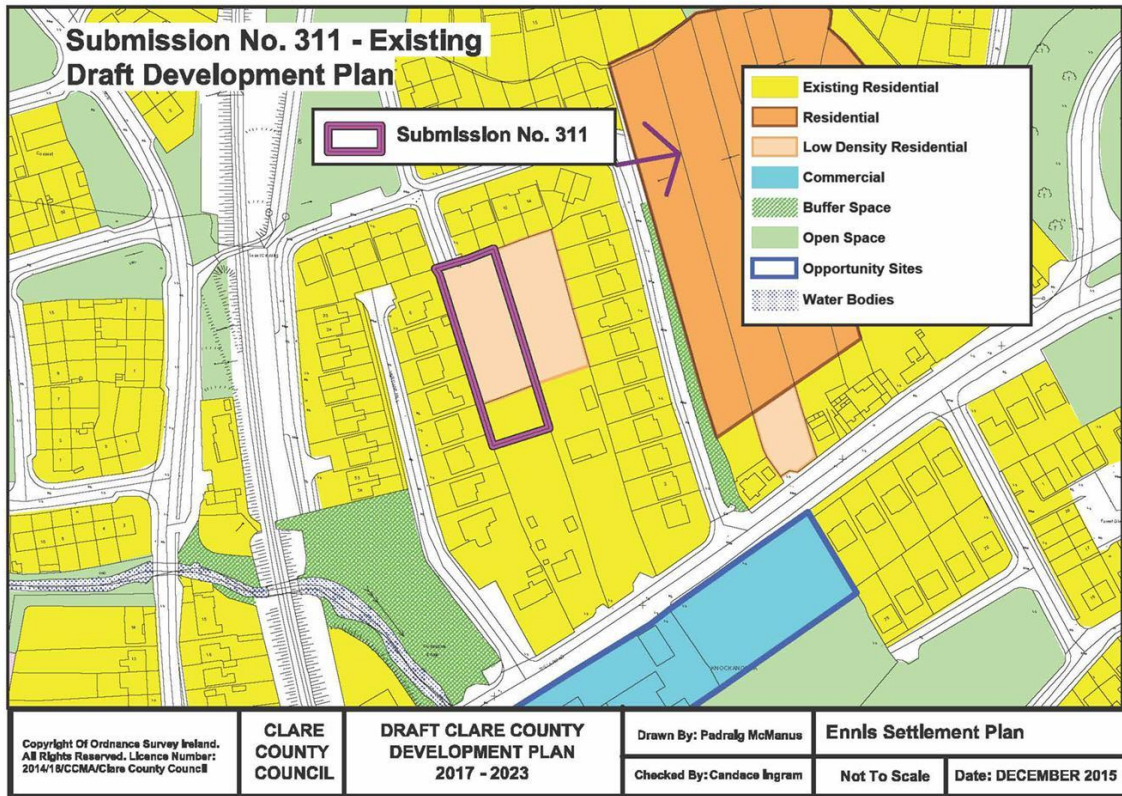
They further submit that the lands can support a higher residential density approach rather than "Low Density Residential" which would ensure the proper planning and sustainable development of the area.

Chief Executive's Response

I wish to thank Mr. Burke for his submission. I do not agree that there is a requirement to change zoning on Plot C from low density to residential having regard to the low density zoning on the site adjacent to the east and to the infill nature of the site.

Chief Executive's Recommendation

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



Ref. 312 P. Coleman and Associates on behalf of Mr. Pat Burke.

Keywords: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Knockanoura, Tulla Road, Ennis. An accompanying map identifies the location of the Plot D site located adjoining the main Tulla Road with an estimated area of 0.428 ha. Plot D presently has two zoning classifications - "Other Settlement Land" and "Residential – Phase 1". It is proposed to be zoned as "Residential" and "Low Density Residential" in the draft Plan.

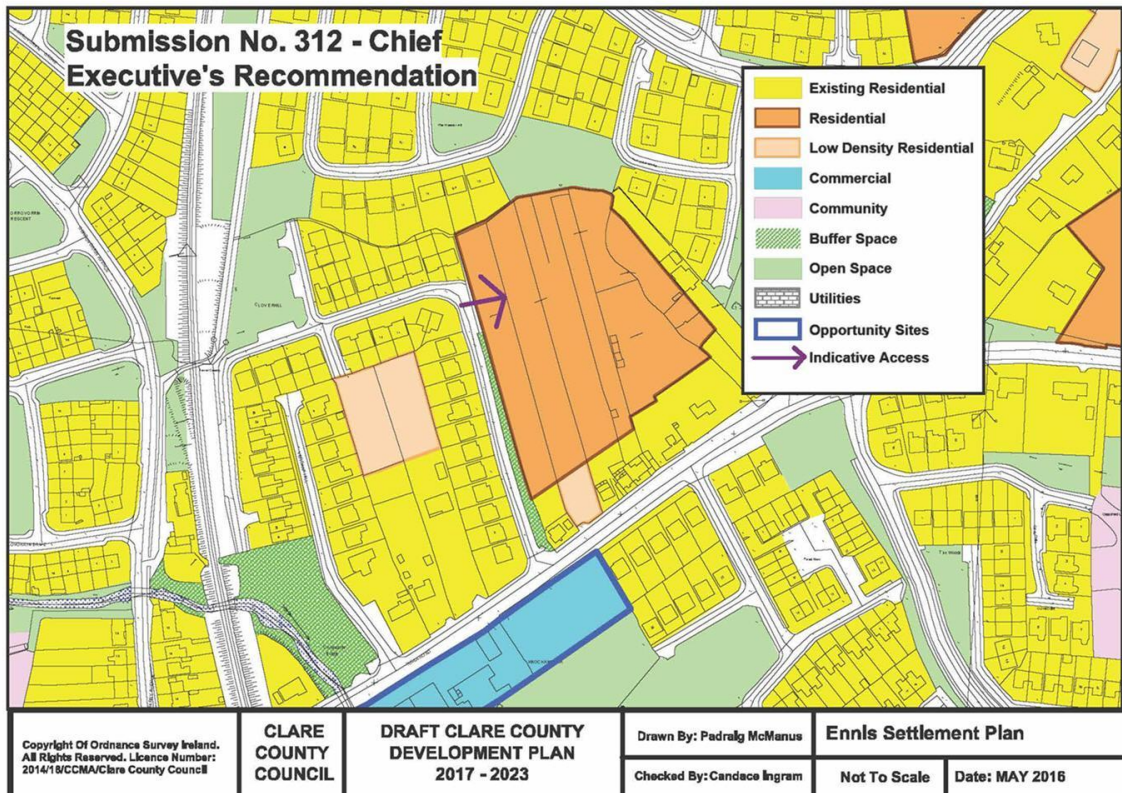
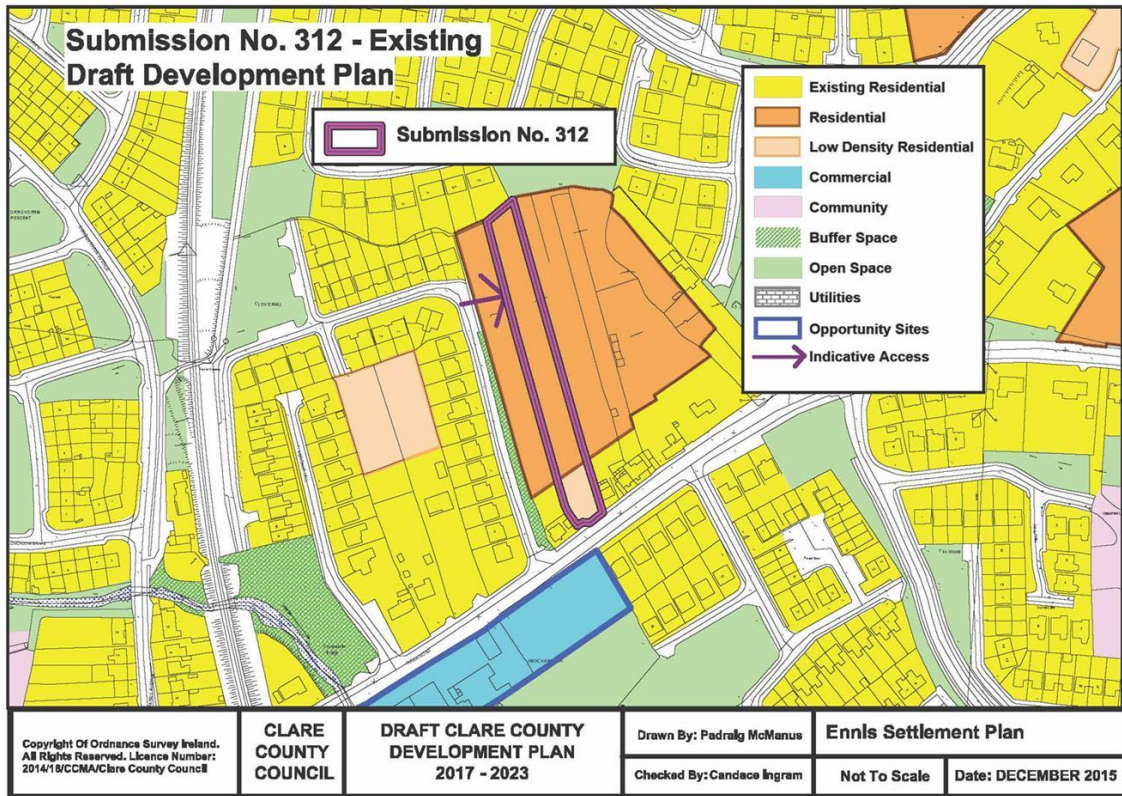
The submission requests the planning authority to adopt the proposed zoning objectives for Plot D as referred to in the submission, in the Clare County Development Plan 2017-2023

Chief Executive's Response

I wish to thank Mr. Burke for his submission. I note Mr. Burke is not seeking to have the proposed zonings on this site changed.

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. 313 P. Coleman and Associates on behalf of Colaiste Muire

Key words: Ennis, Access and Movement

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Colaiste Muire Secondary School, Harmony Row, Ennis. An accompanying map identifies the location of the subject site which is the area of existing car-park located on the southern side of the school which accesses directly onto Harmony Row. This site is currently zoned "Community" and it is proposed to rezone it "Opportunity Site OP12" in the draft Plan with the specific objective to develop this site as a public car-park.

The submission requests the planning authority to:

Remove "Opportunity Site" zoning objective "OP12" on carpark portion of the site

The submission strongly objects to the above proposed zoning for the following reasons:

- The existing car-park is utilised to capacity by school staff, students, visitors and adjoining businesses. There is concern that making this a public car-park would impact on the current users.
- The authors' client seeks to ensure that the existing recreational/open space/car-parking facilities associated with the school are fully protected.
- The author submits that there would be serious health and safety risk for the students of the school if a public car-park was developed within the school grounds.
- The author submits that development of this area as a public car-park would greatly reduce the schools options for any redevelopment/expansion which may be required in the future.
- A public car-park would interfere with operation of the school with members of the general public coming and going at various times through the day and night.

The submission queries who would be liable in the event of an accidents on this site.

Remove proposed pedestrian route from College Road through school property to Harmony Row.

The submission strongly objects to the proposal to provide a pedestrian access route through their private school property for the following reasons:

- Creation of a pedestrian route could create a distraction for students and teachers whose classrooms face onto the proposed route.
- The client has concerns regarding insurance and liability issues arising from pedestrians not directly associated with the school.
- The proposed public access route separates the sporting facilities from the main school and mixing general public with students would give rise to health and safety issues.

Other issues

The submission is requesting the provision of a traffic management plan to include a pedestrian crossing which would be welcomed by the school to ensure the safety of its students and staff. It is contended that the existing pedestrian crossing at the County Clinic does not facilitate the majority of the school students and staff who are presently crossing at Harmony Row to access the library or town centre.

Chief Executive's Response

I wish to thank Colaiste Muire for the submission received. I note that this site is positioned at a principle gateway to the town at Club Bridge. It is considered that the site is suitable for the provision of parking which is convenient to the town centre, with excellent pedestrian linkage to

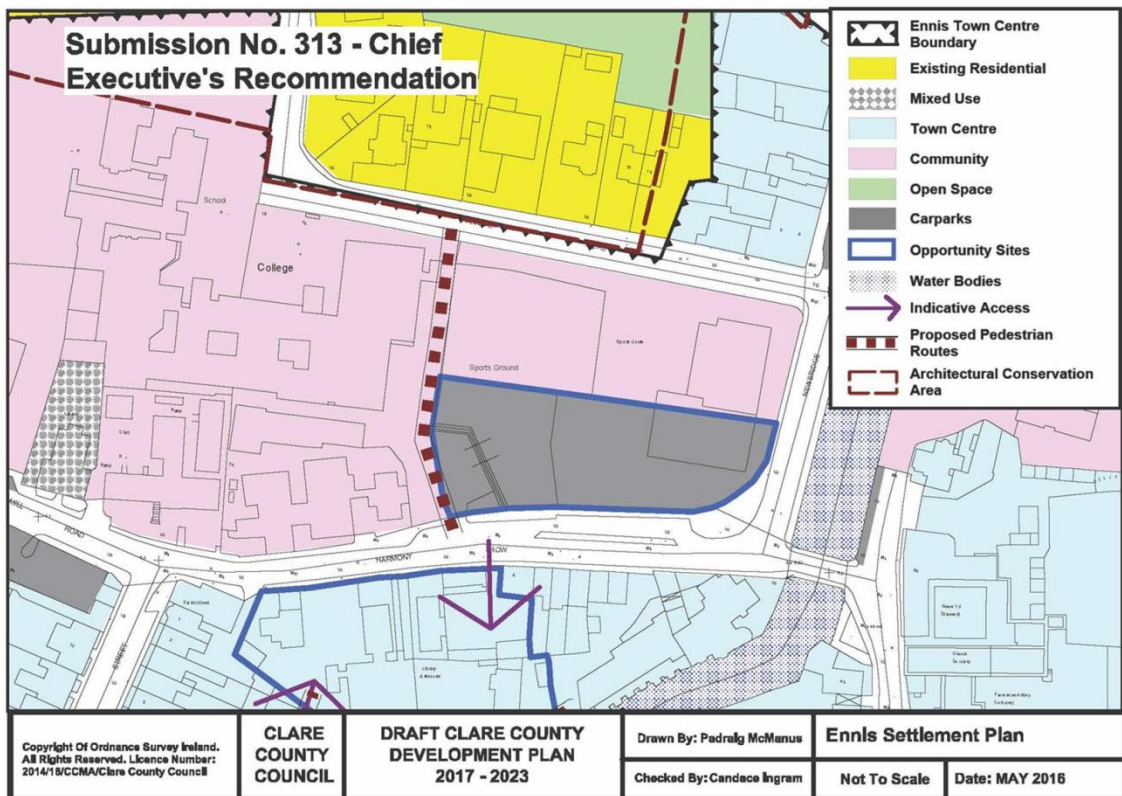
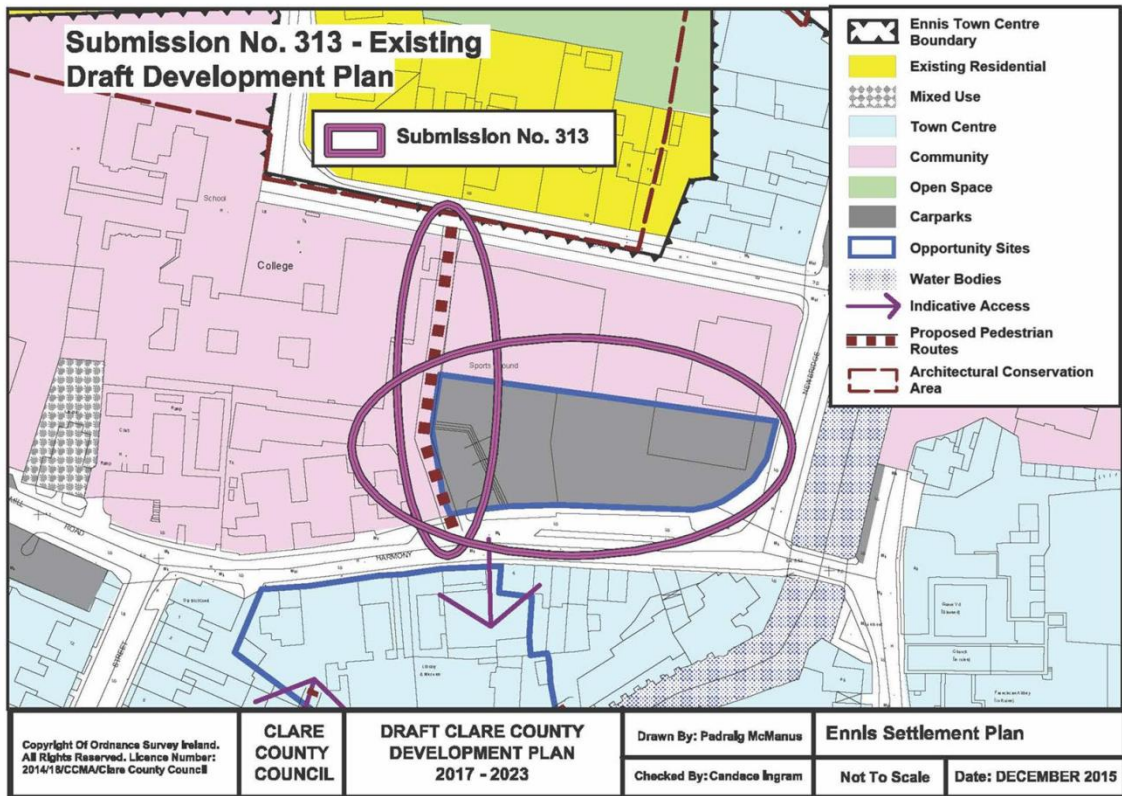
Abbey Street and O'Connell Square, via Club Bridge, and the pedestrian bridge at the Rowan Tree Hostel. I note that there is existing parking on this part of the site which is currently used by staff at the school. I consider that there is potential for the development of shared / additional parking facilities which could be made available for public use, subject to the agreement of the school.

I am therefore not in favour of removing opportunity site designation from this property having regard to its strategic location on the north western side of the town. The wording in relation to the site states that the provision of additional or shared parking on the site would all be subject to the agreement of the school.

This site plays a key role in linking the northern section of the south with the town centre via the Library and the site upon which the Rowan Tree Hostel is located. I acknowledge that the school has concerns regarding health and safety and insurance implications of having a pedestrian route through the school. However one of the purposes of the plan is to identify pedestrian linkages in the public realm and form a vision for the overall potential development of the town. While some aspects of this vision may be realised, and others not I think it is important to show the potential in the plan for sustainable movement around the town. Often ideas and concepts for development may be in a plan for a number of years before they are realised. It is important to keep such options open for consideration. I am therefore not in favour of removing the pedestrian linkages as shown on 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. 314 John Geoghegan, Niall Geoghegan and Martin O'Donnell

Key Words: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above in the townland of Ballybeg and accessed by the Killone Road. An accompanying map identifies the location of the lands which are currently zoned "Other Settlement Land" within the Ennis Settlement Boundary. It is proposed to rezone the entire land holding to "Agricultural" use and amend the settlement boundary so that it will be outside the settlement boundary in the draft Plan.

The submission requests that the planning authority extend the proposed Ennis settlement boundary to include the subject lands and zone the lands as "Low Density Residential".

It is submitted that a low density approach to this landholding would be in keeping with the established character and existing pattern of development in the area and therefore would be in accordance with the proper planning and sustainable development of this area.

Chief Executive's Response

I acknowledge the request contained in this submission. The extent of land required for residential uses in the Ennis and Environs area is determined in the Core Strategy, as contained in Volume 1 of the Draft Plan. In determining the 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 AA process and the Water Framework Directive. In addition site specific land use issues were considered. These criteria include, inter alia, the availability of services, sequential test, flood risk assessment, planning history, consolidation or urban form etc. The subject site is not serviced by waste water infrastructure and is not located in an area identified for growth. From a sequential point of view the site is removed from the core built up areas of Ennis and Clarecastle and would not contribute to the consolidation of the urban form.

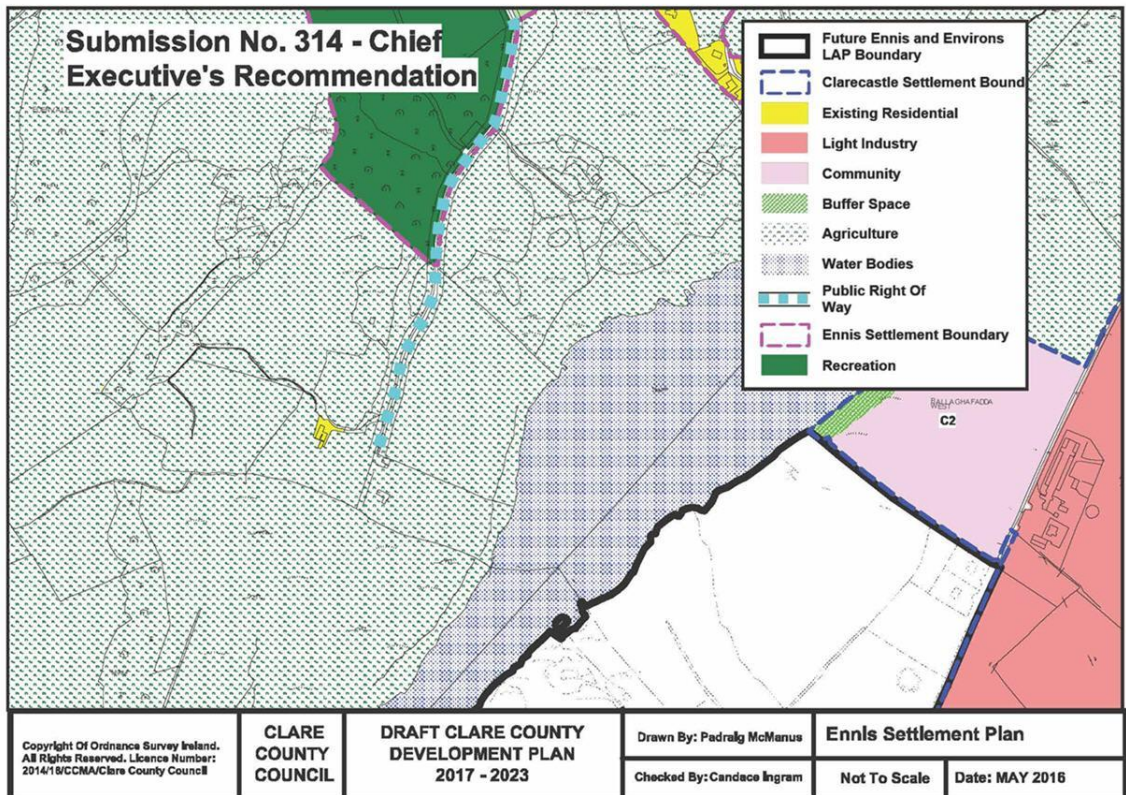
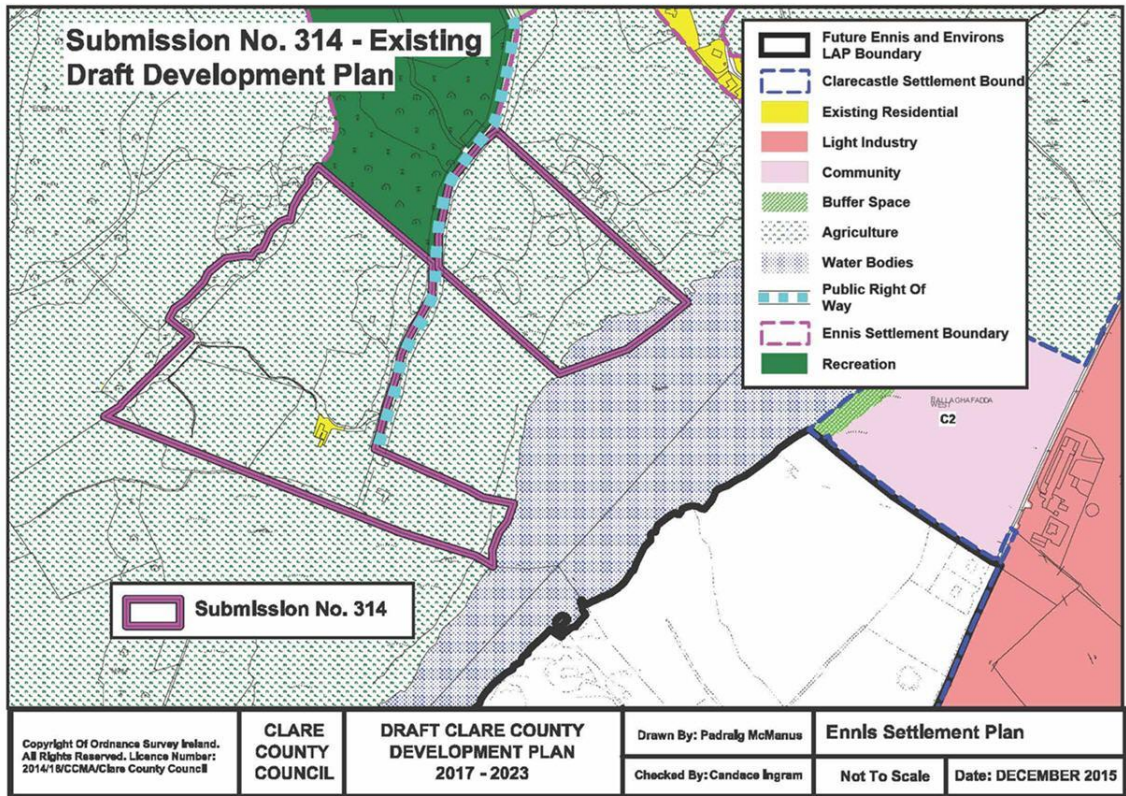
I also note that the eastern boundary of the subject site adjoins Ballybeg Lake. The surface water catchment inputting to Ballybeg Lake covers a limited area. Therefore, while there may be some contribution from surface water, the most significant contribution to water in the lake is from groundwater sources. Ballybeg Lake is within a karstified limestone aquifer which the Geological Survey of Ireland has classified as being within Category X – Extreme Vulnerability. This is where the bedrock is at or within a meter of the surface and leads to extreme vulnerability.

The Water Framework Directive has assigned Ballybeg Lake a 'hypertrophic' status (i.e. it has been excessively enriched with nutrients). This status was assigned to the lake having regard to the high concentration of septic tanks in the area (Rockmount, Ballybeg estate and Silvergrove to the north, residential development along the Kiladysert Road to the east and south and residential development to west in the Newhall and Ballyea areas). It is highly likely that a combination of agricultural activity and septic tank concentration is contributing to the deterioration in the water quality in the lake.

Having regard to the foregoing issues I do not consider it appropriate to zone the subject site for low density residential.

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. 315 Pat Kelly, The Central, Miltown Malbay

Key Words: Miltown Malbay, Access and Movement, Flooding, Policy

Summary of the Issues Raised in the Submission

This submission refers to some of the proposals for the future development of Miltown Malbay.

The author submits that the proposed new road to the west of the main street would have a bad impact on the town centre as there are a large number of business premises already vacant. He requests that the existing lane be resurfaced and street lighting installed by Clare County Council.

The author is concerned about the condition of the lane leading from Main St to Supervalu which requires immediate upgrading. On this laneway there are also some derelict buildings that are an eyesore and are in a dangerous condition. Furthermore the author does not feel the location of T1 is suitable for car-parking as there is no access to or from the town centre for vehicles.

The author requests that the flooding problem in Church Street is addressed immediately by Clare County Council.

The author is of the opinion that the entrance/exit from the car-park on the Ennistymon Road needs to be splayed as there is no sight distance to the right on exiting.

Chief Executive's Response

I thank Mr. Kelly for taking the time to review the Draft Clare County Development Plan 2017-2023 and making this submission. I would like to comment on the issues raised as follows:

The proposed new street is necessary to provide appropriate access to the residential and mixed use lands zoned to the west of the town centre and to link those lands conveniently to the centre of the town. The term 'street' in this context does not necessarily refer to a town centre street, lined with shops and services, but rather to a urban/residential street, designed in accordance with the Design Manual for Urban Roads and Streets, that will provide attractive linkages between different parts of the town.

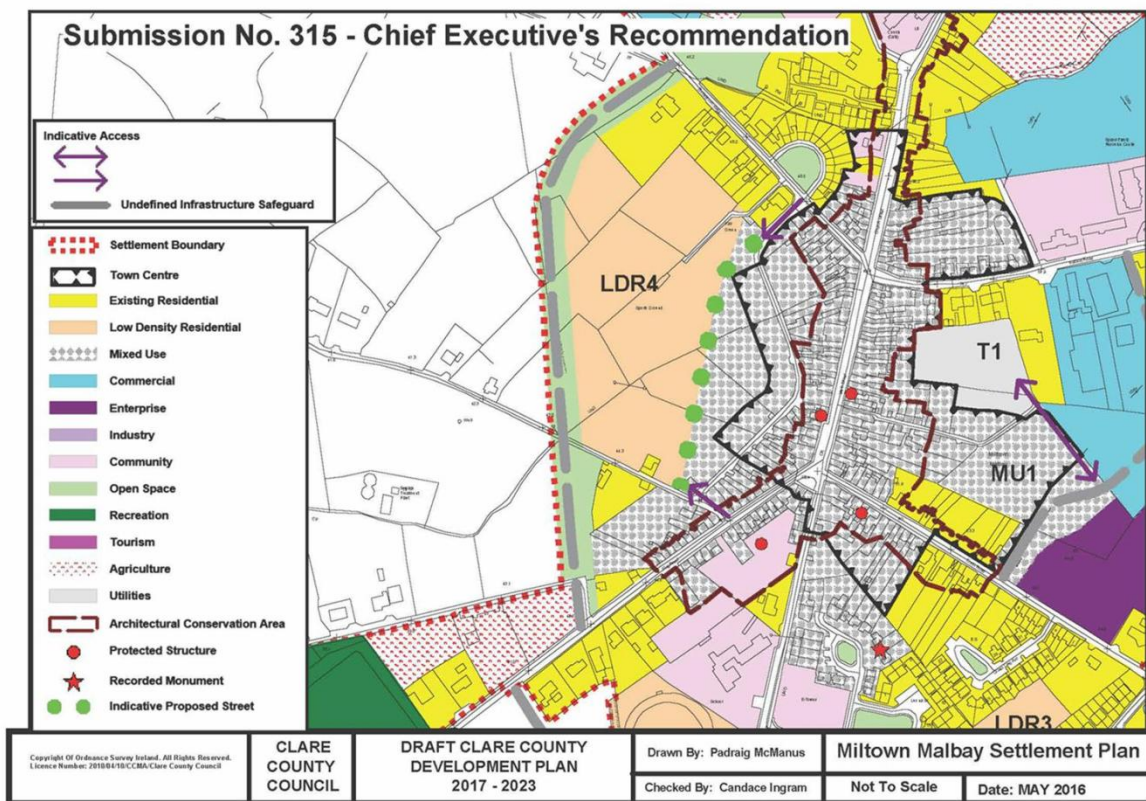
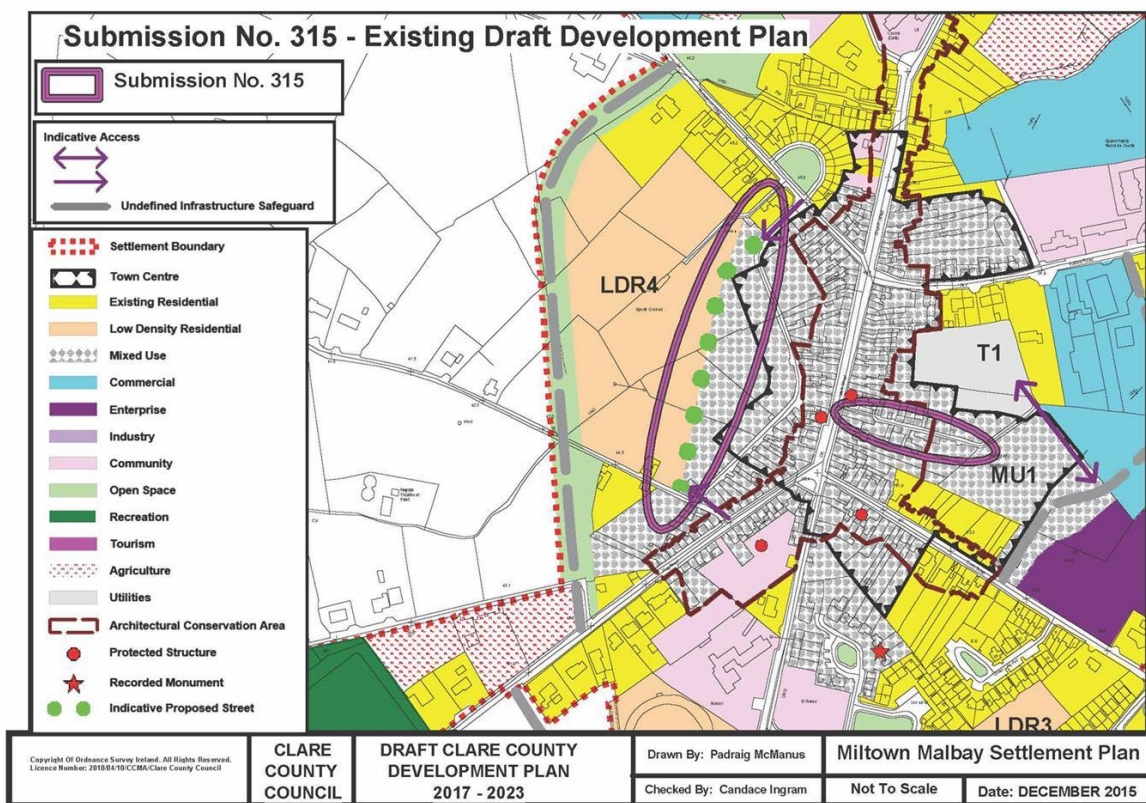
Site T1 was identified as a site for a future carpark due to concerns about a lack of parking to serve the town centre raised during the preparation of previous plans for the area. Access to the site was incorporated into the development proposals for the Mixed Use lands to the south (supermarket and recreation facilities development). Pedestrian access to the town centre can be achieved via the laneway to the south. In relation to the upgrade works to the lane, the Planning Enforcement section is aware of this issue and is working with all parties involved to resolve the matter.

