

# 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 401 - 450

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. 401 P. Coleman and Associates on behalf of Ennis Parish**

*Keywords: Ennis*

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

This submission refers to the landholding containing the former Ennis National School owned by the above between the Kilrush Road and Drumbiggle Road in Ennis. An accompanying map identifies the location of the subject site which has an approximate area of 1.739 ha and bounds the Ennis Town Centre boundary and part of which is included within the Architectural Conservation Area. This site is currently zoned "Proposal Site – PS1" and the following are proposed in the draft Plan:

Reclassify the subject lands from "Proposal Site – PS1" to an "Opportunity Site – OP2"

Extend the town centre boundary to include Ennis Parish lands

Eliminate some of the developed landholdings from the original "PS1" site boundary

The submission requests the planning authority to adopt the above proposals.

The authors' client requests that Clare County Council consider the importance of the "OP2" site in preparing the Clare County Development Plan 2017-2023 from the point of view of catering for the retail deficiency within the Town Centre. They request firstly, the proposed zoning of their landholding as an "Opportunity Site" specifically "OP2" is adopted. Secondly, they request that the proposed extension of the Town Centre boundary to include their landholding within the "OP2" site is adopted and finally, to consider further reducing the number of landholdings within the "OP2" site so that only the key larger stakeholders are included within the "OP2" site boundary.

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

I wish to thank Ennis Parish for its submission in relation to Opportunity Site 2, referred to as OP2 in the Draft Clare County Development Plan 2017-2023. I consider that this site is a significant brownfield site in a strategic location, ideally positioned to accommodate the need for additional convenience and non bulky comparison goods floor space directly adjoining the existing town centre. I consider that this site has the potential to transform and revitalise the western side of the town, providing strong pedestrian linkages to the market area and existing town centre.

In response specifically to the items raised in submission, I wish to comment under the following headings:

- Adopt Opportunity site OP 2 zoning.

It is appropriate that this site be designated for town centre purposes having regard to its proximity to the market and the potential commercial synergy that will arise when the market area is revitalised and the focus turns to the potential the western side of the town centre can offer. The Council has made every effort to find suitable sites for retail development. Progress has been challenging due to the extent of land in community use around the town centre and edge of centre. I fully acknowledge that retailers wishing to invest in Ennis have particular floor space, design and format requirements that can only be met on sites of adequate size and location. I agree that the site should remain within the designated town centre boundary should remain an opportunity site.

- Adopt town centre boundary extension to include subject lands.

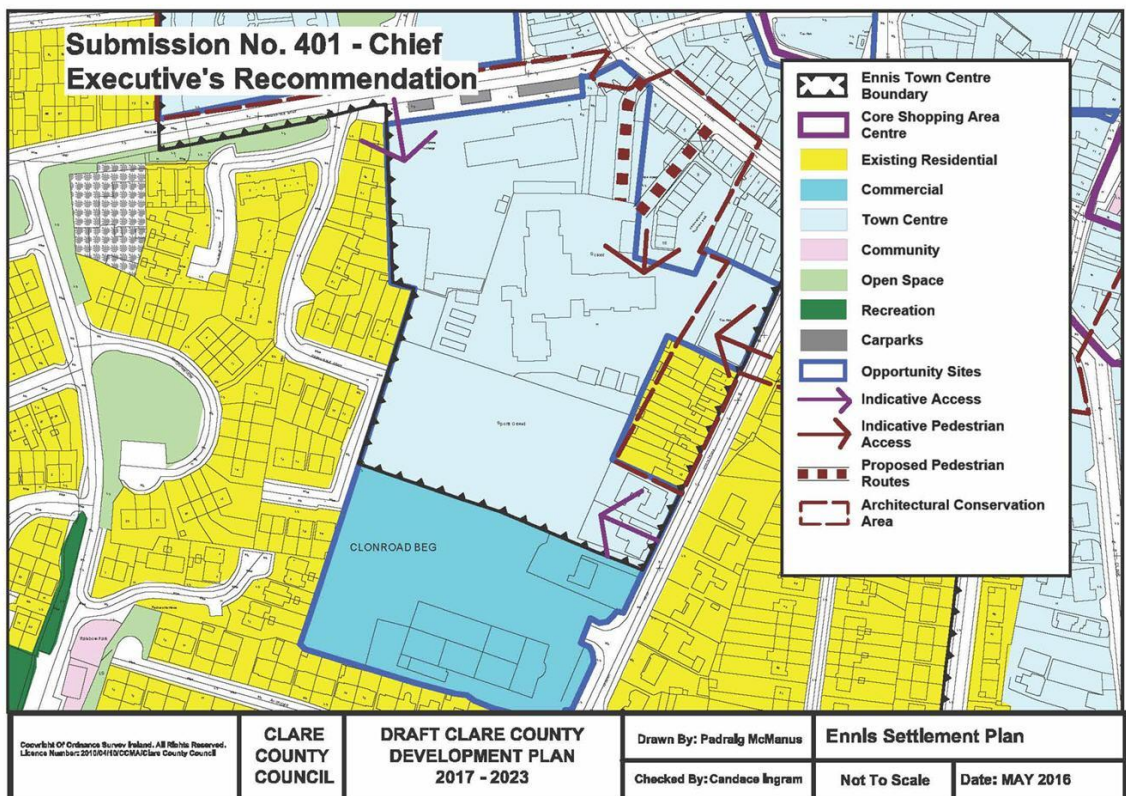
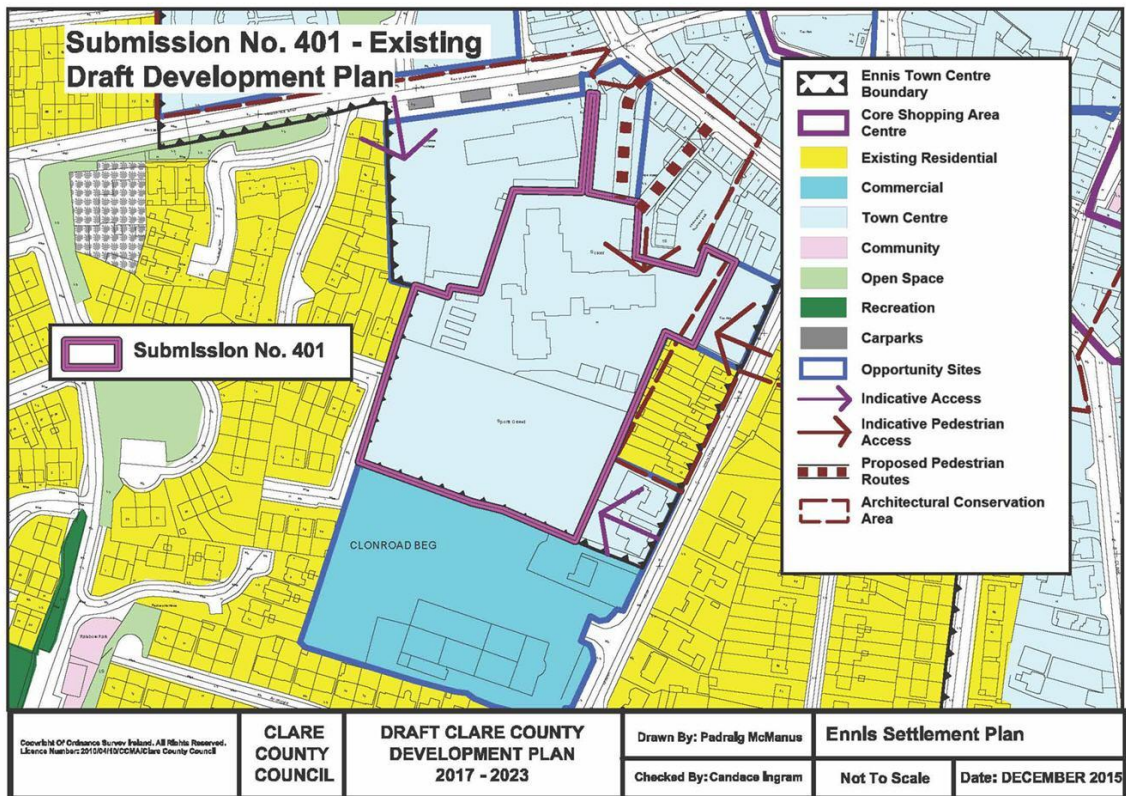
Having regard to the foregoing it follows that the town centre boundary should include the subject site. This is proposed in the Draft Clare County Development Plan 2017-2023

- Eliminate additional land holding

It is not the case that every parcel of land within the opportunity site has to come forward for development as part of the overall scheme. I acknowledge that there will be some landowners who do not wish their property to be developed as part of the larger scheme. The boundary around the opportunity site is drawn to give as much flexibility as possible. However it does not necessarily follow that every part of the opportunity site will be developed. I therefore consider there is no requirement to alter the boundary of the opportunity 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. 402 Donal Lyne**

*Key Words: Ennis*

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

This submission refers to land owned by the above at Ballybeg, Ennis. An accompanying map identifies the location of the subject site which has an approximate area of 10 hectares and is currently in use for livestock grazing. The land is currently zoned "Other Settlement Land" and is within the Ennis Town boundary. It is proposed to zone part of the site "Open Space" and the remainder "Agriculture" which will lie outside the settlement boundary in the draft Plan.

The submission requests that the planning authority rezone all the land "Low Density Residential" and include within the proposed Ennis Settlement Boundary.

The author submits that this land is suitable for future development given its location adjacent to existing residential developments and accessibility to services.

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

I thank Mr. Lyne 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.

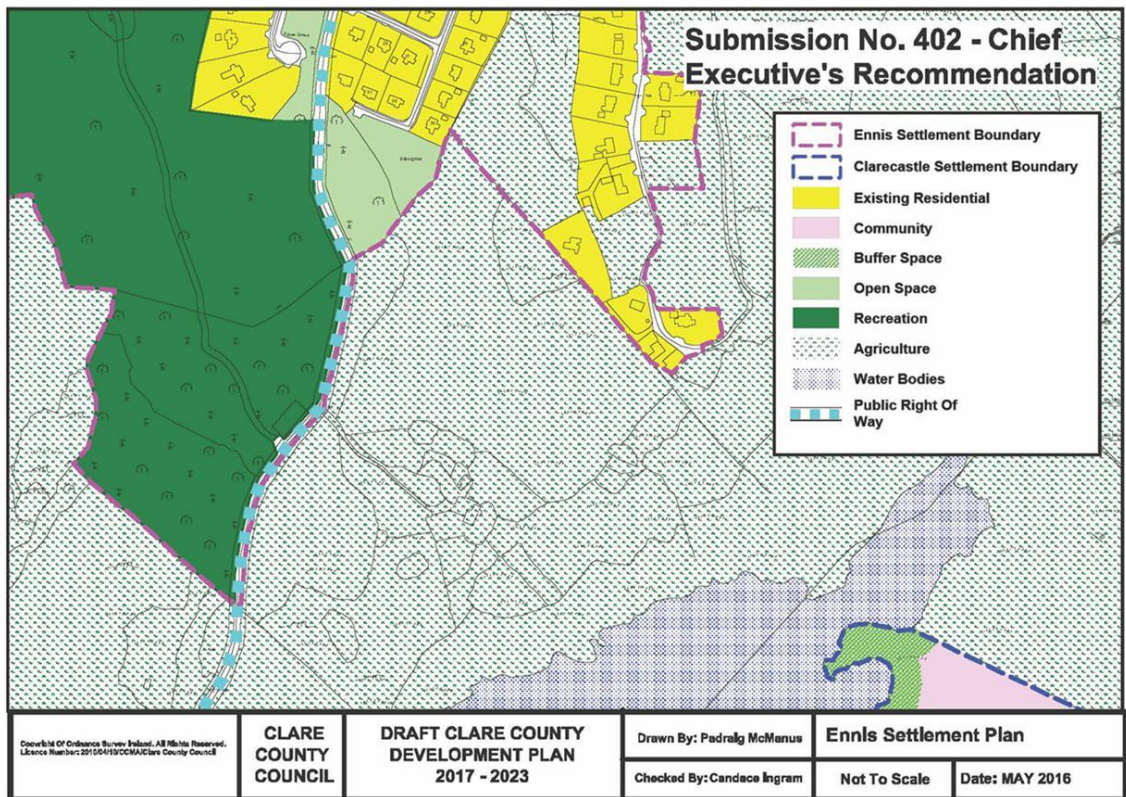
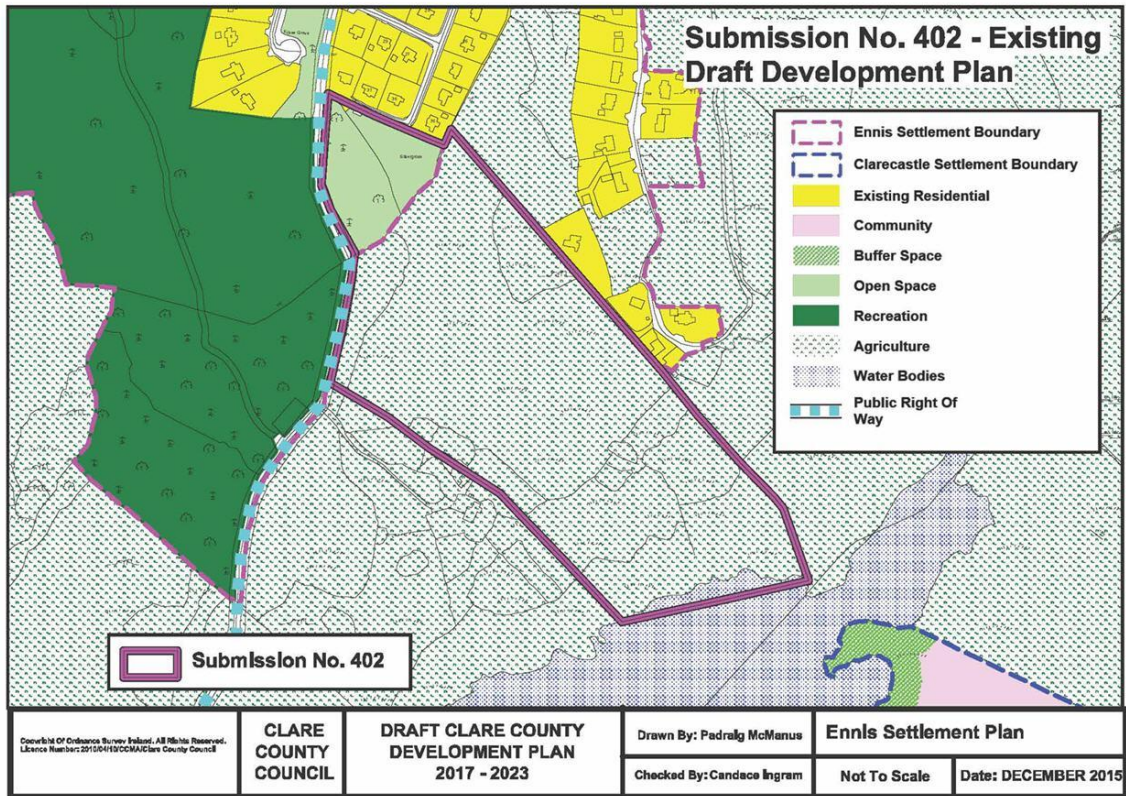
I also note that the eastern boundary of the subject site adjoins Ballybeg Lake. The surface water catchment inputting to Ballybeg Lake covers a limited area. Therefore, while there may be some contribution from surface water, the most significant contribution to water in the lake is from groundwater 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 resident/low density residential uses.

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

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



## Ref. 403 P. Coleman and Associates on behalf of Claureen Service Station

*Key Words; Ennis*

### Summary of the Issues Raised in the Submission

This submission is in relation to the proposed zoning of lands at Junction 12 on the eastern side of the M18 at Kilbreckan, Doora, Ennis which is currently a greenfield site in agricultural use and accessed via the local L-4114 Doora Road. It lies outside the current Ennis settlement boundary and is not zoned for development purposes, and is therefore classified as "Open Countryside". The draft Plan proposes to extend the Ennis plan boundary to include this site and to rezone it "Commercial" with a specific "COM7" zoning objective identifying it as suitable for an *off-line* Motorway Service Area.

The submission requests the planning authority to eliminate the proposed "COM7" zoning objective

The authors' client is the operator of Claureen Service Station on the Lahinch Road (N85) and is strongly opposed to the proposed zoning of a site at Kilbreckan as "COM7" and considers that it should not be adopted for the following reasons:

- Contrary to National MSA Policy

The author submits that the proposed development is contrary to Traffic Infrastructure Ireland (TII and formally the NRA) Service Area Policy issued in August 2014 which proposes an *on-line* MSA between junctions 7 and 12. They submit that it is also contrary to TII Policy and Spatial Planning and National Road's Guidelines for Planning Authorities (January 2012) which seeks to avoid a proliferation of service areas on the national road network. The stated preference by TII throughout all of their documents is to promote the development of *on-line* MSA's for reasons relating to convenience and safety of access from facilities for national road users and separation for longer-distances, high speed motorway and dual carriageway traffic from traffic on the local roads network. Also *on-line* facilities do not directly compete with existing fuel and other retail facilities. The proposed zoning is to facilitate an *off-line* MSA by a private developer.

The guidelines state that regard should be had to the most up to date TII guidance on the location and layout of TII's service areas in the assessment of private proposals for the development of off-line motorway service areas. The author suggests that Clare County Council are in direct conflict with TII objectives given the intention of TII to propose its' own On-Line Type 1 Service Area between junction 7 and 12.

- Contrary to Traffic Policy

It is the opinion of the authors' client that the proposed zoning of the subject site to facilitate a commercial development in this rural area is not in accordance with the proper planning and sustainable development of the area for the following reasons:

- There should be no extension of the Ennis & Environs plan boundary to incorporate this site as it is their opinion that the M18 motorway should form the natural line of eastern plan boundary with no lands being zoned beyond it.
- The zoning of land for commercial development purposes outside of existing identified clusters is not in accordance with the proper planning and sustainable development of the area.
- The proposed site is not served by public sewers and will require an on-site treatment system.

- Traffic Safety

The author submits that the proximity of the entrance to the subject site to the N85/M18 interchange roundabout could lead to the creation of a traffic hazard for the national road network and also traffic using the proposed development.

- Site Selection Process

The authors' client has serious concerns as to how the subject site at junction 12 was selected and is of the opinion that identification of one site only for a proposed off-line MSA on the M18 has limited the scope for a more suitable site to be developed.

- Impact upon existing businesses

The authors' client is concerned that any development of an off-line MSA at this location would become a destination in its own right given the range of facilities which would be available under the one roof which would negatively impact on businesses from local providers in Ennis and the Environs which is contrary to national policies.

- Inappropriate Uses

The authors' client submits that the associated use of a "Drive Thru" listed as being a suitable associated use is not appropriate for an *off-line* MSA. It is their opinion that a "Drive Thru" would only serve to attract custom from the town of Ennis and surrounding settlements and would add to short car trips not directly associated with motorway traffic. Policy guidance is clear that *off-line* facilities which would generate local trips inconsistent with the role of the motorway network, or that would become a destination in its own right, are inappropriate.

- Impact on landscape

It is the opinion of the authors' client that potential development of an off-line MSA at this rural location is contrary to Policy Objective CDP13.3 relating to the Western Corridor Working Landscape. An MSA facility would have a significant negative impact on the rural character of the area and that extensive screening would be required along the M18 and the N85 at junction 12 routes.

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

I wish to thank Claireen Service Station for their submission. I note the submission refers to one site in the Ennis Municipal District Area, namely COM7, at Junction 12, as identified in Volume 3(a) of the Draft Plan.

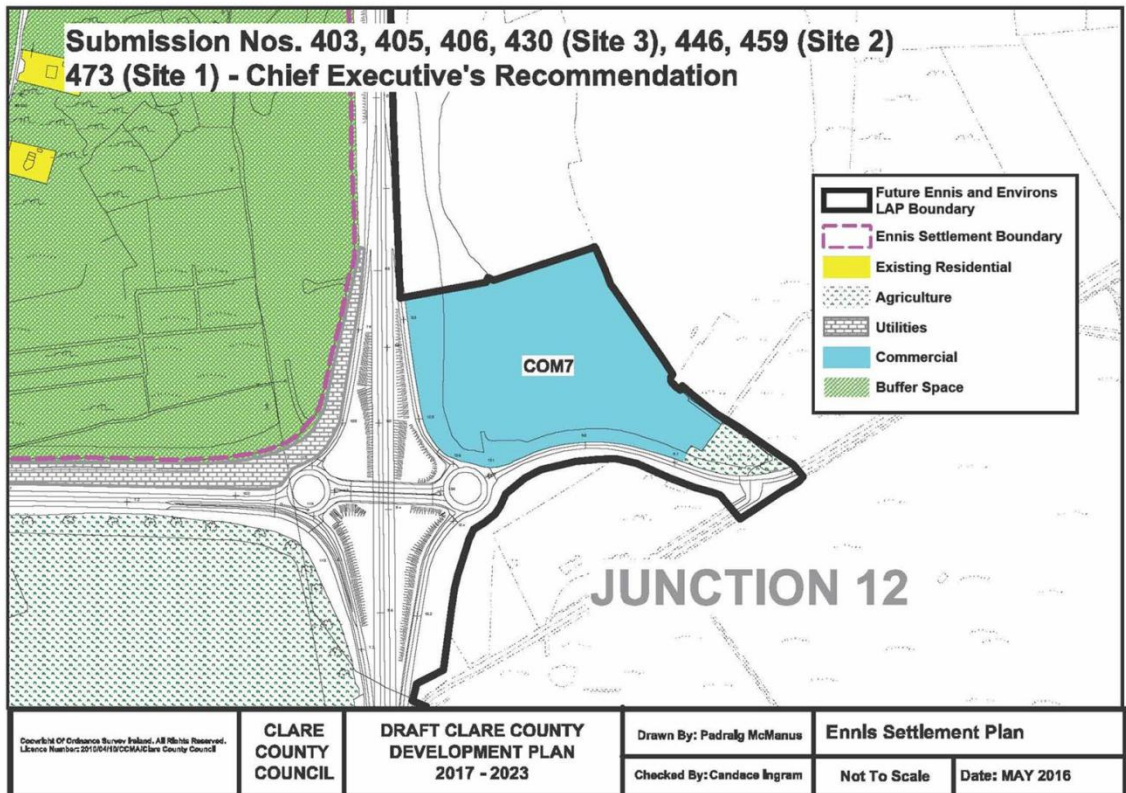
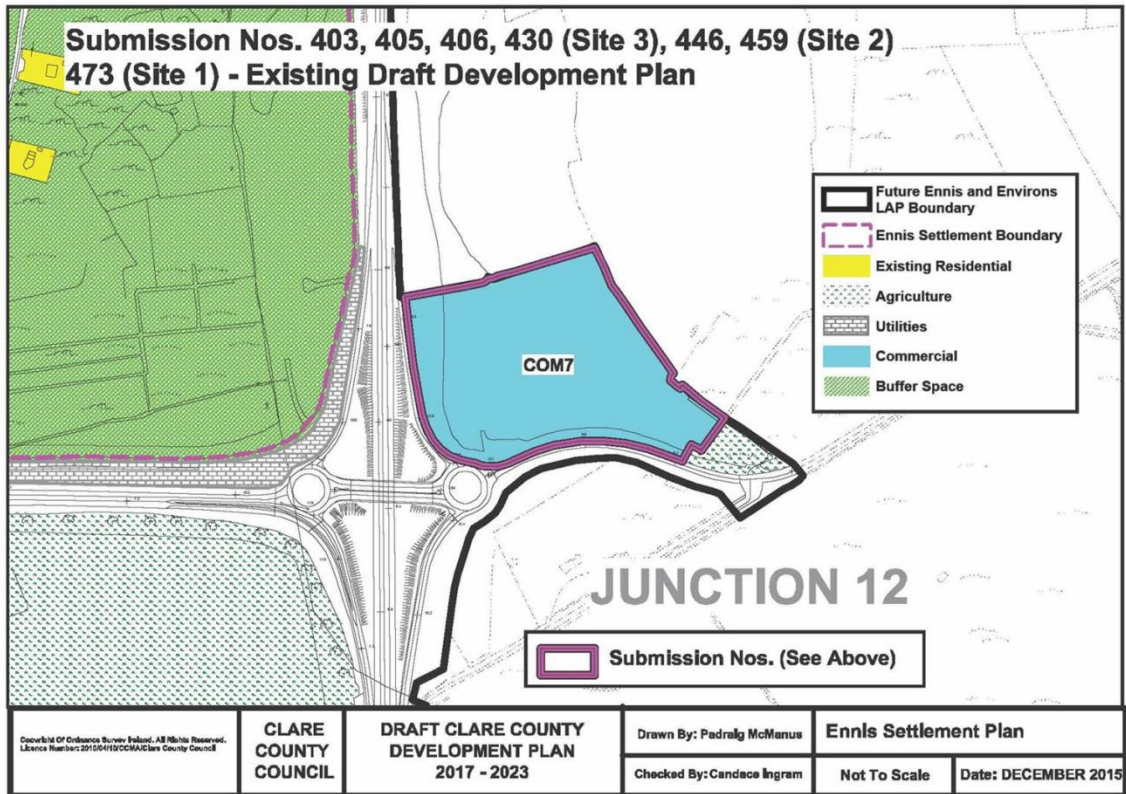
There is an identified need for a Service Station at a location between Junction 7 and Junction 12 on the M18. It is the intention that the Council will provide for such facilities only where it can be proven through a strong evidence-based approach that there is adequate junction capacity and that there will be no negative impact on the main-line traffic flow. Any such provision will be in accordance with Strategic Planning and National Roads Guidelines (2012) and the NRA Service Area Policy (2014). In this regard please refer to my response to Submission 006 where I propose an addition to the Draft Plan in this regard.

In relation to the zoning at Junction 12, this zoning reflects an existing planning permission that has been granted by Clare County Council (currently being considered by An Bord Pleanála) and as such I consider it appropriate for this zoning to be retained. I also note that a Traffic Impact Assessment of the proposed zoning at Junction 12 has been carried out and has been sent to Transport Infrastructure Ireland (T.I.I.) for their consideration.

There are numerous other issues raised in the submission in relation to impact on landscape, appropriate/inappropriate uses at this location etc. I consider that these issues can be assessed as part of specific development proposals for the site through 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. 404 Tadhg Lyne**

*Keywords: Ennis*

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

This submission refers to land owned by the above at Ballybeg, Ennis. An accompanying map identifies the location of the subject site which has an approximate area of 10 hectares and is currently in use for livestock grazing. The land is currently zoned "Other Settlement Land" and is within the Ennis Town boundary. It is proposed to zone part of the site "Open Space" and the remainder "Agriculture" which will lie outside the settlement boundary in the draft Plan.

The submission requests that the planning authority rezone all the land "Low Density Residential" and include within the proposed Ennis Settlement Boundary.

The author submits that this land is suitable for future development given its location adjacent to existing residential developments and accessibility to services.

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

I thank Mr. Lyne 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.

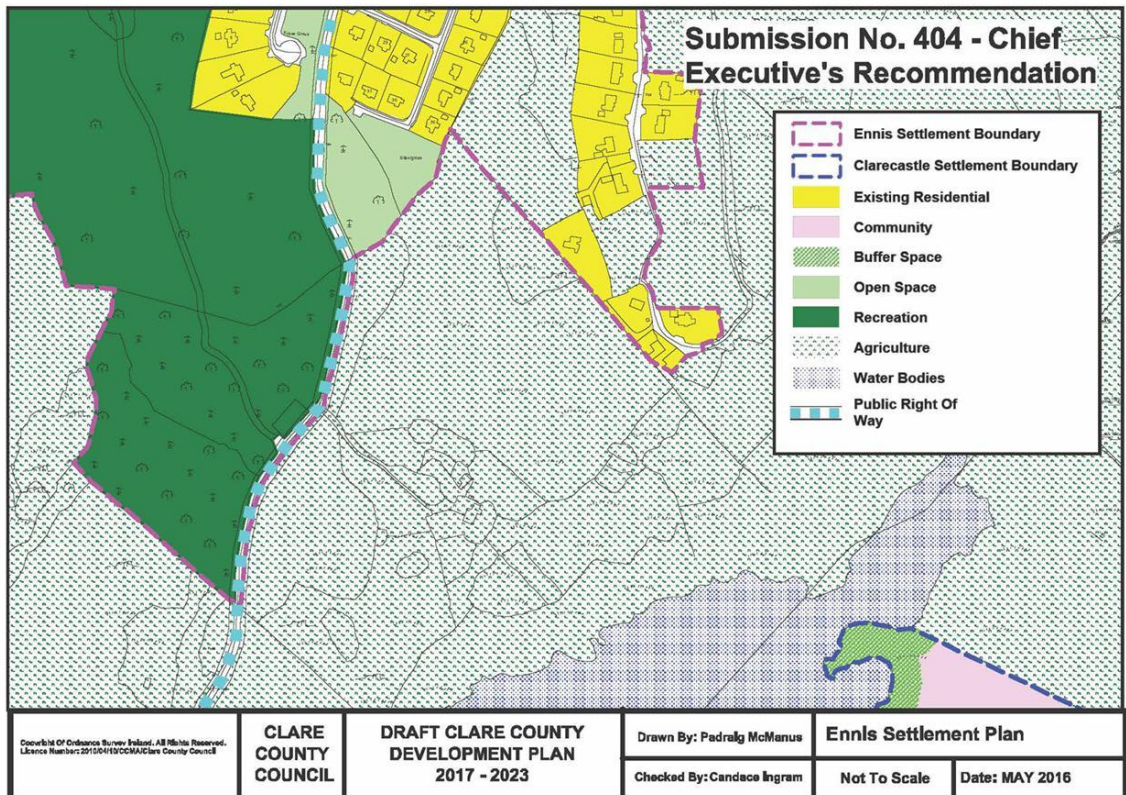
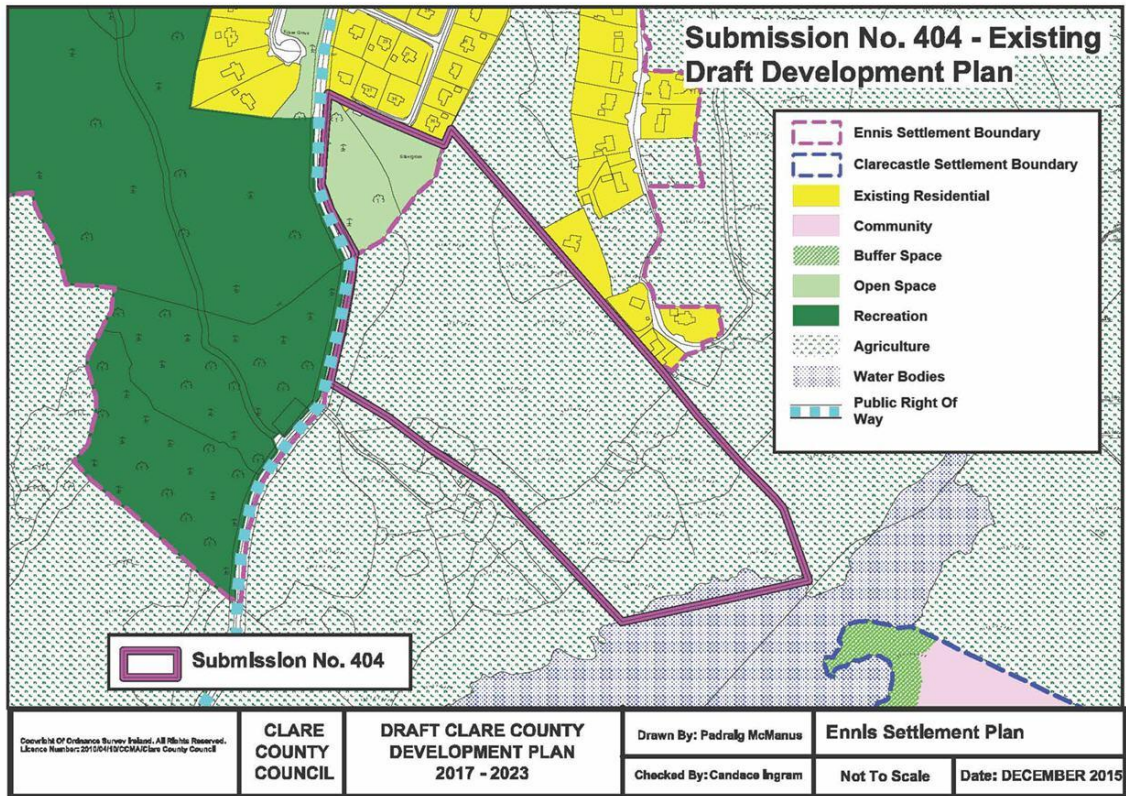
I also note that the eastern boundary of the subject site adjoins Ballybeg Lake. The surface water catchment inputting to Ballybeg Lake covers a limited area. Therefore, while there may be some contribution from surface water, the most significant contribution to water in the lake is from groundwater 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 residential/low density residential uses.