I recognise that there have been flooding issues in the town in recent times. 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.

In relation to the entrance to Church Street carpark on the N67 (Lahinch Road), I will refer the request for improvements to this entrance to the relevant section of the Council. This forms part of the day-to-day work of the Council and is not something that can be dealt with through the development plan process.

Chief Executive's Recommendation

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



Ref. 316 Terry & Lisa Byrne

Key Words: Policy, Renewable Energy

Summary of the Issues Raised in the Submission

This submission refers to the proposed Pumped Hydro Energy Storage (PHES) on Mount Callan.

The authors submit that:

- The proposed development along with existing wind-turbines will detract from the scenic route designation on the R474.
- There will be over-industrialisation on the slopes of Mount Callan and surrounding areas
- There will be adverse noise levels from both the construction and operation of a PHES
- They anticipate a serious negative impact on their business resulting from the proposed road closure to facilitate the laying of high voltage underground cables to serve a windfarm in the area. There will be further negative impacts on their business, which is located on the R474, if the road is closed for any major road works
- The indicative area for the PHES covers a large area. The habitats for mammals and birds within this area would be destroyed and the landscape irreversibly changed
- Property in the area would be devalued and people may be deterred from moving to the area due the industrialised landscape and noise levels

The submission requests the planning authority to remove the proposed Pumped Hydro Energy Storage (PHES) on Mount Callan from the Clare County Development Plan 2017-2023 and investigate other areas of renewable energy which do not impact on those living in an area, its wildlife and the environment so heavily.

Chief Executive's Response

I would like to thank Terry & Lisa Byrne for taking the time to review the Draft Clare County Development Plan 2017-2023 and for making this submission. I acknowledge the concerns that they have raised and respond as follows:

The site at Mount Callan was identified as an area of potential for Pumped Hydro-Electric Storage (PHES) when the Clare Renewable Energy Strategy was first prepared in 2013/2014. At that time a considerable level of analysis and assessment was undertaken to identify a site with the potential to accommodate PHES development in the county. The site at Mount Callan was selected because, after detailed assessment, it was identified as having the optimum geographical and physical attributes to accommodate development of this nature within County Clare.

It should be noted however that the physical and geographical attributes of the site/development will be one of many issues that will be taken into consideration in the assessment of any future development proposals. Issues such as impacts on local residents, impacts on habitats and species in the area, capacity of local road networks to accommodate traffic associated with the development etc. will all be given very detailed consideration when any specific development proposals are being assessed. Assessments such as Environmental Impact Assessment, Appropriate Assessment and Strategic Environmental Assessment (if required) will also examine, avoid and mitigate negative impacts on local residents and the environment and will ensure that developments that would have an unacceptable level of impact are not permitted.

While I recognise the concerns raised by Terry and Lisa Byrne in this submission I am satisfied that the Indicative Area for Pumped Freshwater Hydro-Electric Storage as identified in Volume 5 of the Draft Clare County Development Plan 2017-2023 can remain.

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. 317 Padraig Howard on behalf of West Clare Renewable Energy Ltd. and Atlantic Force Renewable Ltd.

Key Words: Policy, Wind Energy, Renewable Energy, Physical Infrastructure

Summary of the Issues Raised in the Submission

It is submitted that the current Wind Energy Strategy (WES) and Renewable Energy Strategy (RES) have been a resounding success in the Energy Industry and have re-established County Clare as the energy capital of Ireland. Under the strategies over 200MW of wind energy projects have commenced and 300MW of projects will be built between 2016 and 2019. This is an investment of circa €450million and is the single biggest source of investment that the county will see in this period. The energy produced by these projects is nearly twice the energy consumed in County Clare each year and reduces carbon emission by over 150,000 tonnes annually. However it is submitted that this is only circa 50% of the development targeted in the WES and pales in significance to the 7,000MW identified in the Mayo Renewable Energy Strategy.

Mr. Howard submits that most of the necessary infrastructure to facilitate these projects is already in place, with high voltage transmissions lines already developed to serve Moneypoint and Ardnacrusha. Construction jobs will be seen in the next two years, the Council will benefit in rates over the next 30 years and the incomes to local landowners, investors and communities will also be felt for the next 30 years. The environmental and climate change benefits will be vast and long term. Any new infrastructural improvement will also position the county well to harness the vast potential for wave energy and off-shore wind.

The submission urges the Council to consider the downstream benefits of renewable energy. All aspects of modern life e.g. transport, food production, water supply, are energy-dependent. The location of Apple in Athenry is used to outline how large companies look at energy supply in site selection. In order to position County Clare as an attractive location for Foreign Direct Investment, the Council should reaffirm its existing commitment to the WES and the RES and remain consistent and focused in harnessing the carbon-free energy resources that are freely and abundantly available in the county.

Mr. Howard urges the Council not to be dissuaded by a small but often vocal minority of opposition to renewable energy projects. The environmental benefits are long-term, the social benefits medium term and the economic benefits are both short and long term. It is submitted that experience has shown that once these projects are developed the opposition abates and in time acceptance grows. Mr. Howard states that people's homes, residential amenity and communities must also be protected and respected by appropriate setbacks that strike a balance between their rights and the rights of landowners and farmers to harvest viable energy group from their land. It is submitted that a setback of 500 meters is appropriate, and this can be extended to 600 meters in some instances where turbines are very large. Mr. Howard feels that 1000m to 2000m setback are not sustainable and put the rights of one property owner (the house owner) ahead of another property owner (the landowner/farmer). A number of examples are given e.g. if a setback of 1000m is in place, the development of a single rural house would sterilise 314 hectares of suitable windfarm area. The balance between competing property rights is a sensitive one but the current guidelines seem to be a reasonable balance and are appropriate.

The Council is urged to remain consistent and focus in realising the goal of *transitioning to a low carbon economy* and should honour the WES and the RES and the stated goals in each. Energy storage is an important element of energy developments and the Council is urged to retain its policies in this regard and to consider the identification of further suitable areas for potential energy storage.

The submission requests that the Council consider the identification of a suitable area in Miltown Malbay for large-scale data storage/cloud computing development similar to the development in Athenry (500 acres). The Irish climate is well-suited from a cooling perspective and with the nearby renewable energy projects there is a good opportunity to build on this significant project. The recent identification by the government of a Marine Energy Zone off the coast at Spanish Point could also be incorporated into such a data centre.

The submission requests in particular that the Strategic Areas for Wind Energy in the East Clare area are retained and that the Council continue to promote County Clare as a low carbon location and work to establish the county as a Renewable Energy Capital of Ireland.

Chief Executive's Response

I thank Mr. Howard for this submission made on behalf of West Clare Renewable Energy Ltd. and Atlantic Force Renewables Ltd. I agree with the overall sentiment of the submission that the Wind Energy Strategy and the Renewable Energy Strategy have been successful in guiding renewable energy developments to the most appropriate locations in Co. Clare. While I acknowledge the request to retain the designations in the East Clare area, maintain the setback from residential properties at 500m, seek new areas for energy storage etc., unfortunately these issues cannot be addressed at this time. Department of Environment Circular 20-13 indicates that until the national policy review processes have concluded in relation to the Wind Energy Development Guidelines and the Renewable Energy Export Policy and Development Framework, local authorities should defer amending their existing development plan policies in relation to wind energy. Clare County Council has therefore included an objective in the Draft Clare County Development Plan 2017-2023 to review the Wind Energy Strategy during the lifetime of the development plan and will do so when the national policies and guidance are in place.

In relation to the comments on those who oppose wind energy developments, all issues raised in a submission made on a planning application, or in relation to a development plan, are taken into consideration by the Council, irrespective of whether they are from a minority or majority viewpoint. Clare County Council welcomes the engagement of all citizens in the planning process.

I welcome the foresight of Mr Howard with the proposal to zone an extensive area of land in the Miltown Malbay area for a data-centre or a similar development of that nature. However, I am reluctant to identify a specific site for such a development given the scale of the zoning required and the specific requirements of any business seeking to locate in the area. Such a zoning could be over restrictive. I am also mindful of the comments made by the Department of Environment, Community and Local Government in relation to Enterprise zoning in rural areas in their submission on the Draft Development Plan (Submission Ref. 001).

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. 318 Sean Howard

Key Words: Barefield

Summary of the Issues Raised in the Submission

This submission refers to lands identified as "LDR4" and "LDR7" in the proposed Barefield settlement plan boundary. These lands are fully serviced.

The submission requests the planning authority to extend the proposed Barefield settlement boundary to include additional lands identified as Area A west of the sites LDR4 and LDR7 on an accompanying map which forms part of the same landholding as the aforementioned proposed zoned sites. The submission sets out the attributes of the site, including the available physical and social infrastructure in the surrounding area.

Chief Executive's Response

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

I note the lands subject of this submission are part of located to the west and rear of the same landholding as those zoned LDR4 and LDR7. The quantum of zoned land within the village of Barefield in the Draft Clare County Development Plan 2017-2023 is in line with the Core Strategy in Chapter 2, Volume 1. I do not consider it necessary or appropriate to include additional lands for residential development at this time.

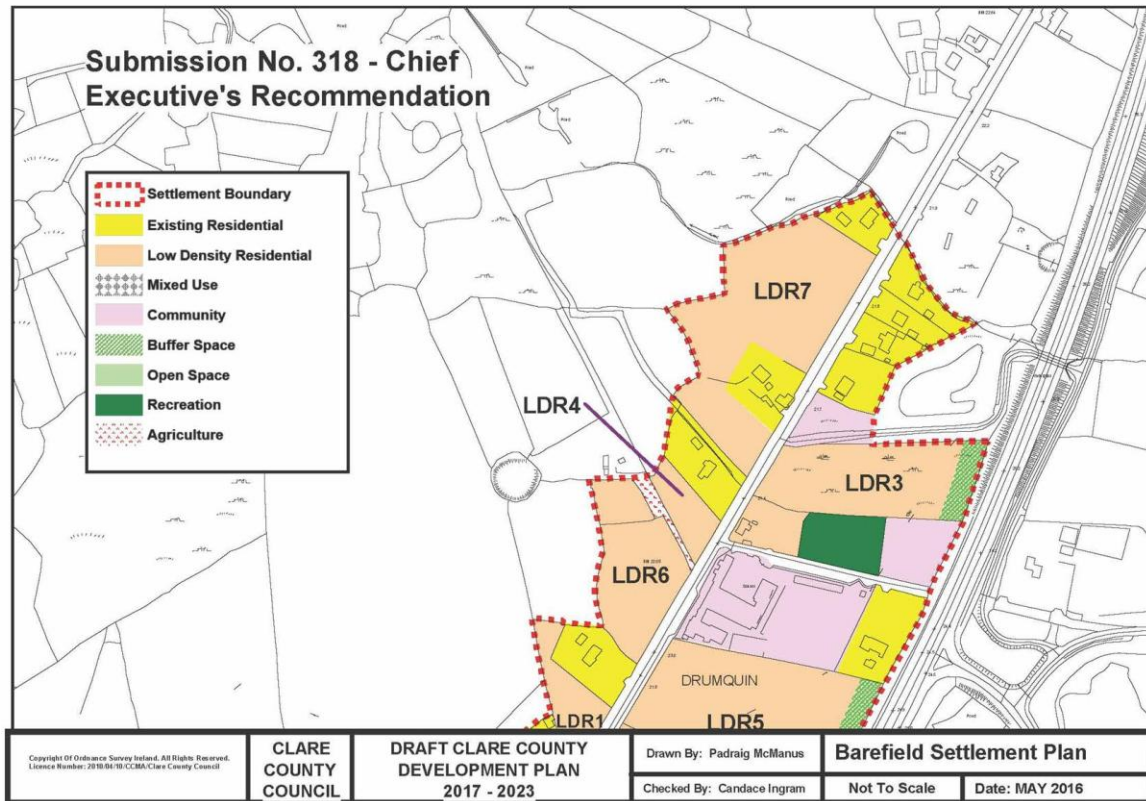
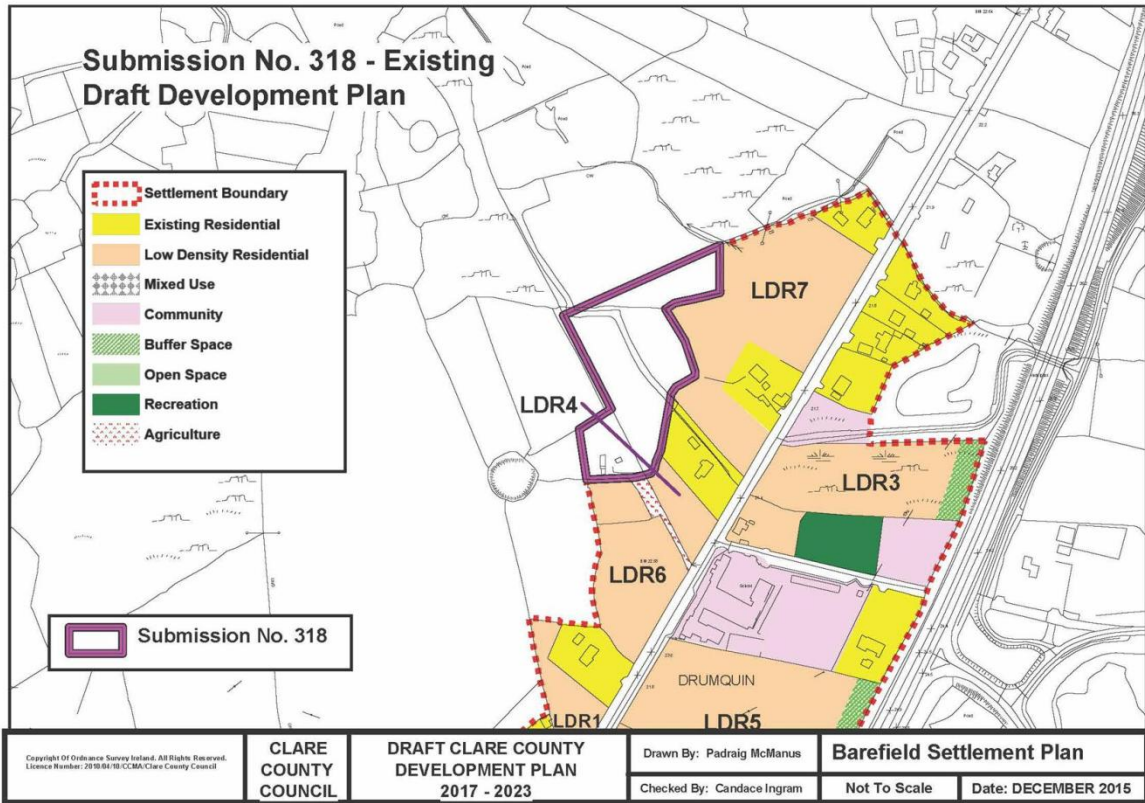
Having reviewed the zoning in the village as part of the assessment of this submission I note that there is an existing dwelling opposite the school which has been zoned Low Density Residential and this should be amended to reflect the existing dwelling on the site and zoned as Existing Residential.

Chief Executive's Recommendation

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

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

Low Density Residential to Existing Residential.



Ref. 319 Drumquin Construction (Barefield) Ltd

Key Words: Barefield

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above north of the proposed Barefield settlement plan boundary. The landowner is currently commencing development on these lands under permission P07-1071 as extended by P14-702.

The author is concerned that the draft Plan does not seem to provide any mechanism or policy that would support a successful planning application to complete the current permission when it expires in June 2017.

The submission requests that the planning authority extend the proposed Barefield settlement boundary to include the subject site.

The author further requests that additional residential land is zoned within the settlement and that the proposed boundaries are extended to the west and north to include an existing light industrial area.

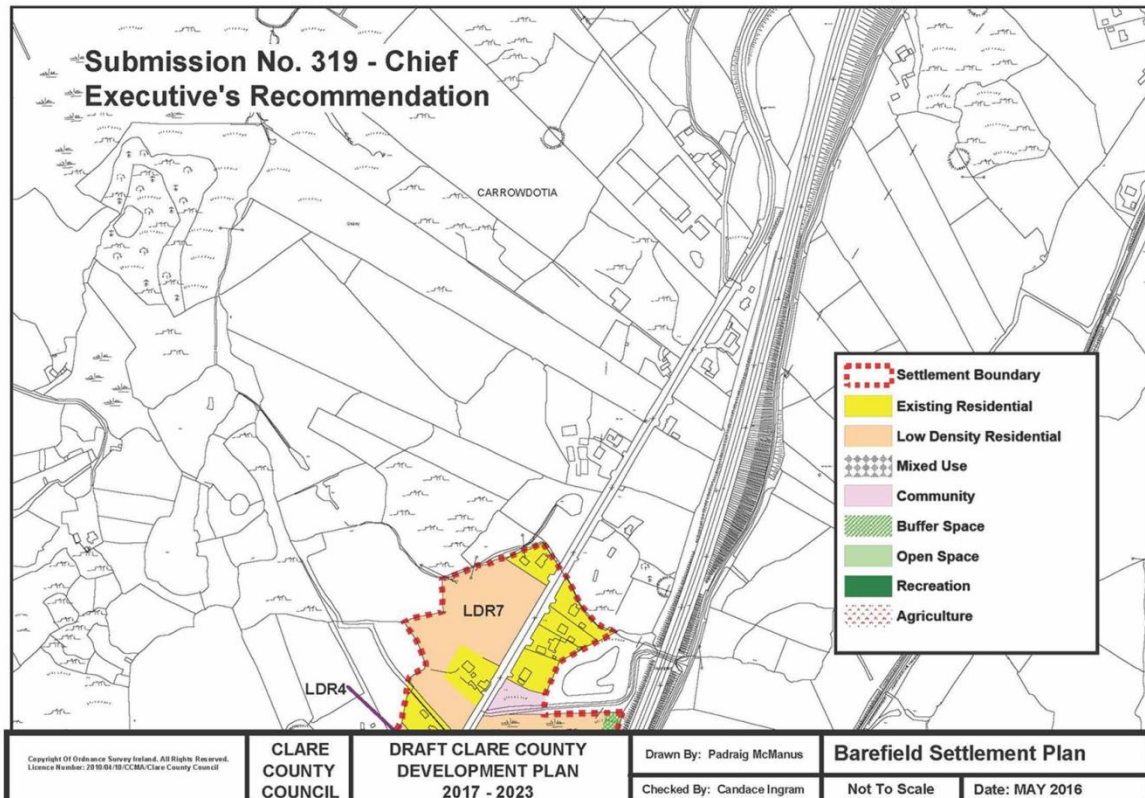
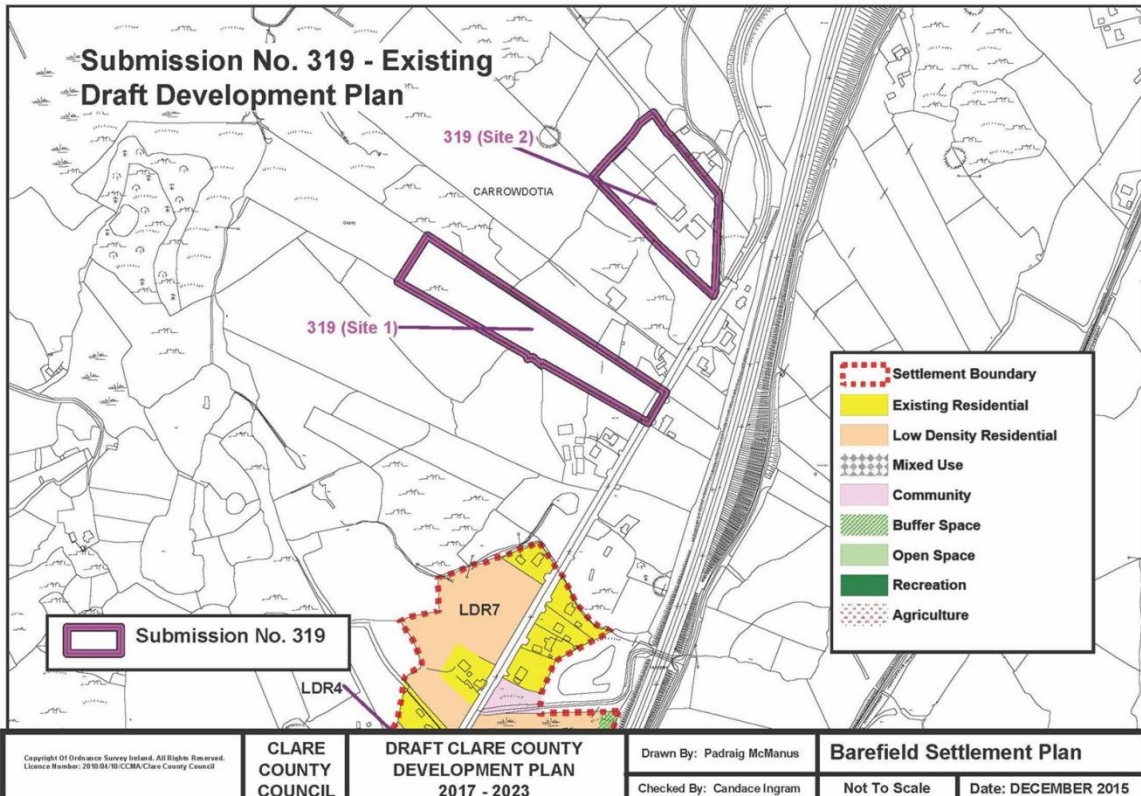
Chief Executive's Response

I wish to thank Drumquin Construction Ltd. for their submission. The subject lands are located to the north of Barefield village and permission for the development currently taking place on the site was granted under a policy in the Ennis and Environs Development Plan 2008 that allowed for an in-depth development of up to six houses in a rural area subject to certain criteria. It was accepted at that time the location was rural in nature and there have been no significant changes since that time.

The subject site does not directly adjoin the settlement boundary and therefore the inclusion of these lands within the Barefield settlement boundary would result in a significant expansion of the settlement in a northern direction. I do not consider this to be either necessary or appropriate. I note that the Light Industrial lands are at an even greater distance from the core of the village and their inclusion would expand the settlement boundary approximately half a kilometre further north. I consider that this would be contrary to the proper planning and sustainable development of Barefield village.

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. 320 Padraig Howard

Key Words: Policy, Housing, Kilmaley, Barefield, Access and Movement, Physical Infrastructure

Summary of the Issues Raised in the Submission

This submission makes observations on the draft Plan as follows:

- The author submits that there should not be any further tightening of housing restrictions in the open countryside and that rural people should be permitted to live and return to live in the areas from which they originated;
- Areas within local villages and small towns should be identified to cater for the housing needs of the older population by providing clusters of assisted living and retirement housing. Example is the elderly day care centre and assisted living housing in Kilmaley village. The Development Plan should seek to support and further assist these positive developments;
- The village of Kilmaley has a clear capacity to grow and provide vital services for the surrounding hinterland and rural community and the author submits that lands further north of the village should be included in the settlement boundary so that small scale housing provision or further commercial services could be provided;
- The Council should identify the R474 as a direct route to Miltown Malbay/Spanish Point from the Western Relief road at the Beechpark roundabout, thus relieving pressure on the Inagh to Ennis N67 route.
- Barefield Village requires a village development plan and consideration to the designation of a commercial area that could serve as a motorway service station and a village centre at one location. The village requires additional zoned residential land and the extension of the settlement boundary to the west and north.
- Lands for the provision of employment and enterprise uses should be identified and the lands between the railway line and the M18 could be considered in this regard.

Chief Executive's Response

I thank Mr. Howard for his detailed and considered submission and I would like to respond to the issues raised as follows:

- The Draft Development Plan makes provision of local rural people to live in their local area. These provisions are set out in detail in Section 3.2.5 of the Draft Plan and I am satisfied that this issue is fully addressed.
- I agree that it is essential to cater for the housing needs of the elderly and this issue is addressed in Chapter 4 of the Draft Plan which supports the development of adaptable homes and housing for older people (Section 4.3.8). I also refer to my recommendation in relation to submission ref: 478 in which I recommend additions to Section 4.3.8 and Objective CDP4.10 in relation to nursing home development.
- In relation to the village of Kilmaley, I note that the Draft Plan supports the consolidation of the two core areas in the village but, having regard to the significant through-traffic on the R474, aims to concentrate development on the southern side of this road in order to minimise access on and off the main road. To support this objective a limited area of Mixed Use and Low Density Residential land has been zoned in the northern half of the village, at the junction with the R474 in order to create a definable entrance to the village. However I do not consider it appropriate to zone further lands for development in this area. All additional development should be concentrated to the south of the R474 so as to support the objectives for the growth of the village in the future.
- The N67, as a National Secondary Route, has a higher carrying capacity than the R474 Regional Route and is one of the main links between Ennis and west Clare. The Miltown Malbay road is sign-posted at the Beechpark roundabout on the N85 however any further signposting on the national route is matter for Transport Infrastructure Ireland and is not an issue can be addressed through the development plan process.
- In relation to Barefield, a settlement plan for the village is contained in Volume 3(a) of the Draft Plan and contains proposals for additional land for residential use in various parts of the village. The identification of sites for motorway service stations is led by Transport Infrastructure Ireland in accordance with *NRA Service Station Policy*.
- In relation to the zoning of lands for employment-generating development, such zoning takes place having regard to the scale of the settlement and its role and function in the wider area.

Barefield is a Large Village and as such it has the capacity to accommodate some small-scale enterprise development. However, the proximity of the village to the Hub Town of Ennis is a key consideration. It is desirable that enterprise and employment-generating uses will be directed to the Ennis area in order to consolidate development and growth and to ensure that the town reaches its full potential as County Town and as an identified Hub Town. I therefore do not consider it appropriate to zone the subject lands, which are located outside of the Barefield settlement to the east of the motorway, for enterprise 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. 321 Fergus Garvey

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. Garvey 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, exemplified by Roche (Ireland). 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

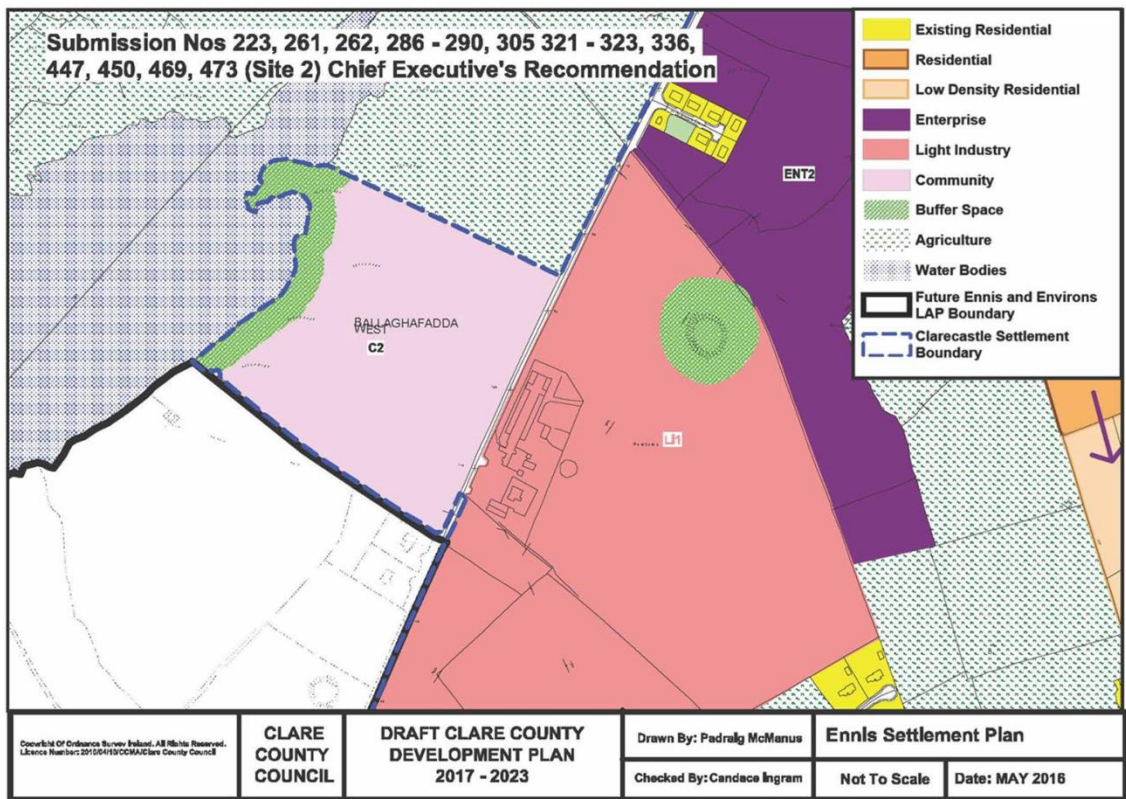
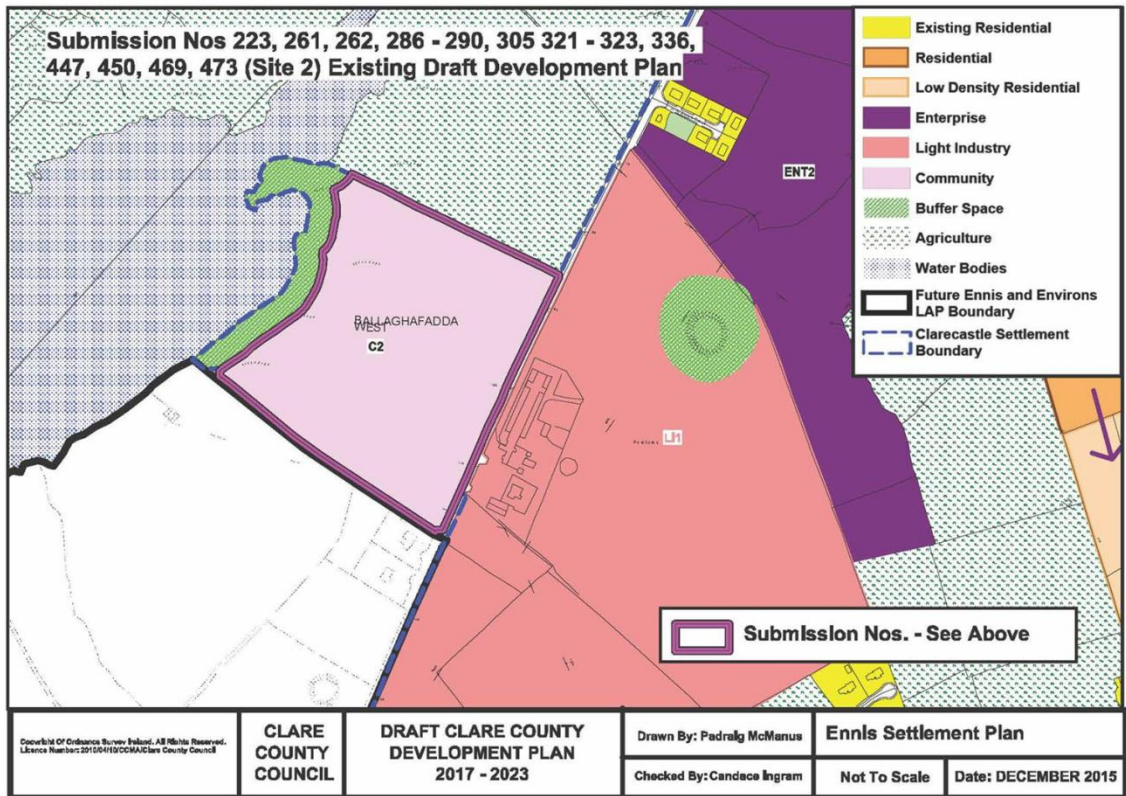
I acknowledge the concerns as raised in the submission, however I consider that this site is suitable for a crematorium, with potential for the co-location of a graveyard having regard to the location of same, which has excellent connections to the surrounding area and wider region, via the local, regional 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.

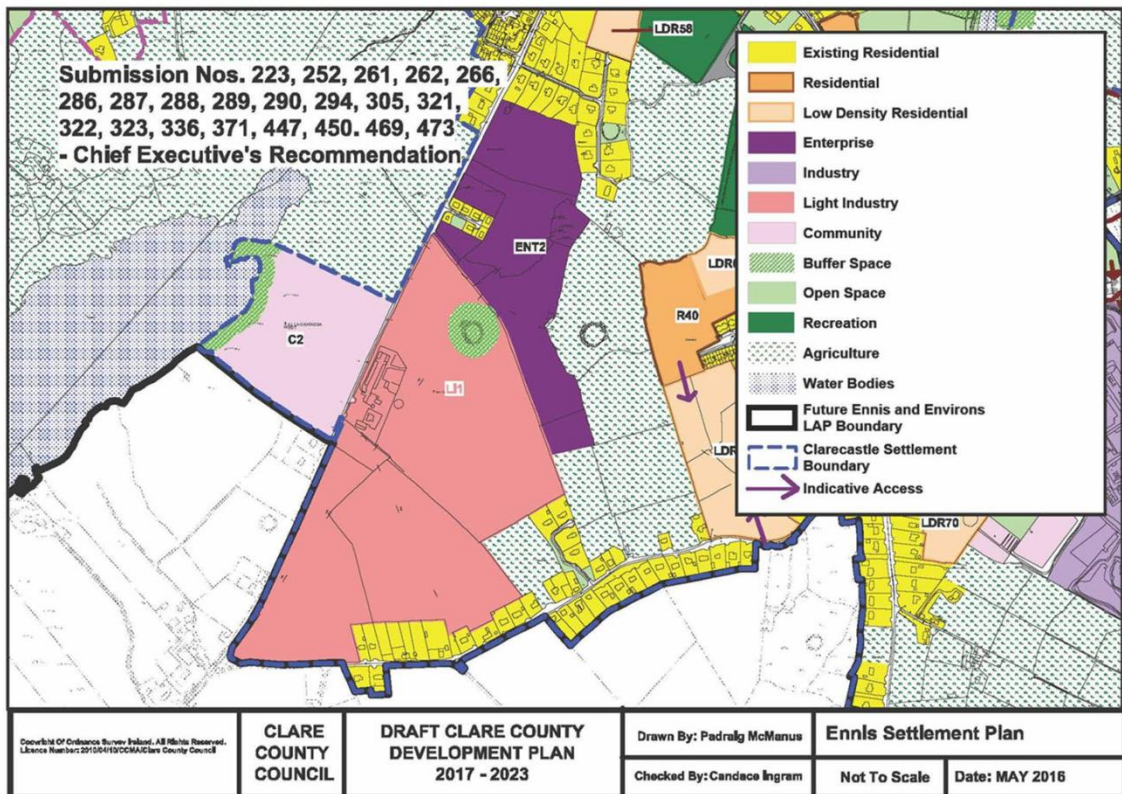
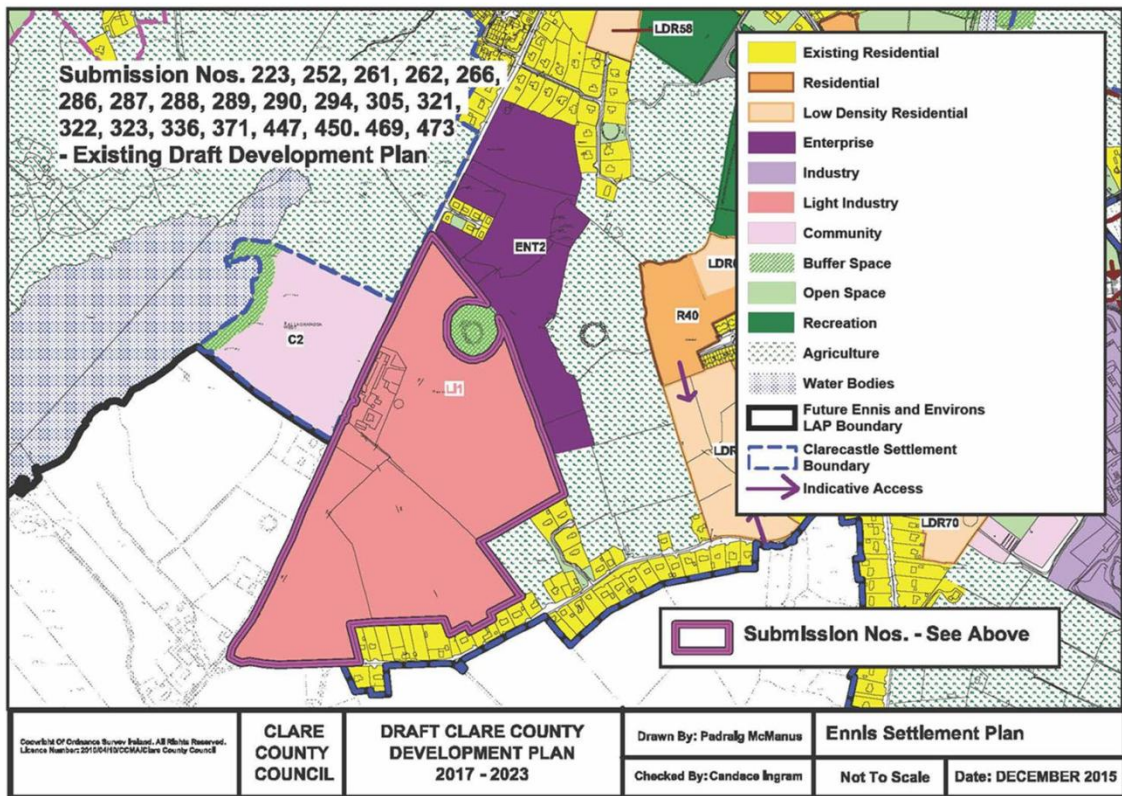
Chief Executive's Recommendation

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 study;
- Flood risk assessment





Ref. 322 Ronan Garvey

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. Garvey 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, exemplified by Roche (Ireland). 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 had 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.

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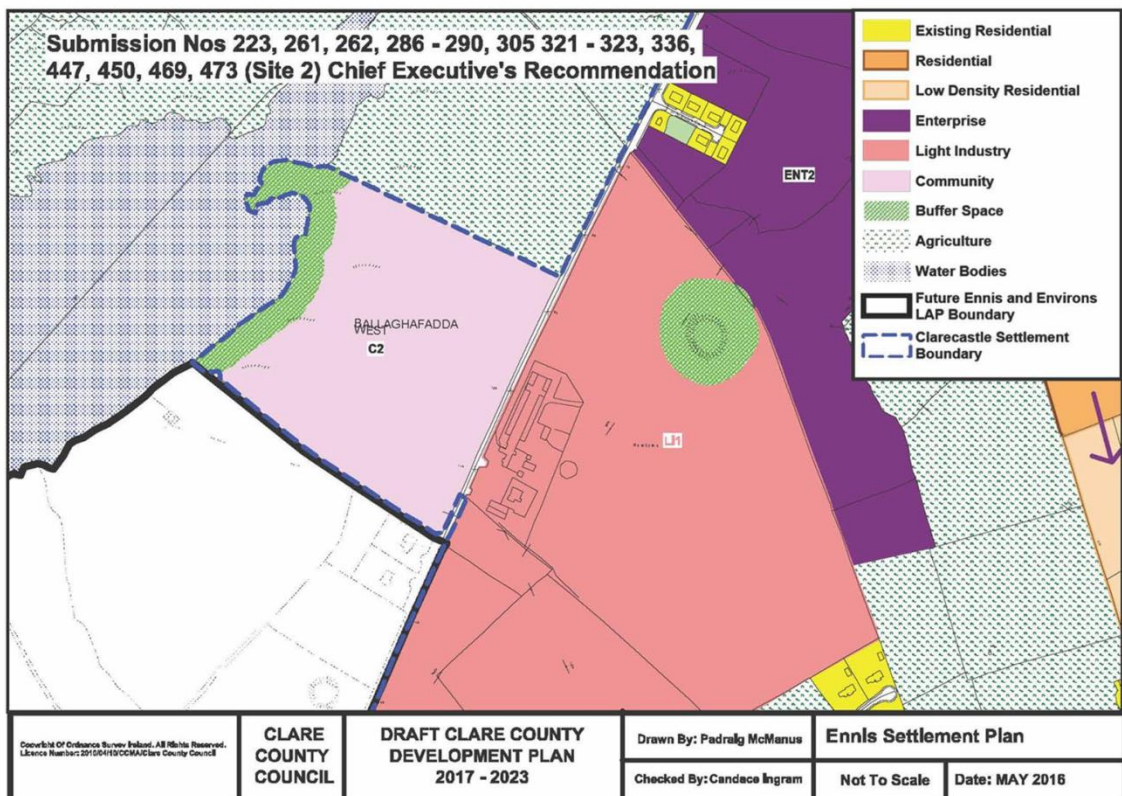
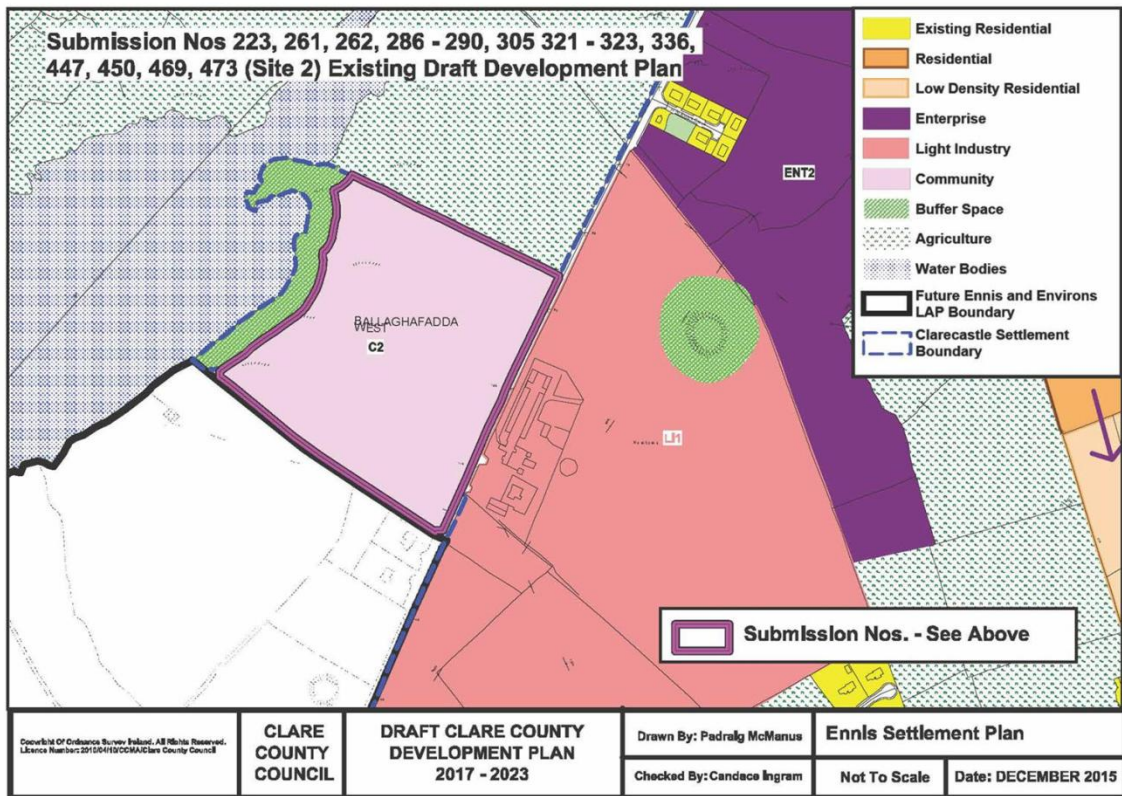
I acknowledge the concerns as raised in the submission, however I consider that this site is suitable for a crematorium, with potential for the co-location of a graveyard having regard to the location of same, which has excellent connections to the surrounding area and wider region, via the local, regional 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 study;
- Flood risk assessment



Ref. 323 Brendan and Monnina Garvey

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 Brendan and Monnina Garvey for their 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, exemplified by Roche (Ireland). 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

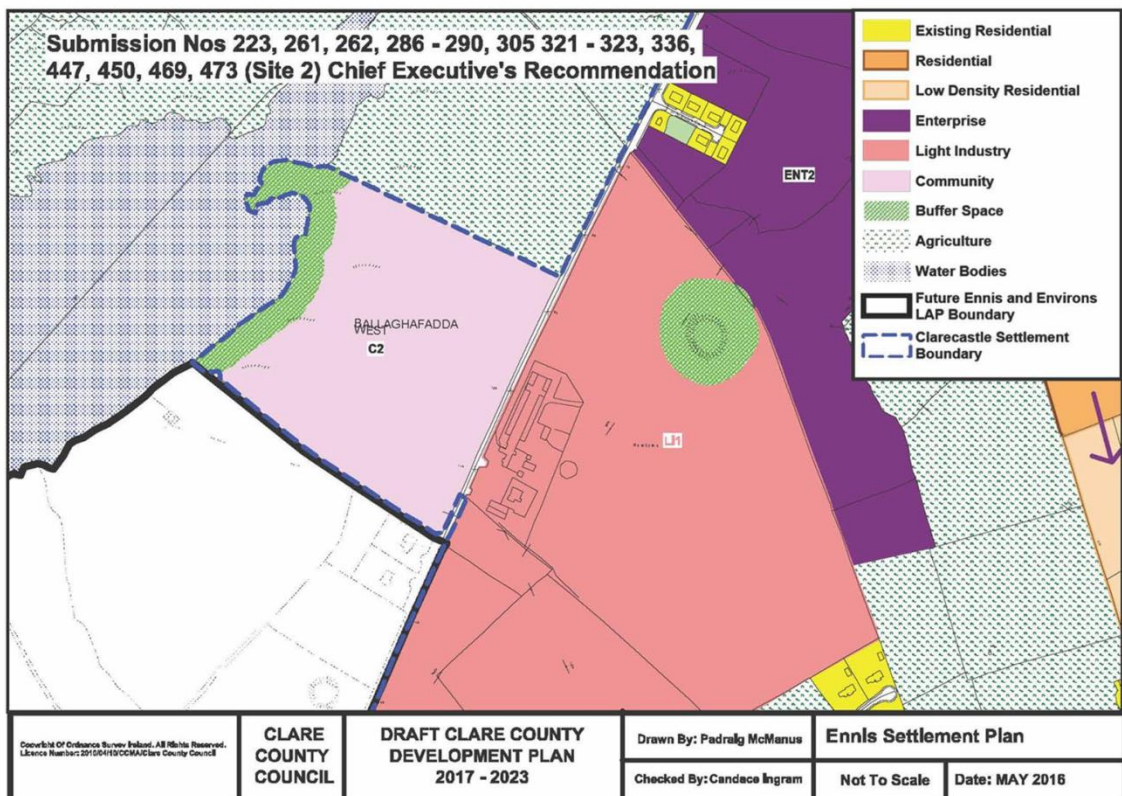
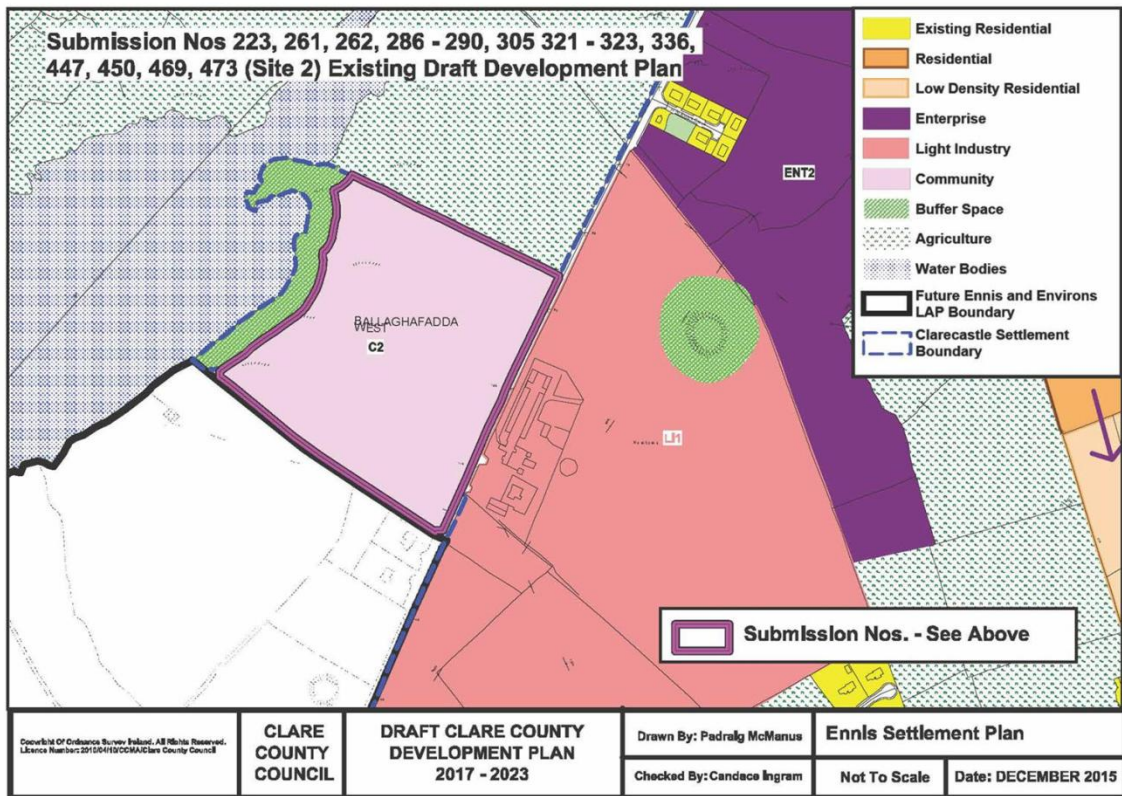
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Chief Executive's Recommendation

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:

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- 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 study;
- Flood risk assessment



Ref. 324 Cllr. Pádraig Ó Ceallaigh

Key Words: Policy, Wind Energy

Summary of the Issues Raised in the Submission

This submission relates to Clare Wind Energy Strategy 2011-2017 and to the author's concerns that it has not been reviewed as part of the preparation of the draft Plan due to the application of Circular 20-13 issued by the DoECLG in December 2013.

The submission requests the planning authority to:

Seek legal advice prior to the implementation of Circular 20-13

The author submits that the Clare WES cannot be deemed to comply with the requirements of the Habitats and Birds Directive as per letter dated 11/04/2014 to Clare County Council from the Department of Arts, Heritage and the Gaeltacht, copy attached to submission.

Chief Executive's Response

I thank Cllr. Ó Ceallaigh for his submission and I acknowledge the concerns that he has raised. The Council was restricted from reviewing the adopted Wind Energy Strategy as part of the preparation of the Draft Clare County Development Plan 2017-2023 and has committed, in Objective CDP8.39 (d) to prepare an updated Wind Energy Strategy for County Clare during the lifetime of the new development plan. The updated strategy will be prepared when the new national-level guidelines are available to the Council. It is essential that any county-level strategy is in line with higher national and regional strategies to ensure that conflicts between the strategies do not arise.

The approach taken by the Council in this regard is supported by The Department of Environment, Community and Local Government and the Southern Regional Assembly in their submissions on the Draft Plan (submissions 001 and 008 respectively) I am satisfied that the Council is precluded from reviewing the Wind Energy Strategy at this time and as such do not consider the need for legal advice in this regard.

In relation to the concerns raised by the Department of Arts, Heritage and the Gaeltacht in previous submissions I note and I agree that there have been changes to the number and extent of European sites in and adjoining County Clare (and indeed throughout the Country) since the WES was adopted in 2011 and that despite these changes the WES has not been revised to take these changes into account. In response, you will note the Council used the most up to date data sets available in the preparation of the Wind Energy Strategy Vol. 5 as part of the CDP 2011-2017. I note the NPWS website states that the data in SAC, SPA's, NHA's and pNHAs *"is undergoing constant change, both with regard to geographic extent and legal status due to appeal procedures and ongoing process of designations"*.

It would be unreasonable to expect all planning authorities to vary development plans when such constant changes are occurring. Recognising the implications of change in European sites however, you will recall the maps in Vol. 2 of the Draft Clare County Development Plan 2017-2023 showing such nature designations clearly states *'Map indicates nature designations on 8th December 2015 (Draft Clare County Development Plan 2017-2023). Applicants/ land owners are advised to consult with the NPWS to obtain the most up to date information'*.

Development Management can respond quickly to such constant changes in designation and the Council's record in responding to updated changes in designations via the requirement for Appropriate Assessment and the appropriate decision on planning applications is clear.

In this regard you will note the Council's decision to refuse permission for a wind energy development at Moneypoint (Pl. ref. 12/74) specifically due to the fact that the SPA site area (site code 004077) increased and there was not sufficient details in the NIS to overcome concern in relation it. Shragh Wind farm (Strategic Infrastructure application PI03.PA0025) was refused by An Bord Pleanála due in part to the impact on protected species. West Clare Renewable Energy Ltd's application for wind farm at Slieve Callan (Pl. ref 10/09) was permitted by Clare Co. Council

and modified by An Bord Pleanála who in their Direction made specific reference to the Wind Energy Strategy.

Notwithstanding the above, and whilst again reiterating the development management process utilises the most up to date SAC/ SPA designations at the time of determining planning applications, including applications for wind energy developments, in order to address the issue raised by the DAHG the following text was also included in Chapter 9 “Onshore Wind” of the Clare Renewable Energy Strategy contained in Volume 6 of the CDP.

It should be noted that nature designations including SAC’s, SPA’s, NHA’s and pNHA’s undergo constant change, both with regard to geographic extent and legal status due to appeal procedures and ongoing processes of designation. Changes to the designations may occur over the life time of the CCRES, which may not be reflected on the maps. Applicants/ land owners are advised to consult with the NPWS to obtain the most up to date information. In the assessment of any planning application for wind energy or other renewable energy development Clare County Council will have regard to the most up to date nature designation boundaries and the consequent requirements and obligations under the Habitat Directive and associated Regulations.

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. 325 Environmental Planning Consultants on behalf of Pat Clancy

Key Words: Ennis

Summary of the Issues raised in the Submission

This submission refers to 2 no. separate parcels of land owned by the above in the townland of Ballybeg. An accompanying map identifies the location of site no.1 with an area of approximately 1.59 ha and site no.2 with an area of approximately 6.07 ha which are both currently zoned "Other Settlement Land" within the Ennis Settlement Boundary. It is proposed to rezone both sites as "Agricultural" use and amend the settlement boundary so that they will be outside the settlement boundary in the draft Plan.

The submission requests that the planning authority extend the proposed Ennis settlement boundary to include the subject lands and zone the lands as "Low Density Residential".

It is submitted that as the proposed zoning for the areas of land immediately surrounding the subject lands is "Existing Residential", a low density approach to his clients' landholding would create additional contiguous land to be developed within the existing residential area.

Chief Executive's Response

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

The extent of land required for residential uses in the Ennis and Environs area is determined in the Core Strategy, as contained in Volume 1 of the Draft Plan. In determining the 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 AA process and the Water Framework Directive. In addition site specific land use issues were considered. These criteria include, inter alia, the availability of services, sequential test, flood risk assessment, planning history, consolidation or urban form etc. The subject site is not serviced by waste water infrastructure and is not located in an area identified for growth. From a sequential point of view the site is removed from the core built up areas of Ennis and Clarecastle and would not contribute to the consolidation of the urban form.

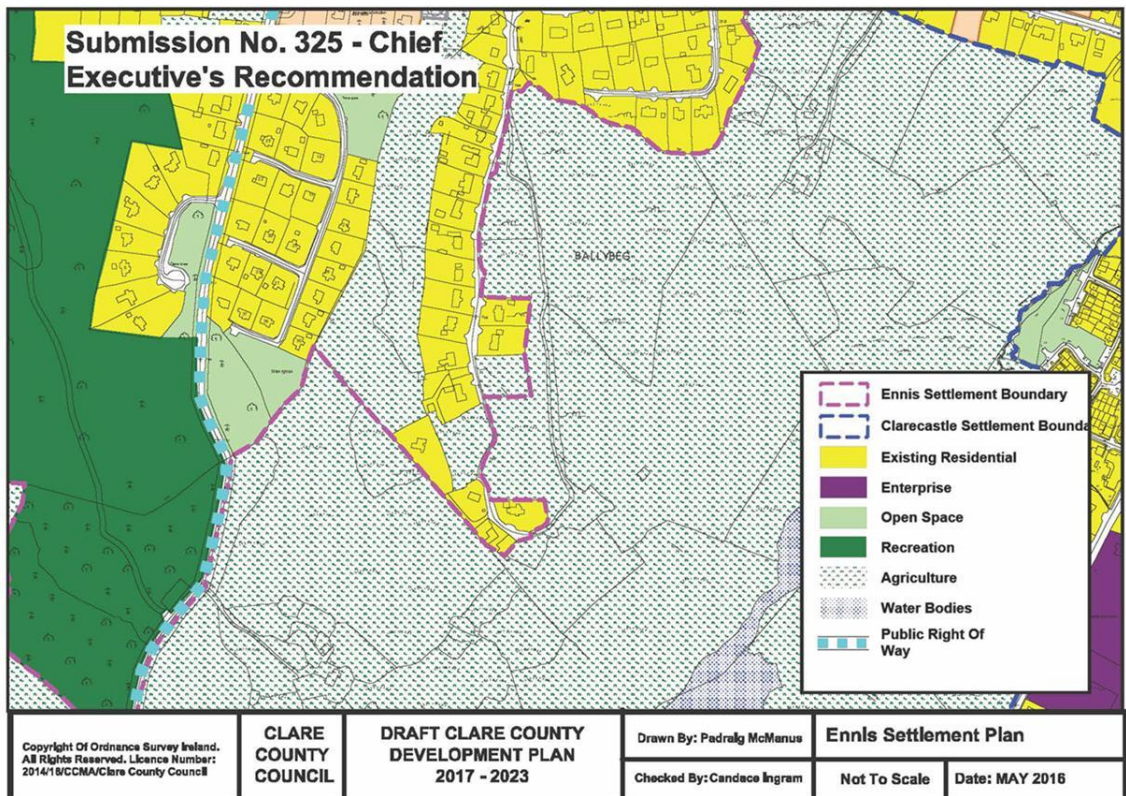
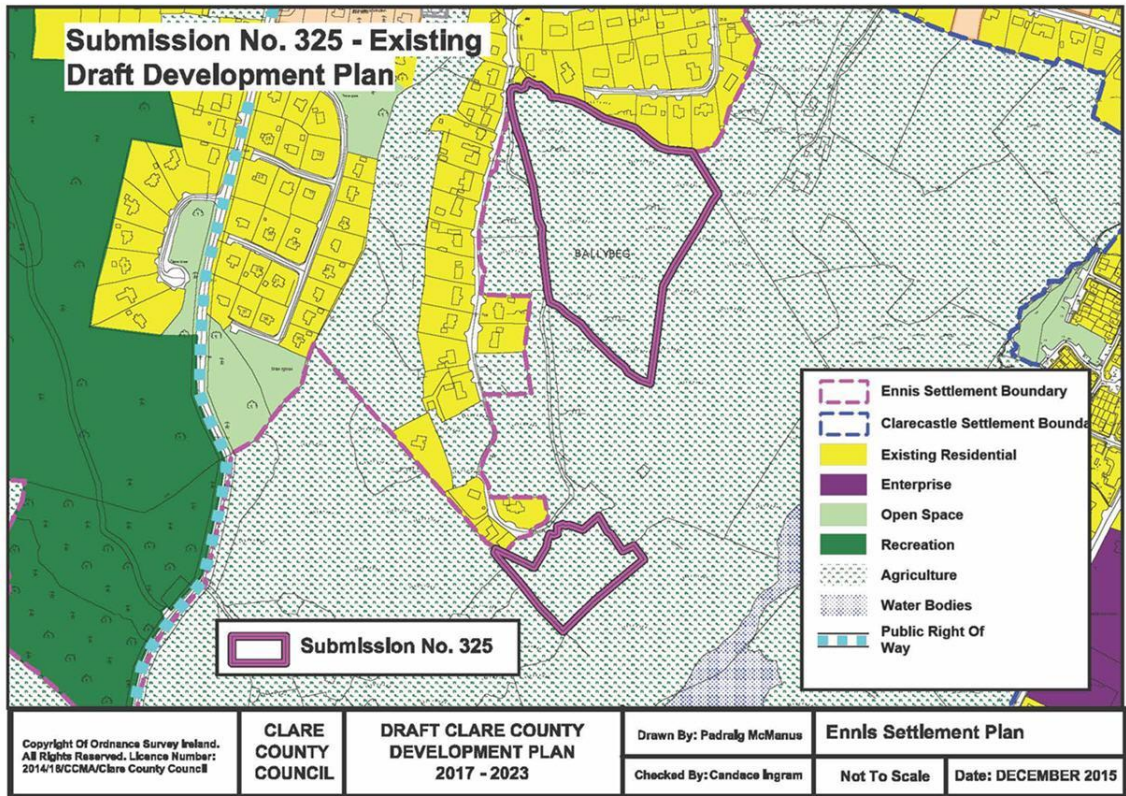
I also note that both areas of land are in close proximity to Ballybeg Lake. The surface water catchment inputting to Ballybeg Lake covers a limited area. Therefore, while there may be some contribution from surface water, the most significant contribution to water in the lake is from groundwater sources. Ballybeg Lake is within a karstified limestone aquifer which the Geological Survey of Ireland has classified as being within Category X – Extreme Vulnerability. This is where the bedrock is at or within a meter of the surface and leads to extreme vulnerability.

The Water Framework Directive has assigned Ballybeg Lake a 'hypertrophic' status (i.e. it has been excessively enriched with nutrients). This status was assigned to the lake having regard to the high concentration of septic tanks in the area (Rockmount, Ballybeg estate and Silvergrove to the north, residential development along the Kiladysert Road to the east and south and residential development to west in the Newhall and Ballyea areas). It is highly likely that a combination of agricultural activity and septic tank concentration is contributing to the deterioration in the water quality in the lake.

Having regard to the foregoing issues I do not consider it appropriate to zone the subject site for residential/low density residential 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. 326 P. Coleman & Associates on behalf of Fenloe Property Developments Ltd.

Keywords: Clarecastle

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Ballaghfadda, West, Kildysart Road, Clarecastle just off the main R473 Kiladysart Road which is on its eastern boundary. An accompanying map identifies the location of the subject site which is approximately 8.9 ha and currently in use for agricultural grazing. The land is bound to the west by Ballybeg lake and by agricultural lands primarily to its south and north. This majority of the site is currently zoned "Residential" with a section to the west backing onto Ballybeg lake zoned as "Open Space". It is proposed to rezone the land as "Community C2" with the section along the lakeshore edge zoned as "Buffer Space" in the draft Plan.

The submission requests the planning authority to adopt the proposed "Commercial C2" zoning objective

The authors' client supports the above proposed zoning on the basis that there is an identified need for a crematorium with integrated graveyard which would be of strategic, regional and social importance and would serve the entire County of Clare and beyond. The subject lands are located in a quiet and tranquil setting appropriate for the sensitive needs of a crematorium. They submit that the lands are suitable for infrastructural services and has no history of flooding.