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

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



## Ref. 405 P. Coleman and Associates on behalf of Mill Road Motors

*Key Words; Ennis*

### Summary of the Issues Raised in the Submission

This submission is in relation to the proposed zoning of lands at Junction 12 on the eastern side of the M18 at Kilbreckan, Doora, Ennis which is currently a greenfield site in agricultural use and accessed via the local L-4114 Doora Road. It lies outside the current Ennis settlement boundary and is not zoned for development purposes, and is therefore classified as "Open Countryside". The draft Plan proposes to extend the Ennis plan boundary to include this site and to rezone it "Commercial" with a specific "COM7" zoning objective identifying it as suitable for an *off-line* Motorway Service Area.

The submission requests the planning authority to eliminate the proposed "COM7" zoning objective

The authors' client is the operator of Claureen Service Station on the Lahinch Road (N85) and is strongly opposed to the proposed zoning of a site at Kilbreckan as "COM7" and considers that it should not be adopted for the following reasons:

- Contrary to National MSA Policy

The author submits that the proposed development is contrary to Traffic Infrastructure Ireland (TII and formally the NRA) Service Area Policy issued in August 2014 which proposes an *on-line* MSA between junctions 7 and 12. They submit that it is also contrary to TII Policy and Spatial Planning and National Road's Guidelines for Planning Authorities (January 2012) which seeks to avoid a proliferation of service areas on the national road network. The stated preference by TII throughout all of their documents is to promote the development of *on-line* MSA's for reasons relating to convenience and safety of access from facilities for national road users and separation for longer-distances, high speed motorway and dual carriageway traffic from traffic on the local roads network. Also *on-line* facilities do not directly compete with existing fuel and other retail facilities. The proposed zoning is to facilitate an *off-line* MSA by a private developer.

The guidelines state that regard should be had to the most up to date TII guidance on the location and layout of TII's service areas in the assessment of private proposals for the development of off-line motorway service areas. The author suggests that Clare County Council are in direct conflict with TII objectives given the intention of TII to propose its' own On-Line Type 1 Service Area between junction 7 and 12.

- Contrary to Traffic Policy

It is the opinion of the authors' client that the proposed zoning of the subject site to facilitate a commercial development in this rural area is not in accordance with the proper planning and sustainable development of the area for the following reasons:

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- The proposed site is not served by public sewers and will require an on-site treatment system.

- Traffic Safety

The author submits that the proximity of the entrance to the subject site to the N85/M18 interchange roundabout could lead to the creation of a traffic hazard for the national road network and also traffic using the proposed development.

- Site Selection Process

The authors' client has serious concerns as to how the subject site at junction 12 was selected and is of the opinion that identification of one site only for a proposed off-line MSA on the M18 has limited the scope for a more suitable site to be developed.

- Impact upon existing businesses  
The authors' client is concerned that any development of an off-line MSA at this location would become a destination in its own right given the range of facilities which would be available under the one roof which would negatively impact on businesses from local providers in Ennis and the Environs which is contrary to national policies.
- Inappropriate Uses  
The authors' client submits that the associated use of a "Drive Thru" listed as being a suitable associated use is not appropriate for an *off-line* MSA. It is their opinion that a "Drive Thru" would only serve to attract custom from the town of Ennis and surrounding settlements and would add to short car trips not directly associated with motorway traffic. Policy guidance is clear that *off-line* facilities which would generate local trips inconsistent with the role of the motorway network, or that would become a destination in its own right, are inappropriate.
- Impact on landscape  
It is the opinion of the authors' client that potential development of an off-line MSA at this rural location is contrary to Policy Objective CDP13.3 relating to the Western Corridor Working Landscape. An MSA facility would have a significant negative impact on the rural character of the area and that extensive screening would be required along the M18 and the N85 at junction 12 routes.

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

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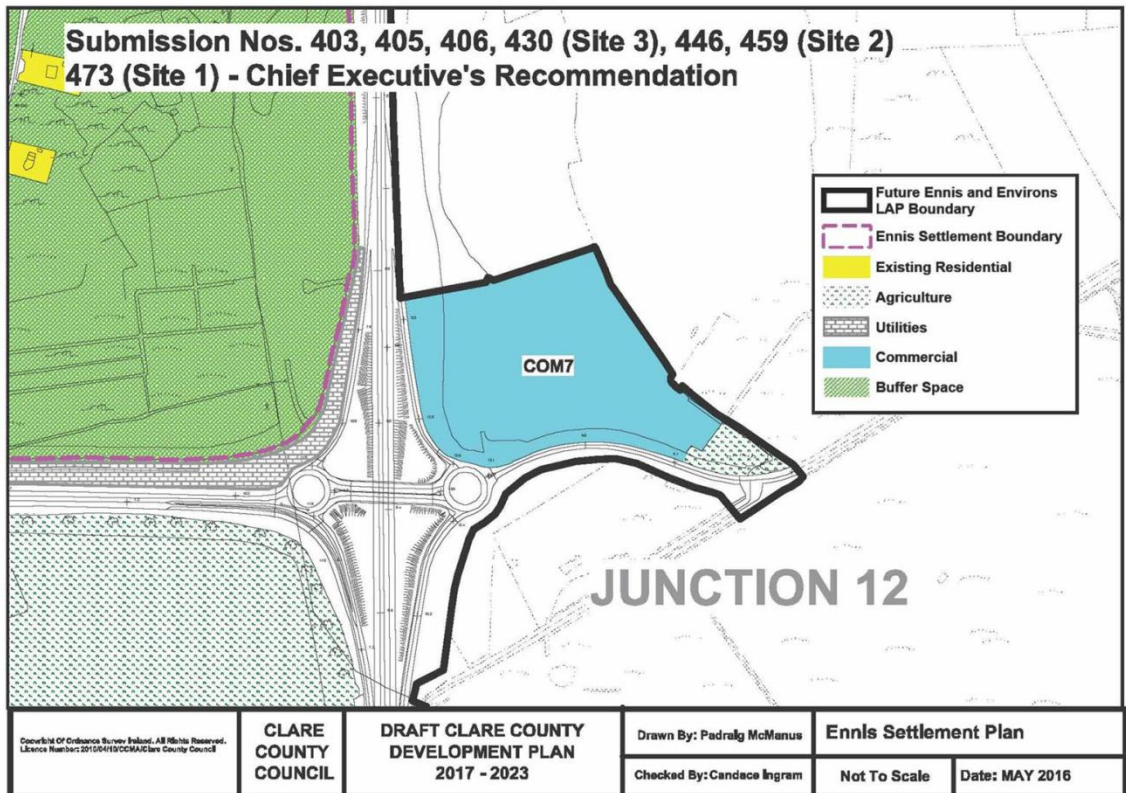
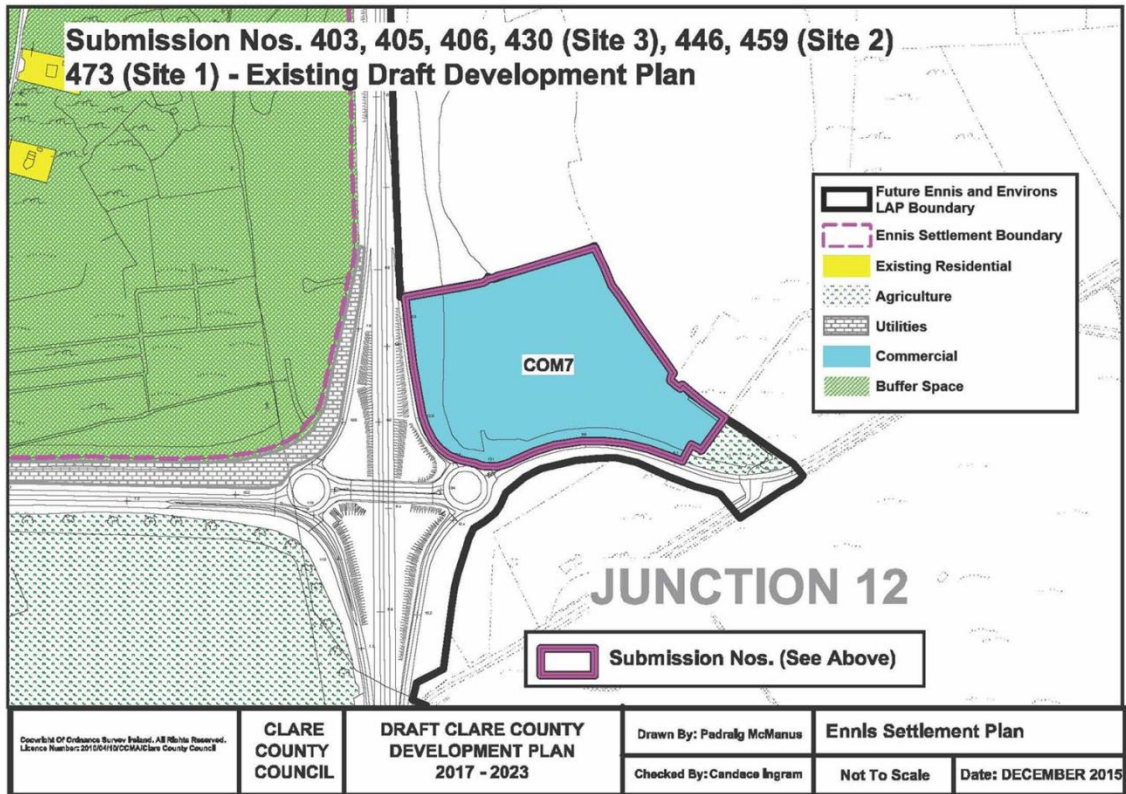
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In relation to the zoning at Junction 12, this zoning reflects an existing planning permission that has been granted by Clare County Council (currently being considered by An Bord Pleanála) and as such I consider it appropriate for this zoning to be retained. I also note that a Traffic Impact Assessment of the proposed zoning at Junction 12 has been carried out and has been sent to Transport Infrastructure Ireland (T.I.I.) for their consideration.

There are numerous other issues raised in the submission in relation to impact on landscape, appropriate/inappropriate uses at this location etc. I consider that these issues can be assessed as part of specific development proposals for the site through 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. 406 P. Coleman and Associates on behalf of John Dillane

Key Words: Ennis

### Summary of the Issues Raised in the Submission

This submission is in relation to the proposed zoning of lands at Junction 12 on the eastern side of the M18 at Kilbreckan, Doora, Ennis which is currently a greenfield site in agricultural use and accessed via the local L-4114 Doora Road. It lies outside the current Ennis settlement boundary and is not zoned for development purposes, and is therefore classified as "Open Countryside". The draft Plan proposes to extend the Ennis plan boundary to include this site and to rezone it "Commercial" with a specific "COM7" zoning objective identifying it as suitable for an *off-line* Motorway Service Area.

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- Site Selection Process

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The authors' client submits that the associated use of a "Drive Thru" listed as being a suitable associated use is not appropriate for an *off-line* MSA. It is their opinion that a "Drive Thru" would only serve to attract custom from the town of Ennis and surrounding settlements and would add to short car trips not directly associated with motorway traffic. Policy guidance is clear that *off-line* facilities which would generate local trips inconsistent with the role of the motorway network, or that would become a destination in its own right, are inappropriate.
- Impact on landscape  
It is the opinion of the authors' client that potential development of an off-line MSA at this rural location is contrary to Policy Objective CDP13.3 relating to the Western Corridor Working Landscape. An MSA facility would have a significant negative impact on the rural character of the area and that extensive screening would be required along the M18 and the N85 at junction 12 routes.

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

I wish to thank Mr. Dillane for his submission. I note the submission refers to one site in the Ennis Municipal District Area, namely COM7, at Junction 12, as identified in Volume 3(a) of the Draft Plan.

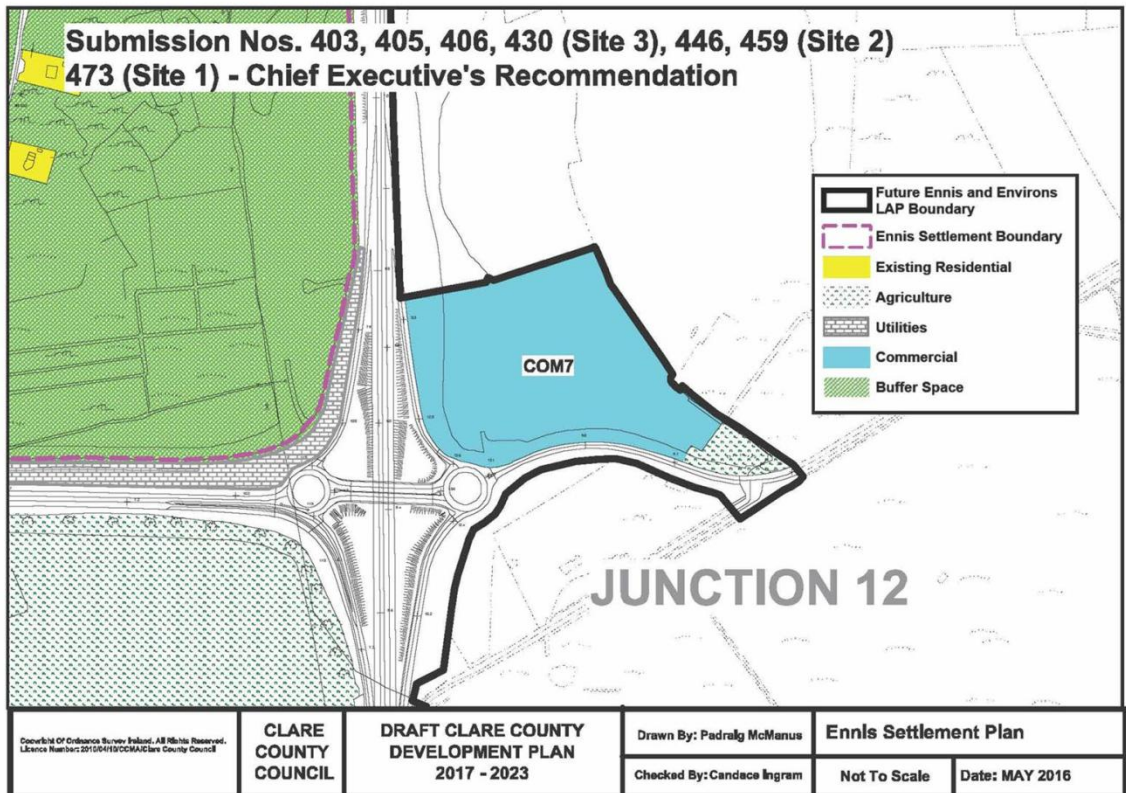
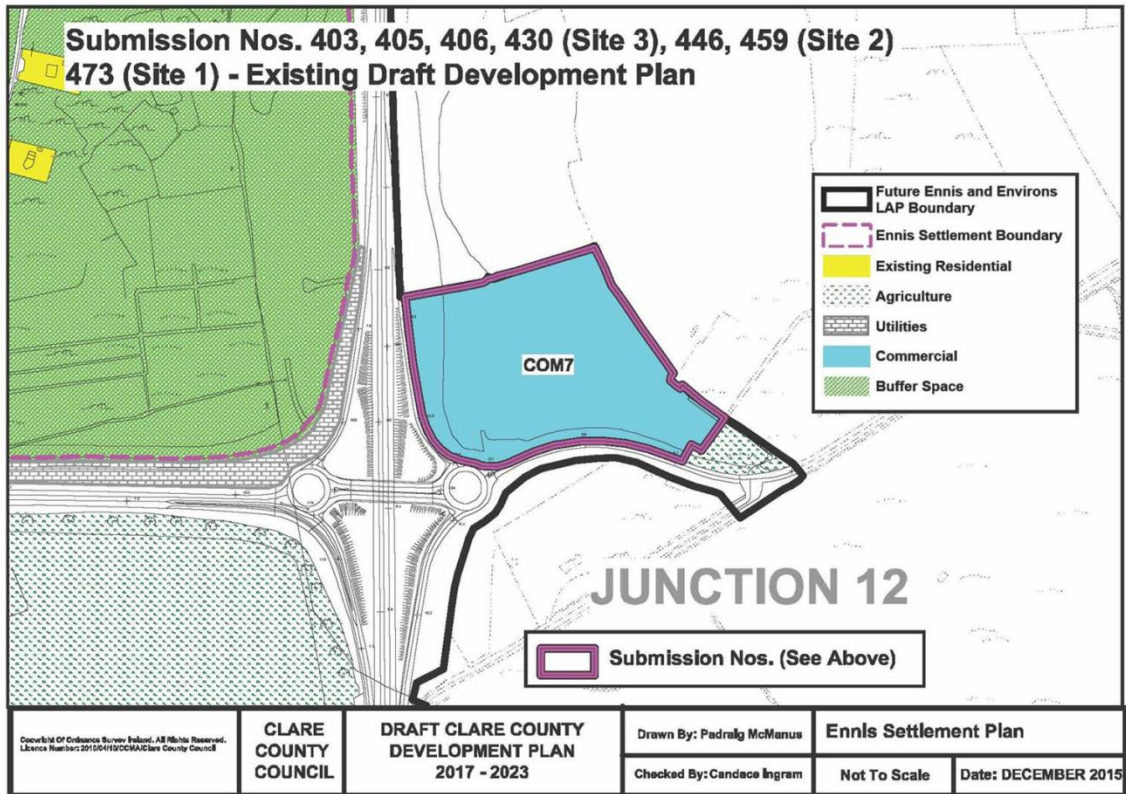
There is an identified need for a Service Station at a location between Junction 7 and Junction 12 on the M18. It is the intention that the Council will provide for such facilities only where it can be proven through a strong evidence-based approach that there is adequate junction capacity and that there will be no negative impact on the main-line traffic flow. Any such provision will be in accordance with Strategic Planning and National Roads Guidelines (2012) and the NRA Service Area Policy (2014). In this regard please refer to my response to Submission 006 where I propose an addition to the Draft Plan in this regard.

In relation to the zoning at Junction 12, this zoning reflects an existing planning permission that has been granted by Clare County Council (currently being considered by An Bord Pleanála) and as such I consider it appropriate for this zoning to be retained. I also note that a Traffic Impact Assessment of the proposed zoning at Junction 12 has been carried out and has been sent to Transport Infrastructure Ireland (T.I.I.) for their consideration.

There are numerous other issues raised in the submission in relation to impact on landscape, appropriate/inappropriate uses at this location etc. I consider that these issues can be assessed as part of specific development proposals for the site through 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. 407 P. Coleman & Associates on behalf of Thomas McGann**

*Key words: Ennis,*

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

This submission refers to lands owned by the above on the Drehidnagower Road, Lifford, Ennis. An accompanying map identifies the location of the land which has an approximate area of 0.426 ha and is surrounded by agricultural lands on its west, south and eastern boundaries. The site contains the landowner's personal residence on a 1 acre site with the remaining lands being used for livestock grazing. A number of trees and hedgerows on the lands have been identified for conservation under the current plan.

The land is currently zoned "Other Settlement Land" within the Ennis Settlement Boundary and it is proposed to rezone it as "Low Density Residential – LDR67" in the draft Plan.

The submission requests the planning authority to adopt the proposed zoning of "Low Density Residential" identified as "LDR67"

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

I wish to thank Mr. Mc Gann for his submission in relation to adopting the proposed zoning of "LDR67" as "Low Density Residential" as outlined in the Draft County Development Plan. The subject site has been examined in detail as part of the Strategic Flood Risk Assessment (Vol. 10c). It is noted that at least half of the site is within Flood Zone A and B, with the remainder, around the curtilage of the existing cottage, within Flood Zone C. Therefore it is considered that only the lands within Flood Zone C are suitable for residential development.

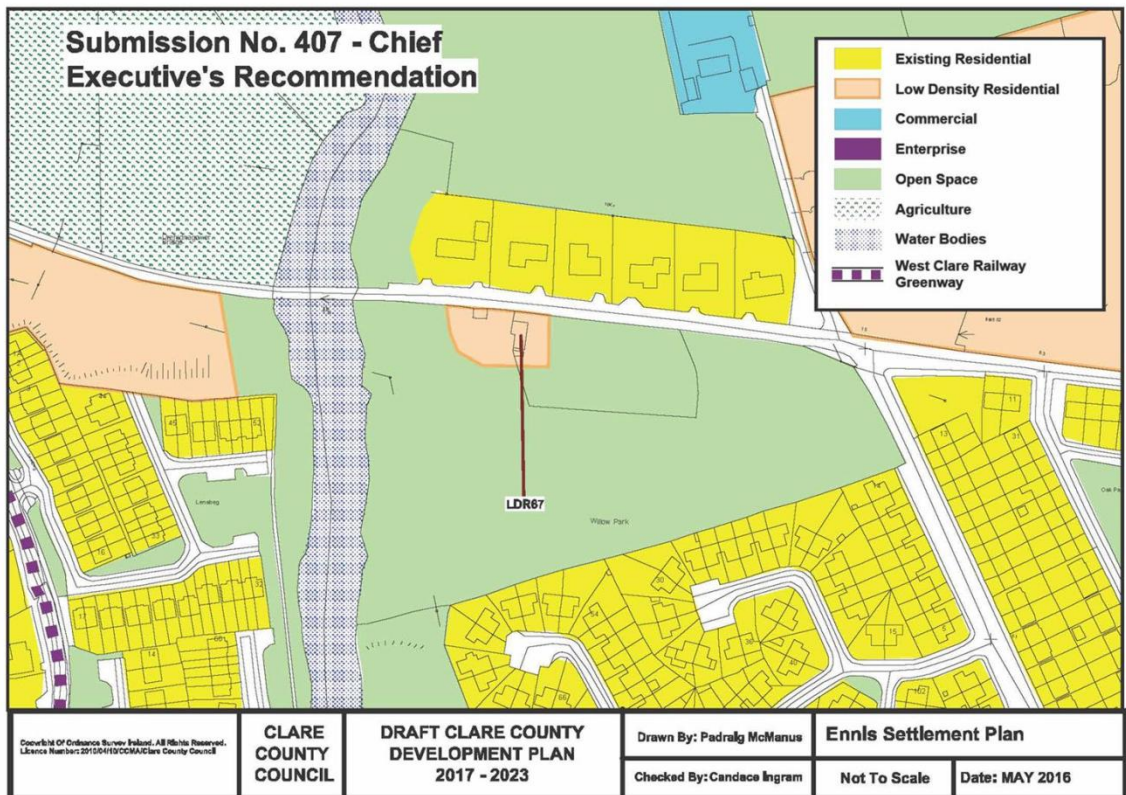
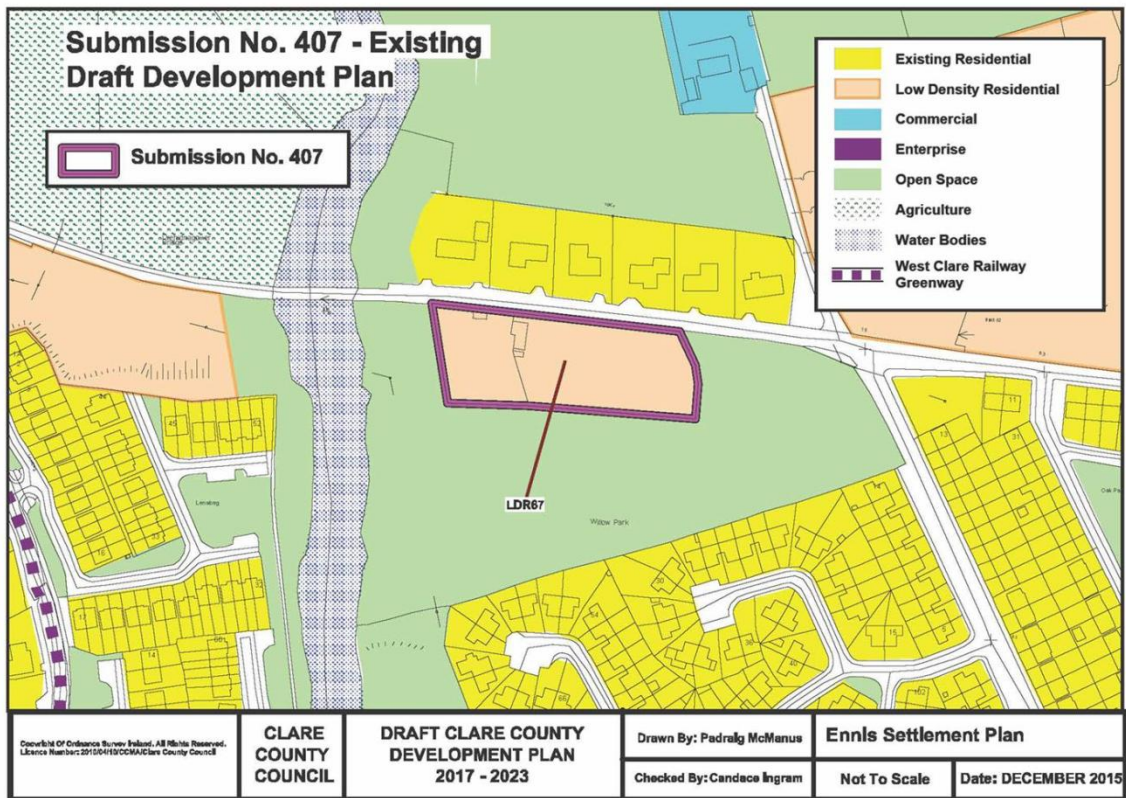
### **Chief Executive's Recommendation**

I recommend that the extent of zoning proposed in the Draft Clare County Development Plan 2017-2023 for "LDR67" as "Low Density Residential" be amended as per the attached map.

I further recommend that the following text is inserted into Section 2.6 of Volume 3(a) of the Draft Clare County Development Plan 2017 – 2023:

#### [LDR 67](#)

The subject site is suitable for limited scale low density, high quality residential development. Any development proposals must be accompanied by a Flood Risk Assessment to consider surface water management and discharge, whether this is to the River Fergus directly or into the surface water system, particularly during (but not limited to) flood events.



## **Ref. 408 P. Coleman & Associates on behalf of Frank Doherty**

*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 accessible from the Ballybeg Road. An accompanying map identifies the location of the land which is heavily vegetated with woodland scrub and some mature species of trees. It is 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 retain the current Ennis settlement boundary and zone the lands as "Low Density Residential" with specific guidance to develop the lands for serviced sites.

The author submits that this land is suitable for low density housing being located on the fringe of the town and within close proximity to the boundary of Newhall and Edenvale Complex Special Area of Conservation. They are also located within the catchment of Ballybeg Lake and adjoin Ballybeg Woods. On this basis 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. They further submit that residential serviced sites should be promoted through the Clare County Development Plan in suitable locations as offering an alternative to one-off rural housing for individuals wishing to build and design their own houses in more sustainable locations rather than the open countryside and this land to be ideally suited for this use.

Furthermore, the author submits that these lands are not suitable for any general form of agricultural use.

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

I thank Mr. Doherty for his submission and I wish to respond to the issues he has raised as follows:

I agree that the subject area is heavy vegetated with a number of mature trees and that it is in close proximity to the Newhall and Edenvale Complex SAC. It is also within the catchment of Ballybeg Lake. However, there are numerous issues of importance that must be taken into consideration in relation to the zoning on the subject lands.

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 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. 409 P. Coleman and Associates on behalf of Mr. Pat Barry**

*Keywords: Ennis*

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

This submission refers to lands owned by the above in the townland of Ballymacaula in the south-western side of the Ennis town environs. An accompanying map identifies the location of the land which has been divided into Plot A and Plot B and has a total approximate area of 16.642 ha which is accessed via a right-of-way off the Beechpark roundabout on the N85 Western Relief Road.

Both Plots A & B are presently in use as agricultural grazing land and are currently zoned "Other Settlement Land" within the Ennis Settlement Boundary. Under the Draft County Development Plan, it is proposed to rezone the entire land holding to "Agricultural" use with a zoning for "Buffer Space" proposed in Plot A.