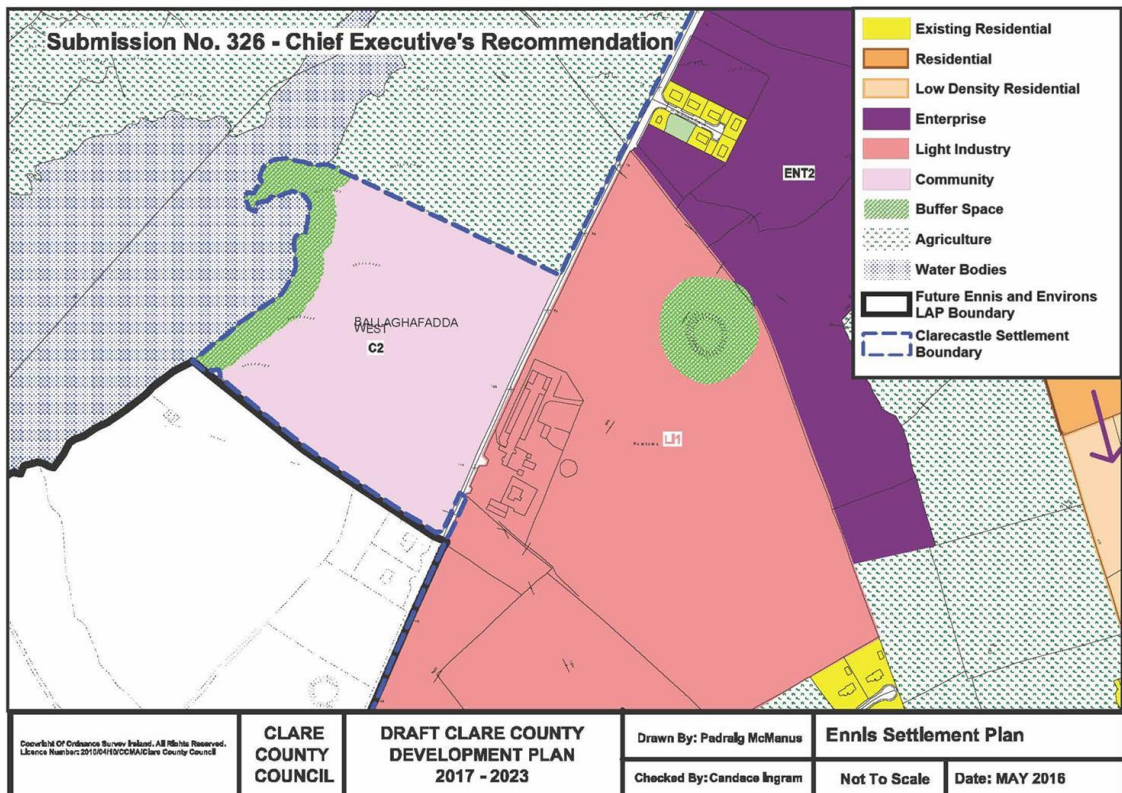
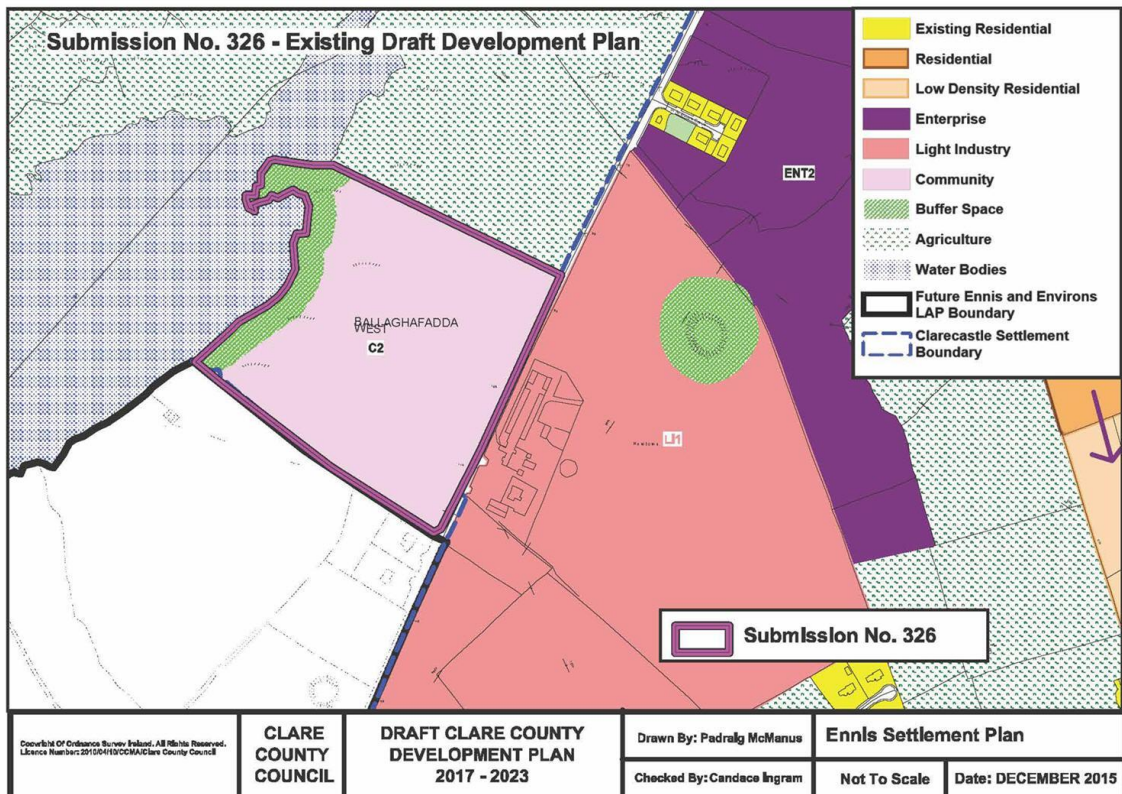
A Stage 1 Natura 2000 Screening Statement on the subject lands concluded that the proposed development should not have a negative impact on the conservation objectives of the Newhall and Edenvale SAC located approximately 700 metres from the subject land.

Chief Executive's Response

I wish to thank Fenloe Properties Ltd. for their submission. I note that the submission refers to "Commercial" zoning for the site however having reviewed the submission I consider this to be a typographical error and I assume that the landowner meant "Community" in its place. I note Fenloe Properties Ltd. supports community zoning on this site. 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 Draft Clare County Development Plan 2017-2023 on the basis of this submission.



Ref. 327 P. Coleman & Associates on behalf of Hartnett Homes and Estate Developers Ltd.

Key Words: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands identified as Parcel A and Parcel B owned by the above at Cahircalla More/Ashine, Kilrush Road, Ennis which are currently inside the Ennis & Environs Plan Boundary but outside the Ennis Settlement Boundary. An accompanying map identifies the location of all the landowners' property in the area which has been divided into nine separate parcels of land (A-I). Parcels A & B are located on the northern side of the N68 with the northern and eastern boundaries being surrounded by agricultural land. This land is currently zoned "Open Countryside" and is classified as being within an "Area under strong urban pressure". It is proposed to rezone the land as "Existing Residential" and that the Ennis Settlement Boundary is to be extended to include the subject parcels of land in the draft Plan.

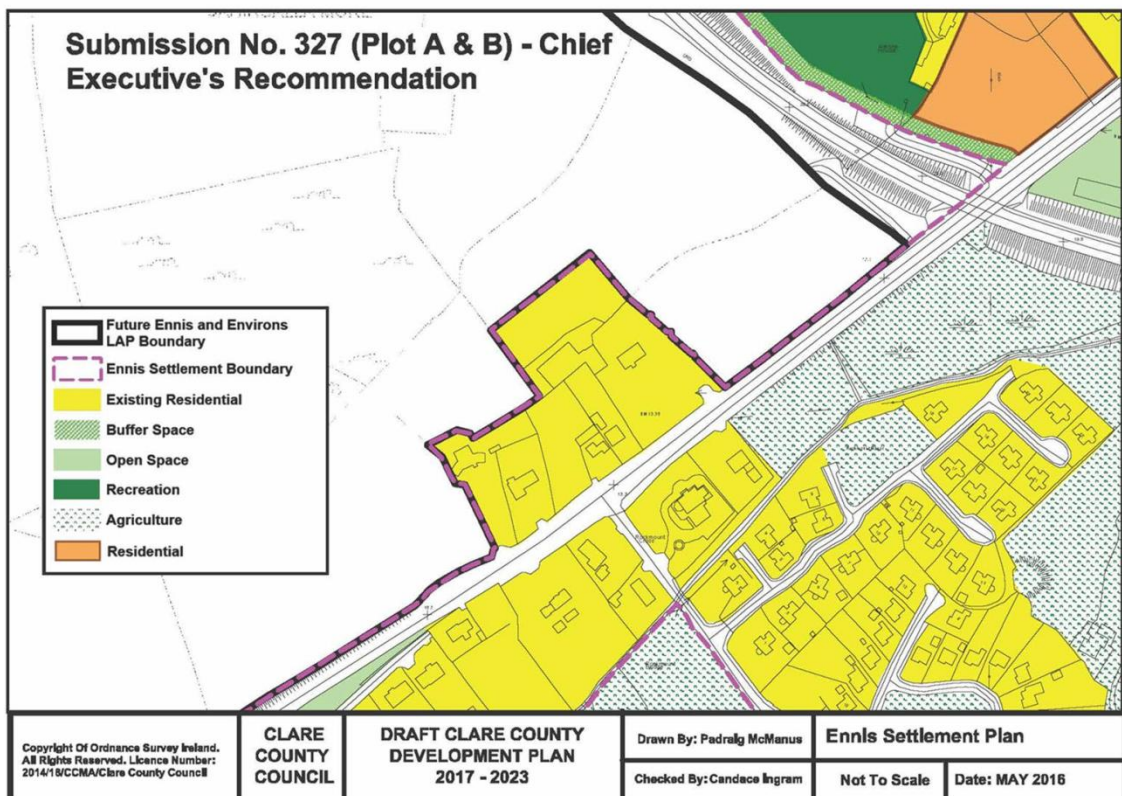
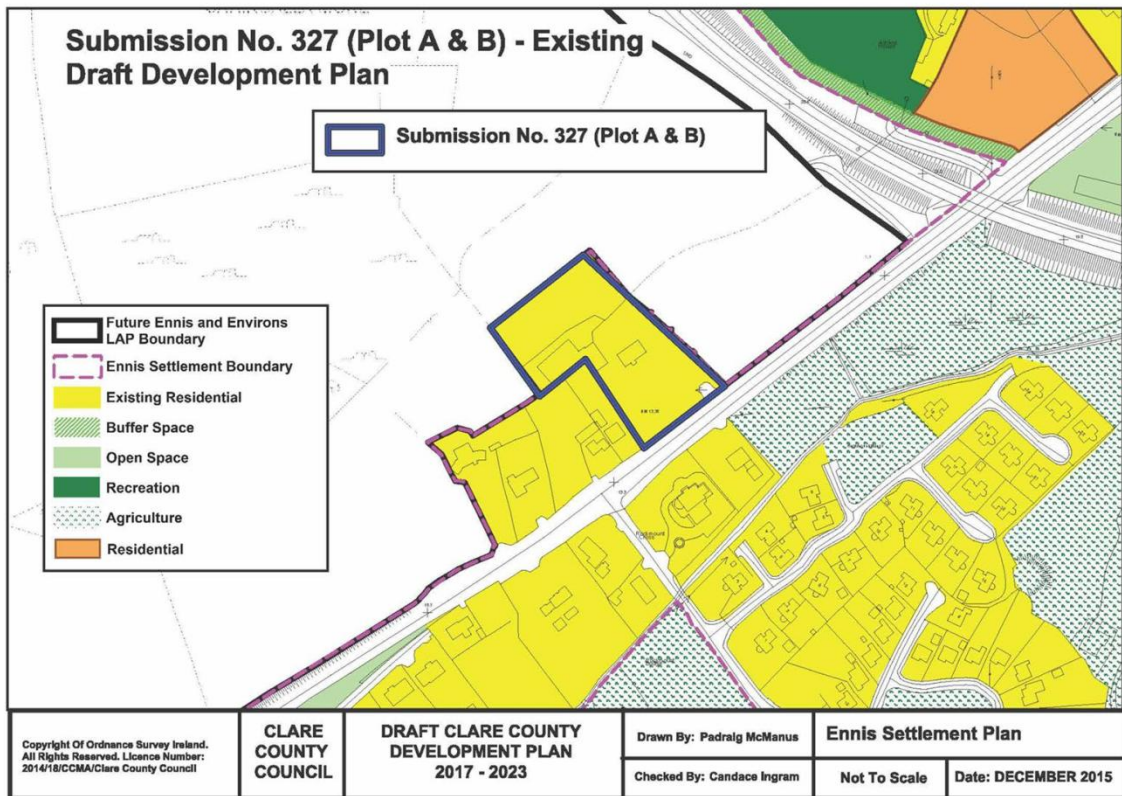
This submission supports the proposed "Existing Residential" zoning objective and supports the extension of the Ennis Settlement boundary to include Parcel A and Parcel B.

Chief Executive's Response

I acknowledge this submission from Hartnett Homes and Estate Developers Ltd. and I note that they support the zoning that has been applied to the subject lands in the Ashline/Cahircalla More area of the Ennis Settlement Plan.

Chief Executive's Recommendation

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



Ref. 328 P. Coleman and Associates on behalf of Hartnett Homes and Estate Developers Ltd.

Key words: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands identified as Parcels C & D owned by Hartnett Homes and Estate Developers Ltd. at Cahircalla More / Ashline, Kilrush Road, Ennis. An accompanying map identifies the location of all the landowners property in the area which has been divided into 9 no. separate parcels of land (A-I).

Parcel C is currently used for agricultural grazing and is currently zoned "Open Countryside" and is within the Ennis & Environs Boundary but just outside the Settlement Boundary. It is not proposed to bring it inside the Ennis Settlement Boundary in the draft Plan and will therefore not be zoned for development purposes.

Parcel D is currently zoned "Other Settlement Land" and currently lies inside the Ennis Settlement Boundary. It is proposed to rezone Parcel D to "Agricultural" in the draft Plan.

The submission requests the planning authority to:

- Rezone Parcel C and Parcel D to "Low Density Residential"
- Extend Ennis settlement Plan Boundary to include Parcel C.

The submission notes that these lands are ideally suited to a low density residential use or as serviced sites which would provide an alternative to one-off rural housing.

It is submitted that a "Low Density Residential" zoning objective would be compatible with the adjoining residential land uses and pattern of development in the area. Furthermore, the author submits that Parcels C & D are more strategically located than other lands at Drumcarnmore on the N85 which was previously zoned as "Other Settlement Land" and is now proposed to be rezoned "Low Density Residential" and requests a similar approach for these lands.

Zoning of Parcels C & D would consolidate the existing clusters of residential dwellings on the west and eastern side of the N68 at this location. The lands are located within the 60 kph speed limit zone.

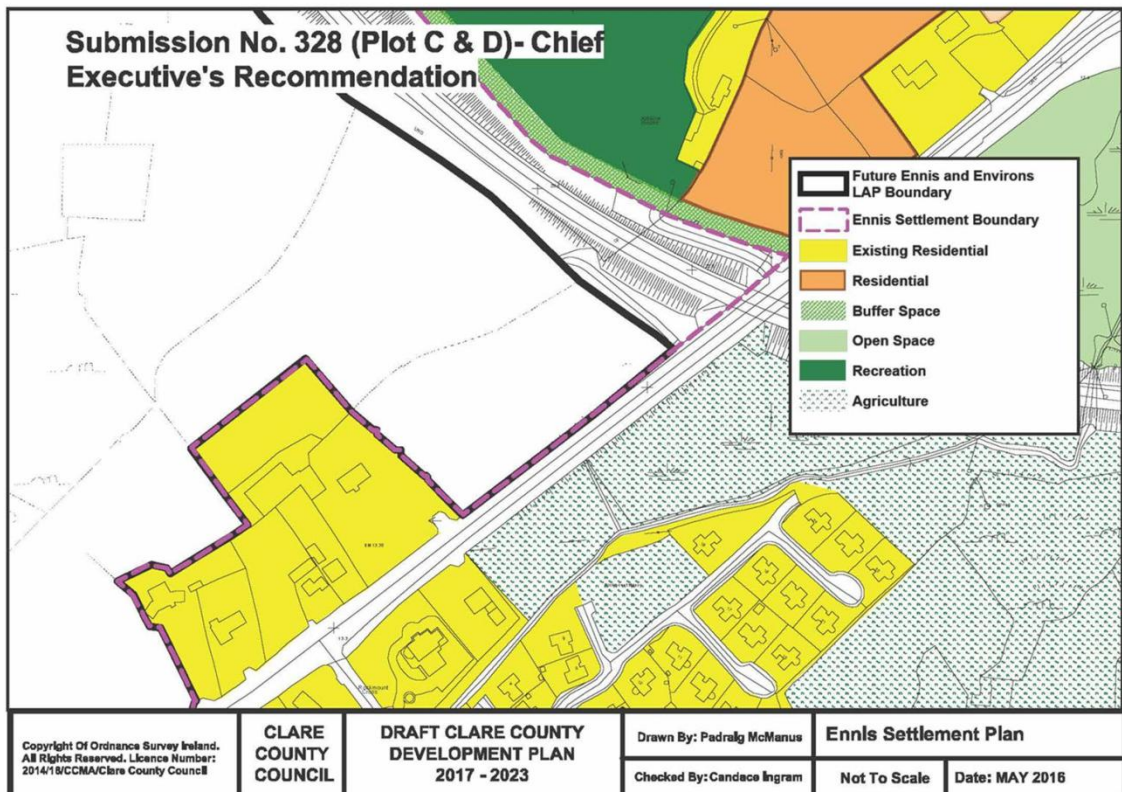
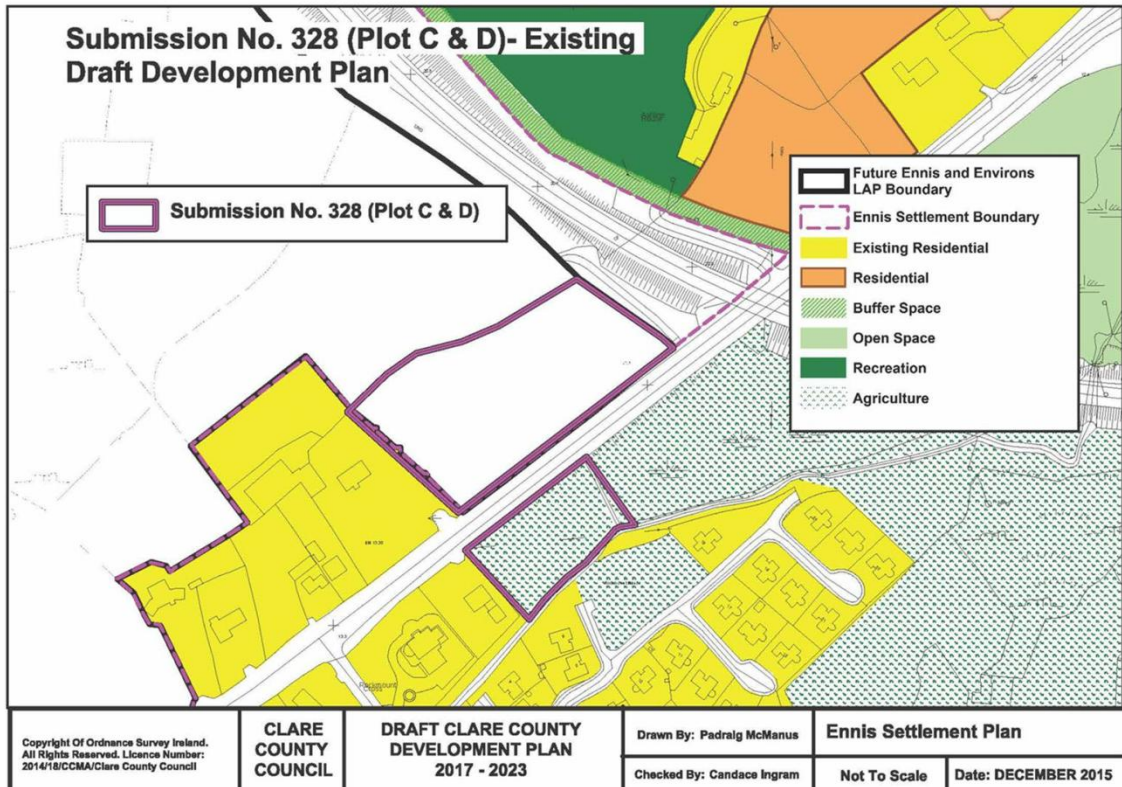
Chief Executive's Response

I wish to thank Harnett Homes and Estate Developers Ltd. for its submission. I do not agree that it is appropriate to rezone Plot C and Plot D as low density residential. These sites provide an essential break in development between the built up area of Ennis and the countryside west of the N85. It should be noted that the zoning map generally proposes zoning of agriculture, buffer space and open space to the west of the N85 in order to spatially separate the built up area of Ennis from the surrounding countryside. Additionally, I note that residential zoning is determined having regard to the core strategy. The quantum of land included is in compliance with the populations targets as set out in the Mid West Regional Planning Guidelines 2010- 2022. 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.

Furthermore, it is noted that Plot C is located within Flood Zone C, while 95% of Plot D is within Flood Zone A according to Clare County Council Mapping. The Draft CFRAM maps confirm that >50% of the site is within Flood Zone A/B. As the majority of plot D is within Flood Zone A/B it is therefore not suitable for residential development and could not pass the Justification Test.

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. 329 P. Coleman & Associates on behalf of Hartnett Homes and Estate Developers Ltd.

Key Words: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands identified as Parcel E owned by the above at Cahircalla More /Ashline, Kilrush Road, Ennis An accompanying map identifies the location of all the landowners property in the area which has been divided into 9 no. separate parcels of land (A-I).

Parcel E is located on the eastern side of the N85 Western Relief Road and includes a residential dwelling with a saddlery business and private equestrian facilities with a large part of the land used for agricultural purposes. Parcel E is currently zoned "Proposal Site PS5" and is within the Ennis Settlement Boundary. It is proposed to sub-divide the site into individual plots with three particular zoning objectives attached to each plot in the draft Plan as below.

This submission:

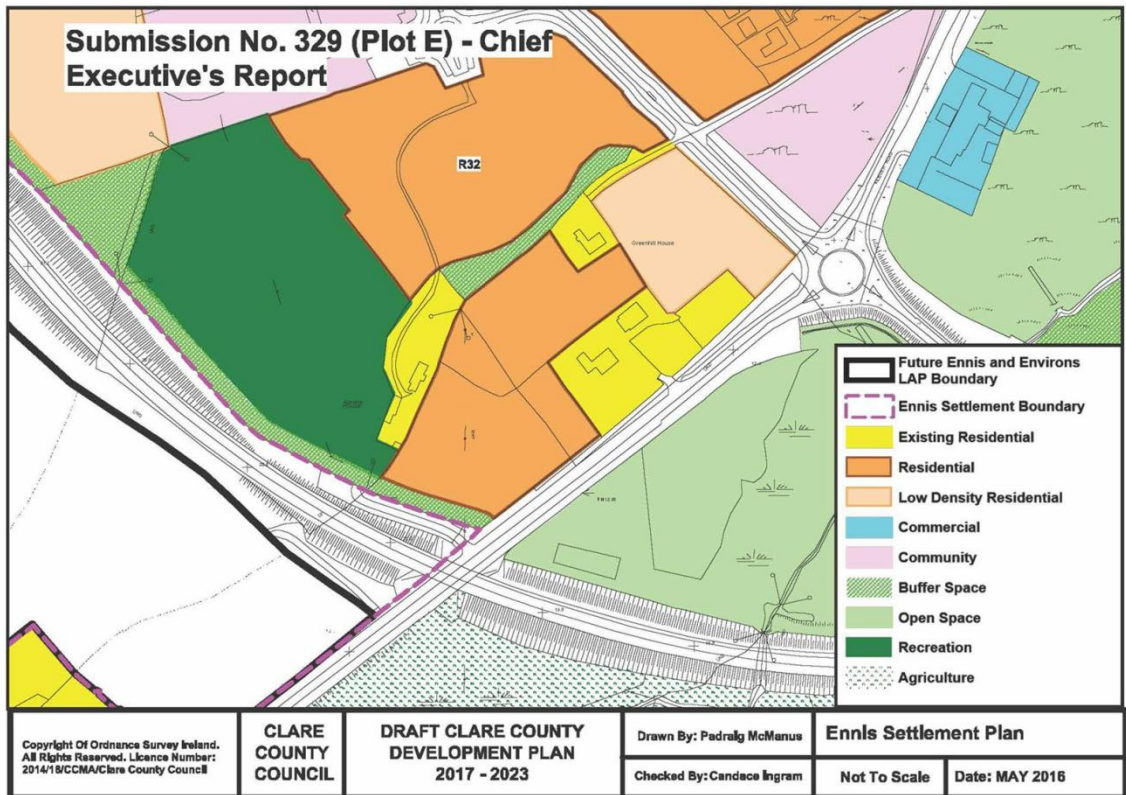
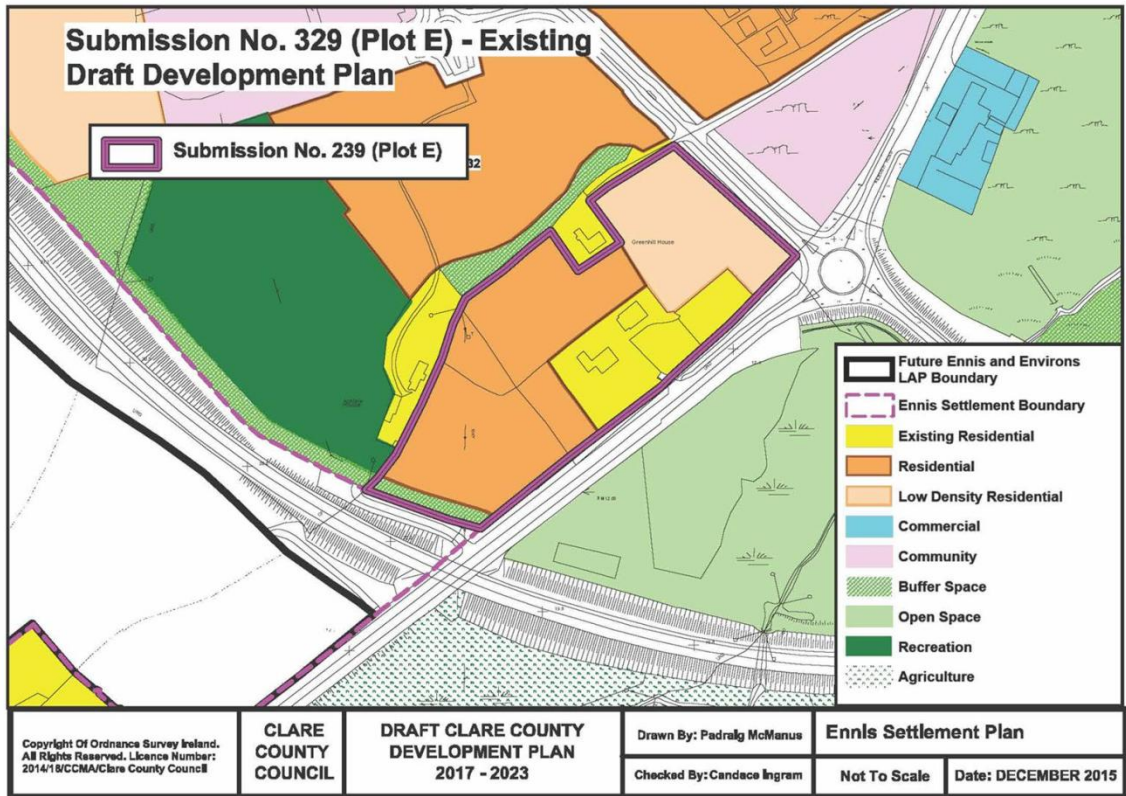
- Supports the proposed "Existing Residential" zoning objective
- Supports the proposed "Low Density Residential" zoning objective
- Supports the proposed "Residential" zoning objective

Chief Executive's Response

I acknowledge this submission from Hartnett Homes and Estate Developers Ltd. and I note that they support the zoning that has been applied the subject lands in the Ashline/Cahircalla More area of the Ennis Settlement Plan.

Chief Executive's Recommendation

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



Ref. 330 P. Coleman & Associates on behalf of Hartnett Homes and Estate Developers Ltd.

Key Words: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands identified as Parcel F owned by the above at Cahircalla More /Ashline, Kilrush Road, Ennis. An accompanying map identifies the location of all the landowner's property in the area which has been divided into 9 no. separate parcels of land (A-I).

Parcel F is located on the eastern side of the new access road to Ennis National School and the N68 forms its full southern boundary while the northern boundary is bound by a green route/access laneway from the Kilrush Road to the newly constructed access road servicing Ennis National School. Parcel F is relatively flat and contains some mature trees. Parcel F is zoned "Proposal Site PS5" in the Ennis and Environs Development Plan 2008 – 2014, as varied, and is within the Ennis Settlement Boundary. It is proposed to zone the site "Community" in the Draft Plan.

The submission requests that the planning authority rezone Parcel F to "Mixed Use" or "Commercial" zoning objective.

The author submits that such zoning would support the development of a sustainable community at this location and could support a range of different uses. It is an opportunity site for a landmark building and has the potential to accommodate a range of uses including offices, restaurant, hotel/guest accommodation and other uses which are lacking in the area at present.

The author further submits that Parcel F is more ideally suited to a neighbourhood centre than the "Com 6" site at Westpoint Business Park given its strategic location and the fact that it has the benefit of full infrastructural facilities.

Chief Executive's Response

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

It is an objective of the Draft Plan to ensure that each neighbourhood in Ennis is served by a range of community facilities and amenities in order to secure a high quality of life for all residents. The subject site, being in close proximity to the national school, the identified site for a neighbourhood centre and the surrounding residential areas, was identified as being suitable for the provision of community playground/play facilities. It was thus zoned 'Community' in the Draft Plan to facilitate such development.

I note the points that have been put forward in the submission, particularly in relation to the potential to develop a landmark building on this site that would make a positive contribution to the approach to Ennis from the western side of the county and I consider this point to be of merit. I note also that this is a large site, with lands zoned for Community which are in excess of what would be required for the provision of a neighbourhood playground.

I therefore consider that some Commercial development could be accommodated on this site, but the development of playground must be integrated into any future commercial development taking place here. The neighbouring Westpoint Business Park will remain the preferred site for a neighbourhood centre in this area.

Chief Executive's Recommendation

I recommend that the zoning on this site be changed from Community to Commercial and that the following text be added to the Plan:

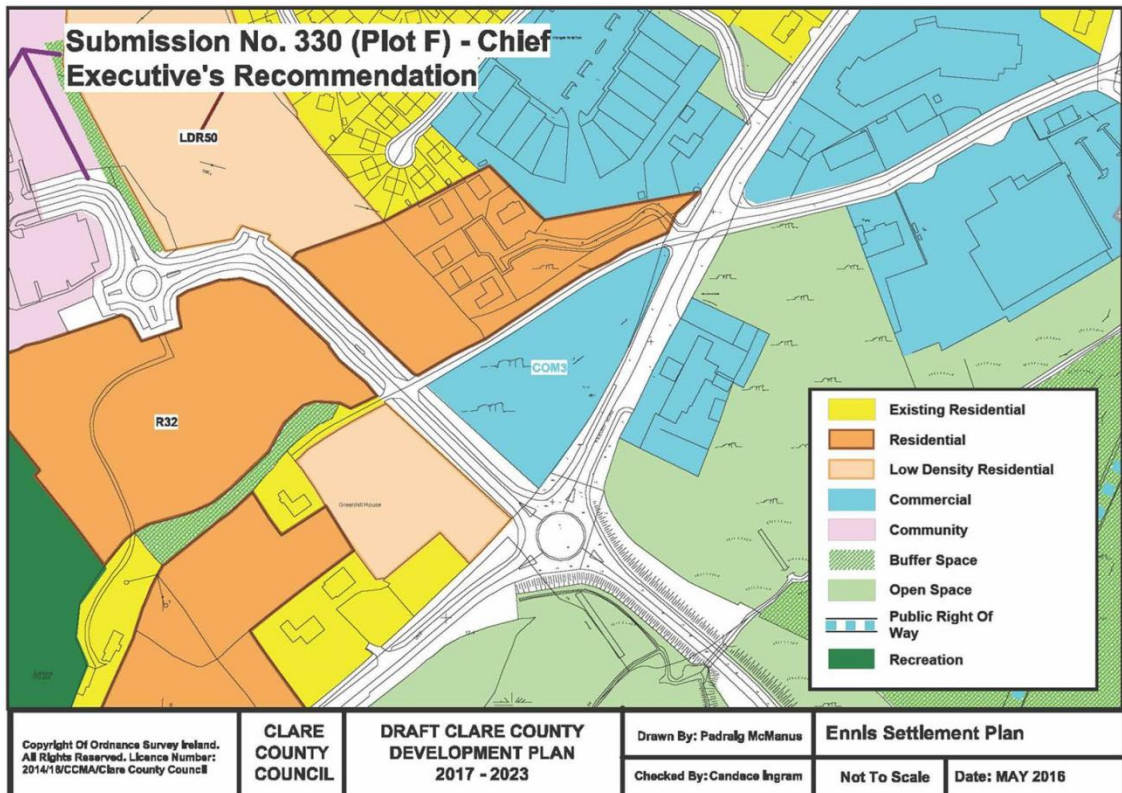
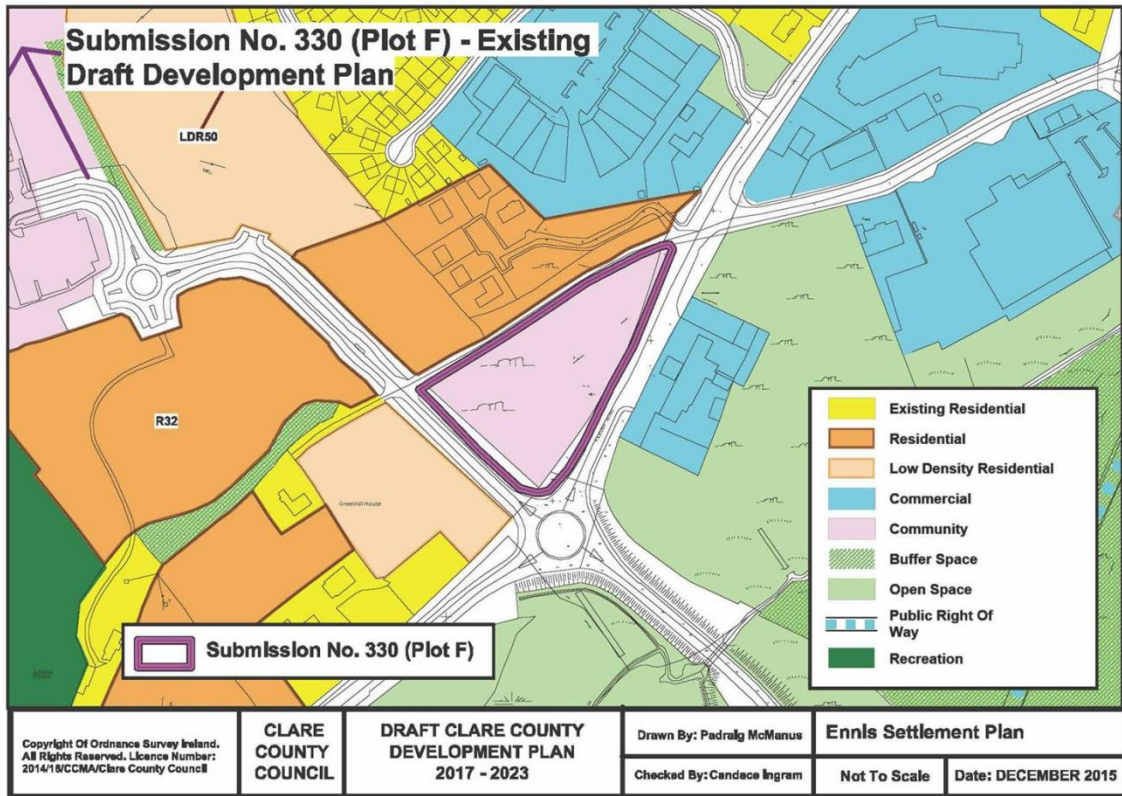
Volume 3(a) Ennis Municipal District

Site COM3

This site has been zoned for Commercial purposes. Future development proposals must provide for the development of a landmark building that will form a strong and attractive focal point on this approach to the town.

Development proposals on this site shall include the provision of a playground to serve the surrounding community. The playground shall provide play equipment/facilities for a variety of age groups and the layout of the overall site must ensure that the playground is conveniently located and overlooked. Safe pedestrian, cyclist and vehicular access to the play facilities must be provided.

Development proposals for this site must be accompanied by a transport and traffic assessment undertaken in accordance with NRA/TII Traffic and Transport Assessment Guidelines (2014). This must also include an assessment of the cumulative impact of traffic/transport generated by planned development in area on significant junctions in the vicinity.



Ref. 331 P. Coleman and Associates on behalf of Hartnett Homes and Estate Developers Ltd.

Key words: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands identified as Parcels G & H owned by Hartnett Homes and Estate Developers Ltd. at Cahircalla More / Ashline, Kilrush Road, Ennis. An accompanying map identifies the location of all the landowners property in the area which has been divided into 9 no. separate parcels of land (A-I).

Parcel G is presently occupied by O'Sullivan and Hansbury Petrol Station and ancillary services and is surrounded by Parcel H which is presently in agricultural use.

Parcel G is currently zoned "Petrol Station" and is within the Ennis Settlement Boundary and it is proposed to rezone it as "Commercial" in the draft Plan.

Parcel H is currently zoned "Commercial 4 – Retail Parks Commercial" and is within the Ennis Settlement Boundary and it is proposed to rezone it as "Open Space" in the draft Plan.

The submission requests the planning authority to adopt the proposed "Commercial" zoning for Parcel G and to rezone part of Parcel H as "Commercial" and rezone remainder of Parcel H as "Agriculture"

The submission considers that the full zoning of Parcel H lands as "Open Space" will restrict any future expansion of this existing cramped mixed use development. The continued provision of commercial/retail use on this parcel would support the development of a sustainable community at this location. The author further submits that it is their clients' view that there is a serious deficiency in the amount of commercially zoned lands to cater for new commercial developments in this area which will be required to support the existing and proposed new community. Parcel H has full infrastructural facilities.

The submission notes that as the remainder of the land in Parcel H is presently in agricultural use, rezoning as such would be a more appropriate zoning objective for this land than the proposed "Open Space" zoning objective. The author refers to the High Court case Mahon-v-An Bord Pleanala. They contend that a substantial amount of open space is provided for and proposed in this area which in their opinion will be more than adequate.

Chief Executive's Response

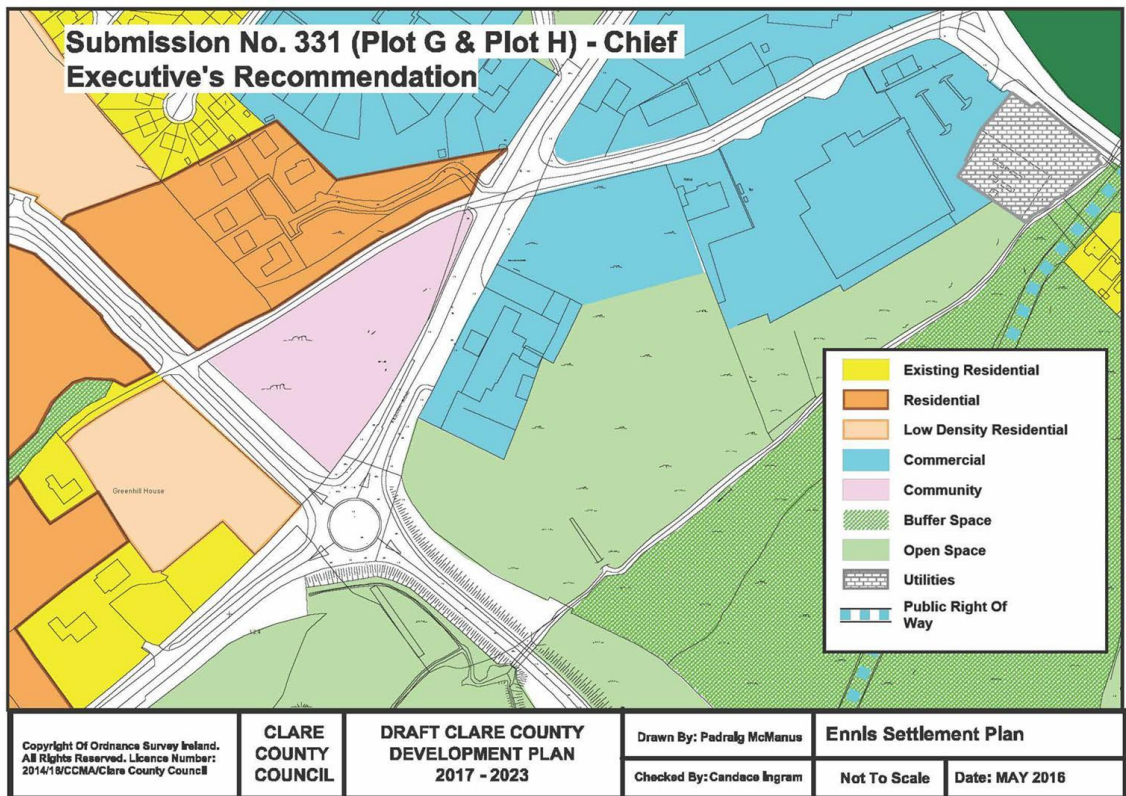
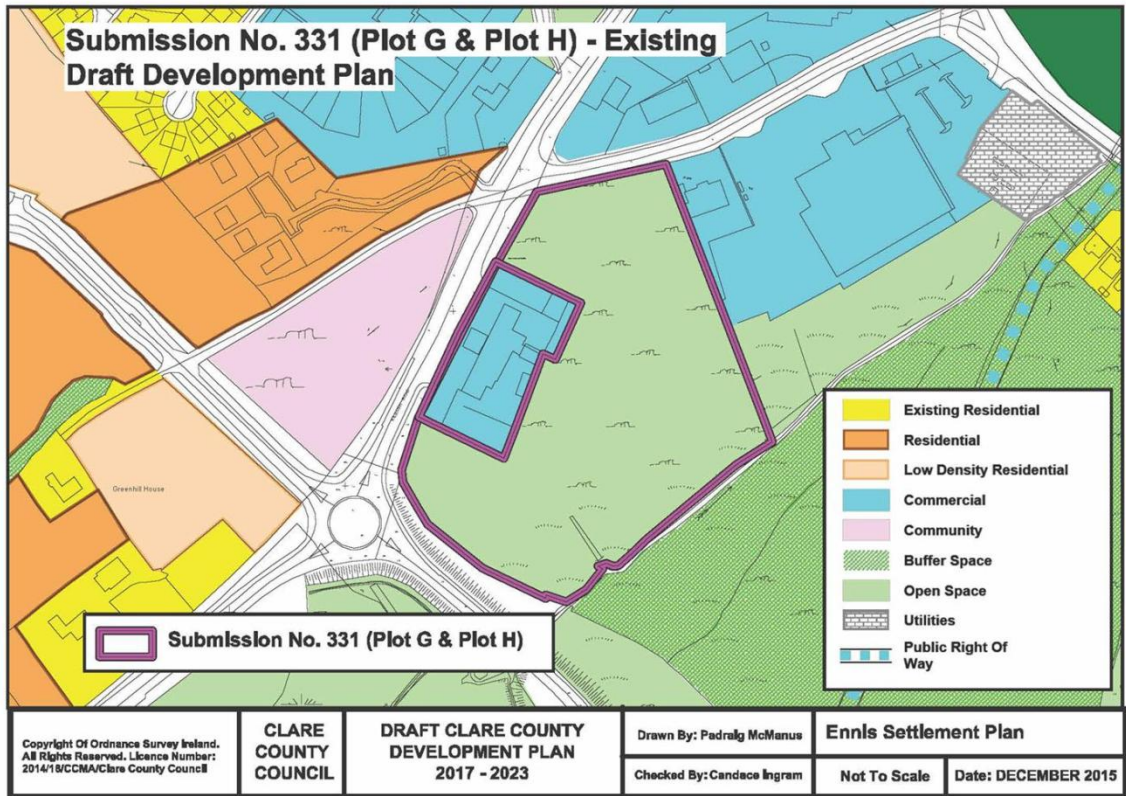
I wish to thank Hartnett Homes and Estate Developers Ltd. for its submission. I note that the owner is satisfied with the commercial zoning proposed on Plot G and wishes for this zoning to be adopted as part of the plan.

With regards to Plot H, I note that part of this plot (approximately half) is within Flood Zone A and part of this plot is known to have flooded historically, including in 2009. The proposal to extend commercial zoning into the north eastern portion of plot H could be considered provided that it is contained within Flood Zone B & C. I therefore agree to change portion of Plot H to commercial as per the map submitted on the basis that this section does not fall within flood Zone A and having regard to its proximity to the existing commercial use on the site adjacent. It is not considered appropriate that this land is to facilitate a neighbourhood centre.

As the remainder of Plot H is located within Flood Zone A, it is not considered appropriate to zone this land for vulnerable uses such as housing or commercial uses. I therefore consider that the open space zoning is appropriate in this instance.

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 Commercial in relation to the highlighted portion of land within Plot H as indicated on the map which accompanied submission no. 331.



Ref. 332 Frank McCarthy on behalf of Sixmilebridge Community Development Association

Key Words: Sixmilebridge, Access and Movement, Policy

Summary of the Issues Raised in the Submission

This submission looks at the Settlement Plan for Sixmilebridge and addresses a number of different issues as set out below:

Town Renewal

It is submitted that the recommendations contained in the Cunnane Stratton Reynolds Plan (2013) for Sixmilebridge should be implemented within the lifetime of the Clare County Development Plan 2017-2023;

- a) Retain the green river bank and keep it free of additional elements.
- b) The core areas need to incorporate continuous footways linked to well signed car-parking areas;
- c) Suitably develop the eastern side of the square which would help define and rebalance the form of the town.
- d) Maintain the integrity of the four Squares in the town centre;

Accessibility within Sixmilebridge and environs

- 1) Ensure that the entry points into the town on all 5 no. roads have simple but appropriate enhancement which should be combined with traffic calming on the Limerick, Shannon and Tulla roads.
- 2) The development of a walkway from Sixmilebridge to Bunratty should be promoted.
- 3) An accessibility audit is needed of the footpaths within the town.

Connectivity relative to Sixmilebridge

Retain, maintain and develop the rail service which is vital to the life and growth of Sixmilebridge and solving the flooding issue on the Ennis to Sixmilebridge rail line should be a priority of this Plan.

Chief Executive's Response

I thank the Sixmilebridge Community Development Association for their submission and reply as follows:

Town Renewal: The Cunnane Stratton Reynolds Plan was one of a suite of nine such sponsored studies done to assist local groups to improve their towns. As such it is for the groups to drive forward such areas of the study as can be implemented at local level, although some elements will require Local Authority involvement, such as the Frederick Square project. The Draft Clare County Development Plan 2017-2023 acknowledges the very valuable work done by Tidy Towns and Community groups and commits to continuing to support their work through the lifetime of the Plan (Objective CDP16.11).

Furthermore, the Placemaking and Amenity section of the Sixmilebridge Settlement Plan addresses the issues set out in points a), b) and c) above however, I consider that Item d) as proposed in this submission should be added to this section of the settlement plan.

Accessibility within Sixmilebridge and environs: The Placemaking and Amenity section of the Sixmilebridge Settlement Plan contains reference to items 1) and 2) above. I consider that Item 3) as proposed in this submission can be included within the Transport Objectives section.

Connectivity relative to Sixmilebridge:

The railway line is a critical and valuable resource to County Clare and this is expressed in Chapter 8 of the Draft Clare County Development Plan 2017-2023. Section 8.10 Public Transport, sets out the Council's position on the Rail Network:

"The development of the Western Rail Corridor is important in terms of enhancing the economic and social development of the region thus achieving balanced regional development. The Council will therefore support land use policy, future development proposals and transportation strategies that ensure the viability of a rail service between centres of population".

The periodic closure of the Limerick-Ennis section of the Western Rail Corridor due to flooding on the line at Ballycar has the potential to inhibit the improvement and expansion of the infrastructure associated with the rail line and the services provided to rail users. Resolution of this issue is the remit of Iarnrod Eireann and, potentially, the Office of Public Works. Clare County Council is committed to working with Iarnrod Eireann and other interested parties to find a resolution to this issue. However I respectfully consider that this matter does not warrant a specific objective in the County Development Plan.

Chief Executive's Recommendation

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

Volume 3(b) Shannon Municipal District, Sixmilebridge Settlement Plan – new text to be Place Making and Amenity Section to read:

To maintain the integrity of the four Squares in the town centre;

Volume 3(b) Shannon Municipal District, Sixmilebridge Settlement Plan – new point added to the Transport Objectives to read:

To undertake a review of the existing Accessibility Audit for the town.

Ref. 333 Patrick Whelan

Key Words: Flooding, Environment, Policy

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Ballygeery West which is primarily contained within Flood Zone A of the draft Plan. The submission requests that the planning authority remove the Flood Zone A designation from the subject lands for the following reasons:

- Sluice banks are repaired and maintained
- No flooding on this land in November and December 2015
- No flooding in January and February 2016 when the area experienced the highest tide on record.

It is also submitted that there is no reference to the dredging of rivers in the Draft Plan which could help to prevent flooding. The submission lists 4 rivers in the West Clare area that have not been dredged in the recent past. An EU Statement on dredging is attached with states that EU law does not ban dredging it is submitted that this is an Irish government decision.

The submission also states that no notification was received in relation to the proposed extension of nature designations in the area.

Chief Executive's Response

I thank Mr. Whelan for his submission and I acknowledge the issues raised therein. In relation to the identification of lands as being at risk of flooding, the Strategic Flood Risk Assessment contained in the Draft Clare County Development Plan 2017-2023 identifies the risk of flooding in areas across the county. It is important to note that the definition of Flood Zones is based on an undefended scenario and does not take into account the presence of flood protection structures such as flood walls or embankments. This is to allow for the fact that there is a residual risk of flooding behind the defences due to overtopping or breach and there may be no guarantee that the defences will be maintained in perpetuity. In light of this I am satisfied that the Flood Risk designation on these lands is appropriate and should remain as is.

Section 18.6.4 of the Draft Plan deals with the maintenance of rivers and waterways. I note the statement from the EU that has been submitted indicating that EU law does not ban the dredging of rivers and I generally agree with the sentiments made in the statement. I would like to highlight that it is necessary to ensure compliance with the requirements of in particular the Habitats Directive but also all other relevant EU legislation prior to commencement of any works of this nature.

With regard to the proposed extension to nature designations in the area, it is a function of the Department of Arts, Heritage and the Gaeltacht to issue such notices. This is not a matter for Clare County Council or the development plan process.

Chief Executive's Recommendation

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

Ref. 334 Patrick Whelan, Patrick Normoyle, Kevin Murphy and Colm Kennedy

Key Words: Policy, Environment, Ballygeery West

Summary of the Issues Raised in the Submission

This submission objects to the inclusion of Ballygeery West as a proposed heritage area in Map H10 of the draft Plan. The submission requests that the planning authority remove the “heritage landscape” designation from Map H10 as it relates to the Ballygeery West area of lands.

The authors’ submit that:

- There is no heritage building in this area
- This area is solely used as farmland
- There are 10 “high tension” electricity masts currently in this area.
- There is an ESB electricity station in this area.
- There is a 3 phase line with 20 no. pole masts within this area.

Chief Executive’s Response

I thank the landowners from Ballygeery West for their submission and I would like to comment as follows:

The Heritage Landscape designation refers to parts of the county where there is a sensitive environmental resource. This not only refers to built heritage, but can also refer to scenic and ecological resources. In the case of the Ballygeery West area, the lands are part of the Shannon Estuary Farmlands landscape character area and some parts of the townland are also designated as a proposed Natural Heritage Area.

Heritage Landscapes are those areas where sensitive environmental resources – scenic, ecological and historic, are located. The principle role of Heritage Landscapes is to sustain natural and cultural heritage and it is very important to note that the word ‘sustain’ is used here to convey ‘keeping something alive’ rather than ‘to conserve’ or ‘to preserve’. The draft County Development Plan fully recognises that Heritage Landscapes must evolve to accommodate both the renewal of existing houses, farms, roads, power-lines etc as well as the development of new facilities needed to support the community, particularly in areas where agriculture can no longer provide sufficient income. Development is not precluded in Heritage Landscapes but it must happen more carefully and more slowly and in a sensitive manner taking into consideration the visual impacts on the landscape and the capacity of the landscape to absorb development than the more intensively settled and developed areas in the County.

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. 335 Paul and Rose McHugh

Key Words: Quin, Flooding, Access and Movement

Summary of the Issues Raised in the Submission

This submission refers to lands surrounding the Maigh Dara residential housing estate at Madara, Quin. The lands are currently zoned for residential development in the South Clare Local Area Plan 2012-2018 and it is proposed to retain residential zoning in the draft Plan.

This submission makes the following observations:

Land zoned "R2"

The author objects to the retention of residential zoning on this land and requests the Planning Authority to rezone it "Agriculture". The author submits that any infilling and development on this land could increase the flood risk to Maigh Dara estate as the subject lands is and has been flooded in recent years.

Land zoned "R3"

The author supports development on this land in line with the original development proposed whereby any development of this area would not increase the housing density above that initially envisaged in the original grant of planning permission.

Land zoned "R4"

The author requests that an alternative access would be used for this land in the event of development as it is their opinion that the existing road through the estate will not be adequate to cater for both existing residential and construction traffic.

Chief Executive's Response

I acknowledge the issues raised in this submission and I would like to

In relation to Site R2 in Quin, I note that the Strategic Flood Risk Assessment (Volume 10(c) of the Draft Plan), states 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 361, which also relates to this site.

In relation to Site R3, I acknowledge the request contained in this submission and, having regard to the pattern of existing development in the area, and the requirement to access this site via an existing residential development, I consider it appropriate to change the zoning on Site R3 to Low Density Residential. I refer to my recommendation in relation to Submission Re. 299.

In relation to alternative access to Site R4, I refer to my response to Submission 240, in which I make a recommendation in relation to this matter. Having regard to that recommendation, I consider it appropriate to remove the 'Indicative Access' arrow between site R4 and the Madara estate.

Chief Executive's Recommendation

Please refer to my recommendations in relation to Submission 361 (refer to Site R2), Submission 299 (refers to Site R3) and Submission 240 (refers to Site R4).

Ref. 336 J. Mc Namara

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. McNamara 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, exemplified by Roche (Ireland). 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

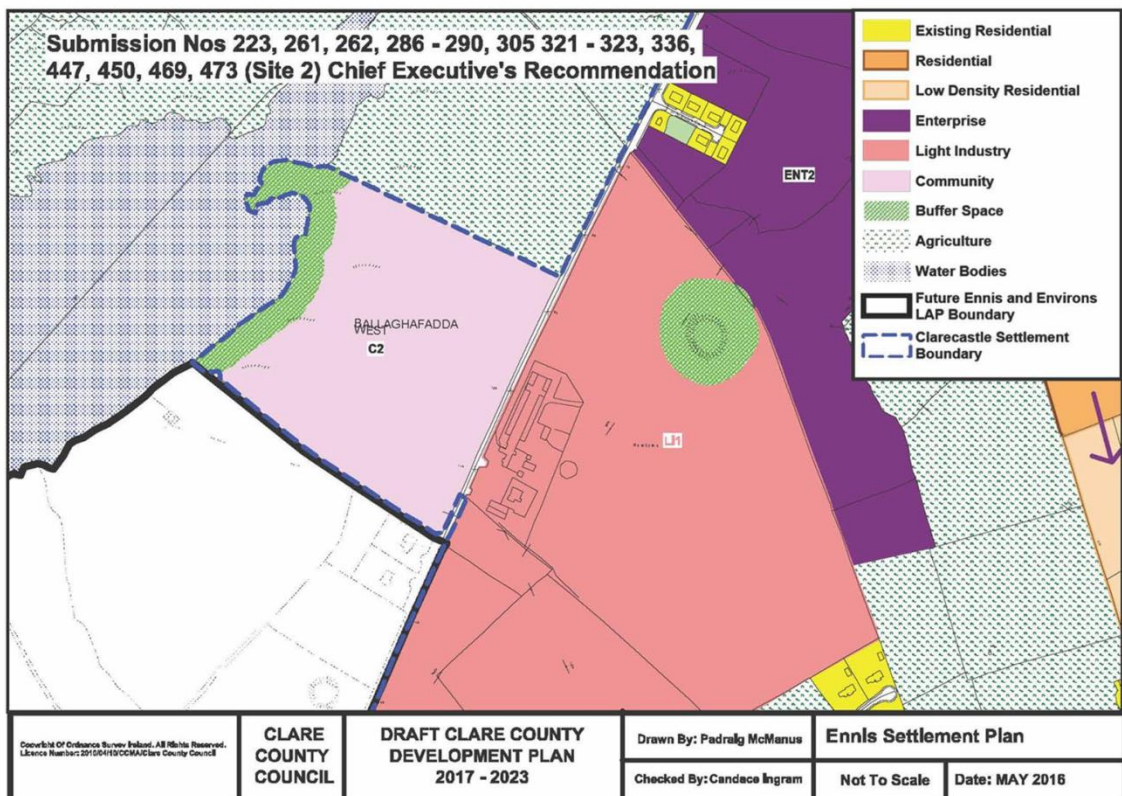
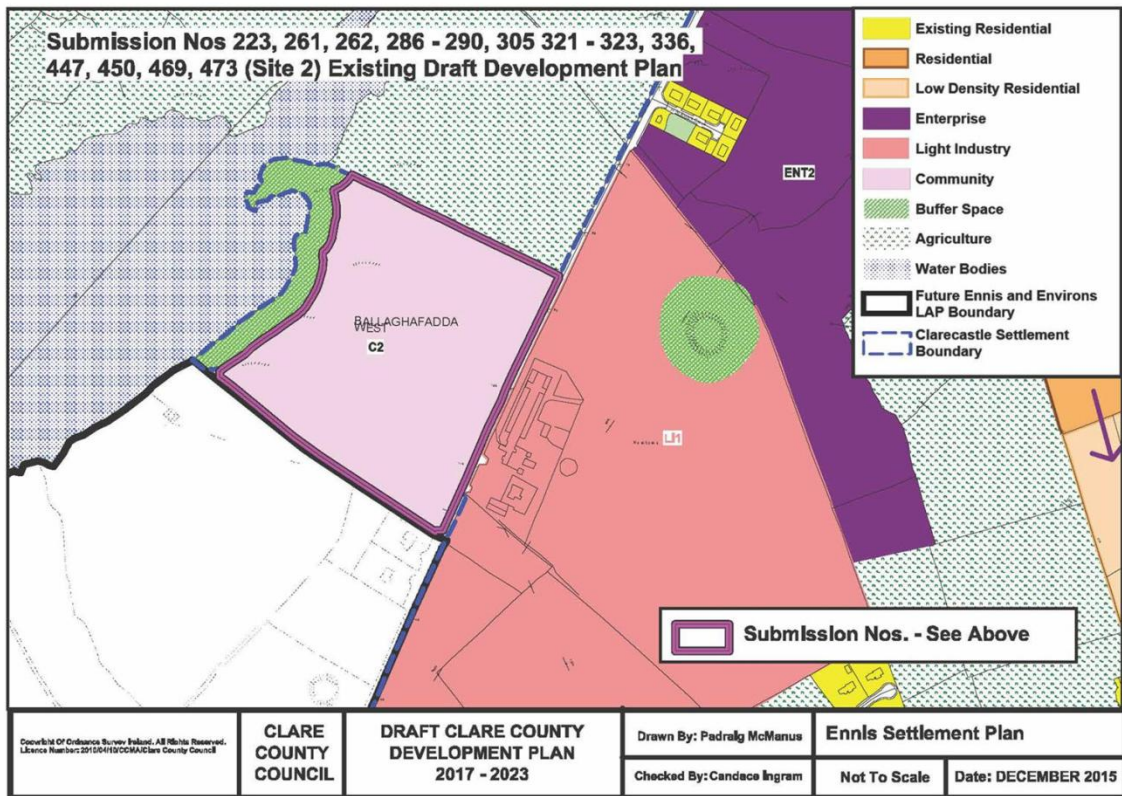
I acknowledge the concerns as raised in the submission, however I consider that this site is suitable for a crematorium, with potential for the co-location of a graveyard having regard to the location of same, which has excellent connections to the surrounding area and wider region, via the local, regional 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 study;
- Flood risk assessment



Ref. 337 PND Building Consultancy Ltd. on behalf of Tom Whelan

Key Words: Carrigaholt, Policy

Summary of the Issues Raised in the Submission

This submission relates to lands in Moyarta East, Carrigaholt. A section of the site is inside the settlement boundary and zoned Existing Residential and the remainder of the site is outside the settlement boundary and is designated Open Countryside. It is requested that the entire site is zoned for tourism development because Mr. Whelan would like to develop a campervan, caravan and camping site with communal toilets, shower, kitchens etc. The site is located on the Wild Atlantic Way and such a development would encourage longer stays in the area. It is submitted that the site is located on one of the main routes into the village and zoning the site for tourism would contribute to the future growth of the village.

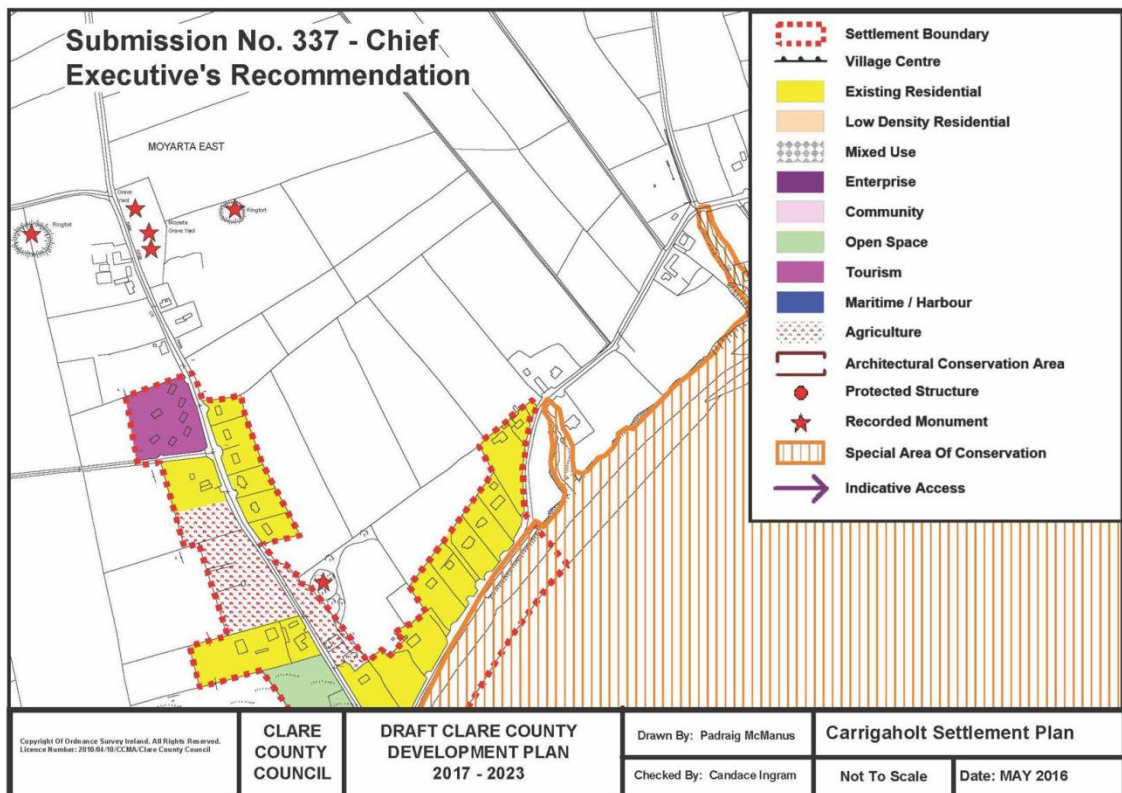
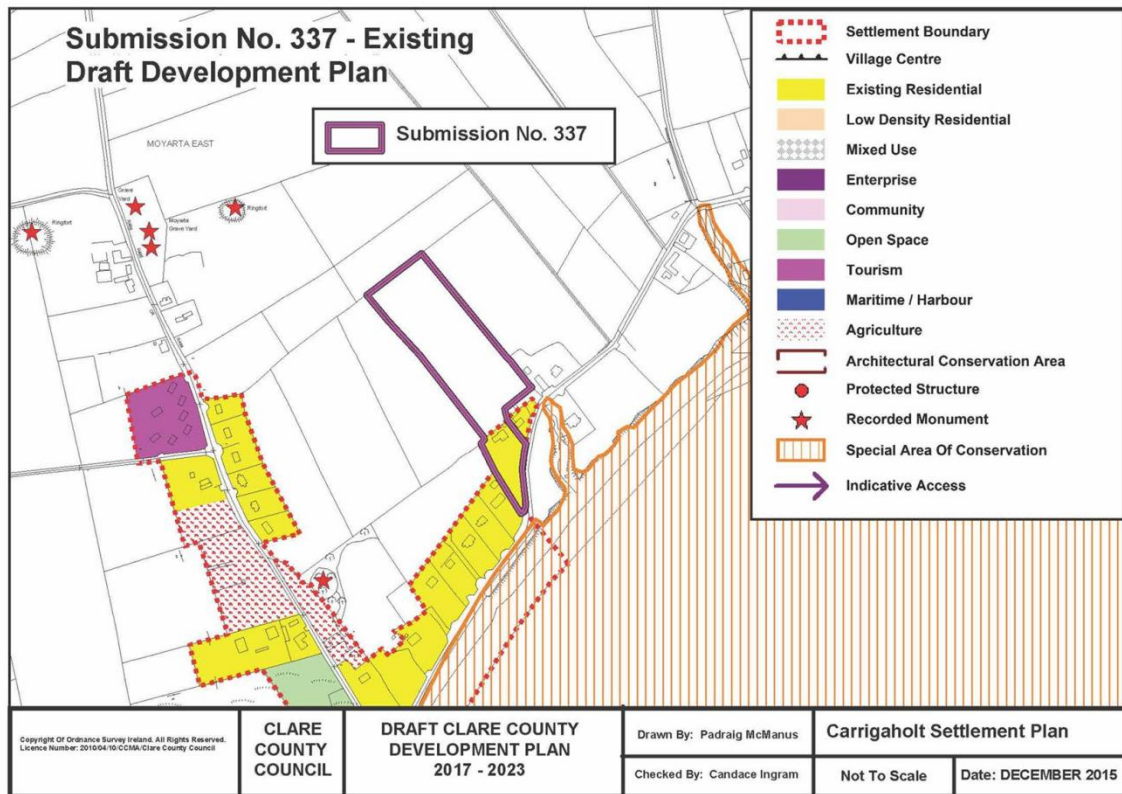
Chief Executive's Response

I acknowledge the contents of this submission and I agree that the development of quality tourist accommodation is highly important to support the tourist industry in County Clare and to encourage longer stays in the county.

In relation to the zoning of this site for Tourism development, I refer to my Recommendation made in response to Submission Ref. 244. I have proposed amendments to Objective CDP9.4 Tourism Accommodation to *support the development of new camping and glamping facilities and facilities for campervans/motor homes/touring caravans both in settlements and in rural locations across the county*. In light of this, the zoning of further lands outside of the settlement boundary of Carrigaholt will not be required given the proposed wording, which supports camping and glamping facilities in rural areas.

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. 338 Shane Flanagan

Key words: Ennis, Environment

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Rockmount, Cahercallabeg, Ennis. An accompanying map identifies the location of the site marked "x" located on the Ballybeg Road. It has an estimated area of 1.62 ha. The land is zoned "Residential" in the Ennis and Environs Development Plan 2008 – 2014, as varied and it is proposed to zone the site "Agriculture" in the Draft Clare County Development Plan 2017-2023.

The submission requests the planning authority to rezone the land from "Agriculture" to "Low Density Residential"

The author submits that this land is suitable for development due to:

- Location and accessibility of the lands
- Accessibility to services to the lands
- Continuous upgrading to the roads and pedestrian walkways
- Shortage of lands currently available for development in a realistic timeframe
- Lands should not be considered useful to the Newhall and Edenvale CSAC
- Lands ability to eliminate problems associated with climate change i.e flooding

Chief Executive's Response

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

Clare County Council has an obligation, as the competent authority in relation to the Habitats Directive, to undertake Appropriate Assessment (AA) and Strategic Environmental Assessment processes. These processes must be carried out in compliance with the relevant legislation before the County Development Plan 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 itself, 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 and it is transposed into Irish legislation through the Birds and Natural Habitats Regulations 2011. These regulations were amended since the original zoning of the lands at Ballybeg in the Ennis and Environs Development Plan 2008, and subsequent Variation No. 1, coupled with the introduction of the Appropriate Assessment Guidelines for Planning Authorities in 2009 and indeed the significant amount of case law which now exists in this area.

The key criteria used to assess the site which forms the subject of this submission in Ballybeg are as follows:

Is the site located within 6km of a Lesser Horseshoe Bat (LHS Bat) Roost SAC?