The submission requests the planning authority to:

- Zone Plot A as "Low Density Residential" with specific guidance to development of the lands for serviced sites.

The author submits that Plot A is suitable for low/medium density housing being located in such close proximity to the current "PS5" site at Ashline/Cahircalla More which now contains the newly constructed Ennis National School. They further submit that residential serviced sites should be promoted through the Clare County Development Plan in suitable locations as offering an alternative to one-off rural housing for individuals wishing to build and design their own houses in more sustainable locations rather than the open countryside and consider Plot A to be ideally suited for this use.

- Adopt the proposed "Agricultural" zoning objective on the remainder of the landholding.

The authors' client accepts the proposed "Agricultural" zoning to the remainder of Plot B.

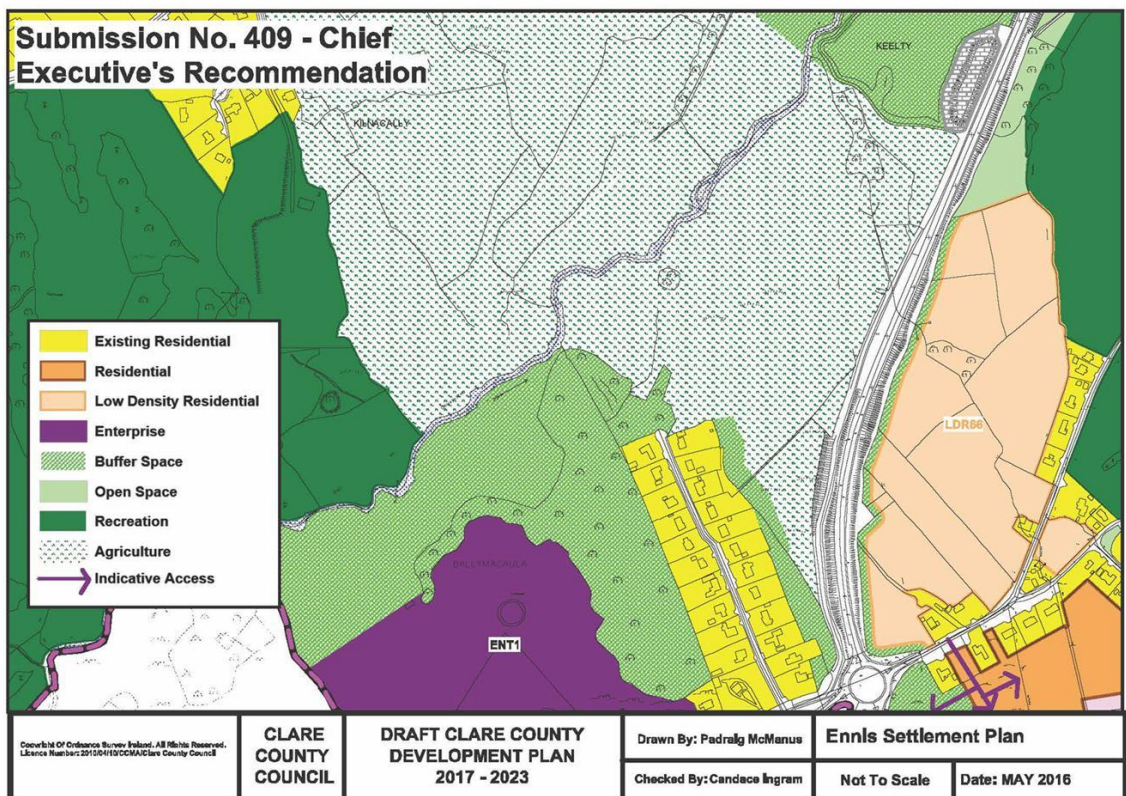
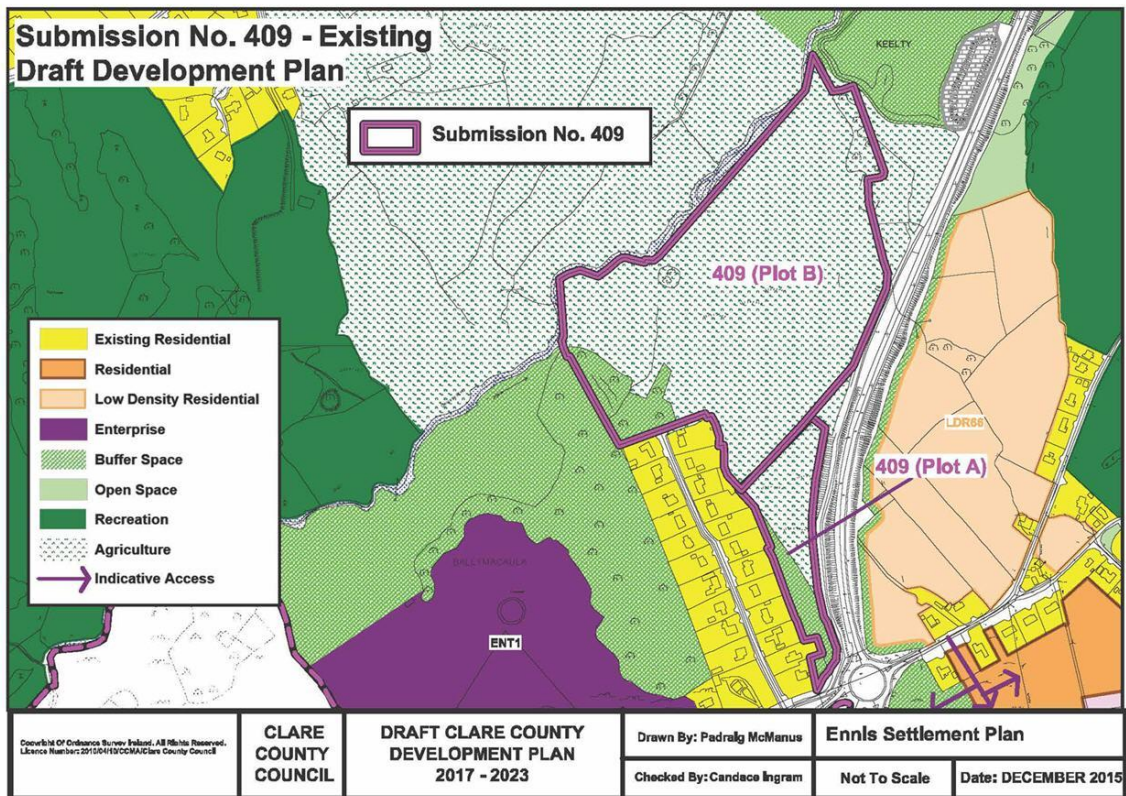
### **Chief Executive's Response**

I wish to thank Mr. Barry for his submission. I note that the submission refers to two parcels of land identified as "Plot A" and "Plot B" in the submission. Regarding Plot A as identified in the submission, I consider that the land should be zoned agriculture, having regard to the proximity of same to the N85 Ennis Bypass, and also the topography of the site. Additionally, and in relation to Plot A, I consider that the interests protecting the residential amenities of the existing dwellings in Beechpark, a buffer space to the rear of the existing houses on the western side of Beechpark should be provided for.

I note Mr. Barry's submission in relation to Plot B, and I agree with same.

### **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. 410 Séan Malone**

*Key Words: Miltown Malbay*

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

This submission refers to land owned by the above to the west of Miltown Malbay Main Street in the West Clare Municipal District Area. An accompanying map identifies the location of the subject site which is proposed to be zoned "Mixed Use" and the remainder "Low Density Residential" in the draft Plan. In addition, an indicative proposed street runs through the landholding.

The submission requests that the planning authority rezone all the land "Mixed Use" and eliminate the indicative proposed street.

The author submits that the proposed "LDR4" zoning will impact on his plans to develop part of his land for an initiative which he feels will benefit the community in terms of business and tourism.

The author objects to the new proposed street as he submits that there is no need for same as there is already an existing road running parallel with and almost identical to this proposal which should be developed and upgraded instead. In addition, the author submits that the new proposed street would impact on any potential development of his land.

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

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

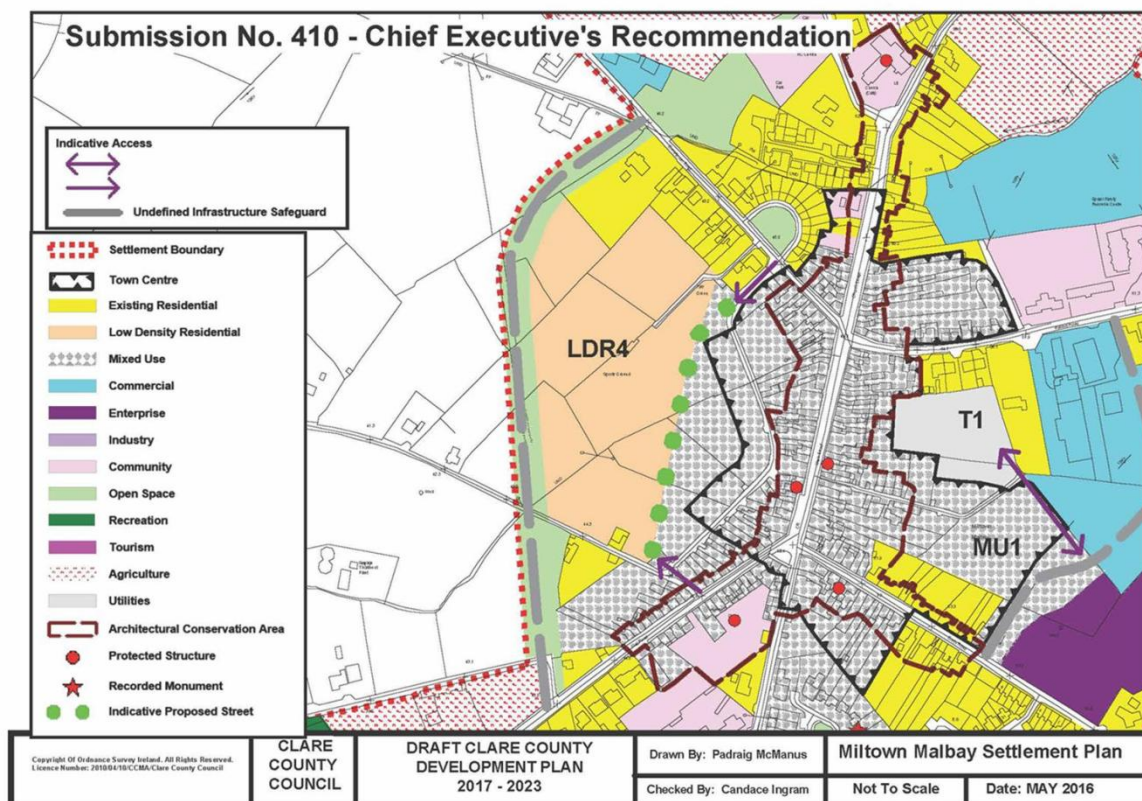
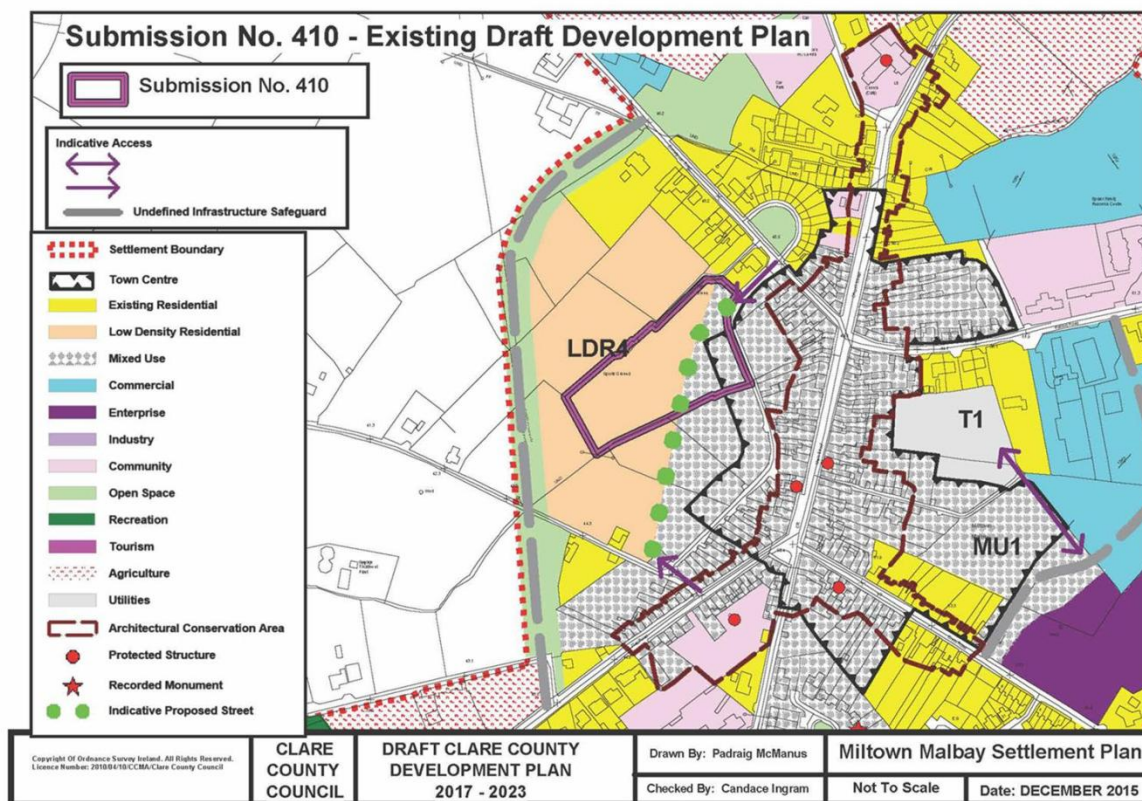
It is desirable that new business/commercial/tourism developments should locate in close proximity to the existing core of the town, rather than locating in areas at the edge of the town where they might draw business away from the town centre. Land is therefore zoned immediately adjoining the Main Street to accommodate this natural growth in the future. Further away from the town centre lands are zoned for residential development in areas where future residents can conveniently access the services in the core of the town.

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.

I am satisfied that the zoning as shown in the Draft Clare County Development Plan 2017-2023 will support the proper planning and sustainable development of Miltown Malbay during the lifetime of the Plan and beyond.

### **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. 411 Séan Malone & Fiona Whyte

*Key Words: Miltown Malbay, Environment, Physical Infrastructure, Flooding, Policy*

### Summary of the Issues Raised in the Submission

This submission refers to the Miltown Malbay Settlement Plan in the West Clare Municipal District.

The submission requests the planning authority to:

Amend the following comments in the draft Plan to ensure accuracy.

- The author disputes the statement that Miltown Malbay “*is one of the main market towns in North Clare*” and has a “*strong and bustling town centre*” and submits that the town centre is dying with many vacant premises and shops closing regularly.
- The author disputes the statement that Miltown Malbay “*has benefitted from the Shannon Development E-Town initiative which enables people to combine their working life through purpose built working/living accommodation*”. They submit that only 4 no. local businesses operate out of the E-Town with only one business operator residing there.
- The authors feel that reference should be included in the Plan to additional attractions in Miltown Malbay such as the White Strand beach with the restored Kerins Hole and the new Water Safety Centre. Similarly the Concertina Crínníú, the Pipers Weekend and the Clare Festival of Traditional singing should be mentioned along with the role of the Music Makers building.
- The Plan should identify the proposed site for a new Waste Water Treatment Plant in the event that Irish Water upgrade the system.
- The authors submit that there is no requirement as stated in the draft Plan to develop and increase the town centre beyond the existing boundary when there are currently so many empty business premises and believe the focus should be on regeneration of the town centre over the life of the Plan.
- The author objects to the new proposed street and submits that there is no need for same as there is already an existing road running parallel with and almost identical to this proposal which should be developed and upgraded instead.
- The authors seek consideration of the removal of the site identified as T1 for a use as a car-park as it does not provide for any access to the town centre and they submit that the current car-park is underutilised.
- The authors seek compliance with the condition of planning permission granted for the Supervalu Shopping Centre which required upgrade of the laneway between Main Street and the northern corner of the site identified as MU1.
- The authors seek a complete upgrading of the town streetscape to enhance and attract visitors to stop and stay.
- The authors submit that the Plan needs to address and outline preventative measures to be undertaken to ensure flooding does not occur in Miltown Malbay similar to the 2015 flooding.

### Chief Executive's Response

I thank Ms. Whyte and Mr. Malone for taking the time to make this submission and I acknowledge the issues they have raised. I would like to respond to these issues in the order that they have been raised:

- Miltown Malbay has a historic function as market town, with Ordnance Survey maps from the 19<sup>th</sup> Century clearly indicating features such as a market house and a fair green. It is still appropriate to refer to the town as a ‘market town’ (similar to Kilkee is referred to a Victorian town) as the term implies a certain layout and function in the town. However I agree that the phrasing of that particular sentence should be reviewed to ensure it is clear that this is a historic function.  
Miltown Malbay provides a range of services to local residents such as shops, a pharmacy, filling station, bakery, cafes, restaurants, public houses and a range of community facilities/services such as the community centre and church. While I agree that there is potential to improve the occupancy rate in the town centre and to enhance the service provision, I am satisfied that the description of the town as it appears in the Plan can remain.

- I note that the Miltown Malbay E-Town project has not been fully occupied to date. However I consider the significant investment by Shannon Development in the town and the opportunities that it has created for new businesses and residents to locate in Miltown Malbay as a great benefit.
- I note the request that the further detail should be included about the tourist attractions in the town and agree that further details of the events held in the town every year should be mentioned. However it is important to highlight that the settlement plan for Miltown Malbay is primarily a land-use plan, with the policies and objectives in Volume 1 providing support for tourism and cultural development. The settlement plan gives an overview of key features of each town but the listing of tourism attractions and amenities is not appropriate in this context.
- In relation to waste water treatment it is not possible to identify a site for a new treatment plant at this time because Irish Water have not yet indicated if a new site is necessary nor the site/location criteria of any site that may be required.
- At present there are extensive areas of undeveloped lands immediately to the east and west of the Main Street. I agree entirely that the regeneration of existing buildings is the preference for the immediate future. However, looking further ahead, it is desirable the new business/commercial/tourism developments should locate in close proximity to the existing core of the town, rather than locating in areas at the edge of the town where they might draw business away from the town centre. Land is therefore zoned immediately adjoining the Main Street to accommodate this natural growth in the future.
- 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 MU1, I note the issue raised in this submission. Text in relation to the future development of site MU1 was included in the draft Plan in error. As this site has already been developed I recommend that the text be removed. 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 note that new maps in relation to Site MU1 have become available from Ordnance Survey Ireland since the Draft Development Plan was prepared. The new maps show the development that has taken place on site MU1 to date. I refer to my recommendation in relation to Submission Ref: 285 in which I recommend that the new maps are incorporated into the development plan.
- I agree that streetscape improvements are highly important and this issue has been address in the Placemaking and Amenity section of the settlement plan.
- 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.

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

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

#### Volume 3(d) Miltown Malbay Settlement Plan – Introduction and Context – amend text as follows:

*Miltown Malbay, situated only 2km from the Wild Atlantic Way is one of the main **market** towns in North Clare, with a history **as a market town and**, jointly with Spanish Point, as a Victorian resort. Miltown Malbay has a strong and bustling town centre which serves a relatively large catchment area, providing a wide range of services including retail outlets, national school, bank and the West Clare Resource Centre. The economic base of the town consists of small scale industry, services, commercial, agricultural and tourism activity. Miltown Malbay is a town that has benefited from the Shannon Development E-Town initiative which enables people wishing to combine their working life with their home life through purpose built working/living accommodation. Miltown Malbay's strong cultural connections to traditional Irish music is celebrated **through numerous festivals and***

events each year such as the Clare Festival of Traditional Singing, the Pipers Weekend and the annually. ~~Miltown Malbay is home to the~~ internationally renowned Willie Clancy Festival ~~held each summer~~ which attracts an international audience to the town. Spanish Point and its outstanding beach is situated just a short distance away.

Volume 3(d) Miltown Malbay Settlement Plan – Proposed Town Centre Extensions – amend text as follows:

Significant potential exists on both the west and east of the Main Street in Miltown Malbay to increase the town centre and extend it beyond the existing identified boundary. Existing backlands to the west of the Main Street provide an opportunity to extend. These lands are served by a third class road running along the boundary of the existing town centre which provides access onto the N67 to the north and south of the town centre. A mix of retail, commercial, office, tourism and residential uses are encouraged in this area. Retail uses are encouraged at ground floor level, with office or residential uses over.

An indicative proposed street is identified to the west of the proposed town centre extension *which will provide attractive and accessible linkages between different parts of the town. This street much be designed and constructed in accordance with the Design Manual for Urban Roads and Streets.* Access to same is identified on the accompanying map by the indicative future access arrows. The existing access road running along the western boundary of the town centre shall be upgraded and proposals must address this as part of any future planning applications.

~~To the east of the Main Street a mixed use zoning sets out the framework for expansion of the town centre bounded by a proposed relief road, as set out below.~~

Volume 3(d) Miltown Malbay Settlement Plan – remove the following text

#### **~~MU1 South East of the Town Centre~~**

~~This site bounds the town centre to the south east. Vehicular access to the site shall be from the R474 Ennis road, with provision for a connection to the north from the Ballard Road.~~

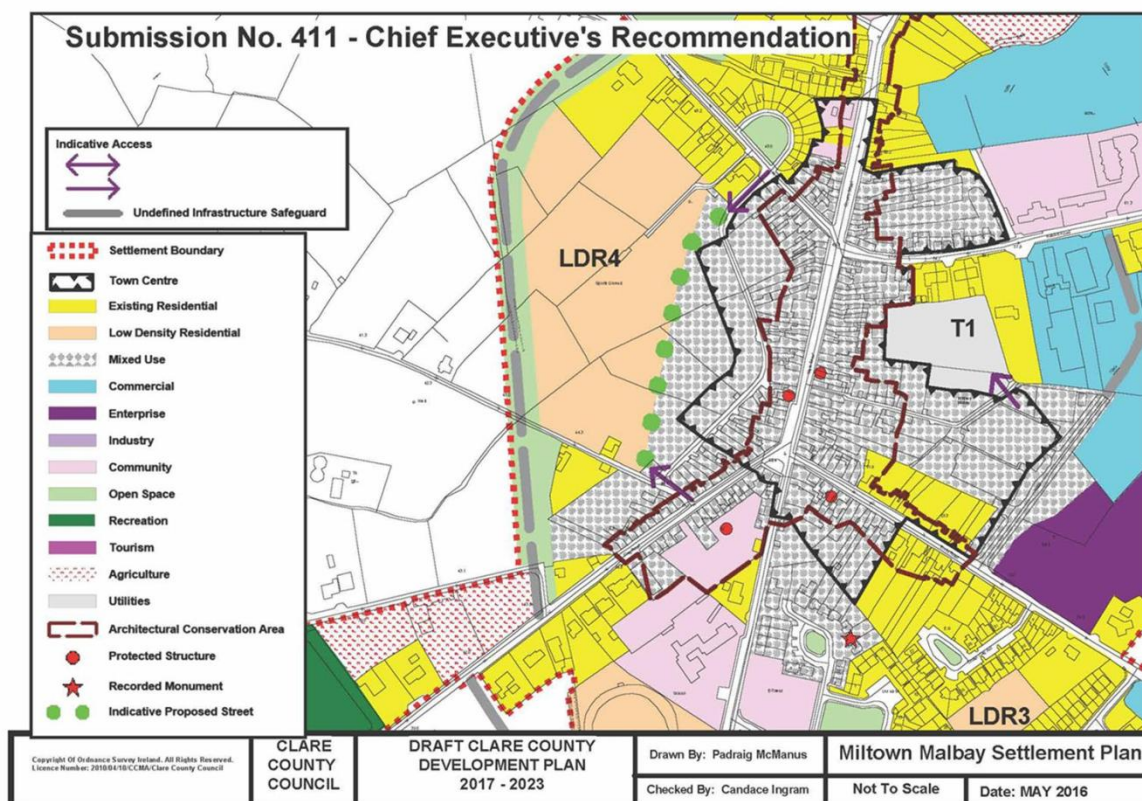
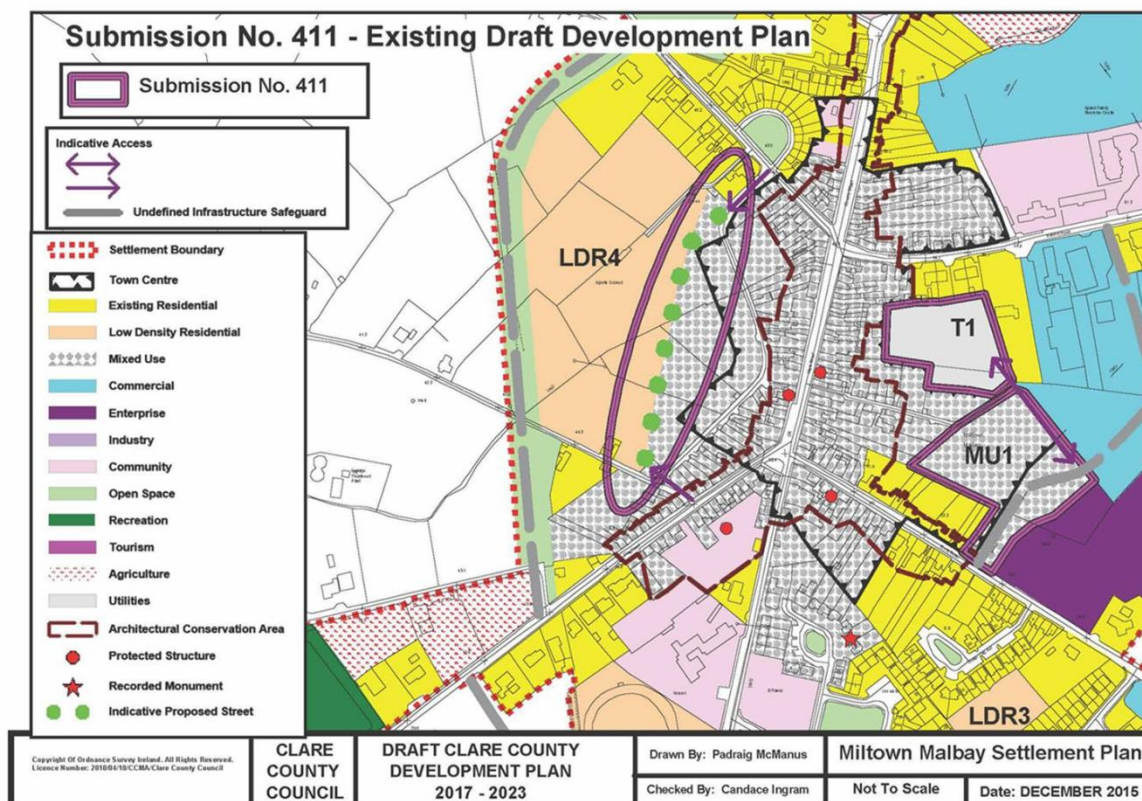
~~As part of any future application on this site, the developer will be required to provide vehicular access to the site identified as T1 which is an objective to serve as a car park for the town centre if necessary.~~

~~A mix of retail, commercial, office and residential are encouraged on the site identified as 'mixed use'.~~

~~The development of this site is contingent upon the provision of pedestrian access to the site from the town centre, which shall be provided through an upgrade of the existing laneway running from the Main Street to the northern corner of the site which is bounded to the northwest by T1. Any application for development must provide a pedestrian link from the subject site to the town centre by way of the existing laneway connecting the site with the town centre. The existing laneway shall be upgraded to the satisfaction of the planning authority, as part of any application on the lands.~~

~~Provision of access serving the lands to the east of the site and the site identified as T1 shall also be provided for, as identified by the indicative future access arrows.~~

~~Any future development proposals on these lands shall be accessed via the inner relief road that is identified as an 'infrastructure safeguard'.~~



## **Ref. 412 Road Design Office, Clare County Council**

*Key Words: Ennistymon, Environment, Physical Infrastructure, Access and Movement*

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

This submission refers to the proposed infrastructural safeguard for the Ennistymon outer by-pass.

It is submitted that the above route, as shown in the Draft Plan, does not provide a full connection to the N85. The current infrastructural safeguard in the County Development Plan 2011-2017 provides for a link to accommodate the proposed outer bypass to connect the N85 to the N67. It is submitted that this is a potential vital piece of infrastructure for both Ennistymon and the wider area. It is submitted that the defined infrastructural safeguard, as shown in the 2011-2017 which should be included in the draft Plan.

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

I acknowledge this request from the Road Design Office and I would like to respond as follows:

The defined infrastructural safeguard has not been included on the settlement map given its location and the inclusion of crossing points on the Inagh River which lies upstream of a Special Area of Conservation (Inagh River SAC). The route selection for this defined infrastructural safeguard at this location would need to be fully informed by ecological and environmental constraints at the earliest stage of project development, and to ensure that any necessary assessments are undertaken by suitably qualified and competent specialists. This process would serve to inform screening for appropriate assessment. Based on the level of information and studies available at this stage, the existing Draft provides for the best representation of the infrastructure safeguard.

### **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. 413 Road Design Office Clare County Council**

*Key Words: Policy, Access and Movement*

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

This submission confirms the status of route corridors which are currently protected by the County Development Plan 2011-2017 and outlines their proposed status in the draft Plan.

- Killaloe - subject to design by others
- Milltown - this should be retained. Based on definition of defined and undefined supplied by the Planning Section, the Ennis Road to Mullagh Road would be defined the remainder would be undefined
- N85 Ennis to Inagh - subject to design by others
- O'Briensbridge - undefined route
- Sixmilebridge - extensive bypass options in current plan. No detailed design but some sections where lines intersect existing roads would be defined as there would be no other feasible option. Lines should remain
- Caherea - should remain but insufficient detail to call defined.
- Corofin - should remain
- LNDR - subject to design by others
- Kilkee - undefined
- Shannon - no information in Road Design
- Ennistimon - appears to have enough design to be defined and should remain. See separate submission regarding N85 end of scheme proposals
- Kilrush - there is no line shown in the draft Settlement Plan for a Kilrush bypass
- Lahinch - a safeguard is shown.