This criterion refers to the potential impact that development can have on foraging areas, roosts and flight paths used by this Annex II/IV species. County Clare is a stronghold for this species and development both in isolation and when viewed in combination can have adverse effects. Research carried out on this species has suggested that the majority of feeding activity takes place within 2-3km of roosts during the year with occasional movements in excess of 4km (Bontadina, 2002; Biggane, 2003). This distance can reduce down to a few hundred metres in the birthing season whilst larger scale movements of up to 15km are not unreasonable when bats move between winter and summer roosts. For the purposes of identifying a zone of influence, a precautionary value of 6km was applied to identify a theoretical maximum foraging range.

In light of recent changes to legislation as outlined above 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 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 or otherwise zoning which leads to this significant effect cannot be accommodated.

The lands which are the subject of this submission are ca. 850m from Newhall and Edenvale SAC. The closest record of a Lesser Horseshoe Bat is ca. 1km south-west of the site. The site is composed of Hazel woodland over limestone pavement. This consists of a mosaic of former coppice woodland and more open areas of shattered limestone and intact bedrock. Wooded limestone pavement habitat which corresponds to the Priority Annex 1 habitat type has been suggested as having a closed canopy of trees at least 3m tall with at least 50% of the surface comprising bedrock at the surface (often covered in mosses). This site is covered by this wooded type and open limestone pavement type.

Loss of Lesser horseshoe bat feeding habitat could significantly affect the feeding resources of the cSAC bat population. In the absence of site-specific bat survey data, this judgment is based on results of research into the foraging patterns of this species in Ireland and the UK. It is highly probable that LHS bats are commuting into the site using the area suggested for zoning as residential as it would form part of a dark corridor coming up from the south along the trees/treelines. If this was developed it could potentially remove the commuting corridor and restrict movement to the larger site. The submission does not provide sufficient scientific information to allow the competent authority to justify a finding of no significant effects and therefore zone this site for residential development.

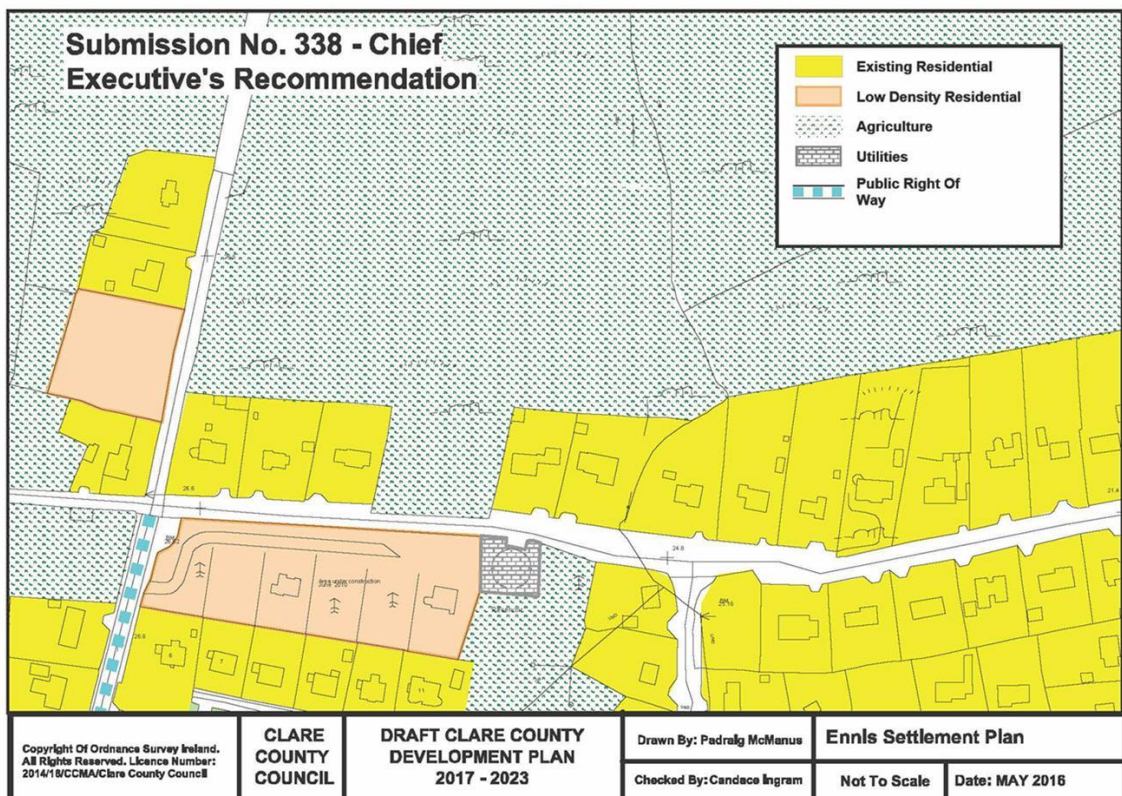
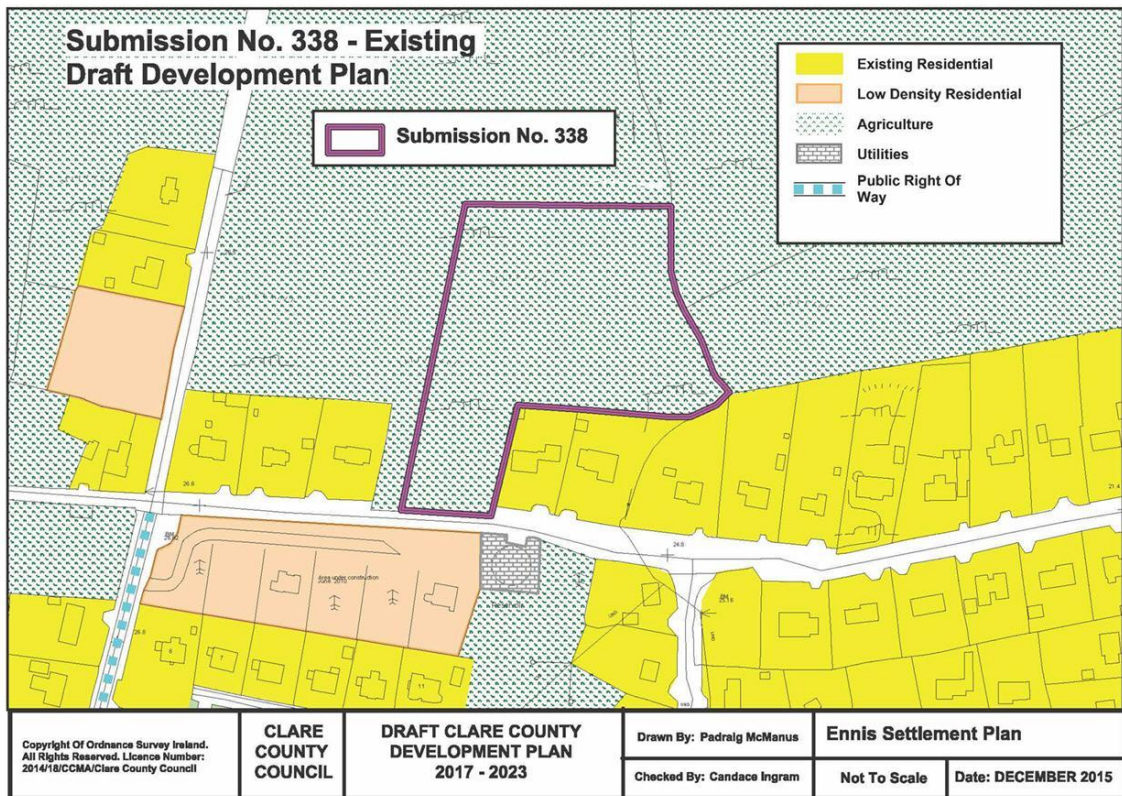
This area is not suitable for zoning for residential/low density residential development due to the potential significant negative impact on the foraging/commuting/roosting habitat of the Lesser Horseshoe Bat, which is a qualifying interest feature of the Newhall and Edenvale SAC.

Furthermore, I note that the site is located in the Ballybeg area of Ennis. The extent of land required for residential uses in the Ennis and Environs area is determined in the Core Strategy, as contained in Volume 1 of the Draft Plan. In determining the 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 AA process and the Water Framework Directive. In addition site specific land use issues were considered. These criteria include, inter alia, the availability of services, sequential test, flood risk assessment, planning history, consolidation or urban form etc. The subject site is not serviced by waste water infrastructure and is not located in an area identified for growth. From a sequential point of view the site is removed from the core built up areas of Ennis and Clarecastle and would not contribute to the consolidation of the urban form.

Having regard to the foregoing, I do not consider it appropriate to zone the subject site for residential/low density 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. 339 Majella Collins

Key Words: Ballyvaughan

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above in the Ballyvaughan settlement plan boundary which is proposed to be zoned "Commercial" in the draft Plan.

The submission requests the planning authority to rezone the land back to "Agriculture".

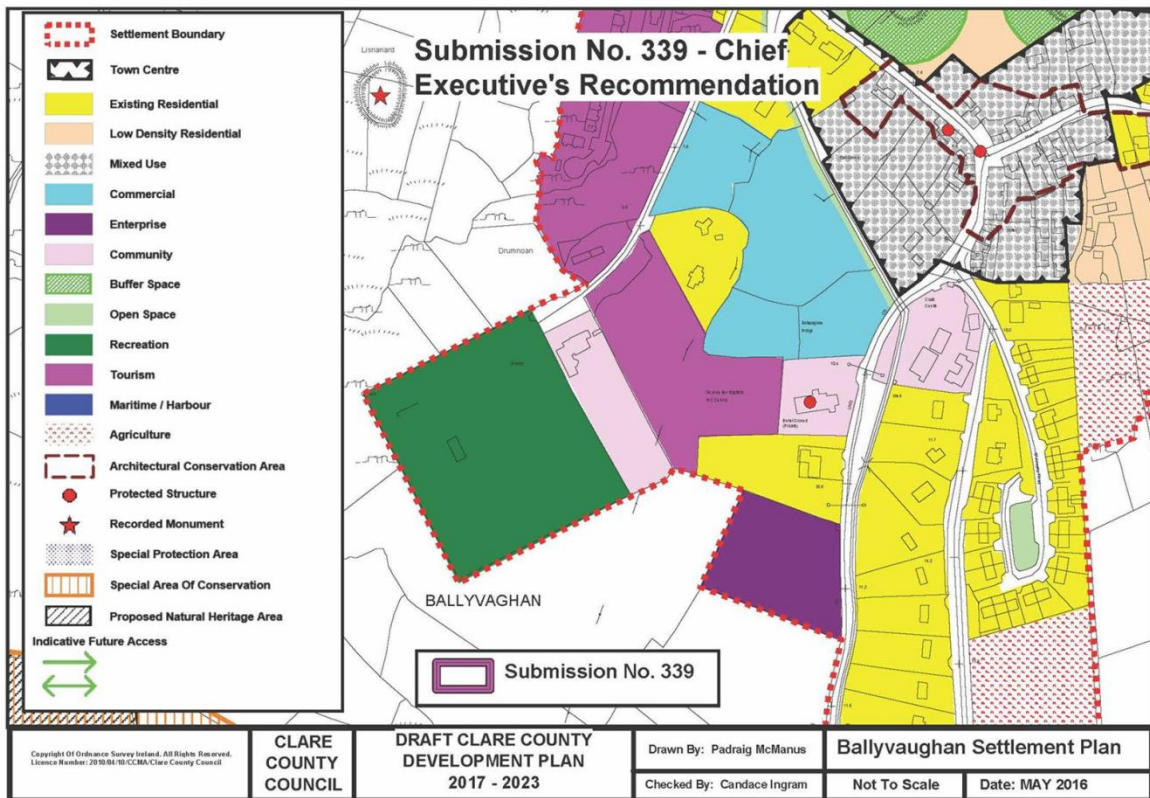
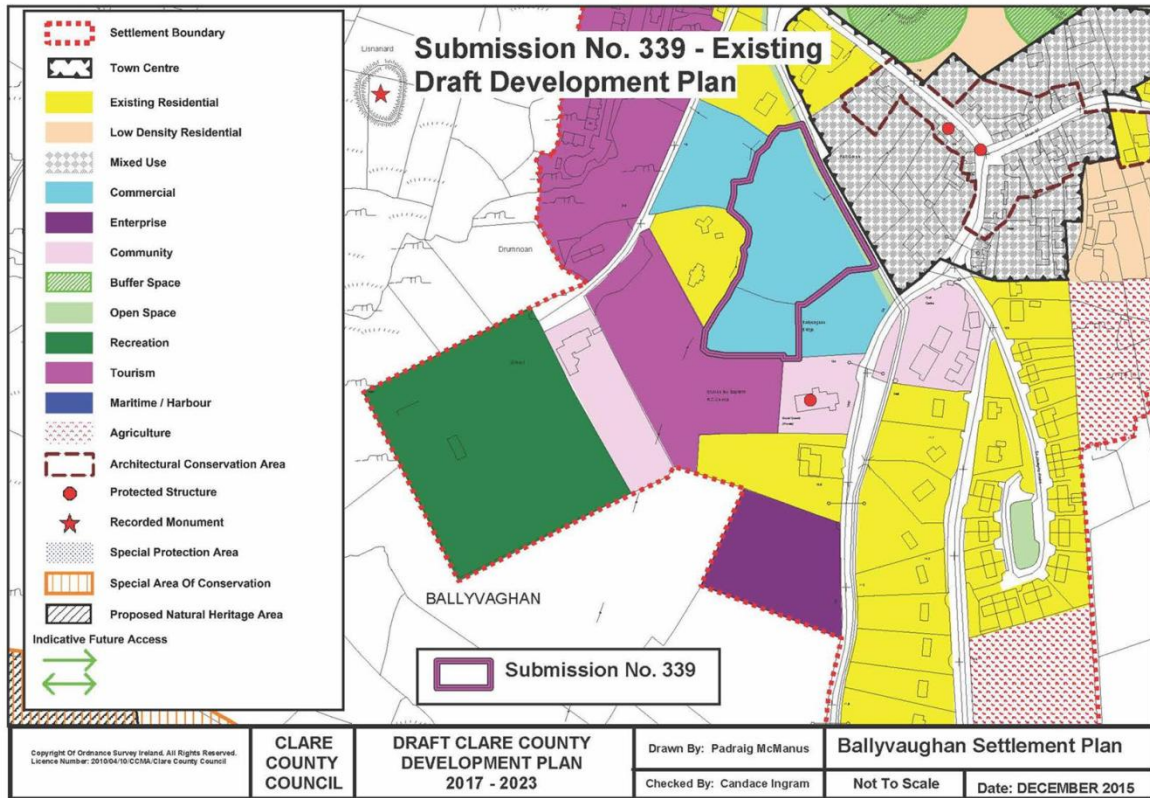
Chief Executive's Response

I thank Ms. Collins for her submission and I reply as follows:

I note the lands to which is referred is part of a larger area zoned for commercial uses in the Draft Clare County Development Plan 2017-2023. I appreciate that the current use of the site is for agricultural purposes and that this may remain the case for some time to come. However, I wish to confirm that the Commercial zoning on the lands will not interfere with the existing use, but reflects a longer-term view of the village in terms of its future potential growth and making provision for that to occur. I have carefully considered the options for the zoning of this land and conclude that it is important to retain the current zoning in order to plan for the future sustainable development of Ballyvaughan.

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. 340 Lily Enright

Key words: Clarecastle

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above opposite the Roche Ireland Ltd facility located on the southern side of the Clarecastle Settlement in the Ennis Municipal District. An accompanying map identifies the exact location of the site which has an estimated area of 3.00 acres. Under the Draft Plan, the site is zoned as "Open Space"

The submission requests the planning authority to rezone the subject lands for Light Industrial, General Industrial or Commercial use.

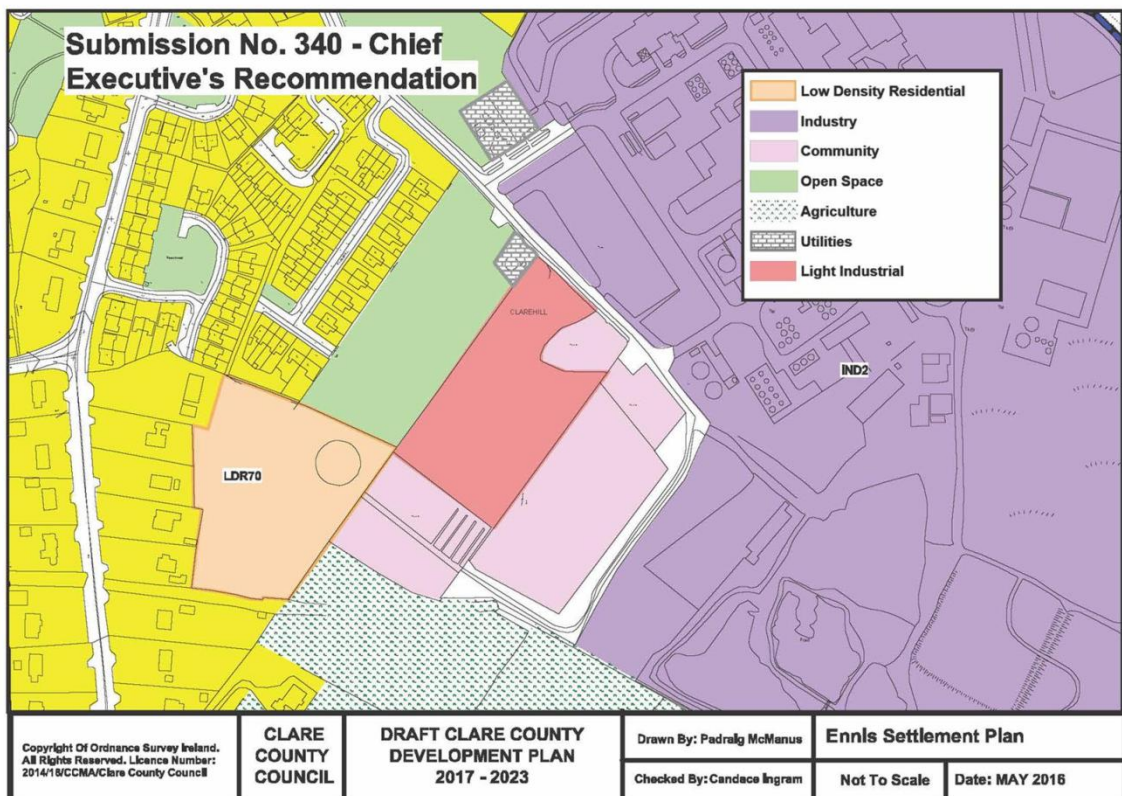
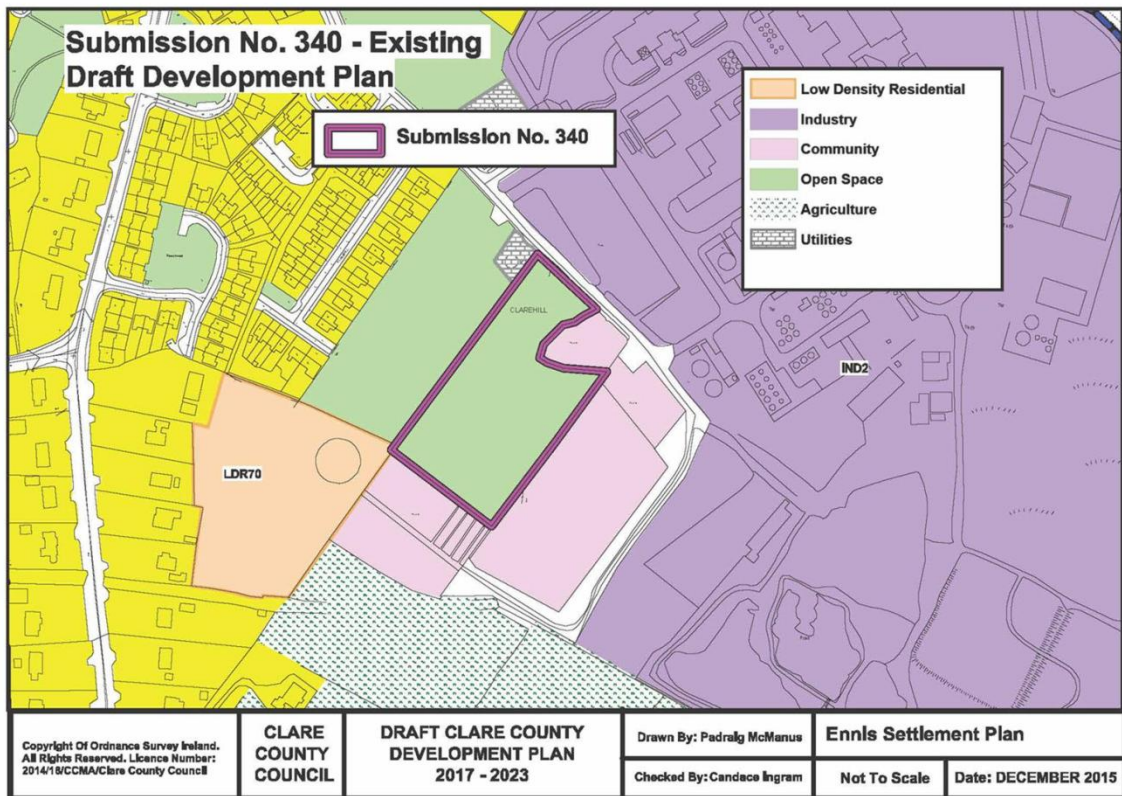
The author submits that the site offers the potential to further develop initiatives for economic development in an existing industrial area which has strong infrastructure in place and is in an appropriate location to support the Development Plan Strategic Aims and Objectives of Ennis and its environs as a Hub Town.

Chief Executive's Response

I wish to thank Ms. Enright for her submission, and I note the proximity of the site to the Roche Ireland plant. Having regard to the designation of Roche Ireland as a SEVESO site it is considered that this site is not suitable for more vulnerable uses such as residential. Additionally and having regard to the proximity of the site to Roche I do not consider that a commercial zoning is appropriate. Likewise, having regard to the proximity of the site to existing residents, I do not consider that general industry is appropriate. However consideration may be given to less vulnerable uses, such as those highlighted in the submission i.e. light industrial uses. Additionally, consideration may be given to an enterprise zoning on this site. It is considered that there may be a beneficial spin off arising from the strong reputation of Roche Ireland, which can be built upon, and may lead to employment creating opportunities. Alternatively, ancillary facilities to the existing Roche Ireland may be accommodated on the site. I therefore consider the proposal to rezone the lands from Open Space to Light Industrial is acceptable.

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 Light Industrial on the basis of this submission.



Ref. 341 Heather Rosen

Key Words: Policy, Traveller accommodation

Summary of the Issues Raised in the Submission

This submission refers to the Clare Traveller Accommodation Programme and is made on the context of the mandatory review of the nationwide programmes for the accommodation of men, women and children of the Traveller Community that is due to take place this year. It is submitted that there are numerous families in need of accommodation and this it is time for Traveller accommodation schemes to be included in settlement plans once again.

Ms. Rosen sets out in detail the circumstances of one family living in County Clare, and their accommodation circumstances from 1991 to the present. It is submitted that there is a short-term need for an emergency location of this family, where portable toilets can be installed, due to their on-going ill-health.

The author has suggested a number of sites in the vicinity of the M18 which she submits could be used as temporary emplacements

Chief Executive's Response

I thank Ms. Rosen for this submission and I would like to respond as follows:

While I recognise the serious issues that have been raised in this submission, the County Development Plan must focus on more strategic issues and cannot address individual cases of housing/accommodation need.

However, it is the role of the County Development Plan to support and promote the implementation of the adopted Traveller Accommodation Programme in the County. This programme specifies a number of Traveller accommodation proposals which the Council plans to deliver subject to the necessary funding being made available. The programme is due to be formally reviewed in 2016, as indicated in Ms. Rosen's submission. The review will commence once the appropriate direction is issued by the Minister. Any amendments to the Traveller Accommodation Programme made as a result of this review will also be reflected in the County Development 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 at present but that on-going monitoring take place after the adoption of the development plan to ensure that it supports any future amendments that are made to the Traveller Accommodation Programme in the county.

Ref. 342 Patrick Doohan

Key Words: Connolly, Physical Infrastructure

Summary of the Issues Raised in the Submission

This submission refers to the Connolly settlement plan in the West Clare Municipal District. It is submitted that the settlement plan map does not accurately represent the village. Mr. Doohan has submitted a map indicating what local residents consider to be the start and end point of the village – the river bridge to the east and the licensed premises to the west. It is requested that the Connolly Settlement map be amended to extend the settlement boundary to west. The settlement boundary should include dwellings and lands adjacent to the R474 to the west of Connolly which lie within the 50kmph speed limit. It is submitted that there is potential for low density development in that area.

It is further requested that the local authority plan a programme of works year-by-year so the entire road from Ennis to Miltown Malbay via Connolly is brought up to a proper modern standard, including lay-bys to allow visitors to avail of the scenic views along the route.

Chief Executive's Response

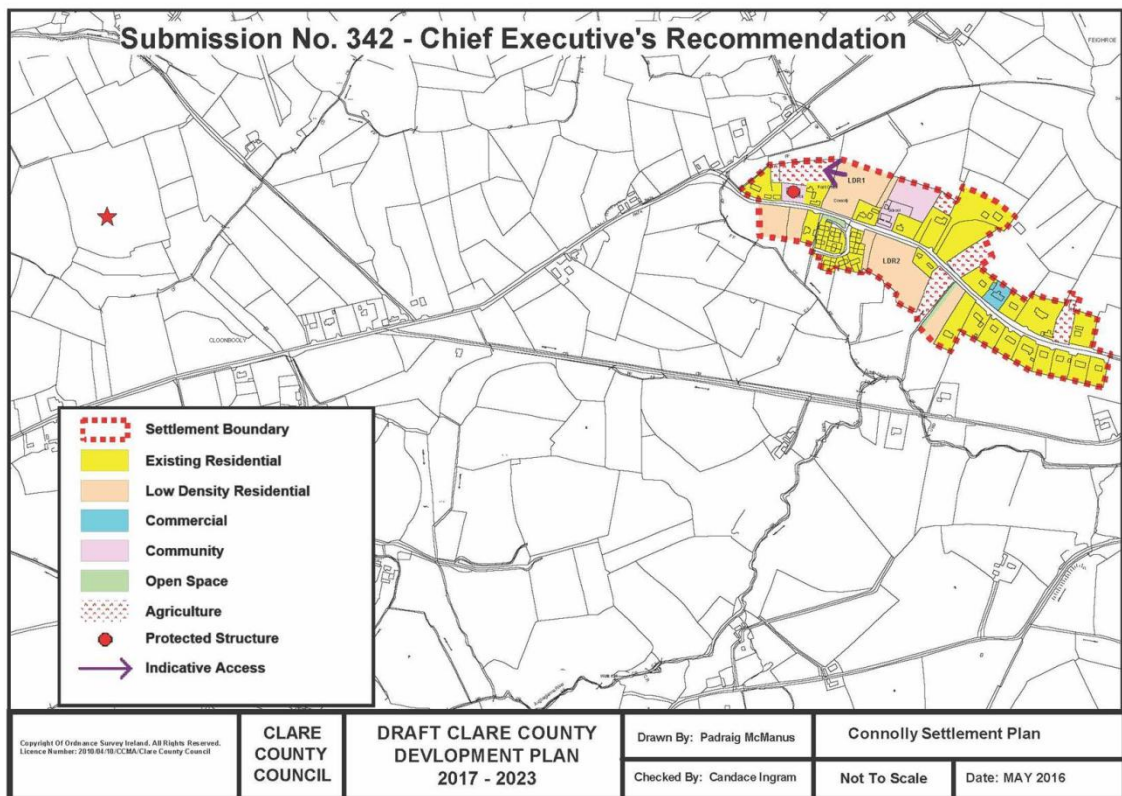
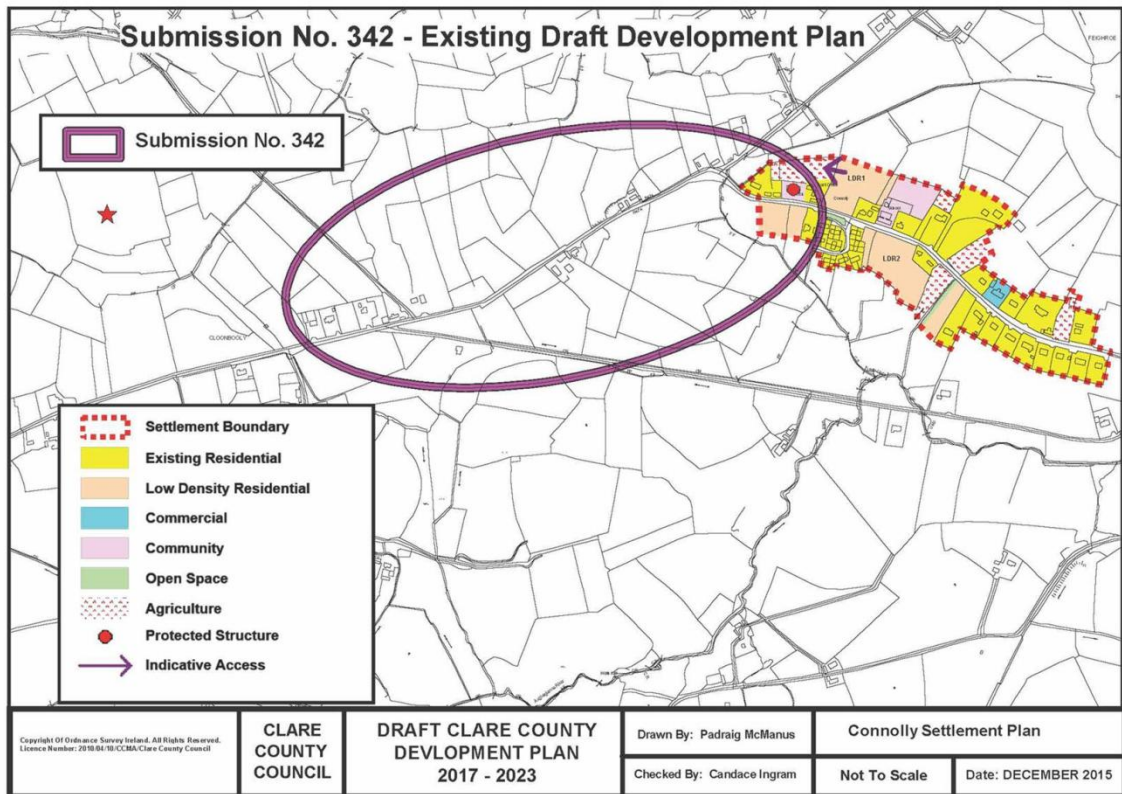
I thank Mr. Doohan for his submission and I would like to comment as follows:

Clare County Council recognises that the area perceived as a community by local residents and the town/village boundary shown on land-use settlement plan may not always align. The role of the land-use settlement plan is to identify preferred locations for future development, including residential development, based on the requirements set out in the Core Strategy. To include extensive additional lands to the west of the settlement boundary, which are primarily rural and agricultural in nature, within the settlement boundary of Connolly would be contrary to the proper planning and sustainable development of the area and would undermine the future orderly development of the village.

In relation to the requested road improvement works, while I agree that it is desirable to upgrade the R474, the same would apply to most of the Regional Road network in the county. At present roads funding is approximately 50% of what it used to be pre-2008 and can, in general terms, only deal with the bare maintenance and repair necessities. In anticipation of improved funding over the coming years, a uniform approach will be taken when investing in the Non National Road network – giving priority based on route status (Regional being the highest), function, traffic demand levels, structural deficiencies, general surface condition, etc. Upgrade works to the R474 will be carried out based on the priority allocated to it having regard to the aforementioned criteria.

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. 343 Fiona Hoey

Key Words: Policy, Transport and Movement, Renewable Energy, Physical Infrastructure

Summary of the Issues Raised in the Submission

The submission commences by stating that there is a lack of thought, consideration and basic care given to the health and well being of human beings when drawing up reports and plans for developments such as roads, houses, factories windfarms etc. Ms. Hoey's main concern relates to the health implications of noise pollution.

The submission raises 7 main issues:

- It is requested that the zoning of the site of application p15/130 remains unchanged. Ms. Hoey does not support the development of the LNDR through Parteen village. It is submitted that there is already a road with a tunnel built and this road is not meeting projected revenues so the tax payer should not have another unnecessary bill.
- The author strongly objects to the development of any further windfarms and submits that wind and wave energy should be developed along the coastline instead
- It is submitted that fracking should not be allowed
- The author notes that there are already 2 no. "motorways" of pylons going through County Clare
- The author submits that no development should be allowed on any floodplains or land that may flood.
- The author submits that peoples' lives and quality of life should be a priority when making planning decisions.

Chief Executive's Response

I would like to thank Ms. Hoey for taking the time to make this submission and I would like to comment on the issues raised as follows:

Noise pollution is an issue that Clare County Council takes very seriously. The EU Environmental Noise Directive was brought into Irish law through the Environmental Noise Regulations 2006. The aim of the legislation is to avoid, prevent or reduce, on a prioritised basis, the harmful effects, including annoyance, due to exposure to environmental noise. The Clare Local Authorities Noise Action Plan 2013 was prepared in compliance with the requirement of the legislation and contains details of major roads in the county with a flow threshold of over 3 million vehicles per annum and mapping of the noise zones associated with the roads. This action plan is used to prioritise areas where noise management works may be required.