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

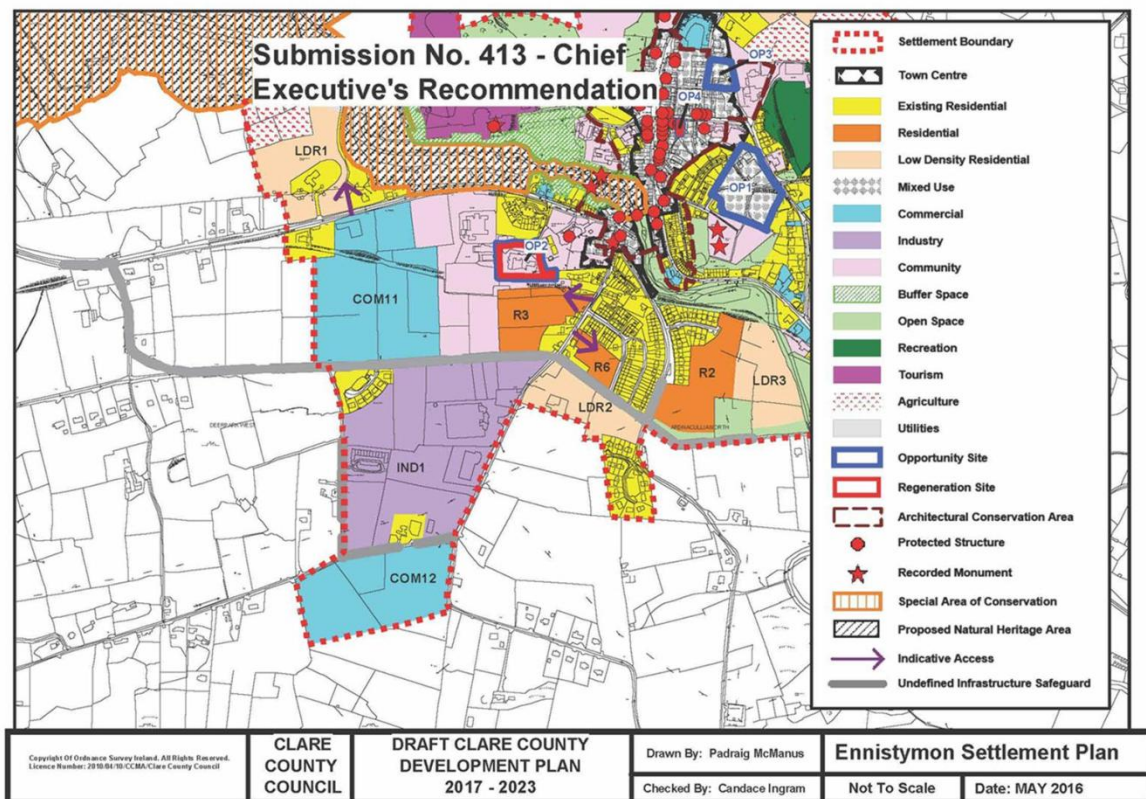
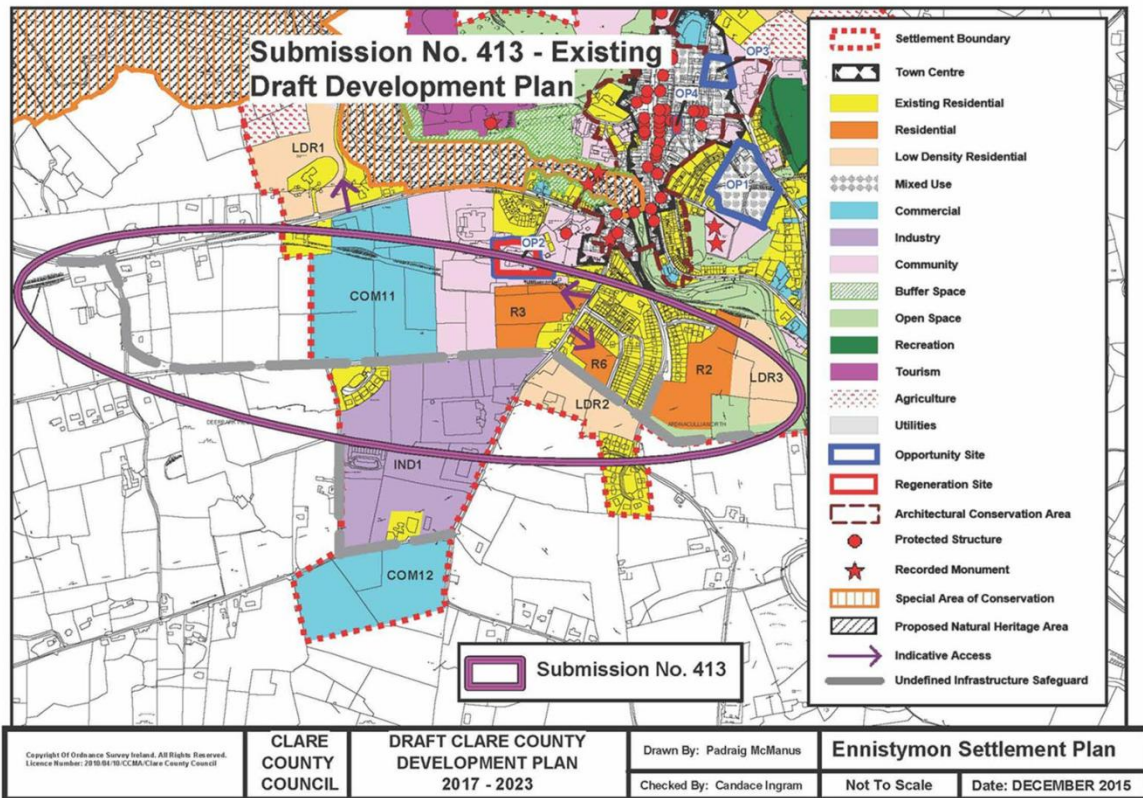
I acknowledge the information that has been received from the Road Design section in relation to future road development schemes in the county. This information will be integrated into the relevant settlement plans and maps in the development plan.

- In relation to Milltown Malbay, the Ennis Road to Mullagh Road link has now been constructed and is shown on the settlement maps. An infrastructure safeguard is not required in this case. The remaining infrastructure safeguards are 'undefined' as advised.
- Shannon Crossing South of O' Briansbridge- this route is currently undefined and has not been shown on the settlement map for O'Briansbridge as it is outside the settlement boundary. In addition, as the route is undefined the direct impact of the crossing on the Lower River Shannon SAC cannot be assessed in the absence of detailed design or a higher level route corridor selection study. I recommend no change to the zoning map and that the proposed project identified for future development remains listed in Table 8.2 of Volume 1. The proposed projects identified for future development within Table 8.2 are subject to compliance with all other relevant objectives within the County Development Plan and in particular County Development Plan Objectives 8.6 and 8.7 (Please see submission response 003 in this regard) which will ensure any future proposals in relation to this location are carried out in compliance with all relevant EU Directives and transposing regulations in Ireland.
- In Sixmilebridge I am satisfied that the zoning map as it currently appears should not be amended. The maps shows intersections with existing routes and these intersections will be taken into consideration in the assessment of any future development proposals in these areas.
- In relation to Kilkee and Corofin I am satisfied that the draft Settlement Plans accurately represent the recommendation in the submission.
- I note the information in relation to Ennistimon and I consider it appropriate to change the infrastructure safeguard on the zoning map to 'defined'.
- With regard to Kilrush, the proposal for a relief road linking the Ennis Road to the Killimer Road to be included in the plan to provide for future infrastructure that may be required to accommodate marine-related industrial development at the Moneypoint Strategic Development Location, a preliminary route selection has not taken place in relation to this proposal and therefore the route is not included on the maps associated with the Draft Development Plan.

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

I recommend that the following amendments are made to the settlement map for Ennistymon and to relevant maps in Volume 2 of the Draft Clare County Development Plan 2017-2023 as follows:

- Ennistymon – future route to be amended to show it as a 'Defined Infrastructure Safeguard'.



## **Ref. 414 Shannon Venue Ltd.**

*Keywords: Shannon, Policy*

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

This submission outlines a project for the Shannon community to provide for them a Community, Civic and Arts centre in the Shannon Town Centre.

- The submission requests the planning authority to:
- Recognise the need for a multi-functional community, civic and arts centre in Shannon
- Support this need by including the development and delivery of such a centre as a specific goal or objective of the Plan
- Recognise the progress made by the Shannon Venue towards this objective

The authors' submit that development and delivery of The Shannon Venue will make a significant contribution to the aims and objectives of the Clare County Development Plan. It will link the Town Centre with the industrial and airport areas by serving as a focal point for business and aviation events.

Located at Shannon, gateway to the Wild Atlantic Way, themed evening shows during the summer will provide a reason to stay and contribute to the County Development Plans goal of making Shannon a destination.

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

I wish to thank the Shannon Venue for sending in this submission and the harnessing of local energy towards this project is recognised. While Shannon is referenced in Section 1 of Vol. 3(b) the Draft Clare County Development Plan 2017-2023 it is only as a summary of the Shannon Town and Environs Local Area Plan 2012-2018 which remains in force. That local area plan, in Section 7.1, contains the following aim: *"To promote and support improved social, community and cultural facilities and services within the Plan area"*. It is noted that Planning Permission was granted under 14/720 for a Community, Civic and Arts centre in Shannon Town Centre.

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

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

## Ref. 415 P. Coleman & Associates

*Keywords: Policy*

### Summary of the Issues Raised in the Submission

This submission makes the following comments in relation to the draft Plan.

- The author submits that there is a limited list of uses in the Zoning Matrix in the draft Plan e.g. the use of a Shop is very broad and general and could be broken down into type i.e. Shop (Comparison), Shop (Convenience), Discount Food Store, Shop (Local), Shop (Neighbourhood), Shop (Major Supermarket).
- The author recommends that all individual sites or lands that are identified with a specific zoning reference should have a specific zoning objective attached to them.

### Chief Executive's Response

I would like to thank P. Coleman & Associates for their submission on the Draft Clare County Development Plan 2017-2023 and respond as follows:

I would first like to clarify that the purpose of the land-use matrix is to provide an indication **only** of the type of developments that may or may not be normally considered or open for consideration on zoned lands. Each proposal submitted to the Council for consideration will be assessed based on its own individual merits, having regard to Section 34 of the Planning and Development Act, 2000 (as amended).

However, I have reviewed the land-use zoning matrix and proposed amendments where considered necessary as set out below in my recommendation. I do not consider it to be appropriate given the indicative nature of the matrix, to break a specific use like shop, down to a range of types as this is a detailed issue more appropriately addressed at project level.

Regarding the referencing of individual zonings I am in agreement that this would provide greater clarity and consider that where there is a specific objective associated with a zoning that this be included within the text of the respective settlement statement, if not already done so. I have also noted that a number of the definitions within Chapter 19 require some amendment and have included these in my recommendation below. In addition, have noted that on the settlement maps for Ennis, Kilrush and Clarecastle the town centre is shown as a zoning when in fact it is a designation within which different zonings can apply. I propose to address this anomaly and amend the maps accordingly to identify the area defined as the town centre and to amend the zoning within that designation accordingly.

In addition, since the preparation of the Draft Plan the Opportunity Site OP1 Garraunakilla Market is currently being developed and as such should be removed from the list of Opportunity sites and the associated maps.

### Chief Executive's Recommendation

I recommend the following amendments to the text of Volume 1 Written Statement, Chapter 19 and Volume 1, Appendix 2 Land Use Zoning Matrix.

#### Section 19.4 Nature of Zonings:

Include additional text under the definition of 'Enterprise' as follows:

#### **"Enterprise**

Lands zoned for 'enterprise' shall be taken to include the use and development of land for high-end research and development, business, science and technology-based industry, financial services, call centres/telemarketing, software development, enterprise and incubator units, small/medium manufacturing or corporate offices in high quality campus/park type development.

It is intended that such developments will have high quality architectural design and landscaping. This zoning allows for 'walk to' support facilities such as canteen, restaurant or crèche services which are integrated into employment units and are of a nature and scale to serve the needs of employees on the campus.

This zoning also allows for associated transportation infrastructure such as car and bicycle parking and bus stop shelters. This zoning excludes general retail, retail park outlets, motor sales/servicing activities and heavy industrial undertakings

Lands zoned for 'enterprise' in large villages and small villages shall be taken to include the use and development of land for small-scale business and enterprise development such as incubator units, craft centres/workshops, small-scale manufacturing, local digital/technology businesses etc. Retail uses on these sites shall only be considered where it is ancillary to the main activity taking place.

Enterprise developments in large villages and small villages must have a high standard of architecture and landscaping and must be relative and appropriate to their scale, size and character."

Amend wording title of 'General Industry' as follows:

### **"General Industry"**

Amend text under the definition of 'Light Industry' as follows:

### **"Light Industry**

The use of land for light industry shall be taken to include uses where the primary activity is the manufacture of a physical product. The use for industry/manufacturing, incubator units, distribution, open storage, transport operating centres and the treatment/recovery of waste material is acceptable.

Processes carried out, or the machinery/plant installed on land zoned for Light Industry 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.

Uses such as ~~office-based development~~ or retail development or small/medium office-based developments are not considered appropriate in areas zoned for light industry, save where it is ancillary to the main use of the development. Large-scale office type development (>1000m<sup>2</sup>) such as call centres are open to consideration subject to compatibility with surrounding land uses."

Amend text under the definition of 'Mixed Use' as follows:

### **"Mixed Use**

The use of land for 'mixed use' developments shall include the use of land for a range of uses, making provision, where appropriate, for primary and secondary uses e.g. commercial/retail development as the primary use with residential development as a secondary use. Secondary uses will be considered by the local authority having considered the particular character of the given area.

~~In town centres areas~~ On lands that have been zoned 'mixed-use' in or near town or village centres a diverse range of day and evening uses is encouraged and an over-concentration of any one use will not normally be permitted."

Amend the text under the definition of 'University Zone' as follows:

### **"University Zone**

It is intended that lands identified as 'University Zone' will be reserved to accommodate development and uses associated with higher education including research and development, student/campus accommodation, residential quarters complementary to the uses contained within

the University Zone, student support services, enterprise/start-up businesses units, commercial units linked to the research and development role, recreation, sport and social facilities and open spaces.”

Remove text under definition of Neighbourhood Centre as follows:

**~~“Neighbourhood Centre~~**

~~It is intended that land zoned for ‘neighbourhood centre’ will be developed to provide an appropriate range of local services including commercial, retail and community uses, to support the population of the surrounding area.”~~

Amend text under definition of Utilities/Infrastructure Safeguard

**“Utilities/Infrastructure Safeguard**

It is intended that land zoned ‘utilities’ and ‘infrastructure safeguard’ will be reserved for the existing and future provision of key infrastructural services and the upgrading of existing services and infrastructure relating to road, rail, air, electricity, telecommunications, gas, water and waste water treatment services.”

Insert additional section **19.5 Designations** and include text to read as follows:

**“19.5 Designations**

**Town Centre/Village Centre**

The use of land within ‘town centre’ shall be taken to include use for a range of developments that contribute to the vibrancy and vitality of the core centre of the settlement. The designation provides, where appropriate, for primary and secondary uses e.g. commercial/retail development as the primary use with residential development as a secondary use. Secondary uses will be considered by the local authority having considered the particular character of the given area.

In town/village centre areas a diverse range of day and evening uses is encouraged and an over-concentration of any one use will not normally be permitted.

**Neighbourhood Centre**

It is intended that land zoned for ‘neighbourhood centre’ will be developed to provide an appropriate range of local services including commercial, retail and community uses, to support the population of the surrounding area.”

Amend heading and sub-headings of 19.5 Zoning Matrix as follows:

**~~19.5~~ 19.6 Zoning Matrix**

Volume 3(a) – 3(d) – include references for zoned lands on all settlement maps to provide clarity. Include referencing in settlement statement text.

Volume 3(a) and 3(d) - Boundaries to Town Centre designations to be shown on the settlement maps for Kilrush and Clarecastle

Volume 3(a) and 3(d) - Town Centre Zoning to be removed from the settlement maps for Ennis, Kilrush and Clarecastle and replace with Mixed Use.

Volume 3(a) – Ennis settlement map to amend zoning within the town centre of The Peace Park, Friars Walk from ‘Open Space’ to ‘Community’.

Volume 3(a) , Section 2.14 Technical Guidance – Opportunity Sites:

**OP1 Garraunakilla Market** – remove text as follows:

~~"This Opportunity Site is located in the town centre. Currently the area hosts a farmers market two days per week and it functions as a car park for the remainder of the week. This site benefits from good footfall levels and presents a major opportunity to form a new identity and act as a stimulus for enhanced growth in the area.~~

~~It is proposed to continue the use of this area as a market and civic space in the future. However it is desirable to improve facilities in the area in order to increase footfall and enliven the area.~~

~~During the lifetime of this Plan it is desirable to provide a new covered market house building on the site of OP1. The redeveloped market area will retain the existing market and carpark function and also provide the opportunity to expand the market activities e.g. for special markets such as Christmas markets. The proposed new development could also accommodate informal activities such as art exhibitions. The space would continue to function as a car park on non market days.~~

~~In order to further enhance the area as a whole the pedestrian environment should be remodelled and upgraded with new shared surfaces, paving, lighting, drainage, street furniture, bicycle parking facilities, planting and charge points for electric vehicles. This will create an attractive urban environment for the people of Ennis.~~

~~The redevelopment of Garraunakilla has the potential to act as the catalyst for the enhancement of the premises and residences fronting the market, making the area a desirable location to live in and do business. In particular the vacant building at Casey's Corner occupies a landmark location in the centre of the market. The current design and general appearance of the buildings on site do not reflect or convey this important function. This can be addressed by the redevelopment of the site providing an animated frontage to the Garraunakilla Market and Market Street.~~

~~Future developments taking place in this area must be cognisant of the fact that the site is located in an Archaeological Zone and an archaeological investigation will be required as part of any sub-surface works. As with much of Ennis town centre, this area is within an Architectural Conservation Area and new proposals must respect this context with appropriate, well designed and implemented developments. Quality contemporary design may play a valuable role in adding to the sense of place in Garraunakilla."~~

Renumber Opportunity Sites in text of Volume 3(a) through-out text where they are referred to in the plan to read as follows:

**OP2-OP1** Former Boys National School and Adjoining Lands

**OP3 OP2** Barrack Street Square and Old Barrack Street

**OP4 OP3** Lysaghts Carpark

**OP5- OP4** Analogue Building and Adjoining Infill site, Bank Place

**OP6 OP5** Post Office Field

**OP7 OP6** Riverside, Parnell Street Carpark,

**OP8 OP7** West Clare Railway Greenway, Trail Head, Woodquay

**OP9 OP8** Waterville House And Adjoining Site, Mill Road

**OP10 OP9** Riverside Site, Harmony Row and Bank Place

**OP11 OP10** Waterpark House and Arus Ui Chochlain

**OP12 OP11** Colaiste Muire Carpark

**OP13 OP12** Francis Street and Causeway

**OP14 OP13** Cusack Park

~~OP15~~ **OP14** Clare Marts

~~OP16~~ **OP15** Information Age Park

~~OP17~~ **OP16** Former Western Garages and Adjoining Corn Store

~~OP18~~ **OP17** The Fairways, Kelly's Corner

~~OP19~~ **OP18** Commercial Building, Tulla Road

Volume 1 Written Statement, Appendix 2 Land Use Zoning Matrix – include additional text as follows:

## **"Appendix 2 Land-Use Zoning Matrix**

"The purpose of the land-use matrix is to provide an indication **only** of the type of developments that may or may not be normally considered or open for consideration on zoned lands. Each proposal submitted to the Council for consideration will be done so based on its own individual merits."

### **Key**

Note: all development proposals will be assessed thoroughly through the Development Management process in accordance with Section 34 of the Planning and Development Act, 2000 (as amended).

✓ = Will normally be acceptable in principle.

A proposed use that will be classified as acceptable in principle in the relevant zone subject to compliance with policies and objective as set out in the plan and in accordance with the proper planning and sustainable development of the area.

O = Open to consideration.

A proposed use that will be open to consideration, but subject to particular considerations for example, compatibility with adjoining uses, scale or whether or not the proposal is prejudicial to the amenities of an area or the residential amenities of an adjoining property.

X = Will not **normally** be acceptable.

A proposed use that is ~~not~~ classified as "**will not normally be acceptable**" ~~acceptable in principle~~ in a specific zoning will not generally be accepted by the Planning Authority.

Amend Zoning Matrix as follows:

Land Use	Mixed Use	Existing residential	Residential	Low Density Residential	Commercial	Community	Recreation	Open Space	Buffer Space	Enterprise	Tourism	General Industry	Light Industry	Maritime / Harbour	Agriculture	Marine Related Industries
Advertisement Structures	✓	X	X	X	✓	X	O	X	X	O	O	O	O	O	X	X
Agri. Business	O	X	X	X	O	X	X	X	X	✓	O	O	✓	X	O	X
Agri. Tourism	O	X	X	X	O	O	X	X	X	✓	✓	X	X	X	✓	X
Amusement Arcade	O	X	X	X	O	X	X	X	X	X	O	X	X	X	X	X
B & B /Guesthouse	✓	O	✓	✓	✓	X	X	X	X	X	✓	X	X	X	O	X
Bank / Financial Institution	✓	X	O	X	✓	X	X	X	X	O	X	X	X	X	X	X
Betting Office	O	X	X	X	✓	X	X	X	X	X	X	X	X	X	X	X
Boarding Kennels	X	X	X	X	X	X	X	X	X	✓	X	X	O	X	O	X
Car Park	✓	X	O	X	✓	O	X	X	X	✓	O	✓	✓	O	X	X
Caravan Park/Camp Site/ Motor Home Park (Tourist uses)Glamping	O	O	O	✓	X	O	O	X	X	X	✓	X	X	X	O	X
Cash & Carry/ Wholesale Outlet	O	X	X	X	✓	X	X	X	X	O	X	X	O	X	X	X
Cemetery	X	X	X	X	O	O	X	X	X	X	X	X	X	X	O	X
Chemist / Pharmacy	✓	O	O	X	O	O	X	X	X	X	X	X	X	X	X	X
Cinema / Theatre	✓	X	X	X	✓	X	X	X	X	X	X	X	X	X	X	X
Civic & Amenity Recycling Facility/Bring Bank	✓	O	O	O	O	O	X	X	X	✓	X	✓	✓	O	O	O
Civic / cultural / heritage building	O	X	X	X	X	✓	O	X	X	O	O	X	X	O	X	X

Land Use	Mixed Use	Existing residential	Residential	Low Density Residential	Commercial	Community	Recreation	Open Space	Buffer Space	Enterprise	Tourism	General Industry	Light Industry	Maritime / Harbour	Agriculture	Marine Related Industry
Community Facility	O	O	O	O	O	✓	O	X	X	✓	O	X	X	X	X	X
Composting Facility	X	X	X	X	X	O	X	X	X	O	X	X	O	X	O	X
Construction & Demolition (C&D) Waste Recycling Centre	X	X	X	X	X	X	X	X	X	X	X	O	✓	O	O	O
Crèche / Childcare Facility	✓	✓	✓	O	✓	✓	X	X	X	✓	X	O	O	X	X	X
Disco / Night club	O	X	X	X	O	X	X	X	X	X	X	X	X	X	X	X
Doctor/Dentist	✓	✓	✓	O	✓	O	X	X	X	O	X	X	X	X	X	X
Dog Grooming		O	O	O	O	X	X	X	X	O	X	X	X	X	X	X
Education/Enterprise Centre	O	O	O	O	✓	✓	X	X	X	✓	X	X	O	X	X	X
Funeral Home	O	X	X	X	✓	O	X	X	X	X	X	X	X	X	O	X
Fuel Depot	X	X	X	X	X	X	X	X	X	O	X	O	O	X	X	O
Garden Centre	O	X	X	X	O	X	X	X	X	O	O	O	✓	X	O	X
Golf Course / Pitch & Putt	O	X	X	X	X	O	✓	✓	X	O	✓	X	X	X	O	X
Go-kart track	X	X	X	X	X	X	O	X	X	O	X	X	O	X	O	X
Hair Dressing Salon	✓	O	O	O	O	X	X	X	X	X	X	X	X	X	X	X
Health Centre / clinic	✓	O	O	O	✓	✓	X	X	X	O	X	X	X	X	X	X
Heavy Vehicle Park	X	X	X	X	O	X	X	X	X	O	X	✓	✓	O	O	O
Helicopter Pad	O	X	X	X	O	X	X	X	X	O	O	O	O	X	O	O

Land Use	Mixed Use	Existing residential	Residential	Low Density Residential	Commercial	Community	Recreation	Open Space	Buffer Space	Enterprise	Tourism	General Industry	Light Industry	Maritime / Harbour	Agriculture	Marine Related Industry
Home Based Economic Activities	✓	O	O	O	✓	X	X	X	X	O	X	X	X	X	O	O
Hospital	O	X	O	O	O	O	X	X	X	O	X	X	O	X	X	X
Hostel	O	O	O	O	O	X	X	X	X	X	✓	X	X	X	X	X
Hotel	O	X	O	O	O	X	X	X	X	X	✓	X	X	X	X	X
Industry - General	X	X	X	X	O	X	X	X	X	X	X	✓	O	X	X	O
Industry - Light	O	X	X	X	O	X	X	X	X	✓	X	O	✓	X	X	O
Launderette/Dry Cleaner	✓	O	O	O	✓	X	X	X	X	X	X	X	X	X	X	X
Leisure / gym /rec. sports club	✓	O	O	O	✓	O	✓	O	X	O	✓	X	X	X	X	X
Library	✓	O	O	O	✓	✓	O	X	X	O	O	X	X	X	X	X
Licensed Premises	✓	O	O	X	✓	X	X	X	X	X	O	X	X	X	X	X
Lorry Depot	X	X	X	X	O	X	X	X	X	O	X	O	O	X	O	O
Mart / Co-op	O	X	X	X	X	X	X	X	X	O	X	O	O	X	O	X
Motor Sales / Repairs / Service	O	X	X	X	✓	X	X	X	X	O	X	X	O	X	X	X
Multiple Residential Units	O	O	✓	O	X	X	X	X	X	X	O	X	X	X	X	X
Nursing Home/Retirement Village	O	O	✓	✓	X	✓	X	X	X	X	X	X	X	X	O	X
Office <100m²	✓	O	X	O	✓	X	X	X	X	✓	X	X	X	O	X	X
Office 100m²-1000m²	O	X	X	X	✓	X	X	X	X	✓	X	X	X	X	X	X

Land Use	Mixed Use	Existing residential	Residential	Low Density Residential	Commercial	Community	Recreation	Open Space	Buffer Space	Enterprise	Tourism	General Industry	Light Industry	Maritime / Harbour	Agriculture	Marine Related Industry
Office > 1000m²	O	X	X	X	✓	X	X	X	X	✓	X	X	O	X	X	X
Open Space	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓	O	✓	X
Petrol Station	O	X	X	X	O	X	X	X	X	X	X	X	O	X	X	X
Primary Care Facility	✓	O	O	O	O	O	X	X	X	O	X	X	X	X	X	X
Plant / tool hire	O	X	X	X	O	X	X	X	X	X	X	O	O	X	O	X
Playground	✓	✓	✓	✓	O	✓	✓	O	X	O	O	X	O	O	O	X
Playing pitches	O	✓	O	O	O	✓	✓	O	X	X	X	X	O	X	✓	X
Refuse Landfill	X	X	X	X	X	X	X	X	X	X	X	O	X	X	O	X
Religious Places of Worship	O	O	O	X	X	✓	X	X	X	X	X	X	X	X	O	X
Research and development	O	X	X	X	O	X	X	X	X	✓	X	O	O	X	X	O
Residential – single dwelling (Permanent Occupation)	✓	O	✓	✓	X	O	X	X	X	X	X	X	X	O	O	X
Residential – single dwelling (short-term tourist accommodation)	O	O	O	O	X	X	X	X	X	X	O	X	X	O	X	X
Residential Institution	O	O	O	O	O	O	X	X	X	X	X	X	X	X	X	X
Restaurant/Café	O	X	X	X	✓	X	O	X	X	O	✓	O	O	O	X	X
Retail Warehousing	O	X	X	X	O	X	X	X	X	X	X	X	X	X	X	X
School / College	O	X	✓	✓	✓	✓	X	X	X	✓	X	X	X	X	X	X

Land Use	Mixed Use	Existing residential	Residential	Low Density Residential	Commercial	Community	Recreation	Open Space	Buffer Space	Enterprise	Tourism	General Industry	Light Industry	Maritime / Harbour	Agriculture	Marine Related Industry
Science & Technology Based Enterprise	✓	X	X	X	O	X	X	X	X	✓	X	O	O	X	X	X
Scrap Yard	X	X	X	X	X	X	X	X	X	X	X	O	O	X	X	XX
Shop	✓	O	O	O	✓	O	X	X	X	O	O	X	O	O	X	X
Take-Away	✓	X	O	X	O	X	X	X	X	X	O	X	X	X	X	X
Tourism Complex	O	X	X	X	✓	X	O	X	X	✓	✓	X	X	O	O	X
Training Centre	O	X	X	X	✓	O	X	X	X	✓	X	O	✓	X	X	X
Traveller Accommodation	O	O	O	O	X	O	X	X	X	X	X	X	X	X	O	X
Veterinary Surgery	O	O	O	O	✓	O	X	X	X	O	X	X	X	X	O	X
Warehousing	X	X	X	X	O	X	X	X	X	O	X	O	O	X	X	O
Water-based recreational activities	O	X	X	X	O	O	✓	O	X	O	✓	X	X	O	O	X
CHP/Waste to energy facilities	O	X	O	O	O	O	X	X	X	✓	X	✓	✓	X	O	O
Primary Care Facility	O	O	O	O	O	O	X	X	X	X	X	X	X	X	X	X

## Ref. 416 McCarthy Keville O' Sullivan on behalf of Paddy Egan

*Key Words: Policy, Housing*

### Summary of the Issues Raised in the Submission

This submission relates primarily to Objective CDP4.12 Holiday Homes in the Draft Clare County Development Plan 2017-2023. Part (c) of that objective supports and facilitates the conversion of some holiday home units to permanent homes or appropriate alternative use in the settlements of Kilkee, Liscannor and Querrin. It is submitted that the wording of the objective appears to preclude the change of use of holiday homes in other locations and this restriction may not be warranted given the substantial issue of issue of holiday home vacancies and associated social and community impacts experienced in many settlements in County Clare and the current accelerating demand for permanent residences both on the open market and through the provision of social and affordable housing.

It is submitted that the over-supply of holiday homes in the county is acute in the settlements named in the Plan but there are other areas that face similar issues with vacant holiday homes and a blanket assumption against a change of use of holidays to private residences in these areas would be contrary to the proper planning and sustainable development of the county.

It is requested that Objective CDP4.12 be amended to include a provision that allows for the general consideration of the change of use of holiday homes to permanent residences countywide on a case-by-case basis, subject to normal planning considerations and the proper planning and sustainable development of the county.

### Chief Executive's Response

I acknowledge the contents of this submission and I consider the points that are raised to be valid. Therefore I recommend that Objective CDP4.12 be amended as set out in the 'Recommendations' section below.

I refer also to my response and recommendations in relation to Submissions 244 and 423, in which I also propose amendments to objectives relating to tourist accommodation.

### Chief Executive's Recommendation

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

CDP 4.12 – amend text in point c) as follows:

Development Plan Objective: Holiday Homes	
<b>CDP4.12</b>	<b>It is an objective of the development plan:</b>  a) To permit holiday homes in settlements where the developments are of a scale and location which contribute to sustainable communities, ensuring an appropriate balance between the number of permanent homes and holiday homes;  b) In settlements where an oversupply of holiday homes has been identified <sup>1</sup> , namely Kilkee, Liscannor and Querrin, to permit new residential developments for permanent occupancy only;

<sup>1</sup> Settlements with >50% vacancy rates, as per Census 2011

	<p>c) <del>In the settlements of Kilkee, Liscannor and Querrin, to support and facilitate</del> To consider the conversion of some holiday home units to permanent homes or appropriate alternative uses where it can be demonstrated that both the dwellings and the associated infrastructure (open space provision , car parking, waste water capacity etc.) are of a sufficient standard to support the proposed new use.</p> <p><i>Note: See also CDP 9.3.4 Visitor Accommodation</i></p>
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## **Ref. 417 Fehily Timoney and Co. on behalf of Shannon Commercial Properties**

*Key Words: Policy, Access and Movement, Retail, Flooding, Environment*

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

This submission sets out the clients SCP intentions for their lands in Ennis as follows:

- Quin Road Business and Retail Park, Ennis.

SCP retained ownership of the 9.63 acre site fronting onto the public road which is currently zoned "Commercial" and proposed to be zoned "Buffer Space" in the draft Plan.

The author submits that the site is located within Flood Zone B as per the current draft CFRAM mapping for the area, which could therefore accommodate commercial development.

The submission requests the retention of the current "Commercial" zoning on the land and consider amending the draft zoning objective V3(a) 9 to reflect this.

- Information Age Park (IAPE)

SCP own the entire IAPE site which contains two blocks of multi-tenant offices and it is their objective to build on the remainder of the overall 26 acre site in the coming years.

The site is currently zoned for mixed use and is identified as a proposal site "PS3". It is proposed to zone the site "Enterprise" and is identified as "OP1" in the draft Plan.

The submission requests the reconsideration of Objective OS16 so as to allow small scale development being accessed from the existing access, as well as the opportunity for Advanced Technology Unit on the lands.

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

I wish to thank Shannon Commercial Properties for their submission. I agree that the site on the Quin Road forms an integral part of the Quin Road Retail and Business Park, the development of which by an anchor use / tenant could greatly enhance the appearance of the park. It is noted that the site is undeveloped greenfield land in the north-east corner of the previously developed Quin Road Business and Retail Park. The site has been subject to considerable assessment, dating back to the 1980s and 90s, when planning decisions regarding the development were being made. At this time, the importance of maintaining that portion of the site for attenuation of surface run off during the peak of the tidal cycle was demonstrated. It is noted that the site is behind existing embankments, which have been in place since the 1940s, although they have needed to be repaired on a number of occasions, including localised raising in January 2014. The site will benefit from the Ennis South Flood Relief Scheme (currently at Design Stage). The Cost Benefit Analysis for the Ennis South Flood Alleviation Scheme notes that the flood level at the upstream of the barrage was 2.8mOD, and that the Quin Road Business and Retail Park (amongst other locations) was at risk of flooding. Extensive pumping in 2009 and 2014 prevented flooding that would otherwise have occurred. The particular part of the site which is subject to discussion here is an active wetland area and floods on a regular basis (particularly with high tide levels and after periods of heavy rain).

The whole of the site is shown to be within Flood Zone A in the undefended scenario and will continue to be so positioned, even with the new scheme in place. The benefit of the scheme will be to lower the residual risks associated with defence failure. The land parcel has also been identified, and historically protected, as it provides an attenuation function for the whole of the Quin Road Business and Retail Park.

Regretfully I cannot recommend the zoning of this site for development at this point in time. As noted above, the whole of the site is within flood risk zone A and will continue to be so positioned even with Ennis South Flood Relief Scheme in place. This site provides an attenuation function for

the whole of the Quin Road Business and Retail Park. It would be extremely difficult to develop this site whilst retaining its attenuation capacity using passive solutions. Active solutions which involve pumping are not sustainable in the long term and I am not in favour this as a solution.

I therefore recommend that the site is zoned "buffer" in the Draft Clare County Development Plan 2017-2023.

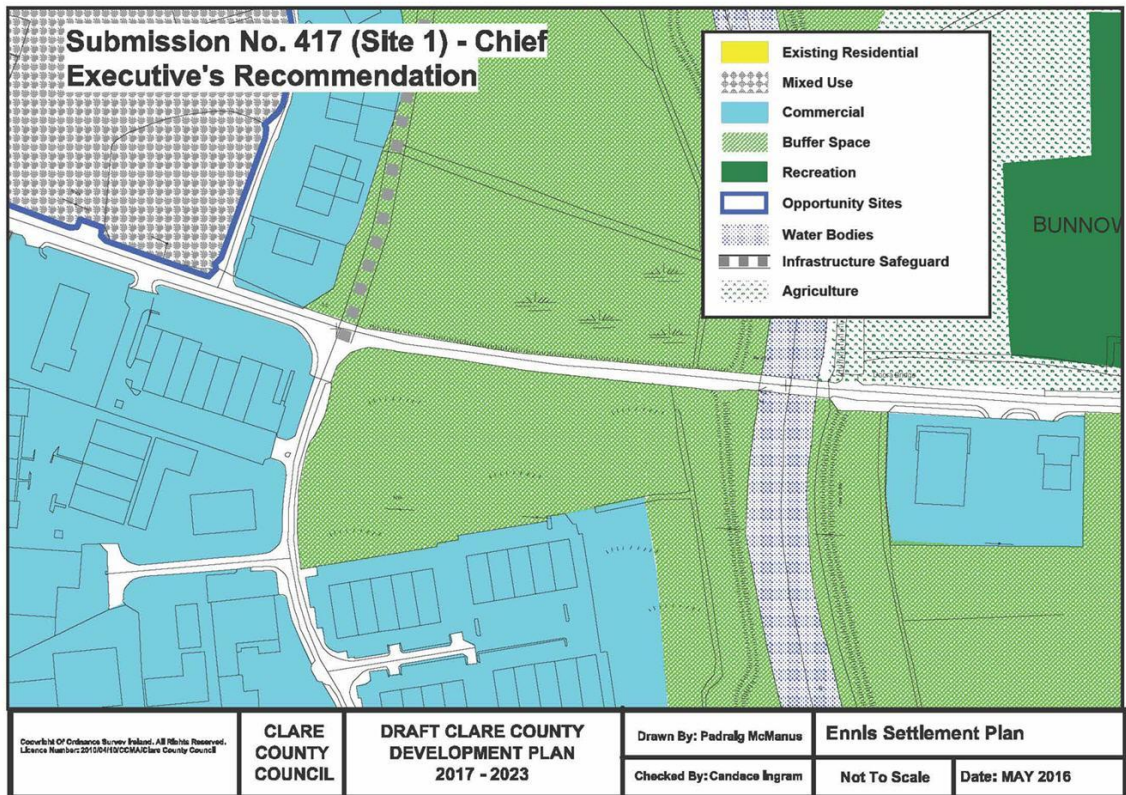
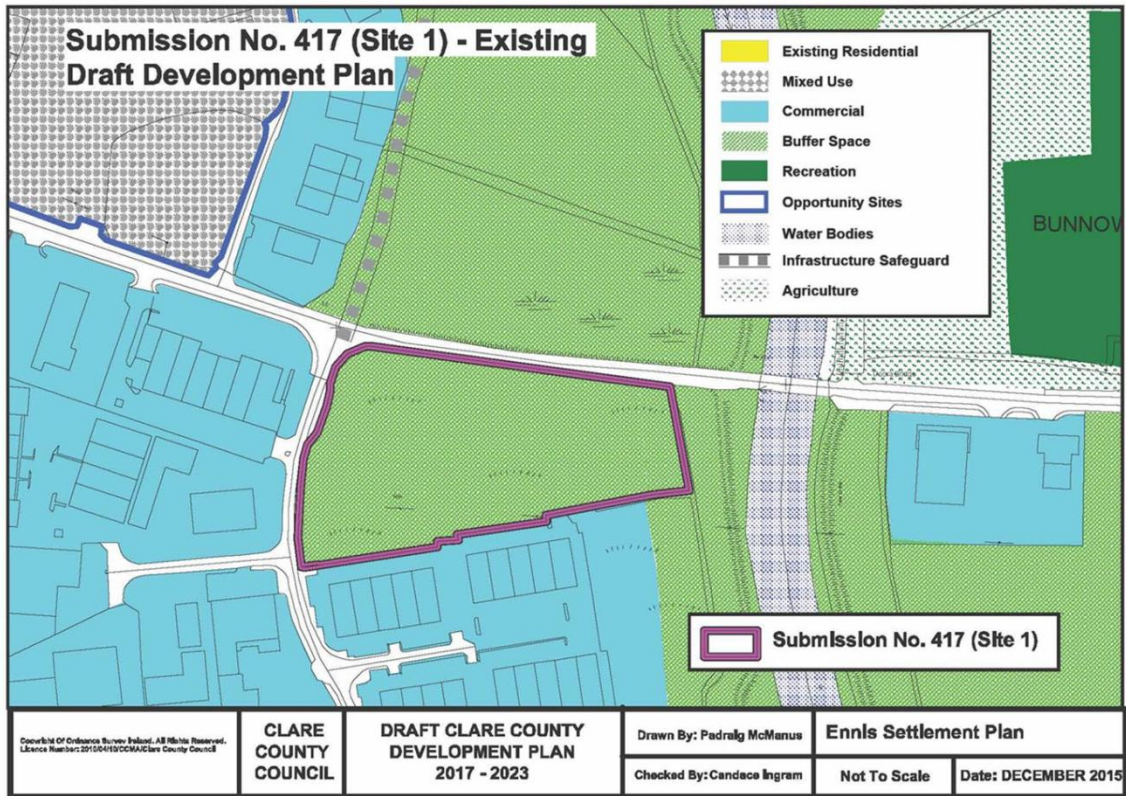
I note that a planning application has been received (planning reference no. p16 254) for site development works comprising of a link road between the proposed Northern Inner Relief Road and existing services road in the IAPE and an extension to the existing services road within the site of the IAPE, including primary drainage, telecommunications and all other underground services, pedestrian paths, cycle lanes, street lighting and perimeter landscaping, all entered from the Northern Inner Relief Road between the N18 and the R352, with temporary access through the existing Our Ladies Hospital Site which will effectively link the Northern Inner Relief Road Phase 1 (now 90% completed) to the IAPE development.

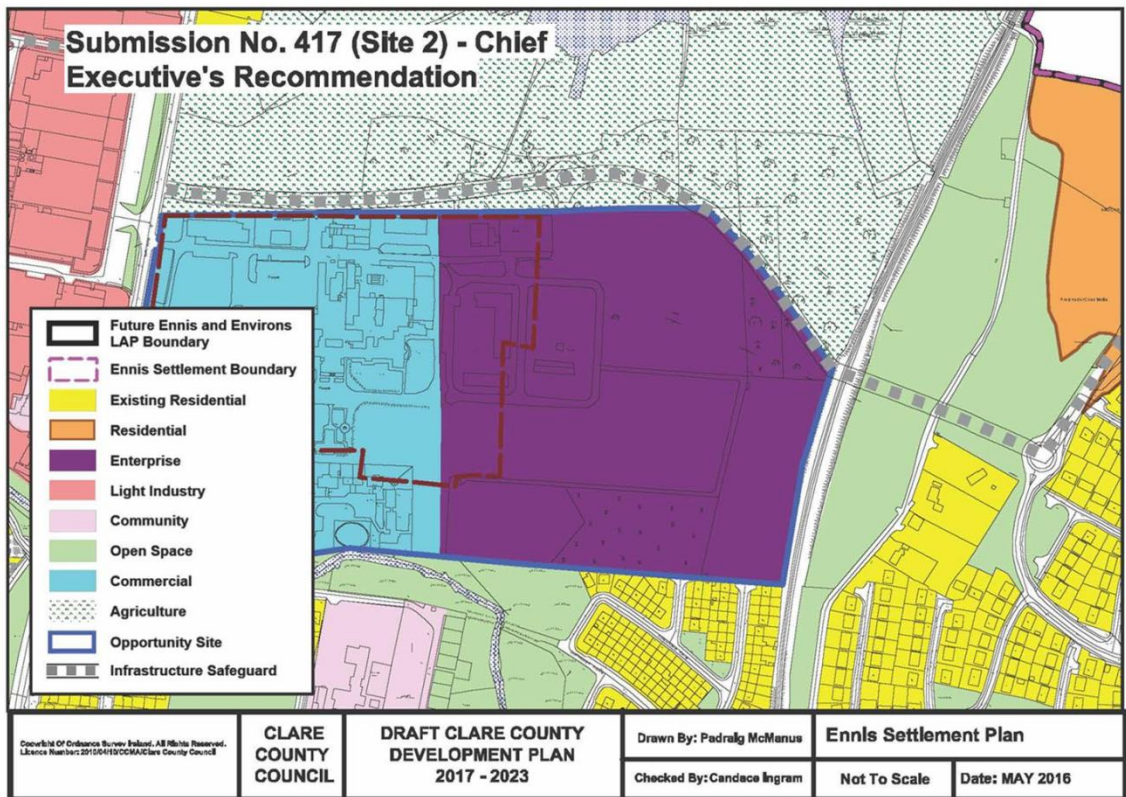
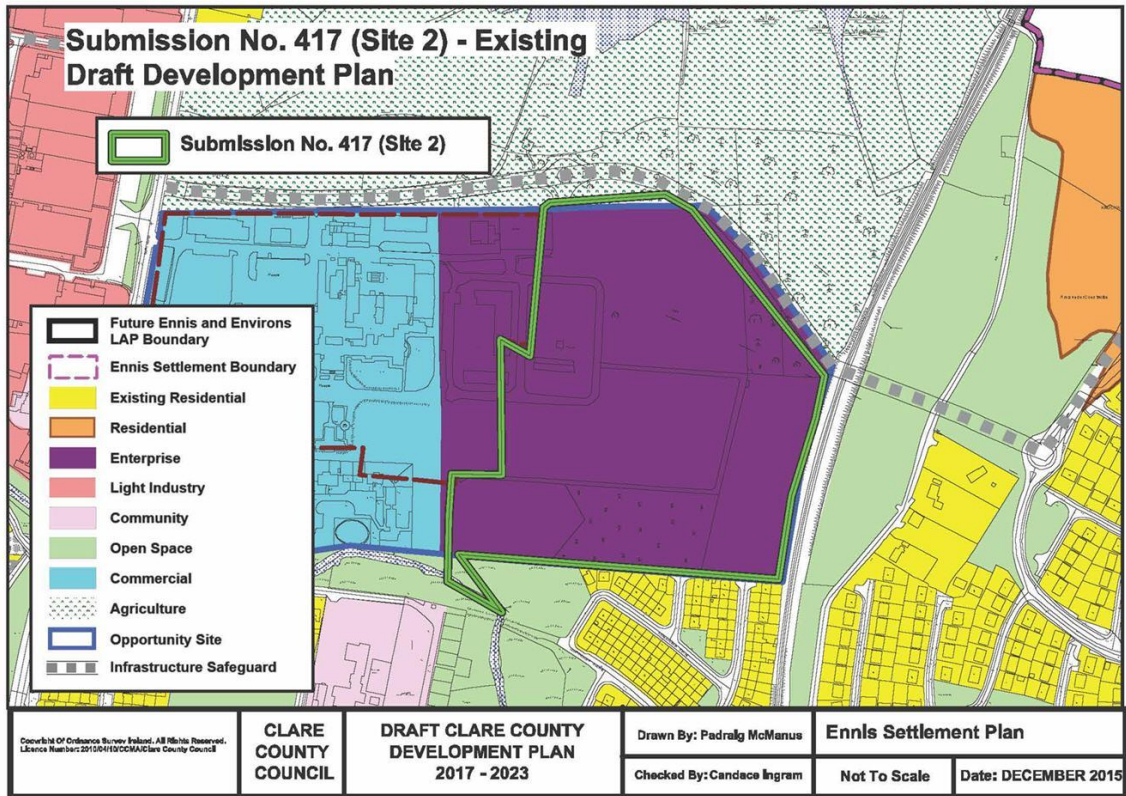
The Senior Roads Engineer has advised that Clare County Council would be in a position to complete construction of NIRR-1 at the same time as the construction of the aforementioned link by Shannon Commercial Properties would proceed.

It is considered that further improvements (possibly provision of a roundabout) to the Gort Road/NIRR-1 junction will be required in due course as the level of development grows in the IAPE. Provision for same may be facilitated through draft Development Contribution Scheme.

#### **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. 419 Fehily Timoney & Co. on behalf of Shannon Commercial Properties**

*Keywords: Killaloe Municipal District*

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

This submission relates to land owned by SCP known as the former Burlington site at Gillogue, Clonlara in the Killaloe Municipal District Plan.

Most of the site is currently zoned "Enterprise" with lands to the north-west unzoned and lands to the east zoned "Open Space". No change to the zoning is proposed in the draft Plan. The request is to zone the remainder of the SCP landholding for enterprise development and accordingly amend objective CDP6.8(a) as follows:

The author submits that his clients intend to attract inward investment into the area through the provision of enterprise uses for the local population and the wider catchment.

CDP6.8(a) To support the redevelopment and reuse of the former Burlington **Plant site and encourage new development** in accordance with the zoning on the site

The area to the east zoned "Open Space" should be identified for future expansion of the facility as this section of the River Blackwater falls outside the SAC and offers a unique opportunity to create a relationship between the facility and the waterfront.

The lands to the east would also benefit from the enterprise zoning as it would allow for direct access to the rear of the facility and allow for its development potential to be recognised into the future.

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

I thank Shannon Commercial Properties for their submission, note the contents and reply as follows:

I recognise, as set out in the plan, the potential of the lands at Burlington and consider that there is merit in broadening the reference to it in CDP 6.8(a).

In relation to the lands in SCP ownership I note that the area in your ownership which is currently zoned is extensive at approximately 7Ha. As mentioned in the submission a significant portion of the site containing settlement ponds does require decommissioning and reinstatement prior to redevelopment. To that end I can see the requirement for independent access to allow you to undertake this process. I propose to recommend rezoning a portion of land, in the order of 3Ha to permit such access.

The land to the south of the large pond has SAC status and for that reason would not be recommended for zoning. I consider that the remediation process needs to be undertaken in advance of any possible additional zoning.

### **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:

CDP 6.8 Burlington (a) To support the redevelopment and reuse of the former Burlington **Plant site and encourage appropriate new development** in accordance with the zoning on the site.

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



## **Ref. 420 McCarthy, Keville, O’Sullivan Ltd. on behalf of Padraig Howard**

*Keywords: Ennis*

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

This submission relates to lands owned by the above at Tulla Road, Roslevan, Ennis which are identified on an accompanying map and are currently zoned “residential”. It is proposed to zone the lands “Low Density Residential” and “Buffer Space” in the draft Plan.

The submission requests the planning authority to rezone the portion of land from “Low Density Residential” to normal “Residential”

The author submits that good quality development at normal/high density on the subject lands will further consolidate growth in the focal area and is compatible with the established nature and character of the area. It is the intention of the landowner to develop the land in the short to medium term as there is live planning permission for the site.

The author has also submitted a Flood Risk Assessment Report with this submission which concludes that only the extreme eastern portion of the subject lands may be subject to flooding. They request that the portion of the subject lands that is outside any flood risk area, as identified in the CFRAMs mapping, is retained in the residential land use zoning in order to support the live permission on the site.

### **Chief Executive’s Response**

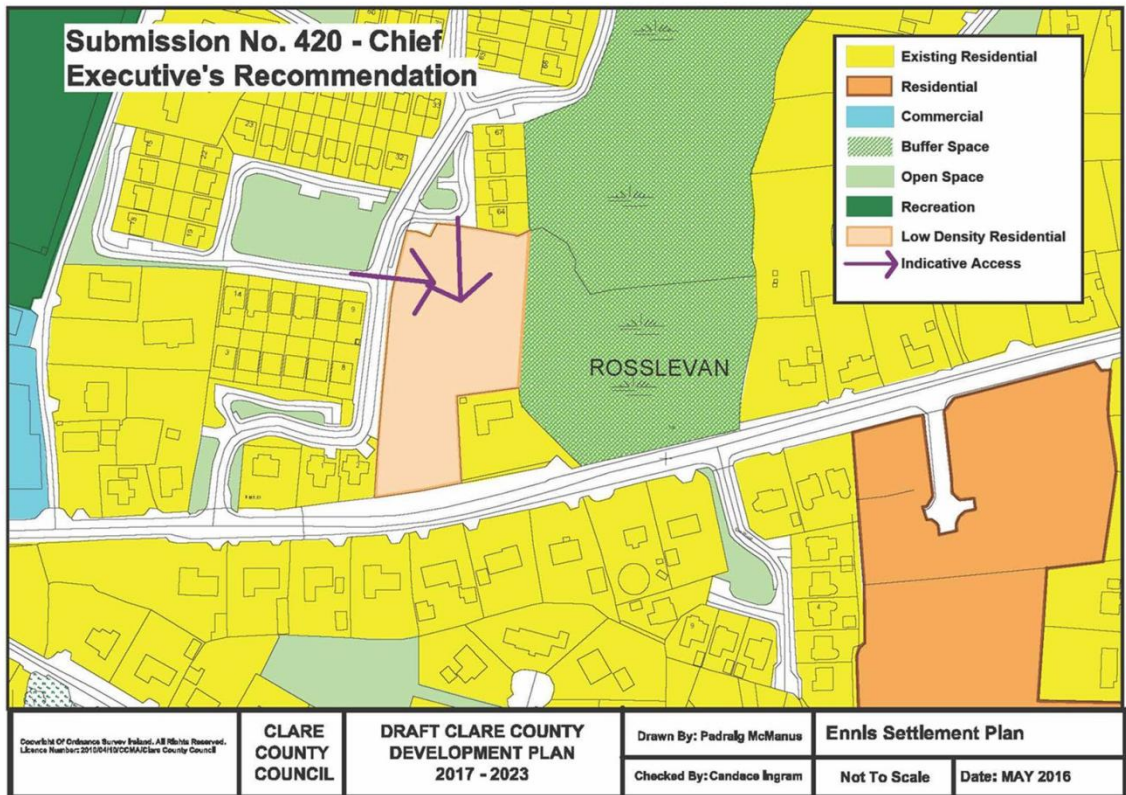
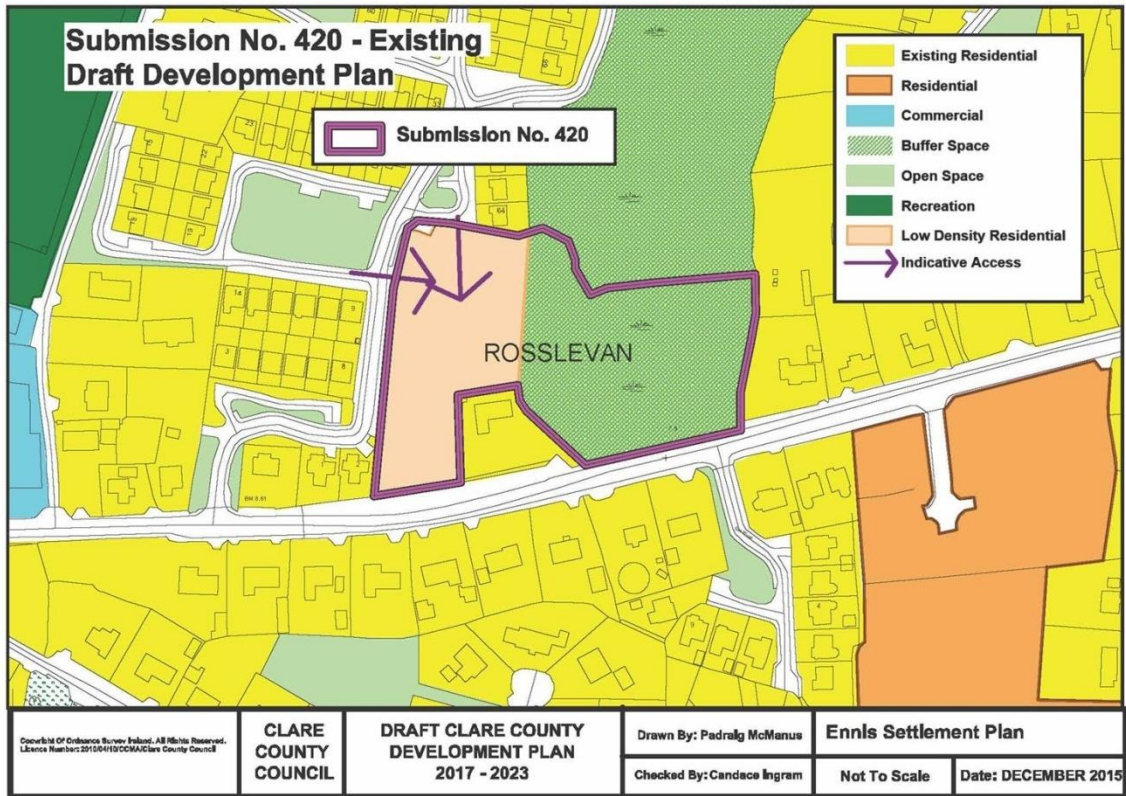
I wish to thank Mr. Howard for his submission. I acknowledge that this site was included in Phase 1 as contained in the Ennis and Environs Development Plan 2008- 2014, as varied. It is noted that there is a live planning permission on the site for the construction of 29 no. dwelling houses and 18 no. apartments and all ancillary site works. This permission is due to expire on 15<sup>th</sup> July 2017.

Following a site inspection undertaken for the purposes of the Draft Clare County Development Plan 2017 – 2023, valuable Fen habitat was observed on site. The purpose of the buffer zoning, as indicated on the map which accompanies the Draft Clare County Development Plan 2017 – 2023 is to protect same. Additionally, it is noted that Flood Zone A/B encroaches onto the eastern part of the site zoned as a buffer area, which is part of the Roslevan swallow hole drainage system. Therefore it is considered that the buffer zoning on this portion of the site is the more appropriate.

It is considered that low density residential for the remainder of the plot of land as referred to in the submission is the most appropriate zoning for this site having regard to the core strategy. The quantum of land included is in compliance with the population 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. In addition site specific land use issues where considered. These criteria include inter alia availability of services, sequential test, flood risk assessment, planning history, consolidation or urban form etc. Having regard to the foregoing I do not agree that site is suitable for residential or high density 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. 421 McCarthy, Keville, O'Sullivan Ltd. on behalf of Padraig Howard**

*Keywords: Ennis*

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

This submission relates to lands owned by the above at Knockanean South, Tulla Road Ennis which are identified on an accompanying map and are currently zoned "residential". It is proposed to zone the lands "Low Density Residential" and "Open Space" in the draft Plan.

The submission requests the Planning Authority to rezone the land on the eastern portion of the site from "Open Space" to "Residential"

The author submits that the subject site and the area to the east of it will be developed as a whole as per previous planning permissions on the site and works that have been carried out. It is therefore considered appropriate that the small area of open space linking the two residentially zoned areas, should also be zoned residential.

The author has also requested that the specific objective in the draft Plan which states that access to the site R6 shall be from the adjacent residential area to the west, be either removed entirely or amended to specify that access shall be from the Tulla Road.

The author has also submitted a Flood Risk Assessment Report with this submission which concludes that the subject lands are above the level of Flood Risk Zones A&B, and subsequently are located in Flood Zone C (low risk flood) and therefore suitable for residential development.