I note that the submission makes reference to planning permission reference number p15/130. However having regard to the content of the submission, I respectfully consider that Ms. Hoey is referring to planning reference no. p15/310, which related to the construction of 3 dwelling houses.

The zoning on the site to which planning reference no. p15/310 related in the Ennis and Environs Development Plan 2008-2014 (as amended) was Other Settlement Land. In the Draft Clare County Development Plan 2017-2023 a Low Density Residential land use zoning was considered to be most appropriate for this site. It is not possible to revert to Other Settlement Land because this does not correlate to any land use zoning within the draft County Development Plan. Having regard to the comments made in this submission in relation to noise issues and the location of this site in close proximity the R458, an area identified in the Noise Action Plan 2013 has having daytime noise levels of 65-74dB, I consider it appropriate that future development on these lands should incorporate noise mitigation into the development proposals.

The Limerick Northern Distributor Road (LNDR) is considered to be a key piece of infrastructure that will contribute significantly to economic growth in County Clare. The LNDR serves a very different function to that of the motorway whereby it will provide a critical connection and direct link between the International Airport and businesses location in Shannon to the University of Limerick campus, greatly enhancing the attractiveness of the region from a research, innovation and development perspective and enhancing job creation in the entire area. For County Clare to

realise the significant economic and social benefits from the continued planned expansion of the University of Limerick on lands within the county, direct access into the campus from County Clare is essential.

The Draft County Development Plan 2017-2023 incorporates both a Wind Energy Strategy and a Renewable Energy Strategy. The Wind Energy Strategy identifies areas of the county that are of strategic importance for wind energy development, areas that are acceptable in principle and areas that are not suitable for wind energy developments. During the lifetime of this development plan the Wind Energy Strategy for the county will be reviewed. The Council was unable to review the Strategy as part of the preparation of this development plan (in accordance with Department of Environment Circular PL20-13). The Renewable Energy Strategy supports the development of a range of other renewable energy resources in the county such as solar energy and tidal energy.

In relation to fracking I am aware that there is an EPA review in relation to this activity. The Council will apply the precautionary principle to any developments that may have significant environmental implications in order to protect the environment of County Clare.

I note the comments that are made in relation to pylons in the county and Objective CDP8.37 ensures that visual considerations will be taken into account in the assessment of development proposals relating to Electricity Networks.

A detailed Strategic Flood Risk Assessment has been carried out as part of the preparation of the draft County Development Plan to ensure that areas identified as flood storage are protected from development and that vulnerable uses are not located on lands that are at risk of flooding. The issue of water displacement (flooding being 'moved' elsewhere) has also been assessed to ensure that the development of land does not cause flooding in another location.

I would like to assure Ms. Hoey that the quality of life and overall well-being of the population of County Clare are at all times to the fore and is central to the overall vision of the County Development Plan 2013-2027. Quality of life is achieved through a combination of different factors – opportunities for employment, good quality housing, a healthy natural environment, educational opportunities, facilities for recreation and community activities, to name just a few. All of these issues, and more, are addressed in the draft Clare County Development Plan 2017-2023 and it is hoped that through its implementation we can continue to have a positive effect on the quality of peoples' lives in County Clare into the future.

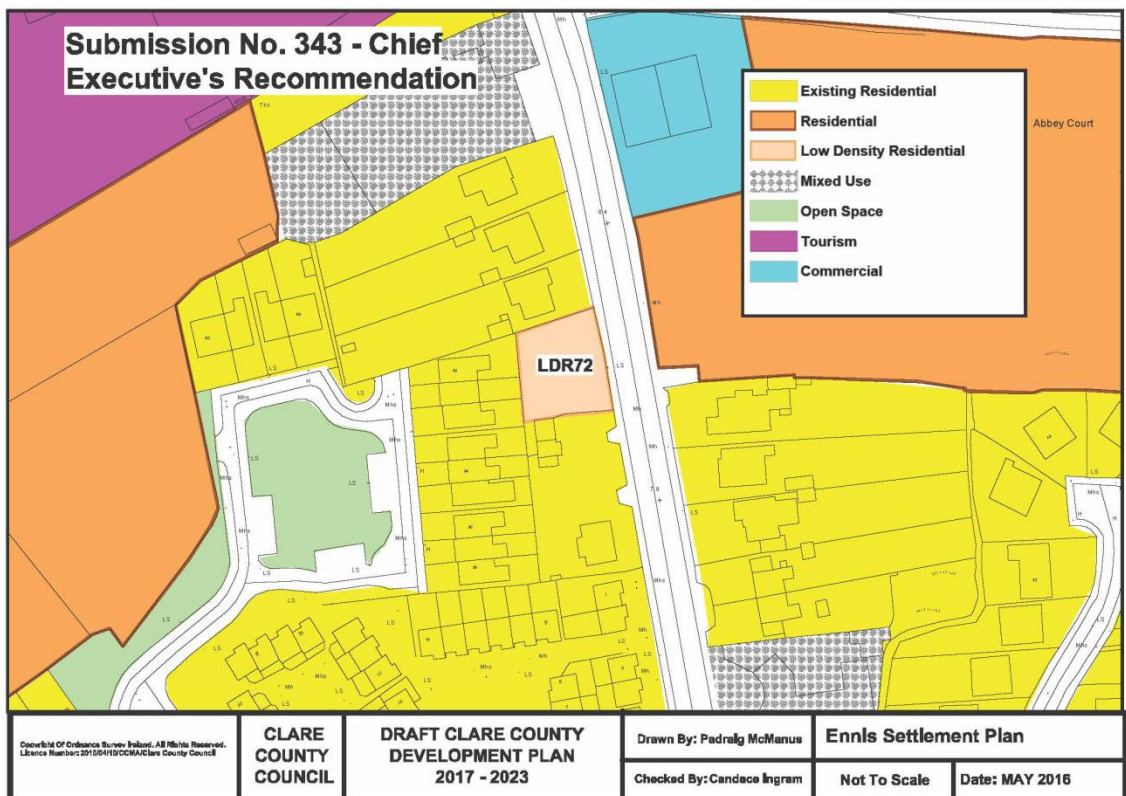
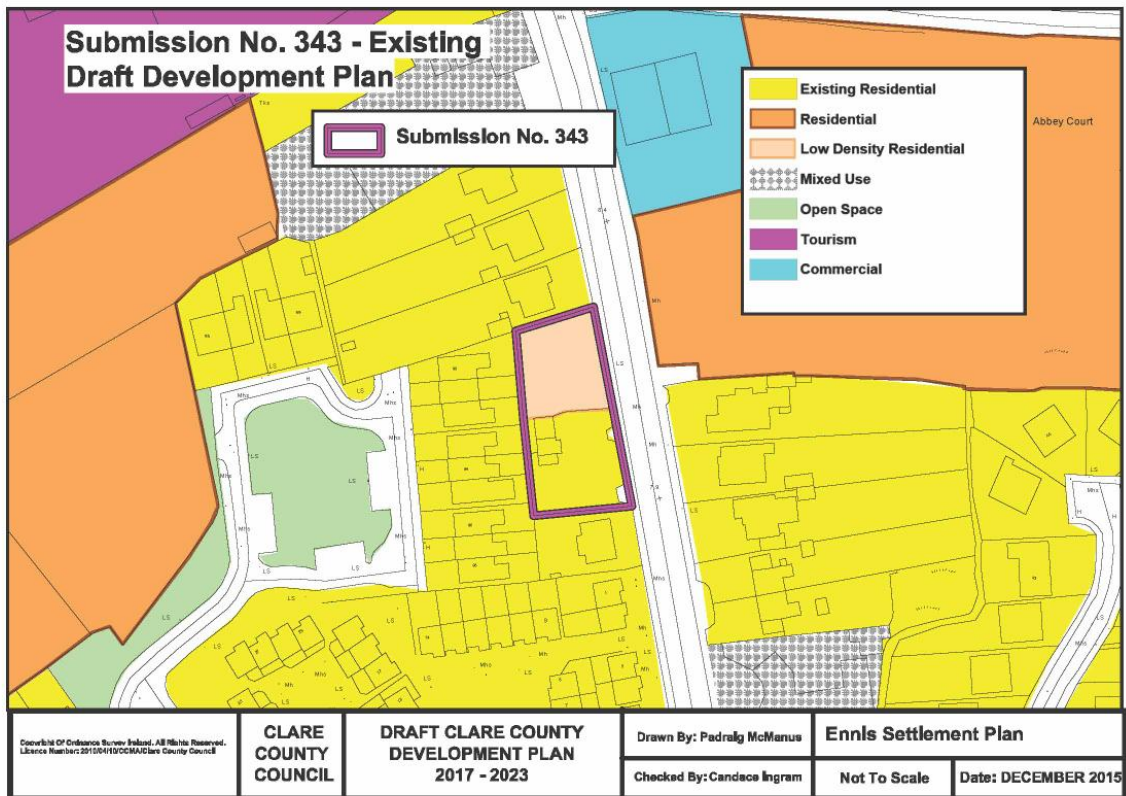
Chief Executive's Recommendation

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) – new text in relation to site on the Limerick Road, Ennis to read:

"Site Ref: LDR72"

"Any development here should respect the existing pattern of development density and shall provide for appropriate noise mitigation measures in the design of any proposal."



Ref. 344 James Kennedy

Key Words: Policy, Access and Movement, Retail

Summary of the Issues Raised in the Submission

This submission refers to property owned by the above and his family on Francis Street in Ennis. The owners submit that they intend to develop this property.

Many of the proposals in relation to Ennis town centre, as contained in the Draft Clare County Development Plan 2017-2023, are welcomed. However it is submitted that applying a conservation value to the buildings on Francis Street is strongly inadvisable and is contrary to a report prepared by the Council at the time when four of the cottages were demolished to develop the Causeway Link road. It is also submitted that the cottages are rubble stone construction which will become unviable as a structural framework around which to create a renewed development. The submission states that there appears to have been little, if any, evaluation of the historical or architectural value of the buildings and the objects to the Architectural Conservation policy that has been applied to the area.

Mr. Kennedy requests that the Planning Authority exerts its influence to encourage Tesco and Cusack Park to remain at their current locations in order to promote the vibrancy of the Francis Street area. It is submitted that the sites are identified as Opportunity Sites in the Draft Plan with a strong view expressed that the aforementioned businesses/activities will be relocating. It is submitted that this would have a detrimental effect on the Francis Street area. It is also suggested that proper parking and traffic management is need in the area and should be incorporated into future development of these Opportunity Sites.

In relation to the potential for contamination of lands due to the location of a former gasworks in the area, it is submitted that the gas works was not located on the subject site. Mr. Kennedy states that much of the land has been excavated for recent developments and there has also been flooding in this area so it is reasonable to conclude that any contaminant would have dissipated entirely by this time.

Chief Executive's Response

I thank Mr. Kennedy for his submission which addresses a number of issues in relation to the future development of Ennis.

In relation to the inclusion of cottages on Francis Street in the Architectural Conservation Area, I have considered the points raised in Mr. Kennedy's submission. I agree that this small terrace has been isolated by new developments that have taken place on all sides since the 1980s. Although these single storey houses have a certain vernacular interest they were constructed in the late 19th or early 20th centuries and most have been altered in the past with the insertion of modern windows doors and covered with cement-fibre slates. Much of the original terrace was demolished in the past thirty years to facilitate better vehicular access and create the new "Causeway Link" road. In light of these issues I consider that these houses can be removed from the Ennis Town Centre ACA.

In relation to Tesco, Cusack Park and Opportunity Sites in the town centre, the Council works on an on-going basis to ensure that developments in the town centre are in the best interest of the vitality and viability of the area. The identification of a site as an Opportunity Site is intended to secure future development that will make a significant positive contribution to both Ennis town centre and the wider town. The designation of the site as an Opportunity Site does not obligate the current owners to make lands available for development, but aims to ensure the best possible outcome should the lands become available for development during the lifetime of the Development Plan.

In relation to the point raised on the potential for contamination of lands due to the proximity of the former gasworks, while I appreciate the location of the property is outside of the former gasworks footprint, the potential for pollutant linkages still remains. Potential pollutant linkages may arise with respect to water and/or soil therefore a baseline assessment of the soils and groundwater are required prior to any planned redeveloped in order to ensure remediation takes

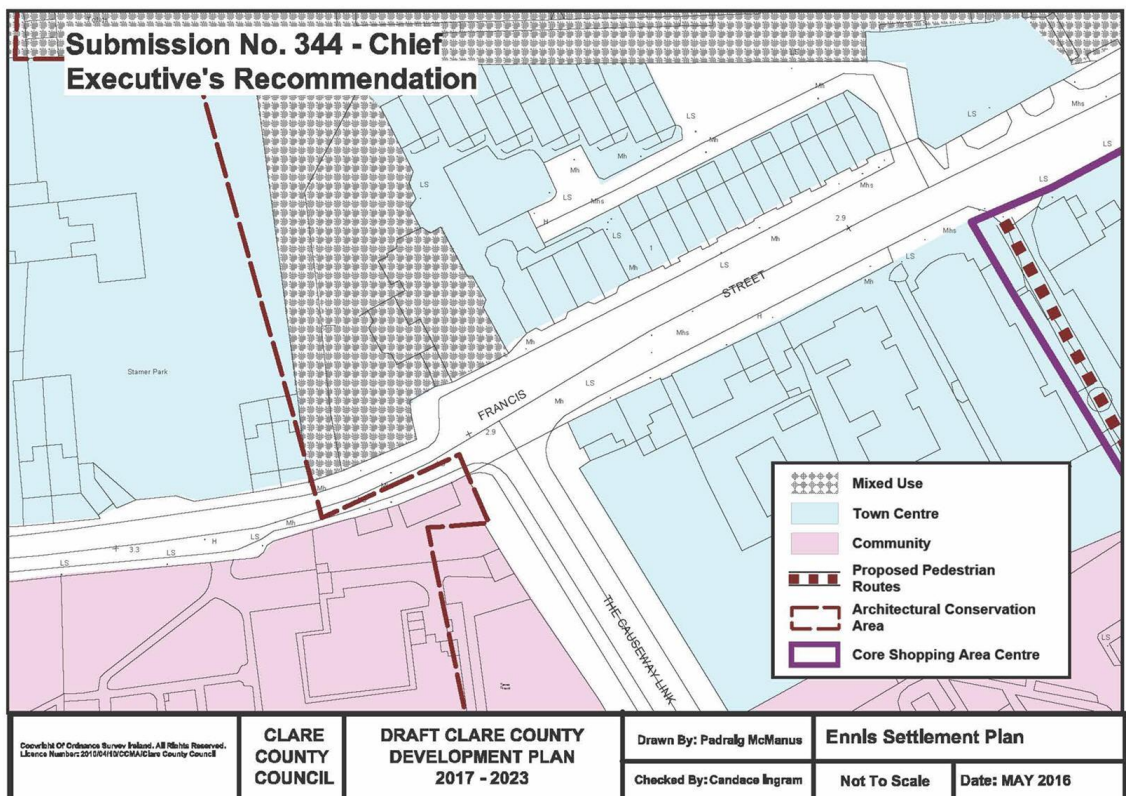
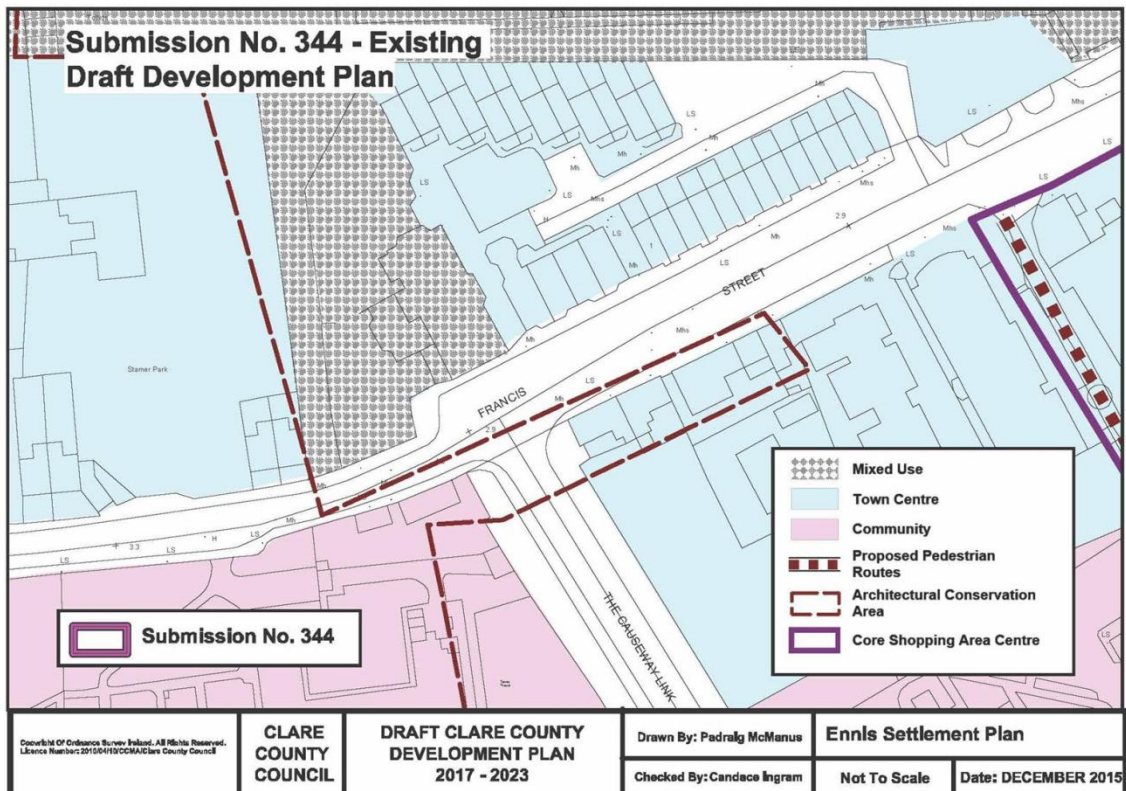
place if necessary and any environmental risk associated with the development is avoided which would be far more costly to ameliorate in the long run.

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:

- Amend boundary of Ennis Town Centre Architectural Conservation Area to exclude the cottages at the eastern end of the street.



Ref. 345 Mol an Óige National School, Ennistymon

Key Words: Policy, Environment, Flooding, Physical Infrastructure, Access and Movement

Summary of the Issues Raised in the Submission

This submission comes from the 5th class pupils and outlines their visions and requests for County Clare:

From Eanna Haran

- Plant more trees: they clean the air, reduce toxins and release oxygen. They attract wildlife, which in turn contributes to the ecosystems. The issue of climate change is becoming more prominent and trees can help to cool the planet, reduce soil erosion and reduce the effects of flooding. Trees also have many health benefits and can have positive social impacts.

From Ailbhe Haran

- Eco-car chargers: There are currently only two charge points for eco-cars and as a result many people are waiting for more charge-points to be built before they buy electric cars. However it is submitted that the Council are waiting for more cars to be bought before they build the charge points. One or the other of these actions needs to happen for the eco-car system to work.
- Playgrounds: There should not be an age limit for going to the playground. People over 12 should be allowed to use playgrounds if they want to.
- Parks: We need more colour in Clare. We need to create more spaces like the Fair Green in Ennis where there are trees and spaces for people of all ages to exercise.

From Kate Houlihan

- The Clare Abbey roundabout is a very dull and unattractive entrance to the town at the moment and could be improved with flower beds, sculptures and a welcoming sign.
- Trees should be planted in the square in Kilfenora to make the area more attractive to visitors and local residents.
- Car charge points: there should be more charge points for electric cars in service stations, towns and villages.
- There should be more cycle lanes in towns and villages and more cycle routes between towns and villages.

From Charles Killeen

In relation to Fleadh Cheoil na hEireann:

- The Council should make the public aware of how many people will attend the event.
- Pop-up restaurants should be promoted in vacant premises
- The Fair Green, St. Flannan's or the Bishop's Field should be open to camper vans.
- The gig rig might not be suitable for the Fair Green because if it rains the grass will turn to mud. It might be more suitable in Abbey Street car park.
- Traffic should be stopped on all major pedestrian streets in Ennis
- The grupa cheoil and ceili band competitions should be held in St. Flannan's Hall or in a marquee on the Fair Green. Comhaltas should provide signposts to different venues for competitions.

From Finny Stevens

- Lees Road park should get a refreshment bar or small cafe for the people who exercise/play sports there.
- There should be more eco-car charging stations to encourage people to buy electric cars.
- County Clare should be made to look more welcoming with flowers and other activities to tidy up the towns and villages.

From Karina McGrath

- Healthy dogs don't deserve to be put down. There should be at least three really large pounds in the county where dogs can live until they are adopted by a loving person. All dogs should have a chance to live a long and happy life.

From Luke Randall

- County Clare should have 'green spots' where people can grow their own fruit and vegetable so they are not eating food that has been shipped long distances.
- Create more places for the elderly to meet up with their friends and socialise.
- Develop multi-cultural spots where people of all ages from different cultures can meet and learn about foreign music, religion etc. so we can understand how alike we all are
- Develop outdoor gyms where people can stop and use equipment during their jog or walk
- Clare County Council should give bars, cafes and restaurants an incentive to recycle and take responsibility for the amount of energy they consume e.g. lowering their rates for a period time or free advertising in local newspapers.

From Lily Watson-Bradshaw

- The Council should make sure that people don't dump in the countryside. Although this is already illegal it should be reinforced with cameras or fake cameras so that all animals can live in the county and flourish. It would also help flowers to grow which would make the county more attractive to visitors.

From Jade Marrinan

- There should be a university in County Clare. At the moment when Clare people go to college they have to travel long distances or they have to get accommodation which separates them from their families. This costs a lot of money, which some people cannot afford, and so they miss out on getting a good education. As a result many Clare people are not getting good jobs.

Comments from Other Students (names not specified)

- Paint over the not-so-good graffiti in Ennis. Some of the paintings are nice but Ennis would look better if some of them were removed.
- Provide bird feeders along the River Fergus
- Provide walkways along the rivers – it would be good for walkers, fishermen and marine-enthusiasts
- More planting and a greater variety of plants to brighten the streets.
- There should be more recycling bins provided in towns and villages of the county so we can turn old things into new things.
- There should be a skate park developed in Lahinch to serve the people of west Clare. This would also promote tourism because it would be an additional facility for families coming on holidays in the town.
- There should be more eco-car charging points around the county to encourage people to buy electric cars and reduce carbon-monoxide output.
- More anti-global warming days such as clean-up days or tree-planting days. These days should be held 3 or 4 times a year. The Council should also organise a Global Warming Awareness Week.
- Promote winter tourism in Clare, especially on the Wild Atlantic Way.
- Link up all the tourist spots in County Clare.
- Make local buses more fuel efficient and provide family tickets for buses.
- Provide more footpaths and cycle paths along the side of roads. At the moment most people in County Clare have a bicycle but they don't use it because its not safe to cycle in many areas. If there were more cycle trails people would cycle to school, work etc., they would get fitter and have more fun. The cycle trails could also be used for other activities like walking and rollerblading.
- Reduce the emissions from cars and explore alternative technology for cars.
- There should be more skate parks and social clubs in towns so teenagers have something to do after school and to help stop anti-social behaviour.
- We need more wind power (both on land and off-shore) so we produce less carbon monoxide.

- The Council should do more to help homeless people.

Chief Executive's Response

Firstly I would like to thank the students of Mol an Óige National School for taking the time to think about such a wide range of issues and for putting together this very detailed submission. A large number of ideas have been covered in their letters and I will address as many of them as possible.

Eanna Haran

I agree completely that trees are very important and have many benefits for both people and the planet. For this reason there is a section of the County Development Plan that deals with Woodlands, Trees and Hedgerows (Section 14.3.16). This section is about how important trees are, protects important trees and woodlands, encourages people to plant more trees and makes sure that new trees are planted when new houses are being built in the county. Very important trees in County Clare are shown on the maps as 'Trees for Preservation' to ensure that they are protected into the future.

Ailbhe Haran

Many of the letters I received from Mol an Óige students mentioned the need for more charging points for ecars. The ESB provide charge points for ecars across Ireland. There are about 1200 charging points across the whole country. Some of them are in public car parks and others are in places such as hotel car parks. There is a map on the ESB website that shows the location of all the charge points across the country, including County Clare (<https://www.esb.ie/our-businesses/ecars/charge-point-map>).

To make sure that the number of car charging points increases over the coming years, the County Development Plan states that all car parks, including those serving housing developments, should be built so that they can accommodate a charging point for an electric car (Section A1.9.3 – final point of the section).

The playgrounds in County Clare are divided into two categories: those that are owned and managed by Clare County Council and those that are owned and managed by local communities. The three main playgrounds owned by Clare County Council are at Tim Smythe Park, Lee's Roads Sports and Amenity Park and at Cappa Pier (Kilrush). There is no age limit on the use of Council playgrounds but the play equipment in some parts of the playgrounds is age-specific. For example, equipment for small children and toddlers may be grouped together in one part of the playground to ensure that small children aren't knocked off the equipment by bigger children playing in the area. Most of the playgrounds around the county are run by the local community and the community themselves decide if they want to put an age-limit on the playground.

Parks are a great addition to any part of the county. Some towns such as Ennis and Newmarket-on-Fergus already have parks that provide space for exercise and play for people who live in the area. There are other towns like Sixmilebridge where a park is needed and land has been zoned in the town to allow a park to be developed. However, based on this letter, it has come to our attention there are a number of towns in the County that have no park and there is no land zoned in the Draft Plan to allow a park to be built in the future. I consider that this is an issue that needs to be addressed.

Kate Houlihan

I agree that the Clare Abbey roundabout is a very important junction. It is one of the main entrance points to town of Ennis and it is important that it is attractive and makes a good first impression on people arriving in the town. It is also an important junction between the town of Ennis and the village of Clarecastle. For these reasons it is important that the area is redesigned, not only to make it more attractive but also to make sure that it is safe and easy-to-use for all road users e.g. motorists, walkers, cyclists etc. The Council will be preparing plans to enhance that area in the near future. I have forwarded your ideas for improvements to the Clare Abbey roundabout to the planner, architects and engineer who will be working on plans to improve the entrance to the Ennis and Clarecastle in the Clare Abbey area. However, I consider that it would be

of benefit to include a specific objective in the Plan to carry out improvement works and to give guidance on the type of enhancements that are needed in the area.

I agree that planting trees in The Square in Kilfenora would be of benefit to the village and make it more attractive. Volume 3(d) of the Draft County Development Plan contains a plan for each of settlements in the West Clare area, including Kilfenora. In the section on Place Making and Amenity (page 68) there are proposals for a new landscaping scheme for The Square, which will include tree planting, to make the centre of the village more attractive.

In relation to car charging points, please see the comments I made on this topic in my response to Ailbhe Haran's suggestions above.

I was very happy to receive Ms. Houlihan's suggestions in relation to the development of more cycle lanes and cycle routes. This suggestion supports one of the main ideas put forward in the draft development plan. The Plan proposes to develop the former West Clare railway as a Green Way for cycling and walking and also to undertake project such as the Active Ennis project which will improve cycle lanes and cyclist safety.

Charles Killeen

The suggestions contained in this submission primarily relate to Fleadh Cheoil na hEireann. In order for an event like the Fleadh to take place, the organisers must obtain an Events Licence. This licence sets out all the details relating to the event such as numbers of people expected to be in attendance, the location of activities, where camp sites will be located and traffic management. The Draft Events Licence application for Fleadh Cheoil na hEireann 2016 has been lodged with Clare County Council.

It is estimated that 400,000 people will visit County Clare for the Fleadh in 2016. Many of the local newspaper and the Fleadh Cheoil website have made this information known since it was announced that the Fleadh would be held in Ennis. Unfortunately pop-up restaurants cannot be promoted in vacant premises. When a restaurant is being opened, even if it is only temporary, it is very important for both customers and people working in the restaurant that good standards are met e.g. fire safety, food safety, cleanliness of food preparation areas etc. For this reason it can be quite difficult to open pop-up restaurants.

In relation to campsites, it is proposed to have six different campsites in the Ennis and Clarecastle area for people coming to the town for the Fleadh. One of the campsites will be in the grounds of St. Flannans as it has been suggested in this submission. The gig rig will be located in Abbey Street car park and a festival dome will be located in the Fair Green. Pedestrian safety is very important during the Fleadh. A full traffic management plan forms part of the Events Licence application and this includes stopping traffic on some of the main streets during the busiest times of the festival.

In total, the grupa cheoil and ceili band competitions will take place in 22 different venues around Ennis during the week of the Fleadh. Comhaltas will decide which event will take place in which venue based on the amount of space needed for the competitors., the number of people who are expected to attend etc.

Finny Stevens

I am in agreement with this submission about the opening of a refreshment bar or café at Lee's Road Sports and Amenity Park. A mobile café unit will start working from Lee's road in April 2016. It will be on a trial basis at first and if it is successful it will become a more permanent fixture.

With regard to eco-car charging points, please see my response to Ailbhe Haran on this topic above.

It is very important for the Council to ensure that towns and villages across the county look their best throughout the year and a large amount of money is allocation to tidying and gardening activities each year. For example, in 2016 the Council will spend almost €950,000 on litter management and over €1,750,000 on street cleaning. The Council also has its own Gardening Section that takes care of the green areas and floral displays in the towns and villages of County

Clare. The 2016 budget for parks, pitches, open spaces (including gardening/flowers), playgrounds and beach maintenance is over €2,000,000. It is also very important to recognise that community groups such as local Tidy Towns groups also do a huge amount of work to enhance their local areas. When the work of the Council and the work of local groups is combined, it makes sure that County Clare looks welcoming and all our towns and villages look well throughout the year.

Karina McGrath

I agree that all dogs should have a chance to live a long and happy life. The number of dogs being put to sleep in the pound in County Clare is falling every year. This is due to a number of factors such as the use of social media like the Ennis Dog Pound Facebook page which lists dogs that are currently in the pound that have been lost or are looking for new homes. There are also a number of animal charities and individual people in the county who take dogs from the pound and find them a forever home. All of these efforts mean that the number of dogs being put to sleep is falling every year.

I recognise that a new dog pound would be a great addition to County Clare but unfortunately the Council has not had enough money to build a brand new pound in recent years. In the meantime, repairs and upgrade works have been carried out to the existing pound almost every year to make sure that the standards for the dogs staying there are as good as possible.

One significant way that we can reduce the number of dogs in the pound is through greater education for dog owners. Each year a very large number of dogs are surrendered to the pound because the owners are not able to care for them properly. Groups such as Dogs Trust have started to run education programmes to teach young people about the responsibilities and commitment involved in dog ownership and it is hoped that in the future this will reduce the number of dogs that are abandoned or surrendered to the pound.

Luke Randall

Community gardens and allotments make a valuable contribution to communities, particularly in towns and villages where many gardens may not be big enough to allow people to grow flowers, vegetables etc. At the moment there are allotments in Ennis and Shannon and there is a community garden in the Killaloe area. The Draft County Development Plan supports the development of more community gardens and allotments around the county (Section 5.3.8).

I very much agree with the need to have more places for older people to socialise. There are a number of centres in the county where elderly people can come and spend the day, meet other people and take part in activities such as the Carrigoran in Newmarket-on-Fergus and Raheen Community Hospital near Tuamgraney. The County Development Plan focuses on allowing people to stay in their own homes for as long as possible so they are not moved away from their neighbours and friends to live in a nursing home or care centre. In the Plan we call this 'Aging in Place'. We want to ensure that new houses can be changed and modified over the years as the people who live there get older so they can stay in their own home for as long as possible (Section 5.3.6.1). Clare County Council is also working to create an 'Age-Friendly County'. This means making sure that people remain active members of their community when they get older and that they can still take part, for example, in social and cultural activities.

I consider the idea of multi-cultural spots put forward in this submission to be very beneficial. It would greatly help the cultural development of County Clare and help to ensure that people moving to County Clare from other countries and cultures are welcomed and integrate well into their new communities. I recommend that Section 5.4.1 Arts and Culture of the Draft County Development be amended to incorporate this idea.

In relation to outdoor gym equipment, there are a number of locations around the county where this equipment is already available and it is very popular with people exercising in those areas. The draft County Development Plan supports all forms of outdoor activities and it also supports the development of new outdoor facilities (Section 5.4.2).

I agree that it is very important for business to recycle as much as possible to reduce the amount of Energy they use. There is both an Environmental Awareness Officer and an Energy Management expert working in Clare County Council, both of whom work with businesses and communities

around the county to help them achieve better environmental standards. I have forwarded the suggested incentives for business set out in this submission to both of them for when they are next working on programmes for businesses in the county.

Lily Watson-Bradshaw

Illegal dumping is a very serious issue in County Clare and the Council works very hard to stop this problem and to make sure the county is clean and attractive for the people who visit here and also for all the people and animals who live here. The Council has budgeted over €950,000 for 2016 to provide a litter warden service, litter control initiatives and environmental awareness and education.

The Council also carries out a number of different activities to deal with illegal dumping of waste. These include CCTV surveillance, using cameras like those that were suggested in the submission, patrols of areas where dumping often takes place and there are also staff members in the Council that investigate all complaints about dumping and try to find out who is responsible.

From Jade Marrinan

I agree that helping people to easily access university education is very important and over the last number of years efforts have been made to try and improve this in County Clare. Limerick Institute of Technology run a number of their courses from their Learning Centre in Ennis town centre, making it easier for local people to attend their courses. NUI Galway also has a College of Hotel Management in Shannon and the University of Limerick has built a large number of their college buildings and services in County Clare. These colleges each offer an opportunity for the people of Clare to go to college in their own county. However, in the near future, it does not look like there will a new university built in County Clare.