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

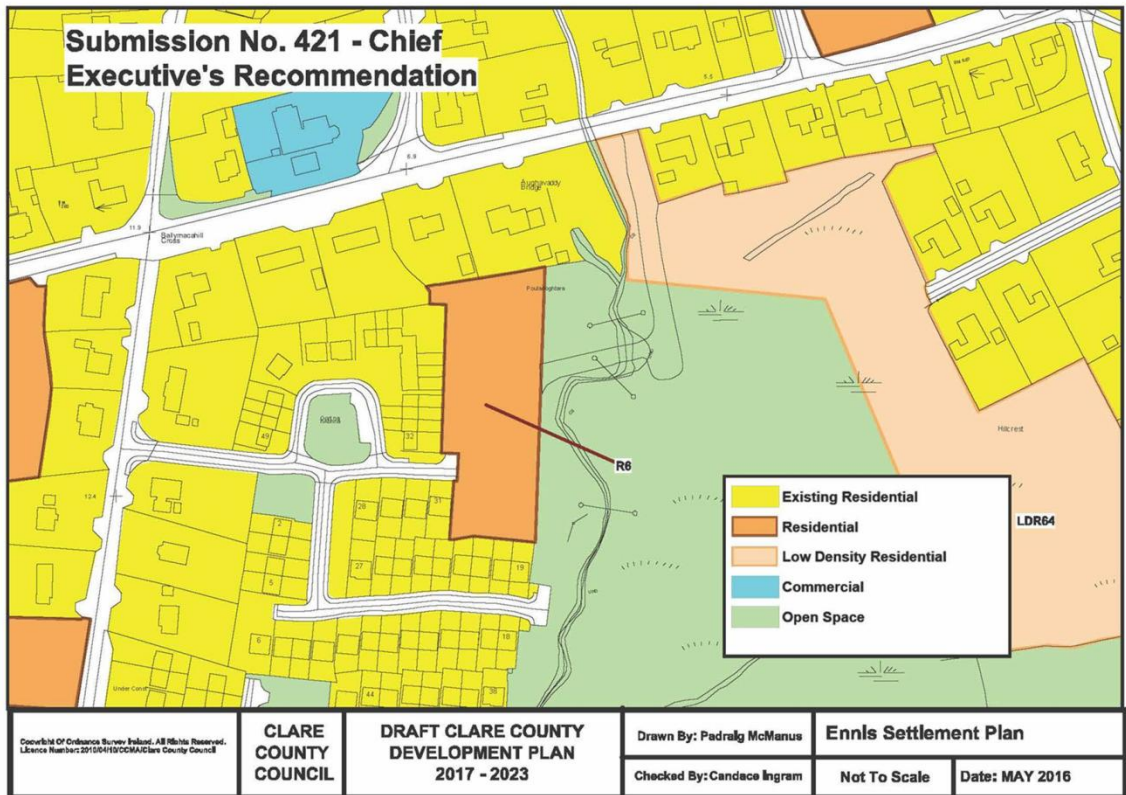
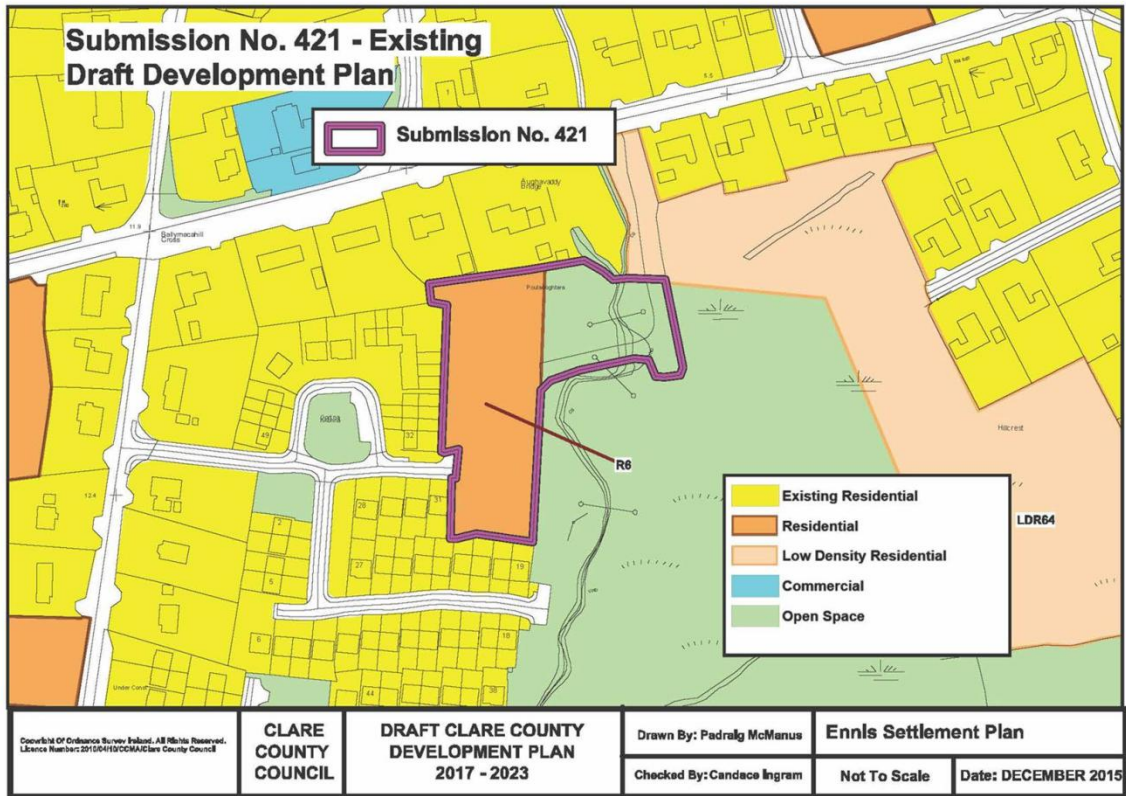
I wish to thank Mr. Howard for his submission. I note that development in the form of land raising and an access bridge has taken place under an active planning application for the site. I further note that Flood Zone A/B impacts parts of the site, but given that part construction has taken place it may be appropriate to facilitate access subject to confirmation of risk (to ensure access road is mitigated) and demonstration that the bridge crossing passes OPW Section 50 criteria and does not increase flood risk to surrounding property. As a result I do not consider that the area which is proposed to be zoned open space is suitable for residential development. However I do not consider it is necessary to change the zoning of the land in order to facilitate an access from the Tulla Road. I recommend that reference to access to the site from the adjacent residential area to the west as stated under 'Site R6 Anstand Gaurus / Ballymacahill' contained in Volume 3 (a) which accompanies the Draft Plan is removed.

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

I recommend that the following amendments are made to Volume 3(a) of the Draft Clare County Development Plan 2017-2023 on the basis of this submission:

Site R6 Anstand Gaurus / Ballymacahill

This site will accommodate residential development of high quality design and layout. No development shall occur unless a surface water management strategy and management plan, which protects the adjoining open space area which contain an Alkaline Fen and potential turlough habitat, including actions for its implementation, are submitted and approved as part of a planning application. ~~Access to the site shall be from the adjacent residential area to the west.~~



## **Ref. 422 McCarthy, Keville, O’Sullivan Ltd. on behalf of Padraig Howard**

*Key Words: Ennis*

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

This submission relates to lands owned by the above at Knockanean South, Tulla Road Ennis which are identified on an accompanying map and are currently zoned “residential”. It is proposed to zone the lands “Open Space” in the draft Plan.

The submission requests the planning authority to rezone the subject lands residential

The submission considers that permission for significant residential development was previously granted and significant works have been completed to date. The development was not completed due to economic conditions outside the control of the developer. The continued residential zoning of the subject lands which are a brownfield site is necessary to facilitate the completion of the development that has commenced.

The author has submitted a Natura Impact Statement for the subject lands which notes that the land has been in-filled and is highly disturbed and of low significance in terms of flora and fauna and concluded that there will be no risk of any significant impacts on the Lower River Shannon Candidate SAC.

The author has also submitted a Flood Risk Assessment Report with this submission which concludes that the subject lands are above the level of Flood Risk Zones A&B, and subsequently are located in Flood Zone C (low risk flood) and therefore suitable for residential development.

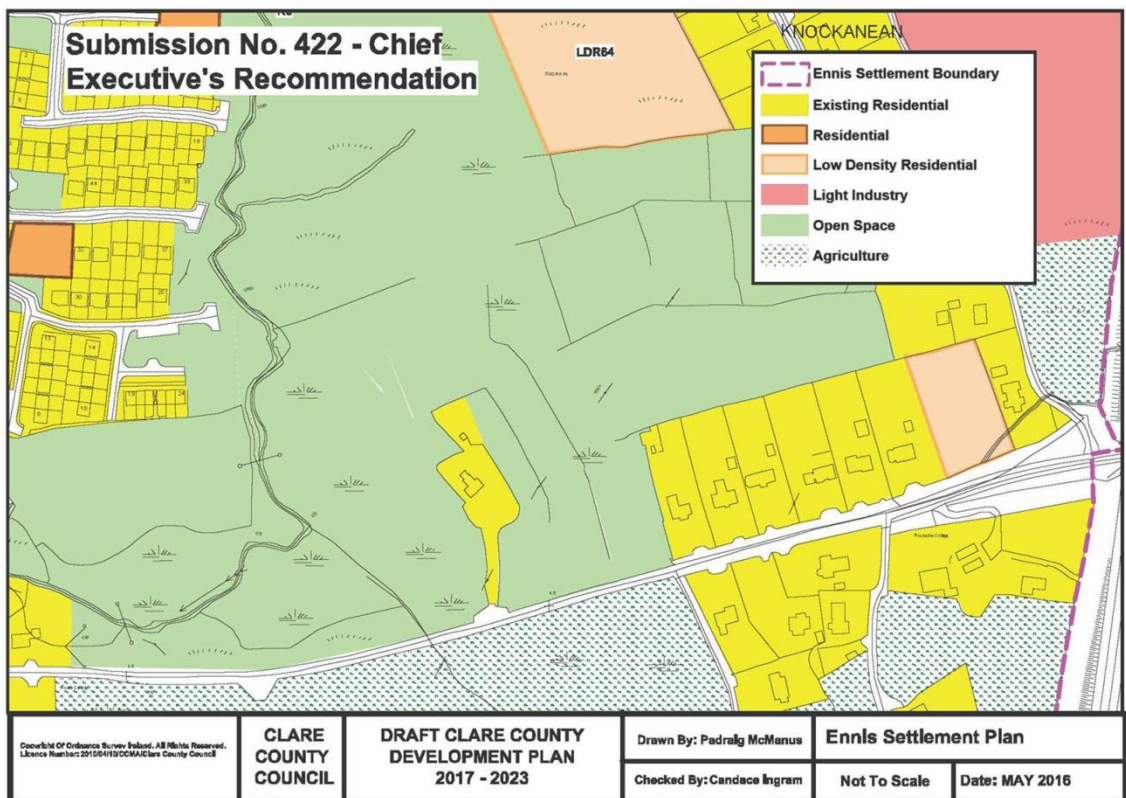
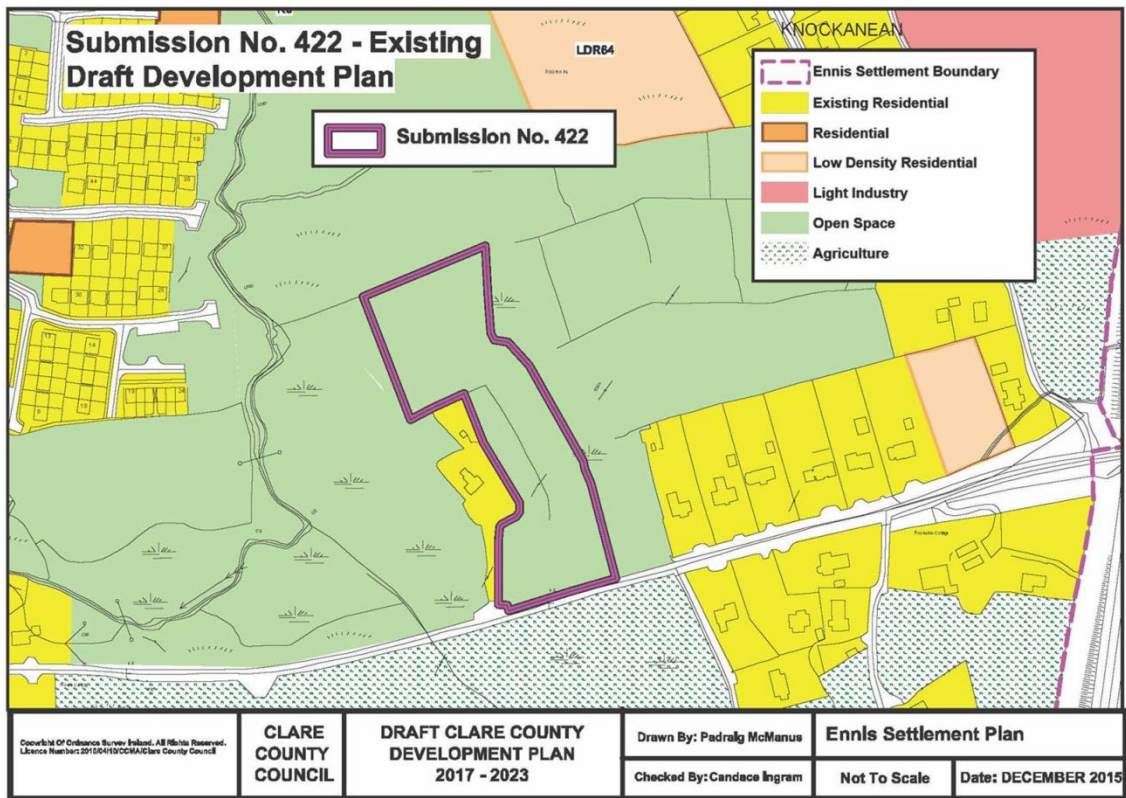
### **Chief Executive’s Response**

I wish to thank Mr. Howard for his submission. I note that outline planning permission was granted on the subject site under planning reference no. p04 21129. Permission consequent on foot of this outline permission was granted under planning reference no. p06 21019 for the construction of 12 no. houses with associated site works and connection to the local authority foul sewer. Under planning reference no. p11 21073, the appropriate period of this permission was extended until 17<sup>th</sup> February 2015. This permission has since expired.

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. In addition site specific land use issues were considered. These criteria include inter alia availability of services, sequential test, flood risk assessment, planning history, consolidation or urban form etc. Having regard to the foregoing I do not agree that site is suitable for low density 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. 423 HRA Planning on behalf of Gary McNamara

*Key Words: Policy, Housing, Environment*

### Summary of the Issues Raised in the Submission

This submission is in relation to the Tinerana Estate, adjacent to the southern edge of the Ogonelloe settlement on the eastern shoreline of Lough Derg in the Killaloe Municipal District. The owner above submits that the Estate would present a unique and unrivalled opportunity to contribute towards the tourism and recreational development objectives for the County as envisaged in the draft Plan and could assist the joint local authorities in realising their joint strategy toward increasing the tourism product of Lough Derg as a tourism destination.

The estate measures approximately 99 ha and includes a variety of natural, developed and landscape features including Tinerana House, a large 19<sup>th</sup> century Victorian period protected structure. The estate also includes equestrian features and access to the lake with boathouse, private marina and ancillary marine related structures.

The author submits that Tinerana estate is suitably positioned and located to contribute to countywide tourism objectives and that the estate does have sufficient carrying capacity from a landscape, ecological and built heritage perspective to accommodate development particularly tourism and recreational destination development without harm to its special character or amenity value.

The submission requests that the planning authority modify Objective CDP9.4 Tourist Accommodation to include the following text:

(c) To encourage holiday home accommodation to locate within the settlement boundaries of towns and villages **or otherwise, as part of destination tourism and recreation products.**

It is submitted that the tourism and recreational policy objectives are unclear insofar as they relate to the development and advancement of specific tourism and recreational opportunities based on and around Lough Derg and specifically, in recognising key strategic locations such as the Tinerana Estate in realising such objectives. In addition, the draft policy regarding "tourist accommodation" is unclear in relation to rural locations.

It is requested that Objective CDP9.22 Tourism in East Clare be modified to include the following wording:

**"To facilitate the development of Tinerana Estate as a tourism product"**

The author notes that all reference to development of the Tinerana Estate for tourism development appears to have been removed from the draft Plan even though it is expressly referenced in the current County Development Plan 2011-2017.

### Chief Executive's Response

I acknowledged the contents of this submission and I consider the points that are made are valid. Tinerana House and the wider estate has the potential to make a significant contribution to the tourism product in the East Clare area.

In relation to the development of holiday homes, it is desirable for such developments to take place within settlements where they will be close to services and amenities and can make a positive contribution to the economy of towns and villages in the county. I do not consider it appropriate to amend Objective CDP9.4 in this regard. However I refer to my response and recommendations in relation to Submissions 244 and 416 in which I make proposed amendments in relation to the development of tourist accommodation in the county.

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

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

Objective CDP9.22 Tourism in East Clare - to include an additional point to read:

"To support the sustainable development of Tinerana Estate as a tourism product."

## **Ref. 424 Michael and Edel Cullinan**

*Key Words: Quin, 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, Ennis. 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 identified as "R2, R3 and R4" in the draft Plan.

The author submits that the existing road through the estate will not be adequate to cater for both existing residential and construction traffic.

He further submits that any proposed development would impact on the safety of children at play in the Maigh Dara estate and also contribute to noise disturbance of the residents.

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

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

As indicated in the submission there are 3 sites zoned for residential development that directly adjoin Maigh Dara.

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

In relation to Site R4, I note that GSI Quaternary Mapping shows this site to be mostly 'Till derived from Limestones' with 'Karstified Bedrock Outcrop or Subcrop' on the western and southern peripheries. Should rock breaking be required in order to accommodate future development on this site, I consider that the protection of amenities of local residents can be dealt with through the Development Management process.

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.

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

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

## **Ref. 425 Ivan and Johanne Rusk**

*Key Words: Quin, Access and Movement, Flooding*

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

This submission refers to lands surrounding the Maigh Dara residential housing estate in 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 identified as "R2, R3 and R4" in the draft Plan.

The authors' raise the following concerns in relation to the proposed zoning:

- The entrance to the estate does not comply with the NRA design manual for roads and bridges and any additional development traffic through the estate entrance would increase road safety risk.
- The existing road through the estate will not be adequate to cater for both existing residential and construction traffic. Any significant increase in traffic would further deteriorate the unfinished road surface within the Maigh Dara estate, detract from the estate, inconvenience residents and create potential hazards from a safety perspective.
- The land designated "R2" is currently flooded and development of the land would impact on the existing estate.
- The suggested access to R4 is part of the green area of their estate and is not suitable as an access to further development.
- The land designated "R3" should be zoned "low density residential" in keeping with the rest of the Maigh Dara estate.

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

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

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

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

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

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

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

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

## **Ref. 426 Aisling Wheeler and Aron Baker**

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

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

This submission relates to Climate Change and the authors have made suggestions for actions to both mitigate and adapt to the consequences of same in County Clare.

#### Mitigation

Carbon offsets for the tourism industry - the author suggests that tourism businesses could be encouraged to offer carbon offset opportunities for customers who fly long distance from abroad i.e. offering to have a tree planted in their hotel grounds, asking tourists to donate to local project designed to reduce CO2 emissions

Cycle Lanes - the current cycle path between Ennistymon and Lahinch could be extended to the Cliffs of Moher, Doolin, Lisdoonvarna and back to Ennistymon.

#### Adaptation

Sea Defences - the author submits that consultation with local people and climate change experts should be a priority to help make decisions on how to best to deal with storm damage in coastal town and areas.

Flood Defences along rivers - the author submits that we need to look at ways to slow the flow of water into rivers during flooding events, such as tree-planting on flood plains, low-tech small-scale "porous dams" on smaller streams and tributaries' protecting our remaining bogs and peatlands which act as natural sponges and slow the flow from upland areas into rivers, raising awareness among the farming community on land management practices that slow the flow of water into rivers. The author has submitted a webpage Pickering Slow the Flow as an example of such a project in North England during December 2015 flooding.

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

I thank Ms. Wheeler and Mr. Baker for their considered submission on the Draft Development Plan and I would like to comment as follows:

- I agree that providing carbon offset opportunities for visitors to the county would be beneficial from an environmental and sustainability perspective. However I respectfully consider that this is too specific an issue for the County Development Plan to progress.
- The expansion of the network of cyclepaths in the county is a prominent theme in the Draft County Development Plan and is addressed in Objectives CDP8.13 Walking and Cycling, CDP5.11 Physical Recreation and Active Living and CDP5.12 Off-Road Walking and Cycling.
- In relation to flood defences in both coastal and river-side areas, I agree that consultation with local residents is highly important and that new means of managing flood water should be continuously explored and examined. Compliance with the EU Floods Directive is a key objective of Clare County Council. As the CFRAM (Catchment Flood Risk Assessment Management) studies progress Clare County Council continue to engage and consult with the OPW as members of the Shannon CFRAMS Steering Group. Once the measures to combat coastal erosion and flood defences along rivers are published Clare County Council will also ensure these measures are made available for public consultation. In addition where Clare County Council are responsible for progressing coastal defence works in response to extreme weather events new ways of protecting our coastline will be investigated. Coastal Zone Management Plans will also help in this regard. Objective 12.4 of the County Development Plan outlines how Clare County Council will work in collaboration with local communities and relevant stakeholders in the preparation and implementation of an Integrated Coastal Zone Management Plan for the coastal and estuarine areas of 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. 427 McKenna Consulting Engineers on behalf of John O'Malley**

*Key Words: Spanish Point*

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

This submission refers to land owned by the above at Dough, Spanish Point in the West Clare Municipal District Area. An accompanying map identifies the location of the subject site which is approximately 1.85ha in area and is situated on the N67 between Miltown Malbay and Quilty. It is submitted that the lands are zoned "Open Countryside/Existing Caravan Park" in the current County Development Plan 2017-2023.

The submission requests that the planning authority rezone the land "Tourism" and include it within the settlement boundary of Spanish Point. The lands immediately across the road are zoned 'Recreation' and there is another existing caravan park nearby zoned 'Tourism'.

The author submits that given the location of the land and its current usage as a caravan park that it should be designated as tourism and included within the settlement boundary.

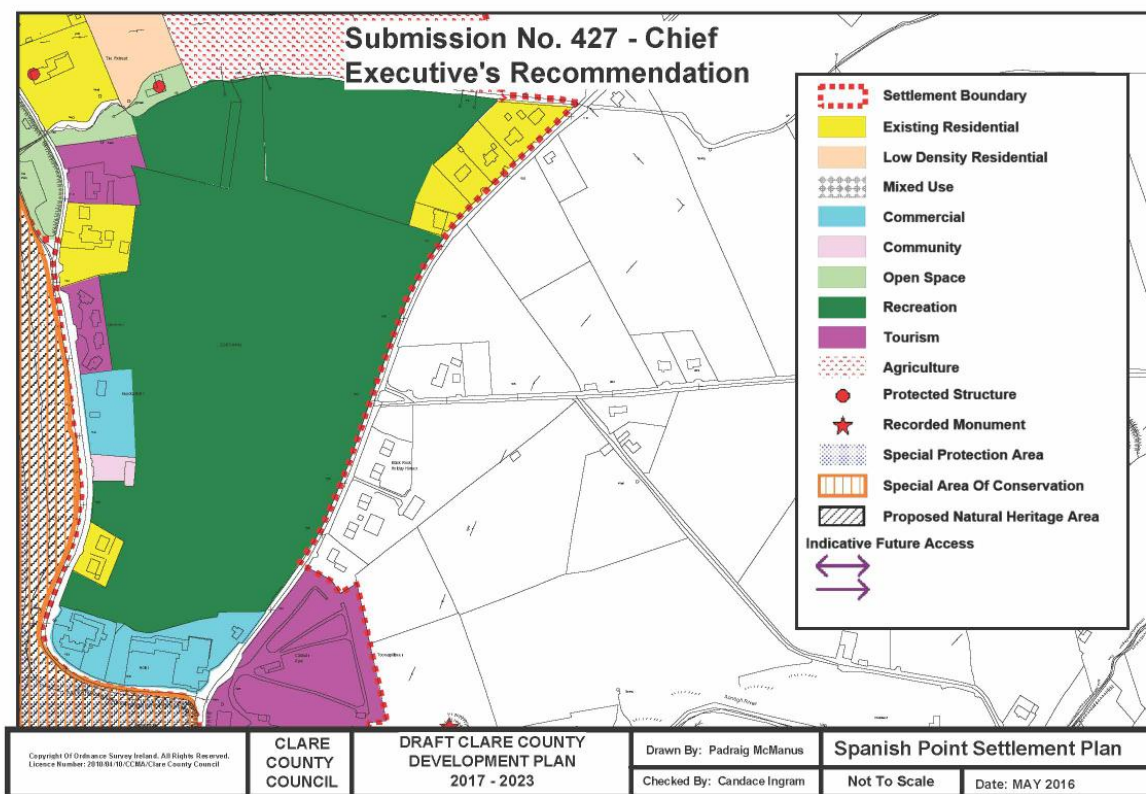
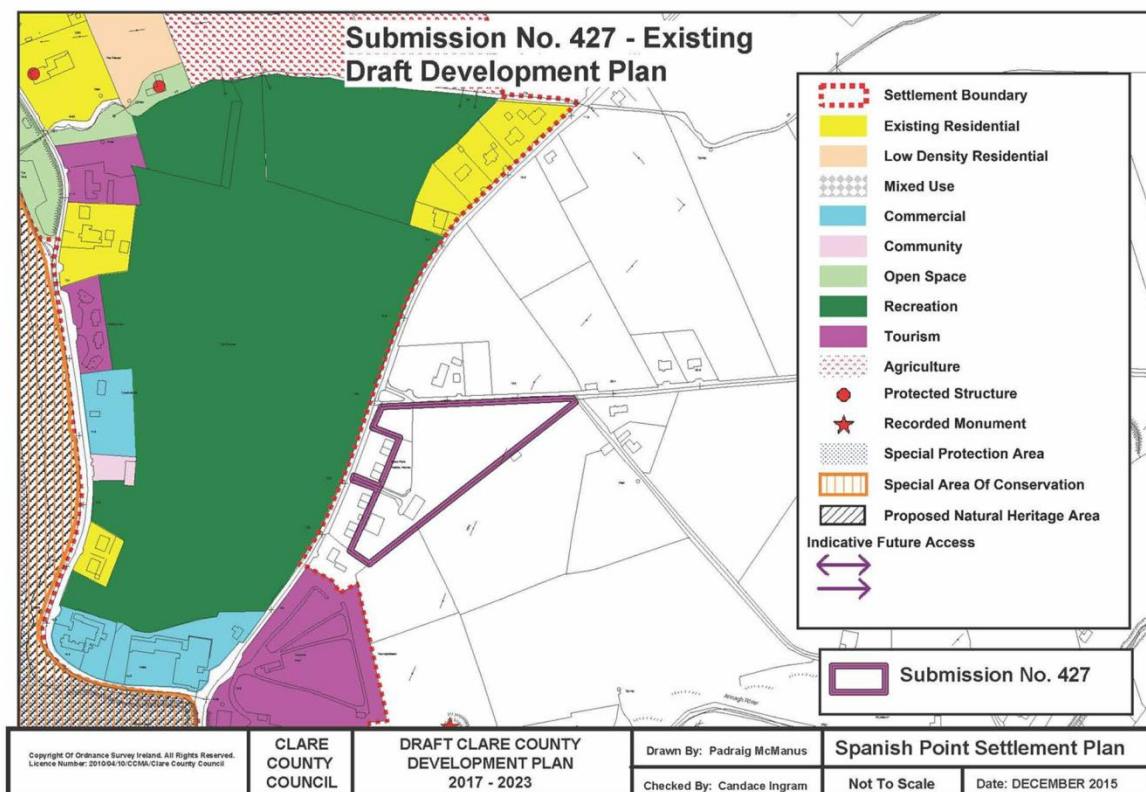
### **Chief Executive's Response**

I thank Mr. O' Malley for his submission and I would like to comment as follows:

The subject site is located on a national secondary route in an area where the maximum speed limit applies. I note that a nearby site has been zoned for tourism which, when combined with the commercial uses on the west side of the road, both visually and physically mark the southern entrance to the village. While noting the current uses on the subject site, it is desirable for future development in the Spanish Point area to be directed towards the core of the village in order to create a defined and orderly settlement. The existing use of the site is not affected by it not being zoned for development. Therefore I do not consider it appropriate to zone further lands adjoining the N67 for tourism uses.

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

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



## **Ref. 428 Cunnane Stratton Reynolds on behalf of Gainsbridge Ltd**

*Key words: Ennis*

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

This submission relates to the Ballymaley Retail and Business Park, Ennis of which the above is the owner. The site is designated both "Commercial COM1" and "Light Industry LI1" in the draft Plan.

The request is to also zone the lands for Office Based Industry as this is a commercial activity/use that functions and operates in areas with similar zonings.

#### Or alternatively

Change the designation of the site from "COM1 and LI1" to "Enterprise"

Enterprise development is normally taken to include the use and development of lands for light industrial, high-end R&D, science and technology based industry, financial services, call centres, data centre and small/medium manufacturing purposes.

The author submits that the Ennis Municipal District Plan should make allowance for some office use in the sections relating to;

- Light industry objectives for Ballymaley
- Objectives for Ballymaley at COM1
- Objectives for Office Provision in Ennis generally

The author also submits that the draft Ennis MD Plan requires a Zoning Matrix of uses.

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

I wish to thank Cunnane Stratton Reynolds for their submission on behalf of Gainsbridge Ltd. I acknowledge that the Ballymaley Retail and Business Park contains a variety of uses / businesses and is home to a number of established uses such as TMM Healthcare and Cupprint Ltd. I wish to state at the offset that any zoning as indicated in the Draft Clare County Development Plan 2017 – 2023 will not adversely impact on existing uses within the Business Park.

Having regard to the description for individual zonings as contained in Chapter 19, Volume 1 of the Draft Plan I do not consider it necessary to alter the zonings as proposed, save for to extend the commercial zoning to over the semi constructed buildings along the Northern periphery of the site. I note that the commercial zoning shall be taken to include the use of the lands for commercial and business uses including offices, service industry, warehousing, and the facilitation of enterprise / Retail Park / office type uses as appropriate. Additionally retailing is open to consideration in this area, provided the sequential test is carried out and the lands are demonstrably the optimum location for the nature and quantum of retail development proposed. I consider therefore that the semi constructed buildings along the Northern periphery of the site may be used for retail warehousing, which may be facilitated under the Commercial zoning.

I consider that the Light Industry zoning for the remainder of the site is appropriate, having regard to the location of the site, the existing services serving the site, including the road network, and the existing uses within the Business Park, which may be complementary to the proposed Light Industry zoning.

Regarding the submissions' request to make allowance for some office use in the sections relating to Light Industry zoning, I note that such zoning allows for, inter alia, incubator units, distribution, transport operating centres, all of which would have ancillary office spaces. Additionally, I further note that the Commercial zoning, which covers the remainder of the Business Park allows for commercial and business uses, included offices.