Comments from Other Students

- The street art in Ennis was painted a number of years ago in an effort to improve/brighten the appearance of some of the street. Unfortunately art is always subject to personal taste. Not everyone will like every painting, but overall the art has improved the appearance of many parts of Ennis.
- I agree that walkways along the river would be good for walkers and fishermen etc. It is important however to make sure that when these paths are built, they will not have a bad effect on the birds, fish and other wildlife who live in the river and along the riverbank. For this reason the Council has to carry out a series of assessments before riverside paths can be built to make sure that there will be no bad effects. This means that it can take a long time for walkways along the rivers to be built but the Council is always looking for place where they can be built with little or no impact on local wildlife.
- In relation to planting to brighten the streets, please see my response to Finny Stephens' request for more parks, flowers etc. above.
- I agree that a skate park would be a great addition to Lahinch and I recommend that an objective be included in the Plan to try and have this built in the coming years.
- In relation to eco-car charging points, please see my response to Ailbhe Haran above.
- I agree that global warming is a very serious issue and that more should be done to raise awareness. I have forwarded the suggestions for events to the Council's Environmental Awareness Officer, who organises events such as those suggested throughout the year.
- Tourism is very important to County Clare. It provides a lot of jobs, especially for people who live in rural areas. The draft County Development Plan has a chapter dedicated to Tourism (Chapter 9). It deals with many different types of tourism, the Wild Atlantic Way and how the Council will work to promote year-round tourism in County Clare.
- Linking up tourist spots is also very important. Visitors will stay in County Clare for longer if it is easy for them to get from one attraction to another and also if it is easy for them to get to attractions from their accommodation. The Council is hoping to improve the links between attractions by improving signage, developing more walking and cycling routes and encouraging business to work together to develop 'trails' linking attractions and activities in an area together, such as the Burren Food Trail.
- Bus services in County Clare are run by government companies like Bus Éireann, community organisations like Clare Bus or by private companies. Clare County Council doesn't run any buses directly but will encourage others to be as fuel efficient as possible.

- In relation to developing more cycle paths and footpaths, please see my response to Kate Houlihan above. Developing new and improved pathways is highly important and is one of the best ways that we can encourage people to be more active. Many of the new facilities such as the path from Ennistymon to Lahinch and the first phases of the West Clare Railway Greenway have 'shared surfaces' so they can be used by many different groups e.g. walkers, cyclists etc. rather than being restricted to a single user group.
- Reducing emission from cars is very important and the draft County Development Plan contains a Low Carbon Strategy (Section 18.5). This sets out all the different ways the Council will try to reduce emissions across the county in the coming years. This doesn't just relate to emissions from cars. It addresses a range of issues like how we can save energy in our homes and our businesses and how we can use more renewable energy.
- In relation to wind power, the draft County Development Plan contains a Wind Energy Strategy that supports wind energy development at a number of locations in the county. In the near future the Council is going to review the Wind Energy Strategy to ensure that all the information it contains is up-to-date and accurate. There is also a Renewable Energy Strategy in the draft County Development Plan and this looks at all the other forms of renewable energy that can be developed in County Clare such as solar energy and wave energy.
- I agree that it is important to have facilities and social clubs for teenagers to ensure that they do not get involved in anti-social behaviour. Clare Youth Service is the main organisation providing activities and social clubs for young people in County Clare. They run approximately 68 clubs and projects around the county. Clare County Council has a role to play too and in the past they have worked with Clare Youth Services to provide facilities. For example Ennis Town Council worked with CYS to develop The Junction, a youth and community building in Ennis that has been very successful. The Council will continue to work with CYS in the future to ensure that there are after-school activities for teenagers across the county.
- Homelessness is a very serious issue and the Council does as much as possible to help people who are homeless. There is a dedicated Homeless Unit in the Housing Department of Clare County Council and the staff there work to help people who are homeless and to make sure they can find appropriate accommodation. There are also other groups such as the Department of Social Protection and many charities and voluntary groups who work in County Clare to help homeless people as much as possible.

Chief Executive's Recommendation

I recommend that the following actions are undertaken / amendments made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission from the pupils of Mol an Óige National School:

Volume 3(a), Section 1.14.2 – insert new paragraph to read:

"Clareabbey roundabout is the principle gateway to both Ennis and Clarecastle. In consultation with the Transport Infrastructure Ireland and other relevant stakeholders, the plan supports the redesign of Clareabbey roundabout and the approach roads to the roundabout, in accordance with the principles of '*Design Manual for Urban Roads and Streets*' to reflect that it is a junction in an urban area which should successfully balance the needs of all road users including pedestrians and cyclists. Such redesign will require a holistic approach which will include traffic calming on the approach roads, screening, landscaping, creating a sense of enclosure and place, and thus creating an attractive and memorable gateway to both settlements."

Objective V3(a)16 –point (d) to amend text as follows:

"(d) To implement the principles of '*Design Manual for Urban Roads and Streets*' in the construction of new roads and street and the upgrading of existing roads, **roundabouts, junctions,** and streets in the plan area."

Service Towns and Small Towns

Carry out a review of all Service Towns and Small Town to establish if a town park is required in the area and, if so, ensure that a suitable site is identified for the future development of a park.

Section 5.4.1 Arts and Culture – amend text as follows:

“5.4.1 The Arts and ~~Culture~~Cultural Development

See also Section 15.5 Cultural Heritage

The Arts Act 2003 defines the arts and enables local authorities to provide financial or other assistance for the purpose of stimulating public interest in the arts, promoting knowledge, appreciation and practice of the arts and improving standards in the arts. Culture, in this development plan, can refer to both the traditional culture and cultural activities of County Clare, and embracing the development of the county as a dynamic and multi-cultural society. A strong arts and cultural sector can enhance quality of life, ~~and~~ promote social inclusion and the integration of people from different cultures into their local community and it can also contribute significantly to the economic growth of the county, attracting visitors and creating employment.”

CDP 5.10 – Amend objective title and include additional point d) as follows:

| Development Plan Objective: Arts and CultureCultural Development | |
|--|--|
| CDP5.10 | It is an objective of Clare County Council: a) To develop programmes that support the arts and people’s experience of the arts both as participants and audience members; b) To support the development of workspaces for artists and artistic organizations and display facilities for visual arts works throughout the county; c) To support cultural and entertainment activities in the county by operating within the forthcoming National Cultural Policy and by co-operating with the Arts Council, community groups and other bodies; d) To support the events and activities that allow people from different cultures to meet and learn about their different traditions, music, food, religions etc. in order to support the development of an open, inclusive and multi-cultural society in County Clare. |

Volume 3(d) – Ennistymon/Lahinch Settlement – add new Section as follows:

“Recreation and Amenity in Lahinch

Lahinch is a well-known destination for beach-based recreation and this is supplemented by the development of other land-based facilities such as a children’s playground, Lahinch Sea World and Leisure Centre. However, there is an identified need for further facilities in the area. During the lifetime of the Plan the Council will facilitate the development of new amenities to serve beach users such as new public toilets and shower facilities. The Council will also support the development of an amenity area to ensure that the needs of older children and teenagers are also met in the area.”

Ref. 346 Wim van Schie

Keywords: Physical Infrastructure, Policy, Flooding, Environment

Summary of the Issues Raised in the Submission

This submission refers to the authors' concerns regarding the inclusion of the Northern Distributor Road in the draft Plan.

The author submits that an access to UL from the Clare side could be created by adapting the existing infrastructure using the road between Larkin's Cross and the old Burlington plan. He further outlines his concerns regarding the impact such development would have on the flood planes, the environment and the landscape.

Chief Executive's Response

I thank Wim van Schie for his submission the content of which is noted and I reply as follows:

Clare County Council is clear on the importance of UL and the development of the Clare Campus. This has been expressed in the present Clare County Development Plan 2011-2017 as quoted below:

6.3.3 The importance of the University of Limerick and Limerick Institute of Technology as well as other third level institutions located in the West and Mid-West Region is acknowledged and recognised as a critical driver of economic success.

Policy 6.4(d) To support and encourage the further expansion onto the north side of the River Shannon of the University of Limerick campus and increase access from County Clare.

The importance of third level institutions to the growth and prosperity of regions has been widely recognised in economic and planning research. Hence, the recognition of the role of UL in bringing an increasing range of benefits to County Clare is noted in regional guidance. This policy approach is carried through to the Draft Clare County Development Plan 2017-2023 in section 6.3.5 and Objective 6.7 University of Limerick- Clare Campus sub sections a) to k). The first two are as follows:

- a) To support and encourage the further expansion of the University of Limerick campus on the north side of the River Shannon;*
- b) To facilitate the development of the Limerick Northern Distributor Road to provide direct access from County Clare to the University;*

I believe that the new route will provide a necessary improved access to the Clare Campus of the University of Limerick.

It is not envisaged that the LNDR will compete with the Limerick Tunnel as the proposed route is a distributor road to the north of Limerick. LNDR has an altogether different purpose to the Limerick Tunnel. It serves local needs in terms of access to education and employment, and the reduction of socioeconomic deficit currently being experienced by certain parts of Limerick. The need for the scheme has been identified in local, regional and national planning policy. The potential impacts of the LNDR scheme on the N18 and Limerick Tunnel Scheme have been considered, as part of the Costs Benefit Analysis (CBA) which was carried out as part of the Route Selection Report for the LNDR scheme.

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://shannoncframstudy.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.

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. 347 Fr. Gerald Fitzgerald

Keywords: Ennis

Summary of the Issues Raised in the Submission

The submission refers to the site of the former Ennis National School which is identified as an Opportunity Site in the Ennis settlement plan in the draft Plan.

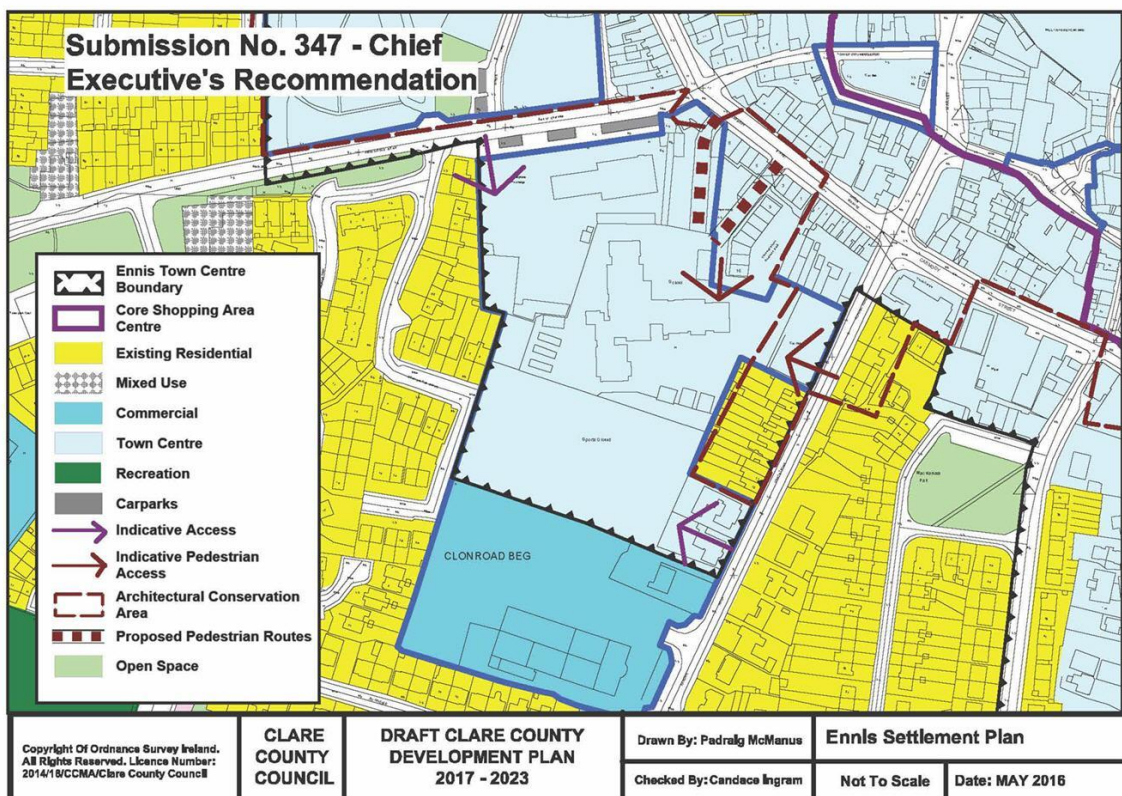
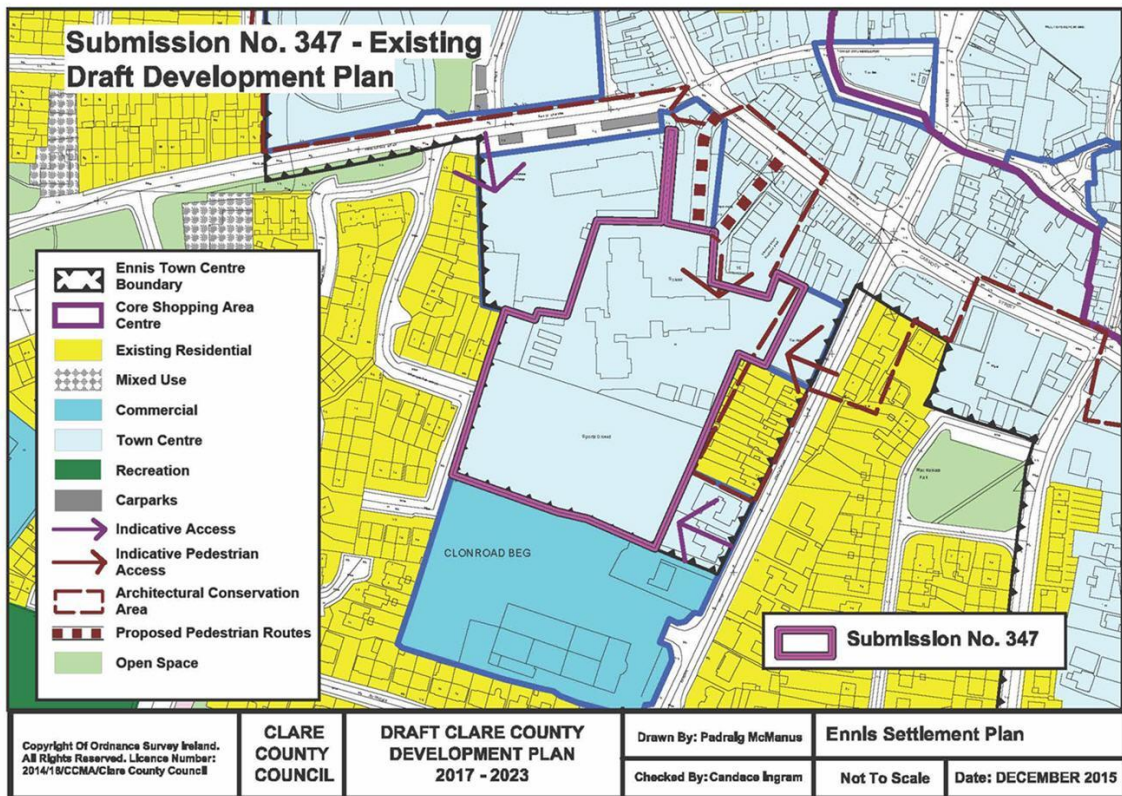
The submission requests Clare County Council to consider purchasing or leasing the property with a view to transforming it into a town centre facility containing amongst other things, sports and recreation facilities and offices. The author submits that such a project would benefit not only the younger population of the town but also tourists.

Chief Executive's Response

I wish to thank Fr. Fitzgerald for his thoughtful submission. I acknowledge the requirement for community facilities. However the Council is not in a position to lease the property as suggested. The Draft Clare County Development Plan 2017-2023 notes that the creation of vibrant, healthy and inclusive communities, developed on the principles of sustainability and accessibility, are key components in ensuring a high quality of life for all residents. Access to social and community infrastructure is essential to well being, social inclusion and the creation of sustainable and attractive communities. In this regard, the Draft Clare County Development Plan 2017-2023 contains a number of strategic aims and specific objectives required to support community development, enhance social infrastructure, address social exclusion and support physical, social and cultural integration as well as addressing deficits in social, community and physical infrastructure.

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. 348 P. Coleman and Associates on behalf of Hartnett Homes and Estate Developers Ltd.

Keywords: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands identified as Parcel I owned by the above at Cahircalla More / Ashline, Kilrush Road, Ennis. An accompanying map identifies the location of all the landowners property in the area which has been divided into 9 no. separate parcels of land (A-I).

Parcel I is presently in use as agricultural grazing land and is currently zoned "Other Settlement Land" within the Ennis Settlement Boundary. It is proposed to rezone it as "Open Space" in the draft Plan.

The submission requests the planning authority to rezone Parcel I to "Recreation".

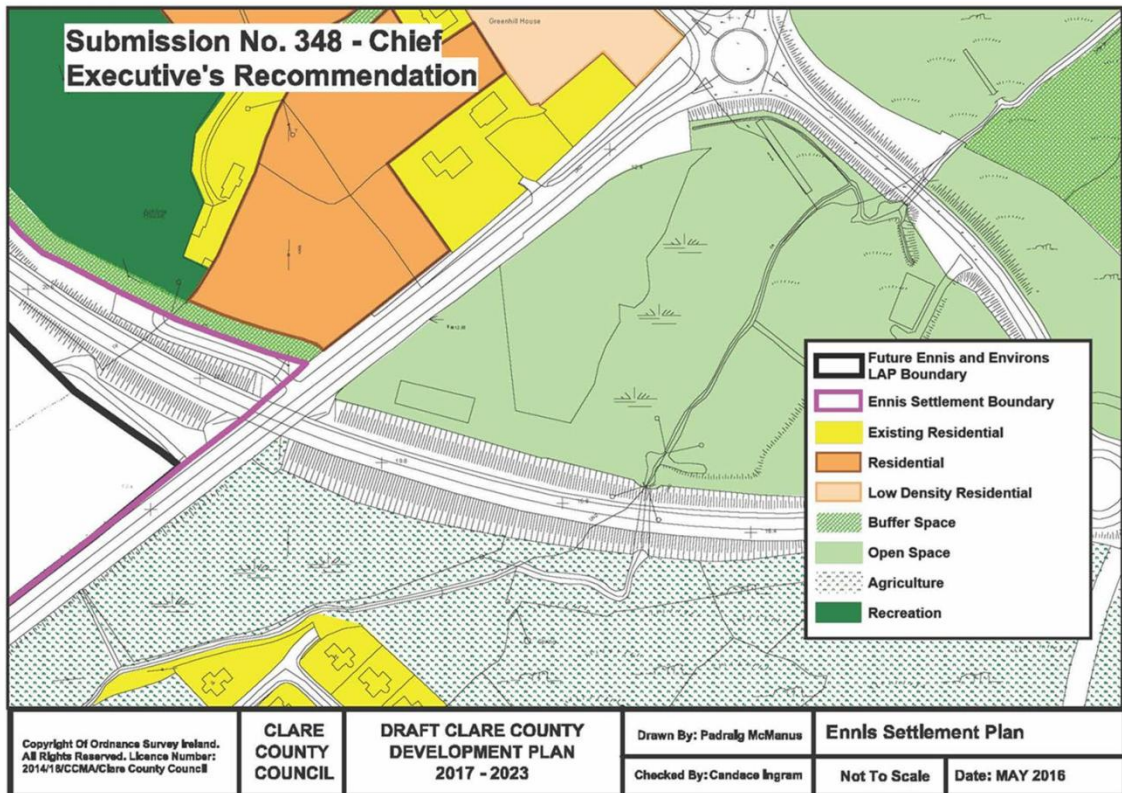
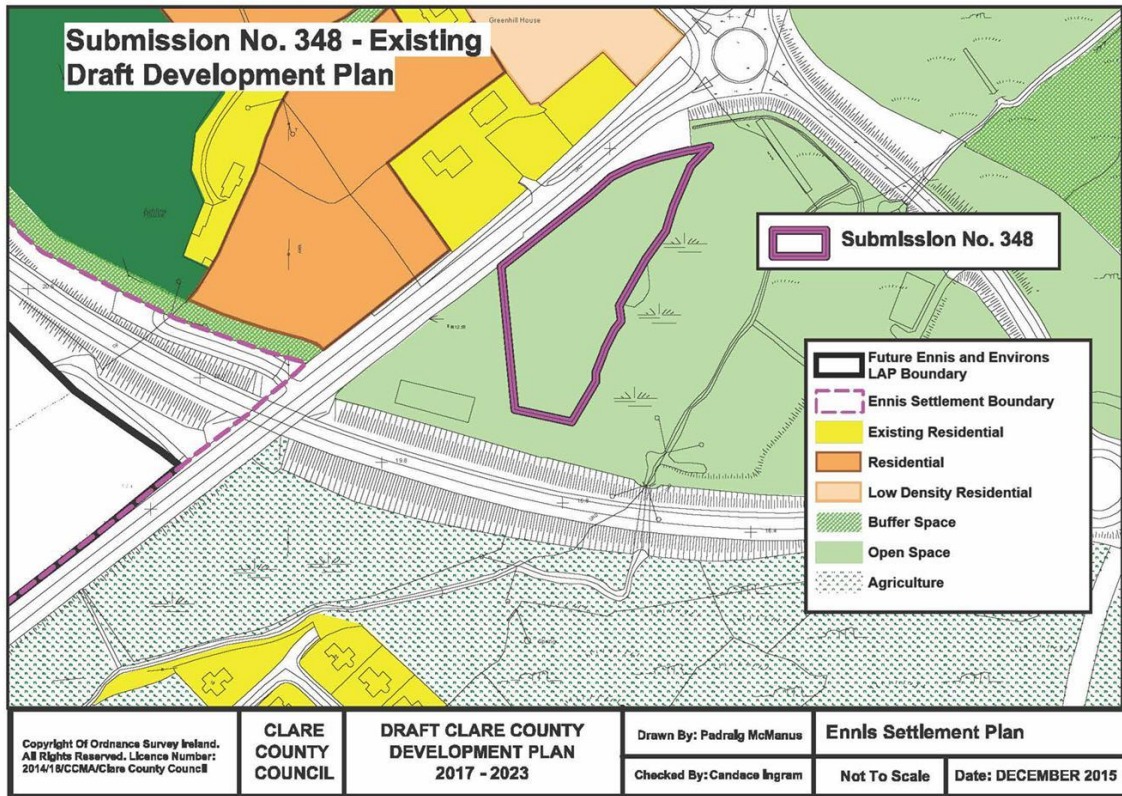
The submission states that it is their clients' view that Parcel I land is more suitable to a "Recreation" zoning objective as this allows for a greater variety of uses than the "Open Space" zoning objective. It is their opinion that there is a lack of public parks and playground facilities in this established area and that the proposal to create a neighbourhood centre at Cahircallamore would require the provision of recreational facilities.

Chief Executive's Response

I wish to thank Hartnett Homes and Estate Developers Ltd. for their submission. I do not consider this parcel of land is well located or the provision of recreation facilities. It is separated from the main development area in Ashline which lies to the north. There is no footpath linking this site to the rest of the neighbourhood. Other recreational lands are better located in the heart of the neighbourhood near the Ennis National School and proposed residential zoning.

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. 349 Michael Glynn and Co. Solicitors on behalf of Emma and Clodagh Glynn.

Keywords: Ennis

Summary of the Issues Raised in the Submission

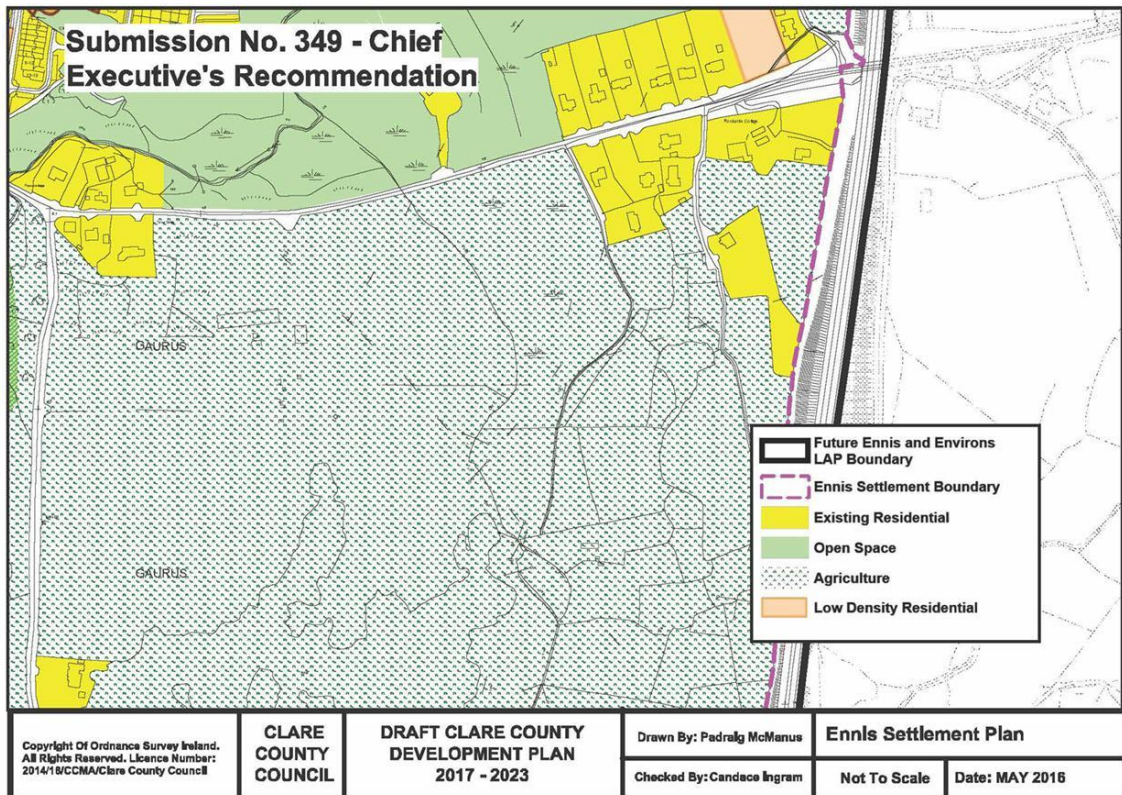
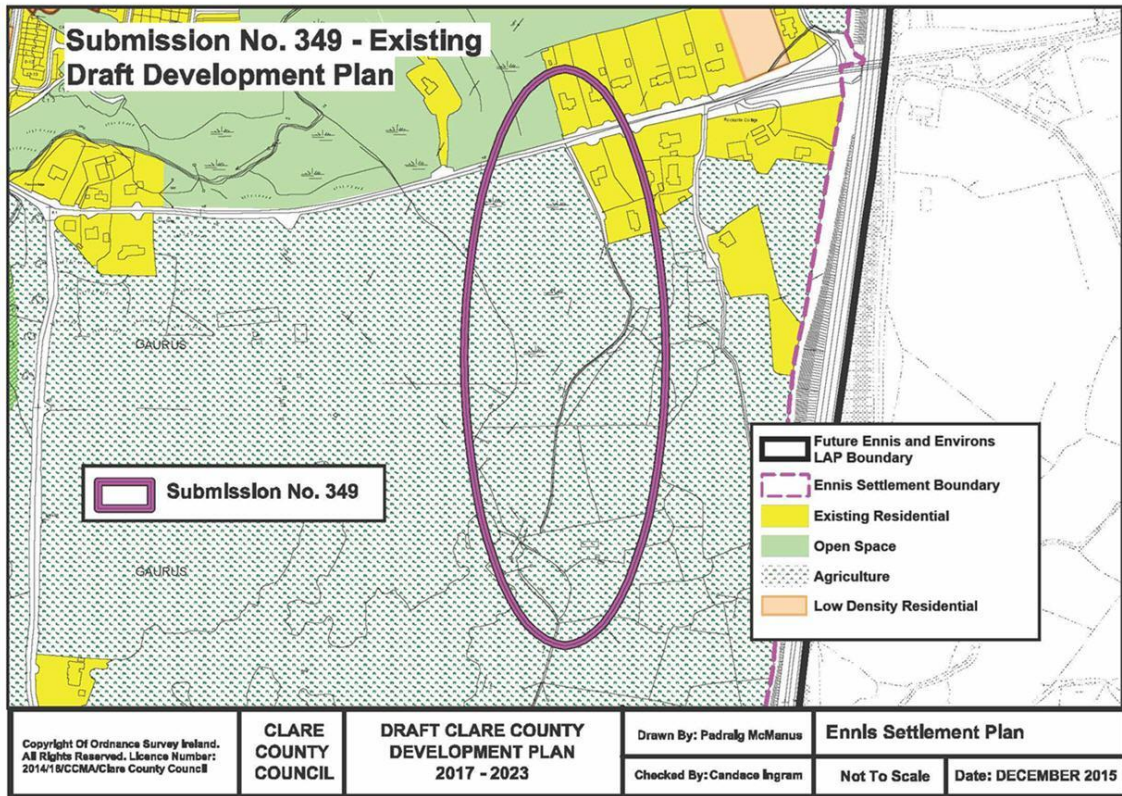
This submission refers to lands owned by the above at Knockanean, Ennis. I note the author has submitted a copy of his previous submission to the draft Ennis and Environs Plan 2015-2021 which had a proposed cycle lane traversing the land to which the landowners object.

Chief Executive's Response

I wish to thank Clodagh Glynn and Emma Glynn for their submission. I acknowledge their concerns regarding the potential impact such a walkway/ cycle way can have on residential amenity. I note this submission refers to map no. 10 which formed part of the Ennis and Environs Local Area Plan 2015- 2021 (withdrawn in Spring 2015). Map 10 does not form part of the Draft Clare County Development Plan 2017- 2023 and was not on public display as part of the plan. The forthcoming Ennis and Environs Local Area Plan 2017- 2023 will contain a green infrastructure and walking/ cycling strategy. The authors will have the opportunity to make further submissions when the draft Ennis and Environs Local Area Plan 2017- 2023 goes on public display. Any project for the provision of such facilities will require to be assessed having regard to the provisions of Part 8 of the Planning and Development Act 2000, as amended, which includes public consultation.

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. 350 Tuamgraney National School and Tuamgraney National School Parents Council

Keywords: Tuamgraney, Policy

Summary of the Issues Raised in the Submission

The parents' council acknowledge the improvements to traffic calming and pedestrian safety that have taken place in recent years. However, due to the very high volumes of traffic passing through the village, they submit that further traffic calming is needed in conjunction with greater enforcement of speed limits.

The submission requests the planning authority to:

Insert a section on traffic calming in the Tuamgraney plan which will strengthen the reference to the need for traffic calming;

Include an additional general objective as follows: to design and implement additional traffic calming measures for Tuamgraney in consultation with the local community

Chief Executive's Response

I thank Tuamgraney National School and Tuamgraney National School Parents Council for their submission and I reply as follows:

I do agree that establishing a calm and safe environment is vital to the amenity and good sense of place in our towns and villages. For this reason traffic calming is referenced in the Placemaking section of many settlements, including Tuamgraney.

I consider that it is appropriate, given the traffic volumes passing through this settlement, that the matter be given additional emphasis through inclusion of an additional General Objective.

In view of the general importance of the link between traffic management and Placemaking and Amenity I consider that an additional point of priority also be added to 17.4.3 Placemaking and Amenity in Settlements in respect of implementing the principals established in Design Manual for Urban Roads and Streets (DMURS). The following is a relevant text from that document:

The principles, approaches and standards set out in this Manual apply to the design of all urban roads and streets (that is streets and roads with a speed limit of 60 km/h or less).

2.2.1 'Place' as Part of the Design Equation Designers must broaden the scope of issues that are considered throughout the design process. Whilst the movement of traffic is still a key issue, there are several others, including the 'sense of place', which are of core significance to the creation of safe and more integrated street designs. The following characteristics are identified

Connectivity: requires walkable street networks that can be easily navigated and are well connected. Pedestrian Activity/Facilities: Good pedestrian facilities (such as wide footpaths and well designed crossings) also make walking a more convenient and pleasurable experience that will further encourage pedestrian activity. In small towns and villages this means providing continuous clearly defined footways and convenient crossing points which slow traffic by limiting road width.

Enclosure: A sense of enclosure is achieved by ... The use of street trees to enhance the feeling of enclosure. Materials and Finishes: Their use is one of the most defining elements of a street, particularly where it is used to emphasise the levels of segregation and integration within a street.

In small towns and villages this means using trees and other means to visually narrow the road space thus slowing traffic. Changes in ground surface, definition of the footway edges and definition between public to private space all contribute to pleasant, safe spaces which cater for a balance of users.

The following are particularly relevant to situations like that in Tuamgraney:

Transition Areas: In the Rural Fringe when moving between rural areas and cities, towns and villages. In such circumstances, designers should implement a series of measures aimed at highlighting this transition and slowing drivers.

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:

An additional General Objective in section of Volume 3(c) Tuamgraney Settlement Statement which reads:

To design and implement additional traffic calming measures for Tuamgraney in consultation with the local community.

Additional text be inserted as follows in Volume 1, 17.4.3 Placemaking and Amenity in Settlements under priorities for the main public spaces in the towns and villages of County Clare.

To implement the principals established in Design Manual for Urban Roads and Streets (DMURS).

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658, 661
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