I consider that adequate provision has been made for office provision in Ennis, having regard to the description of the individual zonings, as indicated in Chapter 19, Volume 1 of the Draft Plan. The Draft Plan supports and encourages the provision of new office space in the town centre and

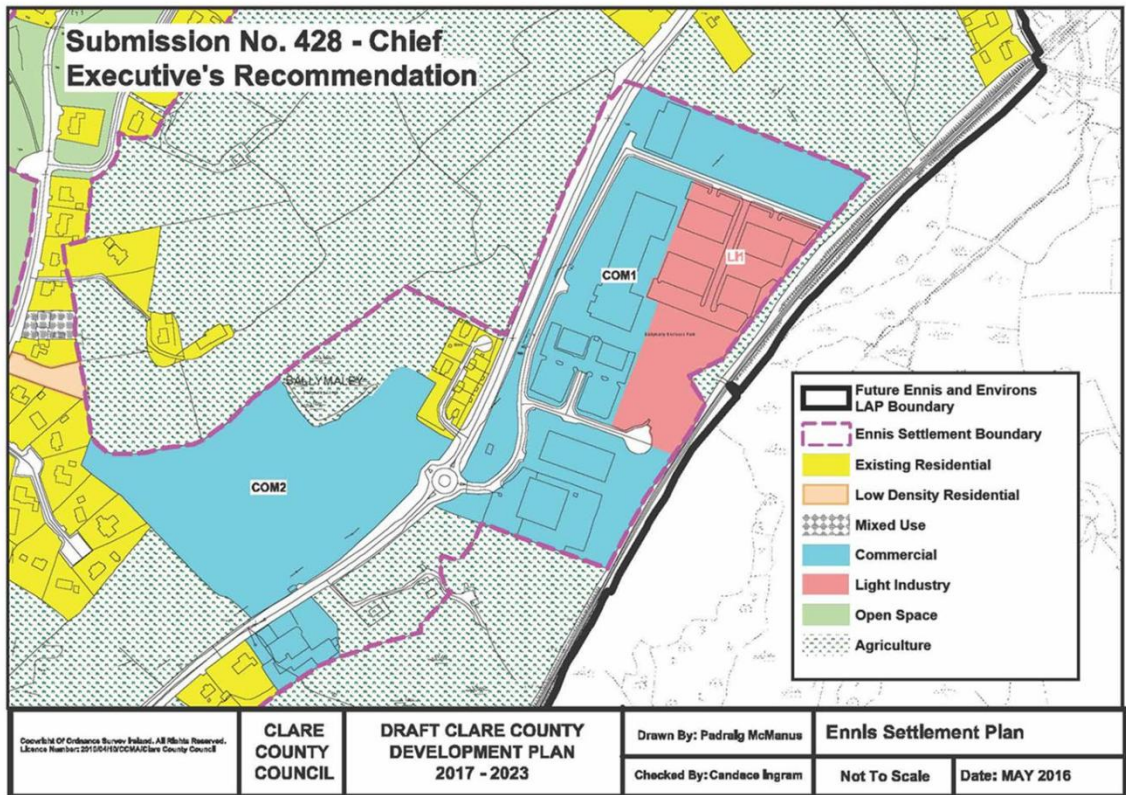
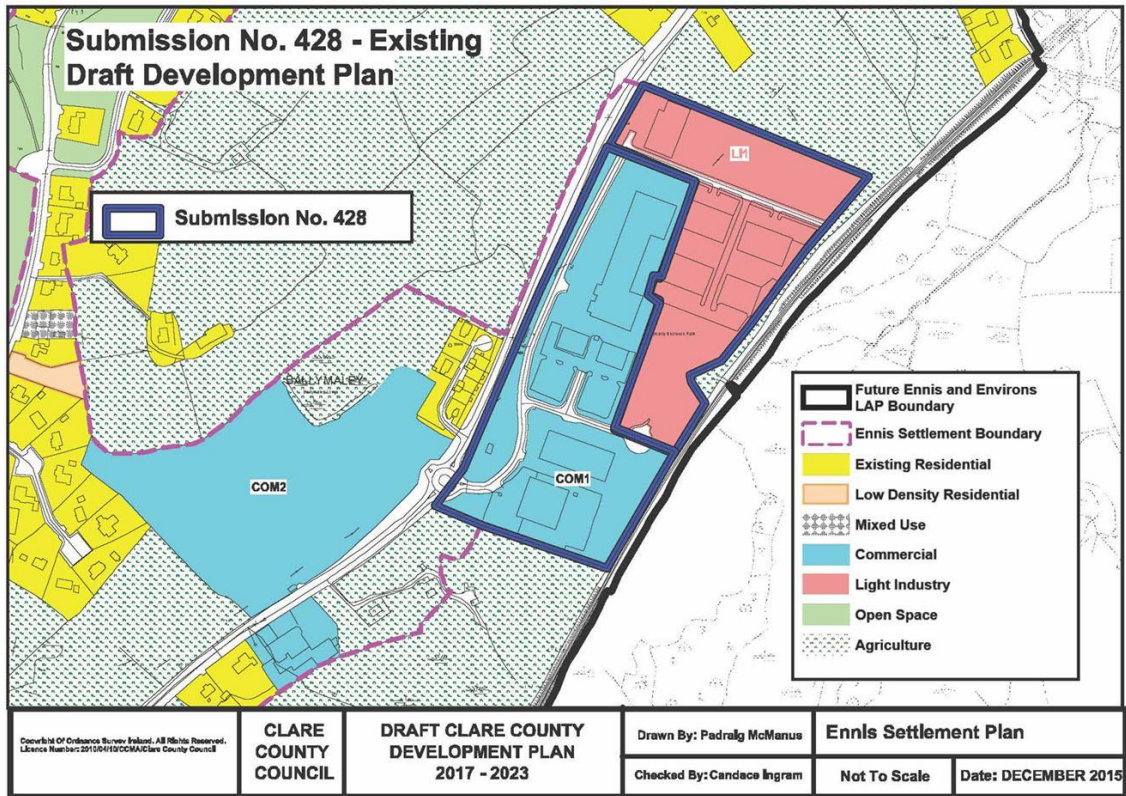
edge-of-centre areas. In addition to areas which are zoned Commercial, the following locations, all or in art, present opportunities for office accommodation:

- Waterville House and adjoining lands, Mill Road (OP 9)
- New Road (MU 1)
- Old Gaol Road (TC 2)
- Riverside site, Harmony Row and Bank Place (OP 10)
- Waterpark House and Arás Uí Chochláin (OP 11)
- Frances Street and Causeway (OP 13)

I do not consider that Ennis requires an individual zoning matrix, as I consider that adequate guidance is provided in Volume 3(a) of the Draft Plan in relation to zonings.

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

I recommend that the zoning as proposed along the Northern periphery of the site referred to in Submission no. 428, amended from Light Industrial to Commercial in the Draft Clare County Development Plan 2017 - 2023.



## **Ref. 429 Sean Lucy & Associates Ltd on behalf of Milltown Developments LLP**

*Key Words: Milltown Malbay*

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

This submission refers to land owned by the above to the northwest of Milltown Malbay off the N67. An accompanying map identifies the location of the subject site which is approximately 2.85 ha which is proposed to be zoned "Agriculture" within the Milltown Malbay settlement boundary in the draft Plan.

The submission requests that the planning authority rezone 1.6 ha of the land "Low Density Residential".

The author submits that his client feels the best use of their lands would be a development of a mix of low density residential independent living retirement homes and an accompanying nursing home. Such development would benefit the urban fabric of the town, strengthen and define the edge of town at this strategic location and provide for the visual integration and physical improvement of their lands and lands in the vicinity of the site to the benefit of the community. The submission set out calculations in relation the extent of land required for residential use in Milltown Malbay and suggests that there is a shortfall in the amount of land zoned in the Draft Plan.

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

I thank Sean Lucy & Associates for their submission and I would like to respond as follows:

As stated in the submission, there is a requirement to accommodate 163 new residents in the town of Milltown Malbay during the lifetime of this Plan. Using an average of 2.75 persons per household this results in a requirement to accommodate 59 households in the period up to 2023. Milltown Malbay is classified as a 'small town' and therefore a density of 20 units per hectare applies. This results in a requirement for 2.95ha of residential land. When the 50% is added this becomes 4.4ha, as set out in the Core Strategy. All future residential lands in Milltown Malbay are zoned as Low Density Residential. The density for development on LDR lands in 'small towns' is 10 to the hectare, effectively doubling the amount of land required i.e. approximately 9ha of LDR land is required in Milltown Malbay during the Plan period.

The five LDR sites already zoned in Milltown Malbay total approximately 10 hectares and therefore no shortfall of residential land exists.

Notwithstanding this, the Draft County Development recognises that there will be need for additional nursing homes and retirement village/assisted living developments in the county in the future. Developments of this nature can be accommodated on lands zoned for Community purposes.

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

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

Volume 3(d) - Milltown Malbay Settlement Plan – zoning map:

- Change zoning on lands to the north of the N67 from Agriculture to Community and label C1.

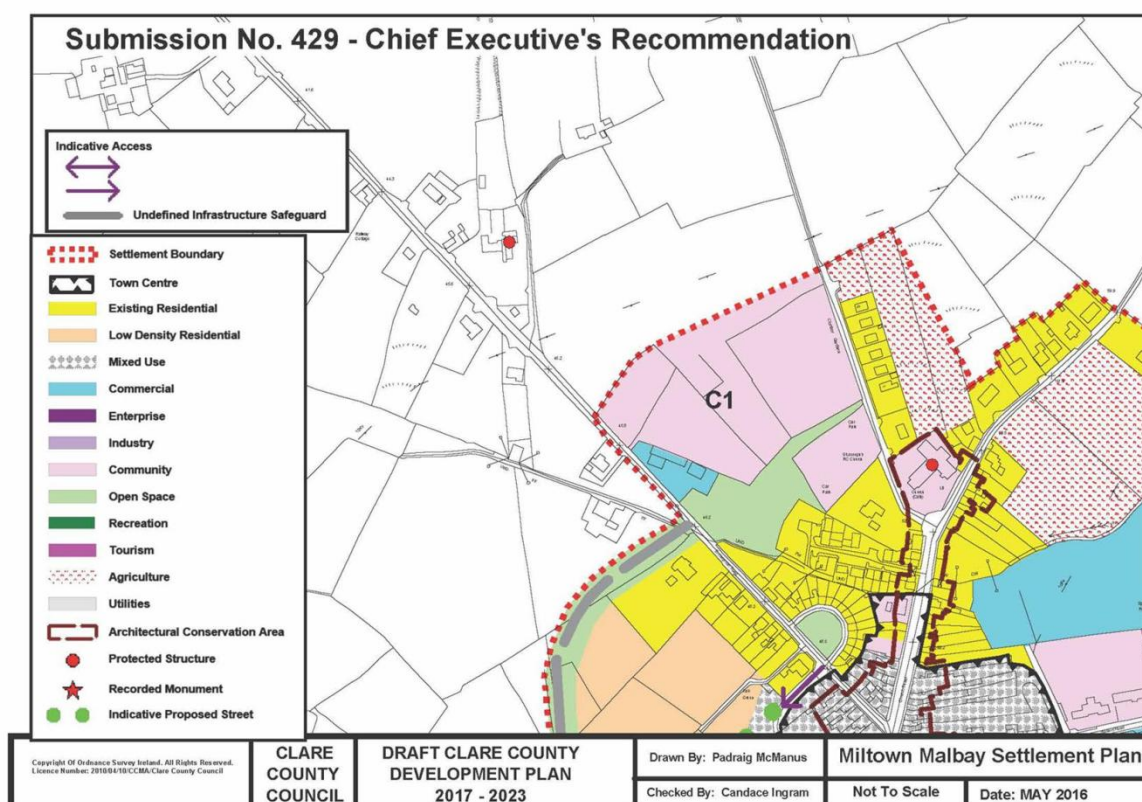
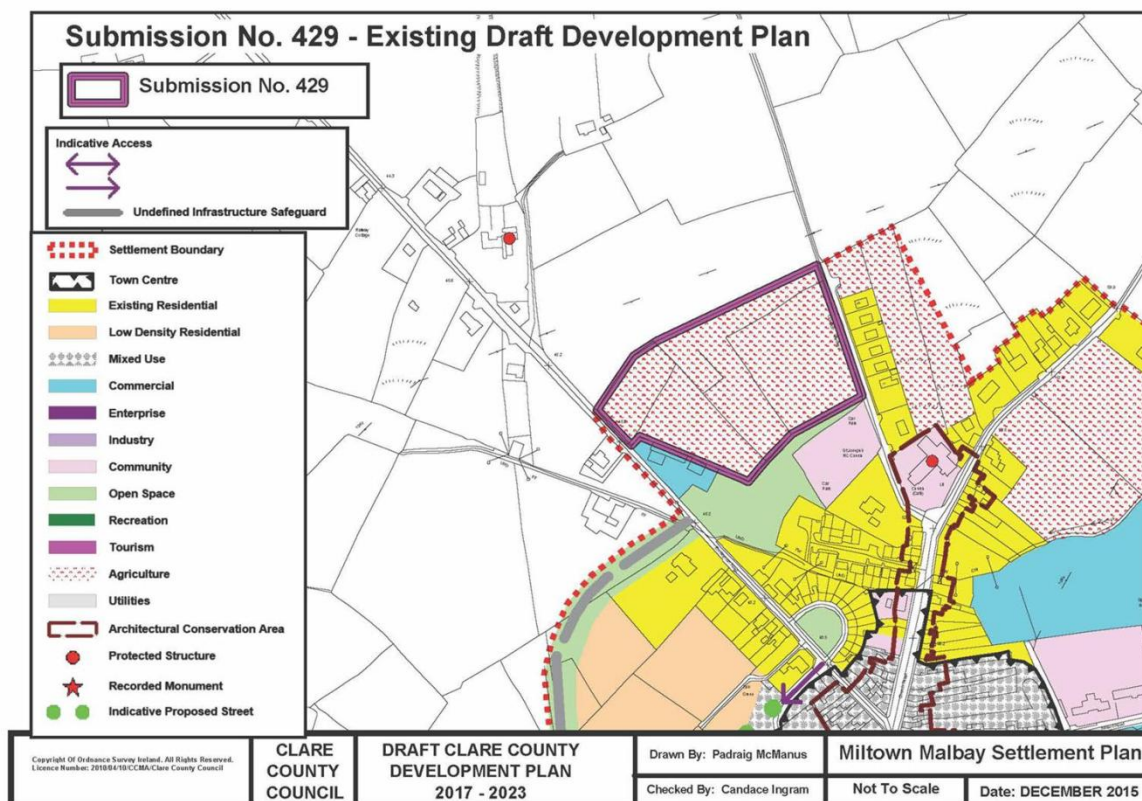
Volume 3(d) - Milltown Malbay Settlement Plan – add new text to read:

**C1 – Lands to the North of the N67**

These lands have been zoned with a view to the provision of a nursing home/retirement village/assisted living type development. Development proposals must demonstrate that safe

vehicular access to the site can be achieved. Safe and convenient pedestrian linkages to the town centre will also be essential for future residents.

The scale of future development proposals must reflect its location within an identified 'small town' and proposals must be cognisant of the visually- important location at the entrance to the settlement and in close proximity to the Wild Atlantic Way.



## Ref. 430 Mandy Coleman

*Keywords: Ennis*

### Summary of the Issues Raised in the Submission

This submission refers primarily to the proposed zoning of lands at Beechpark, Ennis and requests the planning authority to:

- Adopt the proposed "Buffer Space" zoning objective to the rear of houses on the western side of the Beechpark Residential estate; and the Ennis Relief Road at Keelty in the draft Plan.
- Adopt the proposed "Buffer Space" zoning objective around attenuation lake/wetlands area at Keelty;
- Reclassify lands at Beechpark proposed to be zoned as "Enterprise" and "Tourism" as either "Buffer Space" or "Agriculture";
- Provision of better local services with a specific need for a supermarket to service the Beechpark/Cahercalla/Ashline area which will cater for family shopping requirements;
- Refuse the proposal to extend the Ennis plan boundary beyond the M18 at Junctions 12 and 13 to facilitate zoning of two plots of land identified as "COM7" and "IND1" and reclassify the two plots as "Open Countryside".

### Chief Executive's Response

I wish to thank Mandy Coleman for her submission. I note the submission relates to a number of locations. My responses are set out as follows:

- Adopt the proposed "Buffer Space" zoning objective to the rear of houses on the western side of the Beechpark Residential estate; and the Ennis Relief Road at Keelty in the draft Plan.  
I agree that the subject site should be zoned buffer space. I consider that this is required in order to protect the residential amenities of the existing dwelling houses in the Beechpark Residential Estate.
- Adopt the proposed "Buffer Space" zoning objective around attenuation lake/wetlands area at Keelty:  
I agree that the subject site should be zoned buffer space.
- Reclassify lands at Beechpark proposed to be zoned as "Enterprise" and "Tourism" as either "Buffer Space" or "Agriculture";  
I do not agree with the proposal to rezone Enterprise and Tourism lands to Buffer Space and Agriculture. In order to reflect the status of Ennis as a Hub town it is imperative that adequate land is zoned for employment creation opportunities and for the enhancement of tourism. Certain areas within the settlement boundary are not suitable for such development having regard to flood risk, or other environmental considerations. These sites are considered suitable having regard to their location proximate to the N85.
- Provision of better local services with a specific need for a supermarket to service the Beechpark/Cahercalla/Ashline area which will cater for family shopping requirements;  
I consider the Draft Plan supports this by zoning a number of commercial sites within this area, particularly COM6 at Cahircallamore. The principle development objective for this site is to secure the optimum re-use of the existing building on the site, by providing a neighbourhood centre that serves the Cahircallamore neighbourhood.
- Refuse the proposal to extend the Ennis plan boundary beyond the M18 at Junctions 12 and 13 to facilitate zoning of two plots of land identified as "COM7" and "IND1" and reclassify the two plots as "Open Countryside".  
In relation to the proposed zoning of land at Junctions 12 and 13 in Ennis, a full Traffic Impact Assessment of the zonings has been carried out and has been sent to Transport Infrastructure Ireland for their consideration. Notwithstanding this additional information I note that T.I.I. have on-going concerns regarding the impact of additional traffic generated by the development of IND1 on the capacity of Junction 13 and the potential impacts on the mainline traffic flow of the motorway. Having regard to the significant traffic safety concerns and policy implications raised by Transport Infrastructure Ireland, I consider it necessary to remove the

Industry zoning IND1 and to amend the settlement boundary westwards removing these lands from within the settlement boundary. Refer to Submission 006 for my recommendation in this regard.

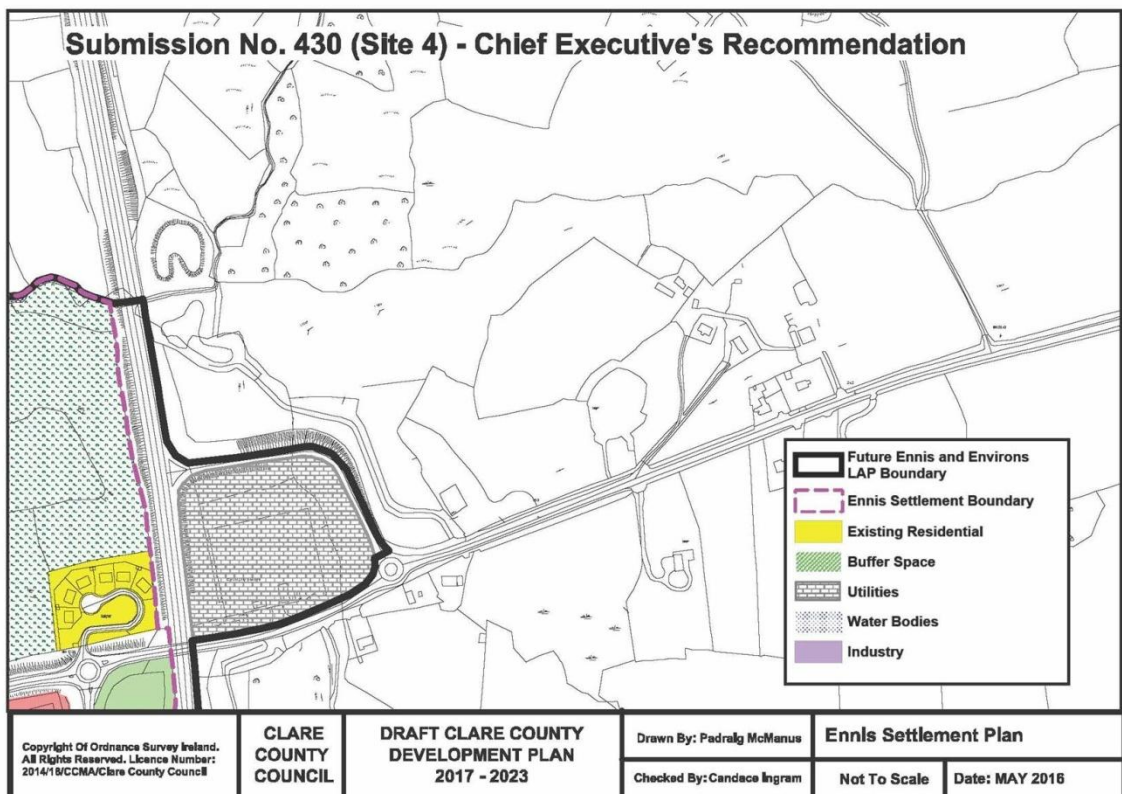
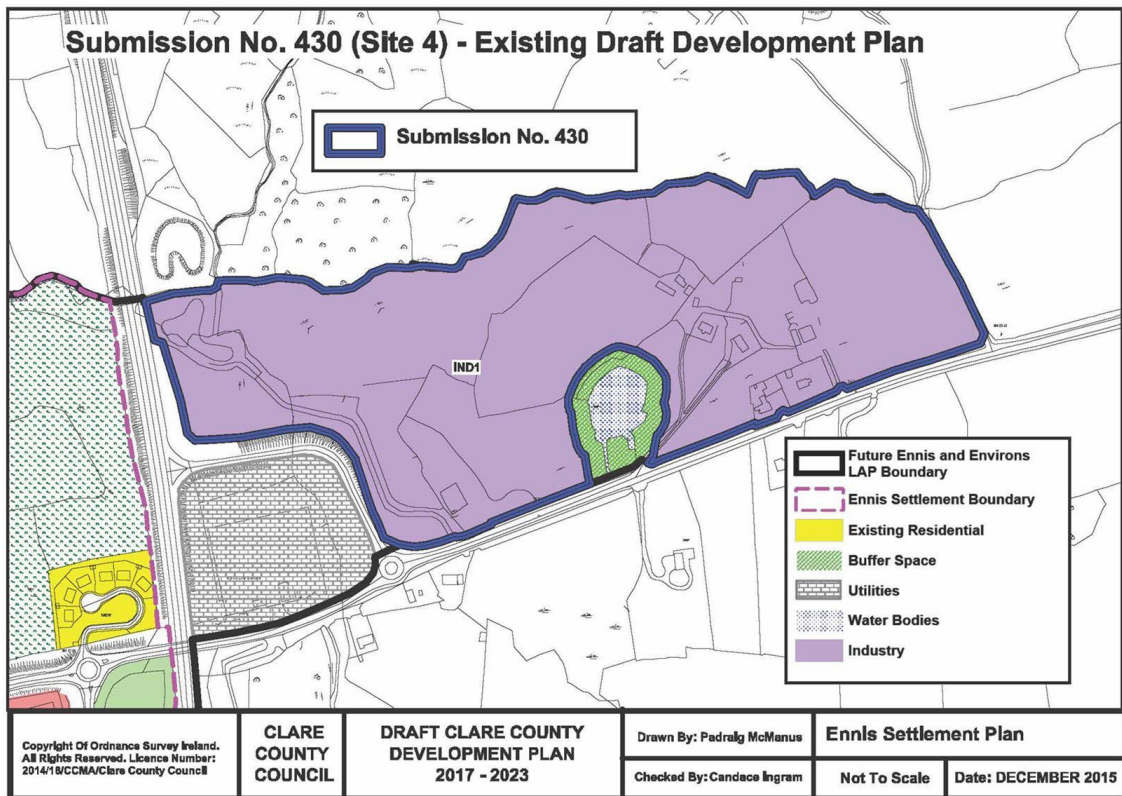
- In relation to the zoning at Junction 12, this zoning reflects an existing planning permission that has been granted by Clare County Council (currently being considered by An Bord Pleanála) and as such I consider it appropriate for this zoning to be retained.

#### **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. 431 Ballina Killaloe Sports and Community Development Co (Clarisford) Ltd**

*Keywords: Killaloe, Policy*

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

The author advises that this company was established to address a sports and community facilities deficit in Killaloe and Ballina and the wider communities.

This submission requests the planning authority to take into consideration the following:

Clarisford Park. The author gratefully acknowledges the continued support from Clare County Council on this project as outlined on pages 14-15 of the Killaloe Municipal District Plan. She advises that a 1km running trail on the perimeter of the park and the sports hall and dressing rooms have now been completed. The facility is used by in excess of 2,500 people from clubs, schools and community groups on a weekly basis and it is anticipated that this will increase with additional ad hoc groups utilising the recently completed sports hall.

REC1 Moys/Clarisford Recreation Area. The author advises that the development at REC1 includes an intergenerational community sports facility including hall and dressing rooms, playing pitches, all weather pitch, training areas, walking/running trail and parkland which have been completed since late 2015.

Clarification 1 – Clarisford House: The author queries the mention of “*recreation facilities at Clarisford House*” on page 15 of the Killaloe Municipal District Plan, as no such facilities exist there. Clarisford House is in private ownership and in no way associated to the sport and recreational facilities in Clarisford Park.

Clarification 2 – Clarisford 3G. Clarisford 3G All Weather Pitch forms part of the overall Clarisford Project and as such it is requested that the zoning is amended from “Open Space” to “Recreation”.

General Objective for Community, Sport & Recreation. The author advises that Healthy Killaloe Ballina is an ongoing project being implemented by Clarisford Park, Clare Sports Partnership, UL and Healthy Ireland with the vision to have Killaloe Ballina as the first healthy town in Ireland. In support of developing community sport and recreational facilities in Killaloe Ballina, the author strongly requests that a general objective is included in the Killaloe Municipal District Plan which ensure that all future development is balanced with appropriate community, sport and recreational provision.

Pedestrian / Cycle Strategy. The author welcomes proposals for enhanced pedestrian links from the town with the underused but historic Aillbhaun path being a priority. It is requested that the Plan also acknowledges the recently developed walkway from Killaloe to Two Mile Gate/UL Activity Centre/Moylussa which offers linkages with existing recreational facilities. To further enhance and support outdoor recreational activity in the town it is requested that consideration be given to the development of a pedestrian and cycle strategy.

### **Chief Executive’s Response**

I thank Clarisford Park for their submission, the contents of which are noted, and I reply as follows:

The Council was happy to be associated with the development of Clarisford Park and I am delighted to see the progress that has been made which offers opportunities for a broad range of people in the locality to enjoy health giving activities. I agree that the text needs to be amended to update the information about facilities and to amend any inaccuracies.

I note the two points of clarification; text under Economic Development referring to Clarisford House and; mapping of recreational space in the school grounds. These will be amended accordingly.

I recommend that the text in relation to REC1 Moys/Clarisford Recreation Area be updated to reflect its current status.

In relation to the request to include an additional general objective to ensure that all future development is balanced with appropriate community, sport and recreational provision. I consider that the intentions of Killaloe in respect of this type of activity are well flagged in the paragraph on Clarisford Park in the Introduction and Context section. I propose that this paragraph be updated in relation to facilities and be expanded to include reference to the 'Healthy Killaloe Ballina' initiative.

I also propose that an existing general objective be amended to include reference to healthy activity. The Development Management part of the planning process seeks to ensure that all developments presented for approval are balanced and sustainable.

### **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:

1. The Introduction and Context section of Vol.3c Killaloe Settlement statement be amended to read: "Clarisford park is a top class community and sport facility located on the banks of the River Shannon. The park consists of a **sports hall, dressing rooms**, playing fields, sand based all weather facilities, training paddocks, running trails and a community park. ~~A sports hall and dressing rooms are planned.~~ Clarisford Park is an excellent example of the positive effects of sports and recreation in the community of Ballina and Killaloe. The Clarisford project shows how health and well being can be promoted and developed when a community is supported by Clare County Council, funding bodies and other local organisations. **The project is also an appropriate vehicle for initiatives such as 'Healthy Killaloe Ballina' which is promoted by a range of public and private stakeholders.**"

General Objectives be amended to read: "To promote the development of the commercial, tourism and retail sector in the town, **to promote the healthy activity profile of both towns** and to enhance the town centre area in order to continue to serve the growing population in the area."

Economic Development be amended to read: Killaloe's economic base will continue to be strongly associated tourism activity arising from its location on the Shannon and its recreation facilities at Clarisford ~~House~~ **Park**.

REC1 Moys/Clarisford Recreation Area section be amended to read: ~~These lands have an attractive riverside location in close proximity to Clarisford Palace. Planning permission has been granted for a community sports building and recreation facility consisting of two full size playing pitches, one all weather flood lit pitch, a partially flood lit training areas, walking and cycling trails, temporary changing facilities for use by both local residents and visitors to Killaloe. These lands are located within the Lower River Shannon SAC (Site Code 2165). Although much of the area is improved grassland and parkland, the hedgerow, tree line and wet grassland along the water front is of ecological value and these are to be retained.~~

**This attractive area has now been developed as an intergenerational community sports facility including hall, dressing rooms, playing pitches, all weather pitches, training areas, running trail and parkland. The development took into consideration the location within the Lower River Shannon SAC and in accordance with ecological criteria.**

In addition I recommend that the zoning as proposed in the Draft Clare County Development Plan 2017-2023 be amended from Open Space to Recreation on the basis of this submission.



## **Ref 432 Eoin Hogan on behalf of Clare Local Development Company (CLDC)**

*Keywords: Access and Movement, Environment, Policy*

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

This submission relates to a Cliffs of Moher Corridor Management Plan i.e. Lahinch to Blackhead.

The author submits that this corridor must continue to be managed in a sustainable manner which must take full account of the current and future economic, social and environmental impacts of tourism to the area and address the needs of visitors, the industry, the environment, landowners and host communities' through an integrated management plan.

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

I thank Clare Local Development Company for their submission, the content of which I acknowledge, and I respond as follows:

I agree that the Cliffs of Moher are an iconic tourism destination for the County and that they must continue to be managed in a sustainable manner. This could involve a management plan taking account of the economic, social and environmental impacts of tourism to the area, the needs of visitors, the industry, the environment, landowners and host communities.

The Council is very conscious of the importance of the Cliffs of Moher and this is reflected in multiple references in the Draft Clare County Development Plan 2017-2023 namely: Section 9.3.5 Wild Atlantic Way, Section 9.3.8 Educational Tourism, section 9.4.4 Tourism in North Clare and Section 14.3.21 The Burren and Cliffs of Moher Geopark.

The Council has expressed willingness in many sections and policies of the Draft Clare County Development Plan 2017-2023 Plan to work with bodies and groups to advance projects across a range of areas in the common good. I am satisfied no amendment to the Draft Clare County Development Plan 2017-2023 is required in this regard.

### **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. 433 Irish Wind Energy Association**

*Key Words: Wind Energy, Renewable Energy, Environment*

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

This submission welcomes Clare County Councils positive support of renewable and wind energy in particular Renewable energy development is a vital part of Irelands' strategy to tackle two major challenges facing us today – ensuring a secure supply of energy and combating climate change.

IWEA welcomes the opportunity to contribute to the Draft 2017-2023 Clare County Development Plan within which Goals, Strategic Aims and relevant Objectives outline and describe the support from Clare County Council for the continued development of the wind and renewable energy resource in the County. They appreciate the existing support within the current CDP for the development of the county's wind and renewable energy resource, and would call for this support to be maintained and further developed.

The proactive approach taken by Clare County Council in the new County Development Plan will further the County's potential to realise the development target of 550MW of wind for the County to be developed in a sustainable way by 2020 (Clare RES 2014-2020) and will support the potential expansion of this target post 2020 where appropriate.

IWEA recognises the potential progress which the application of these Objectives may offer towards meeting Local and National targets. IWEA wishes to reiterate our commitment to driving best industry practice through the planning stage, construction phase and operational phases of wind farms to ensure that they are a sustainable element of Co. Clare's economy and its contribution to the implementation of the National Renewable Energy Action Plan (NREAP) as required by EU Directive 2009/28/EC. IWEA supports Clare County Council's Draft Objectives to maximise renewable energy development potential in a sustainable and sensitive way.

IWEA would welcome the opportunity to meet with the Forward Planning Section to discuss our response in more detail. We thank you for the opportunity to contribute at this stage of the consultation process and we look forward to contributing further as the strategic plan progresses.

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

I thank the IWEA for their submission and I acknowledge the comments and information contained therein. I agree that renewable energy is highly important, not only to County Clare, but to the future of the country as a whole. The Council will continue to work to support renewable energy developments that can be progressed without negative impacts on local residents, habitats and species.

The Draft Development Plan contains a commitment to prepare an updated Wind Energy Strategy during the lifetime of the plan.

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

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

## **Ref. 434 Eoin Hogan on behalf of Clare Local Development Company (CLDC)**

*Key Words: Policy, Access and Movement, Physical Infrastructure*

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

It is submitted that there are over 500km of marked trails in County Clare which provide a unique visitor experience and contribute to the local economy.

Mr. Hogan submits that the County Development Plan should be used to encourage landowners and community groups to set up rural businesses to utilise the nearby trails and as a way to create local employment and increase rural incomes. Existing accommodation businesses could be adapted to be more activity-friendly (i.e. dry rooms for outdoor gear, secure storage for equipment etc) creating add-on farm employment for landowners as local guides or developing tourism services such as secure parking or food retail outlets.

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

I thank Mr Hogan for this submission, made on behalf of Clare Local Development Company. The issue of walking trails and the development of associated businesses is addressed at a number of locations in the Draft Development Plan. The maintenance of existing walking routes, the development of new routes and support for the development of ancillary businesses is addressed on Objective CDP5.12 Off-Road Walking and Cycling. I note that I have already recommended an amendment to this objective to encourage the development of activity-friendly facilities such as drying rooms and equipment storage in response to Submission Ref 189.

Objective CDP5.13 supports the diversification of rural economy through the development of the recreational potential of the countryside and Chapter 6 Economic Development and Enterprise set out a suite of objectives to support farm diversification and rural enterprises. Promoting walking and outdoor activities throughout the county is also extensively addressed in Chapter 9 Tourism. I am satisfied therefore that the issues raised in this submission, when combined with the recommendation I have already made in relation to the development of activity-friendly developments, have been fully addressed in the Draft Plan.

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

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

## **Ref. 435 Sean Daly on behalf of Carbon Sole**

*Key Words: Policy, Renewable Energy*

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

The submission commences by given a brief background to Carbon Sole and by indicating that they welcome certain aims and objectives set out in the Plan. It is stated that the objective of the submission is to demonstrate how Biomass HE CHP can impact on achieving Clare County's overall renewable energy electricity and heat targets, through investment in delivering sustainable communities throughout the county.

It is submitted that larger biomass high efficiency CHP plants generate electricity and heat in tandem and on a continuous basis. The three deliverables associated with Biomass high efficiency CHP are:

- Meeting the electricity demand of the town and surrounding region
- Utilising the heat for District Heating Networks (DH) and installation of heat exchangers
- Production of a processed dried certified biomass woodchip biofuel for external heat users

The overall objective is to pipe the heat from the power production process to the town, eliminating the use of fossil fuels and reducing carbon emissions. During periods of low district heat demand, the heat is used to dry biomass woodchip. Map 6.1, as contained in the Renewable Energy Strategy, maps heat demand centre around the county and is welcomed in this submission.

It is submitted that Biomass HE CHP projects should be supported on the following basis:

- Overall impact on green energy generation
- Wider county and regional impact:
  - Increased investment in private forestry development and family farm incomes
  - Increased expansion and uptake of renewable heating
- Impact on town/locality – clean green image and cheaper carbon neutral heat and cooling
- Employment intensity – Biomass HE CHP is the most employment intensive green energy generation and attracts cluster development due to clean heat source
- Ability to offset fossil fuels and attract employment/industry to the town
- Neutral carbon footprint.

The submission highlights a number of extracts from the Renewable Energy Strategy and welcomes the inclusion of this text in the Strategy. The recognition of a need to develop an integrated plan to increase the availability and access to the biomass resources is particularly welcomed.

Map 6.2 of the Renewable Energy Strategy, which shows areas around the county suitable for various energy crops, is welcomed and the submission sets out information in relation to compatibility between biomass and certain CHP boilers. The submission also addressed the issue of forestry and the need for long term objectives and policy with respect to private planting, management, roads and the felling licence system.

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

I would like to thank Mr. Daly for this submission, made on behalf of Carbon Sole. The development of renewable energy resources and the creation of a low carbon economy has been a priority in County Clare for a number of years and this continues to be reflected in the draft Clare County Development Plan 2017-2023.

The draft County Development Plan contains a detailed Wind Energy Strategy and Renewable Energy Strategy and also, in Volume 1, sets out a Low Carbon Strategy and numerous policies to support forestry development, bioenergy, energy efficiency etc.

This issue will continue to be a priority for Clare County Council during the lifetime of this 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.

## **Ref. 436 Uisce Eireann (Irish Water)**

*Key Words: Policy, Physical Infrastructure*

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

This submission gives a summary of the current position of water services in County Clare in relation to catering for the settlement and core strategies identified in the draft Plan and also submits a menu of appropriate Objectives/Policies for Water Services in the development plan.

#### General Policies in relation to Water Services

- To work closely with Irish Water to identify and facilitate the timely delivery of the water services required to realize the development objectives of this plan;
- When identifying areas for development/ to ensure that full consideration is given to the level of investment that will be required in the provision of water services - particularly in environmentally sensitive areas - to ensure that the provision of water services does not negatively impact on habitat quality, species diversity or other environmental considerations
- To facilitate the provision of integrated and sustainable water services through effective consultation with Irish Water on the layout and design of water services in relation to the selection and planning of development areas and the preparation of master plans and SDZs;
- To maximise the use of existing capacity in water services in the planning of new development;
- To ensure that adequate water services will be available to service development prior to the granting of planning permission for those developments and to require developers to consult Irish Water regarding available capacity/ prior to applying for planning permission;
- To protect existing way leaves and buffer zones around public water services infrastructure through appropriate zoning and to facilitate the provision of appropriate sites for required water services infrastructure as necessary;
- To ensure that development proposals comply with the standards and requirements of Irish Water in relation to water and wastewater infrastructure to facilitate the proposed developments;

#### Water Supply

- To protect both ground and surface water resources and to work with Irish Water to develop and implement Water Safety Plans to protect sources of public water supply and their contributing catchment;
- To minimise wastage of water supply by requiring new developments to incorporate water conservation measures;
- To promote water conservation and demand management measures among all water users;

#### Wastewater Services

- To ensure that the Local Authority provides adequate storm water infrastructure in order to accommodate the planned levels of growth within the plan area and to ensure that appropriate flood management measures are implemented to protect property and infrastructure;
- To require all new development to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems;
- To prohibit the discharge of additional surface water to combined (foul and surface water) sewers in order to maximise the capacity of existing collection systems;
- To support Irish Water in the promotion of effective management of trade discharges to sewers in order to maximise the capacity of existing sewer networks and minimise detrimental impacts on sewage treatment works;
- To refuse residential development that requires the provision of private waste water treatment facilities, other than single house systems;
- To ensure the changeover from septic tanks to collection networks in all cases where this is feasible (subject to connection agreements with Irish Water) and that all new developments utilise and connect to the public wastewater infrastructure. The provision of individual septic tanks and treatment plants in the plan area will be strongly discouraged to minimise the risk of groundwater pollution. Where such facilities are permitted, full compliance with the prevailing regulations and standards, including the EPA's Code of Practice Wastewater Treatment and

Disposal Systems Serving Single Houses (PE.10) (EPA 2009), as may be amended, will be required;

- To ensure that private wastewater treatment plants, where permitted, are operated in compliance with their wastewater discharge license, in order to protect water quality;
- To require existing developments in close proximity to a public sewer to connect to that sewer, subject to a connection agreement with Irish Water.

### Water Services Infrastructure

The responsibility for the provision and management of water services (water supply and wastewater but excluding storm/surface water other than where sewage has been combined with surface water) was transferred to Irish Water on the first of January 2014. It is Irish Water's objective to provide strategic infrastructure capacity to facilitate the core (residential) strategies identified in this county development plan, subject to the availability of funding and environmental constraints.

Irish Water is currently analysing water services infrastructure needs at a national level and identifying priority projects for inclusion in the next Investment Plan (2017-2021). Priorities must include investment to ensure acceptable service levels to existing customers and achieving regulatory compliance. Requirements to catering for future growth are also being considered. The Investment Plan will be evaluated by the Commission for Energy Regulation who will approve or otherwise the budget presented by Irish Water for capital investment in infrastructure.

### Water Supply

Irish Water is currently carrying out a strategic review of water supply in the Mid-West Region. Initial indications are that the Clareville Water Treatment Plant in Limerick, which currently serves Limerick City and its environs, has the capabilities to supply a large regional area within in the Mid-West. This could include augmentation of the Shannon/Sixmilebridge and Ennis Water Supply Schemes, utilising the existing pipe network installed on the N18 and N85.

In general, there is sufficient water supply treatment capacity in the county to meet the needs of the target population identified in the core strategies. Many of the water treatment plants supply water to a number of settlements in a "Water Supply Zone"(WSZ) and WSZs may be linked together to form a water resource zone. It is Irish Waters objective to interlink WSZs, where appropriate, to increase the resilience (reliability) of the water supply system. Network reinforcement is likely to be required to ensure that water supply can be moved around the network to where it is needed. In addition, many of the water treatment plants in the county need upgrading in order to ensure that water is produced to the required standards as set out in the relevant Drinking Water Regulations.

### Wastewater

Wastewater services tend to be associated with individual settlements/agglomerations and there are significant service and compliance issues in many existing wastewater systems in Clare.

### Settlements in County Clare

The submissions sets out a summary of the water and waste water services currently available in the towns and villages in County Clare.

## **Chief Executive's Response**

I thank Irish Water for their detailed submission and I would like to respond to the issues raised as follows:

### General Policies in relation to Water Services

- I agree that the proposed objective to work closely with Irish Water to identify and facilitate the timely delivery of water services should be included in the Development Plan and propose to add this objective to CDP8.23 Water Services.

- I can confirm that consideration is given to the level of investment required in water services, particularly in environmental sensitive areas, when identifying areas for future development.
- Facilitating the provision of integrated and sustainable water services is addressed in Objective CDP8.23(a) of the Draft Plan.
- Maximising the use of existing capacity in water services is an important consideration in the planning of new development (objective CDP8.24(c)).
- Ensuring that adequate water services will be available to service development prior to the grant of planning permission is dealt with in Objective CDP8.23(b) of the Draft Plan.
- Protecting wayleaves and buffer zones around public water services infrastructure is covered in Objective CDP8.24(d) of the Draft Plan.
- Ensuring that development proposals comply with the standards and requirements of Irish Water is addressed in Objective CDP8.23(c) of the Draft Plan.

#### Water Supply

- Protecting ground and surface water resources is comprehensively addressed on Objective CDP8.21 of the Draft Plan.
- Objective CDP8.24 promotes and supports water conservation and demand management amongst all water users.

#### Wastewater Services

- The provision of adequate storm water infrastructure, the separation of foul and surface water drainage systems and the incorporation of sustainable urban drainage systems are addressed in Objective CDP8.8 of the Draft Plan.
- Promoting the effective management of trade discharges to sewers is dealt with in Objective CDP 8.26 of the Draft Plan.
- In relation to private water treatment facilities for residential developments, the Draft Plan supports only single house systems (Objective CDP8.26).
- In terms of the changeover from septic tanks to collection systems, I consider that new objectives should be added to the Draft Plan to support this changeover and also to ensure that new septic tanks/waste water treatment plants are not installed in areas where connection to the public sewer are available. In addition given the recent publication of the National Wastewater Sludge Management Plan by Irish Water I consider that a paragraph should be included highlighting the importance of Clare County Council working with Irish Water to find a sustainable and long term solution for the disposal of Wastewater sludge.

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

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

##### Objective CDP8.23 Water Services – new point to be added to the objective to read:

“To work closely with Irish Water to identify and facilitate the timely delivery of the water services required to realise the development objectives of this Plan.”

##### Objective CDP8.26 Waste Water Treatment and Disposal – new points to be added to read:

“To encourage and support a changeover from septic tanks/private waste water treatment plants to public collection networks wherever feasible, subject to connection agreements with Irish Water and to ensure that any future development connects to the public wastewater infrastructure where it is available.

#### Section 8.4.3 Wastewater Sludge

Clare County Council will work with Irish Water to find a sustainable and long-term solution for the production, minimisation and beneficial reuse of waste water sludge, in order to minimise risk to human health and the environment.

## **Ref. 437 Ms. Susan Brady**

*Key Words: Policy, Renewable Energy, Flooding*

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

Ms. Brady makes this submission against any hydro-electric development in County Clare, especially in the Slieve Callan area. It is submitted that there would be visual and noise pollution from the installation and maintenance of the system. Furthermore, the flooding of land for a hydro-electric reservoir has extreme environmental impacts in terms of habitat destruction, loss of agricultural land etc.

It is also submitted that some reservoirs produce substantial amounts of methane due to the decay of plant matters in flooded areas. There is no counterbalance economic effect for the local community. The economic benefits are enjoyed by the private enterprises while the local community must live with the negative effects.

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

I would like to thank Ms. Brady for her submission and I acknowledge the concerns and the objections that she has raised. In relation to the site at Slieve Callan that has been identified as an area of potential for Pumped Hydro-Electric Storage (PHES) in the Clare Renewable Energy Strategy. At that time a considerable level of analysis and assessment was undertaken to identify site with the potential to accommodate PHES development in the county. The site at Slieve Callan was identified 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, etc. will all be given very detailed consideration when any specific development proposals are being assessed. Assessments such as Environmental Impact Assessment, Natura Impact Assessment and Strategic Environmental Assessment (if required) will also examine and mitigate negative impacts on local residents and the receiving environment and will ensure that developments that would have an unacceptable level of impact are not permitted.

While I note the concerns raised I am satisfied that the current text and objectives in relation to hydro-electric storage in 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 the contents of this submission.

## Ref. 438 Cllr Johnny Flynn

*Keywords: Policy, Ennis, Clarecastle, Flooding, Physical Infrastructure*

### Summary of the Issues Raised in the Submission

The author submits that the Plan for the future development of the Ennis Municipal District should be more targeted at being community led rather than developer led, i.e. the objectives should place obligations on Local Government and State agencies to implement significant actions of the plan developments to ensure a fairer and more inclusive society that supports high quality living in both urban and rural settings in the Ennis Municipal District.

This submission makes the following recommendations in relation to the draft Plan:

### **Part A. Headline Projects**

#### 1. Community Project

The Old National School & Site should be kept in public ownership for community usage. This site is a critical site in Ennis that needs to be looked at as a "Community Zoning" resource for public usage instead of Retail development which would further damage the existing Town Centre.

The existing buildings and playing pitch, following investment in upgrading, could be as follows:

- Indoor sports facility using existing sports hall;
- IT room for enterprise and educational usage using existing IT room;
- Public park and playing pitch for usage and hire to members of the public;
- Existing carpark spaces on site used to meet serious deficit of public car-parking in town centre particularly for employees;
- Potential for community garden and allotments for Ennis west and town centre housing residents;
- Rebalance facilities in south and west of Ennis as the majority of existing recreational and public sports facilities are located to north of Ennis;
- Link up to civic buildings at Waterpark and provide community group access to offices in existing buildings.

#### 2. Tourism Project

The Clarecastle Tidal Barrage should be relocated to facilitate the development of a significant Tourism Project in the centre of County Clare.

- What? The development of the Clarecastle Maritime Port for Tourism (jobs and recreational quality of life) purposes by relocation of existing Tidal Barrage to a new location to the south of village;
- Why? In order to retain expanding tourist numbers to Clare for additional night in the County. There is a need to plan to provide a high quality tourism destination product in the centre of the County to complement those at the Cliffs of Moher to the North West, Loop Head in the West, Bunratty to the South and proposed Holy Island in the East. The county wide spread of destination attractions would assist in drawing maximum benefit from national marketing campaigns such as for the Wild Atlantic Way. Boating and maritime usage would get out tourists visiting both the Fergus Estuary and Shannon Estuary amenities;
- Other Benefits? Such relocation would also achieve the outcome identified in the Lower Fergus Flood plain report October 2007 commissioned by Clare County Council under option 4 of same. If the barrage at Clarecastle was relocated to south of current location it would protect Ennis from both Fergus flooding & predicted 1/2 meter tidal water height increase within next 50 years due to climate change;
- Open up for development large tracts of lands located between Ennis and Clarecastle currently appropriately zoned for development but restricted due to their location in a Flood plain;
- Assist to stimulate the future development of both Clarecastle & Ennis as a "Hub" for population growth under the National Spatial Strategy (NSS);
- Enable the completion of the essential road link from motorway network into Ennis by

- the building of link road from Skehanagh roundabout to Quin Road;
- Water intensive industries could locate on the south-eastern banks of the Fergus;
- Greater utilisation of existing adjoining infrastructure and services to the lands benefiting from the flood relief as result of barrage being moved, such as motorway, rail, bus, energy (electricity grid & gas).

The relocated barrage has been independently found, in the 2007 Flooding Report above, to have potential of opening up circa 500 acres of lands for industry from Quin Road south to Clarecastle. The cost, over and above what is minimum flood work needed, of this has been established in the Lower Fergus Flood Study report as circa €15 million. This could be retrieved as contributions from development on the benefiting lands that would be developed.

### 3. Jobs Project

The IDA should purchase the 32 Acre Ennis Information Age (IAP) Technological Park and build an Advanced Technological Building there in addition to developing a site plan to ensure a target of 5,000 new jobs.

- What? Over the next 5 years the IDA have committed to a 30% to 40% uplift in projects up to a total of 66 FDI in the Mid West region. The IDA has committed to acquiring the 125 acre Raheen Industrial Estate in Limerick currently owned by Shannon Group Commercial Properties. IDA already has, I understand, acquired the National Technological Park (NTP) at Plassey Limerick from Shannon Group with the intention of developing its job growth potential. Ennis Municipal District needs the following objectives to be included in the CCDP 2017-2023:
  - The 32 Acre serviced IAP in Ennis should be purchased and developed by the IDA;
  - An Advanced Technological Building should be built by IDA at IAP, Ennis;
  - Roundabout at entrance to Gort Rd Business Estate/Info Age Park.
- Why? In striving to meet the Government Mid West Action Plan for Jobs target of creation of 23,000 more jobs than 2014, Ennis needs to get a fair share of that growth in jobs. With over 4,000 people currently signing on in Ennis and to meet the National, Regional and Local Authority's published population targets for Ennis there is a need for 5,000 jobs in Ennis by 2020.
- Lack of appropriate or attractive property solutions for projects with large job numbers or growth potential is put forward as the reason for lack of announcements of big job projects in Ennis & Clare.

## **Part B. General Points**

### 4. Ennis Town & it's Centre

#### Town Bus:

Ennis and its district needs as an objective the development, in phases, of a Town Bus service.

#### Town Centre Commercially:

The Plan should include a clear Objective "to ensure vibrancy & vitality of Ennis Town centre" by inclusion of the following actions:

- That Clare Local Authorities recognise and will support the development of a Town Team, or equivalent in 2013 & onwards;
- That Clare Local Authorities recognise and will support the need for a resourcing strategy, including financial (e.g. BID), of the Town Team;
- That Clare Local Authorities recognise and will support the Retail Excellence Ireland Framework of guidelines for best practise in Town Centres;
- That Clare Local Authorities will take note of and consider the recommendations of recent RGDATA report "A Nightmare on Every Street", on Parking in Town Centres. Report on <http://www.rgdata.ie/>;

- A Retail Health Check be urgently carried out.

### Artistically

Funding of future Marketing of the Town and supporting Festivals

A percentage of Town Centre's Rates and public car parking fees income should be refunded by the Local Authority to be managed, by an accountable group, to support town artists, musicians writers etc. and support Town Festivals.

Management Plan to maximize the commercial, community and cultural potential of the covered market being constructed, using best practice guides available from the UK and elsewhere.

Critical Infrastructure needs to be listed in the Plan for construction within the Plan timeframe:

- Roundabout at Oakleigh Woods/Cappahard;
- Junction upgrade at Corrovorrin/Tulla Rd;
- Roundabout at Shanaway Road;
- Completion of relief roads partially built to cater for connection from Gort Rd to Quin Rd;
- Completion of relief roads partially built to cater for connection from Clonroad to Quin Rd to Clare Rd;
- M18 Motorway link roads down to Quin Rd;
- Universal access lift at Railway Station;
- Upgrade of Clare Abbey and Clarecastle Waste Water Treatment;
- Additional Public Water Storage Reservoir capacity which is currently inadequate for Ennis and district;
- Upgrade of The Square as a civic space;
- Ditto to Friary Carpark/Museum area;
- Market covered areas in Barrack St and Lysaghts Lane Carpark (Morans)
- Regeneration Plan for Parnell Street including consideration of demolition of sections of same to allow for modern high designed square and buildings including apartments;
- Development of an Urban Medieval Heritage Tourism project in Ennis.

### 5. Education

Collaboration with IDA and Shannon Group Commercial to develop portion of the Info Age Park at Gort Road for both Employment and Campus for Advanced Learning (3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> level) in specific area of Ennis as a low carbon, sustainable and creative centre of living and working.

### 6. Quality of Life Projects

- The Rocky Road amenity needs to be developed in a sustainable manner to provide greater access to recreational amenity in that area of Ennis;
- Development of Public Beach and significant public lands (200 acres) at Ballyallia to cater for outdoor land, waterbased activities & biodiversity/environment, recreational centre of regional and national importance;
- Spotaí Ceol to be developed around the streets of Ennis in addition to adoption of Busking Bye-laws would solidify Ennis as the home of traditional Irish music;
- Purple Flag status utilised to enhance the evening and night time economy with later opening hours for businesses on main streets.

### 7. Sports and Physical Recreation

- Implementation of the walking routes previously designed for Environs & Town in 2008.
- Greater recognition of the beach at Ballyallia;
- Recognition of Clarecastle as a rowing location;
- Supporting the draft report's recommendation for the enhancement of the Lees Road Regional Sports Facility in Ennis and the provision of a substantial indoor sports facility in the town of Ennis that will be managed as part of the overall Lee's Road facility;
- The designation of Lahinch as a Regional Surf centre, with appropriate facilities to be provided, with associated centres along Clare's coastline and Ennis as the central hub for county wide activities;

- Designation of the Fergus River including Clarecastle, Post Office Field & Ballyallia Lake in recommendations under the section dealing with the need for new facilities and water-based activities, to include sailing, canoeing and kayaking, rowing, wind-surfing and fishing;
- Designation of County Showgrounds as an outdoor & indoor Equestrian Activity Centre;
- Provision of tot-lots in all housing estates within Residential Development areas of Ennis (Roslevan, Clarecastle and Shanaway/Claureen);
- Designation of Mid-Clare walking trail for investment (plus others in Clare).

#### 8. Long-term vision for the Society of Ennis with short-term actions

Volume 3(a) Ennis Municipal District of the Plan should adequately acknowledge and take into account two published documents, both of which have been presented to and noted by Ennis Town Council, namely;

"Report on the Community Visioning Exercise" by UL

"Ennis 2020 - Planning Beyond Recession - A Framework for Ennis as a Hub Town"

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

I thank Councillor Flynn for his detailed and considered submission and I would like to respond to the issues in the order that they have been raised:

##### Community Project:

I acknowledge the suggestion that the former national school site in Ennis be developed for community uses. This site has been identified as the optimum location for town centre expansion. The vitality and vibrancy of Ennis town centre has been inhibited in recent years by the lack of buildings that can accommodate the floor space requirements of modern retailers. It is essential that a location is found on which new town centre/retail development can take place that can be fully integrated into the existing town centre. This site meets the necessary criteria and has been zoned accordingly.

The enhancement of community facilities and services is also highly important. I note that there is a wide range of community facilities available in the town and work is on-going to enhance accessibility and sustainable transport options to ensure that these facilities can be conveniently accessed by all communities. Furthermore, new recreation facilities such as sports halls, playing pitches etc. will be located and developed in line with the priorities identified in the adopted Limerick Clare Sports and Physical Recreation Strategy.

##### Tourism Project

I note the point raised in relation to the relocation of the tidal barrage in Clarecastle in order to facilitate the development of a Tourism Project in the centre of Clarecastle. The relocation of the tidal barrage in Clarecastle was assessed as part of the design and development of the Ennis Flood Relief Scheme and did not emerge as the preferred option. Relocating the tidal barrage would require extending flood relief works in Clarecastle to enable the creation of a Maritime Port. In this regard I must bring your attention to the Planning System and Flood Risk Management Guidelines for Planning Authorities which places a firm onus on the Authority to follow the hierarchical order of avoid, substitute, justify and mitigate. The key principles of a risk-based sequential approach to managing flood risk in the planning system are set out in these guidelines with avoidance of development in areas at risk of flooding being the primary key principle. Therefore, extending flood relief works in order to facilitate development would be in conflict with these guidelines and therefore I do not recommend its inclusion. I would further like to direct you to submission 010 from the OPW and the associated responses which outline the requirement for the Planning Authority in this regard. Within the County Development Plan there is however a number of key objectives and strategic aims which support the development of tourism initiatives specifically within Clarecastle. Strategic aim 1.11 point 3 specifically relates to facilitating the expansion of tourism infrastructure, facilities, entertainment and accommodation in Clarecastle. In addition, Objective CDP Volume 3 (a) 11 part (e) looks to support the development of Clarecastle as a centre for tourism activity'. Further I note section 1.11.6 Tourism in Clarecastle as contained in the Draft Plan.

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

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

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

The lands which are the subject of this submission are located within the Lower River Shannon SAC (Site Code 2165). In the absence of detailed site specific studies and investigations it is not possible to rule out the potential for significant adverse effects at Plan level from such a proposal. The potential for such water intensive industries in particular to lead to the loss of habitats or species for which the Lower River Shannon is designated may require the derogation steps of Article 6(4) of the Habitats Directive. However, this is only applicable in cases where there are imperative reasons of overriding public interest (IROPI) requiring a project to proceed and there are no less damaging alternative solutions, and compensatory measures have been identified that can be put in place.

In light of the foregoing I cannot recommend the inclusion of the submitted proposal in relation to water intensive industries in the Draft Clare County Development Plan 2017-2023.

#### Jobs Project

I agree that the creation of greater employment opportunities in both County Clare and the wider Mid West will be a key challenge in the coming years and the IAPE has the potential to accommodate substantial job creation. However, while the Council can work with IDA Ireland and Shannon Commercial Properties to support and encourage the development of the IAPE, the sale/purchase of lands remains a matter for the landowners and it is not the role of the County Development Plan to intervene in such matters.

#### Ennis and its Town Centre

##### Town Bus

Clare County Council has undertaken a feasibility study in relation to the development of a bus service in the Ennis and Clarecastle area and it is the policy of the Council to encourage the provision of such a service. This issue is addressed in Section 8.10.2 Public Transport (subsection: Bus Transportation) in Volume 1 of the Draft Plan.

### Town Centre Commercially

Initiatives such as Retail Health Checks, Town Teams and an Economic Development Fund are addressed in Chapter 16 Towns and Villages of the Draft Development Plan. In the assessment and/or improvement of any town or village in the county, the Council will have regard to all relevant information and guidance, including such documents from organisations such as Retail Excellence Ireland.

### Artistically

In relation to festivals and events, the Draft Plan recognises the importance of these events to both local communities and the wider economy and aims to support community groups and festival committees to identify and access new sources of funding (Objective CDP9.14).

In relation to the refund of rates and car parking fees to support artists, writers and musicians, this is a matter to be agreed as part of the annual budget and not a matter for the County Development Plan process.

### Management Plan for the Market

I agree that a Management Plan for the market is essential to ensure that it will reach its full potential as a commercial, community and cultural space/facility and a management plan of this nature will be prepared and implemented, having regard to both national and international best practice, when construction of the project nears completion.

### Critical Infrastructure

I have set out my response to each of the items listed in the submission in the table below:

Roundabout at Wood/Cappahard	Oakleigh	Funding has been secured for this development and the project is expected to be completed in late 2016. I do not consider it necessary to include this project in the Plan given that it will be completed before the Plan is adopted.
Junction upgrade at Corrovorrin/Tulla Road		Improvements to this junction will be included in the Ennis and Environs Local Area Plan, when prepared.
Completion of relief road from Gort Road to Quin Road		The inner relief road from the Gort Road to the Tulla Road is included on the maps and in Section 8.2.3.5. There are no longer proposals to continue to road to the Quin Road due to a number of issues including concerns raised in the Strategic Environmental Assessment and the flood risk associated with the proposed route.
Completion of relief road from Clon Road to Quin Road		The link road from the Clon Road to the Quin Road is included as a key piece of future infrastructure in the Draft Plan (Ennis maps and Section 8.2.3.5 of Volume 1).
Link from M18 to Quin Road		Direct access to the Quin Road from the M18 has been considered and has not been included in the Plan upon the recommendation of Transport Infrastructure Ireland (see submission 006).
Universal access lift at Ennis Railway Station		Such a detailed matter will be more appropriately addressed in the forthcoming Ennis and Environs Local Area Plan. However I note that Clare County Council can support and encourage a development of this nature but the works are the function of Iarnrod Eireann.
Upgrade to Clare Abbey and Clarecastle waste water treatment plant.		The Council will advocate for the upgrade of the waste water treatment infrastructure throughout the County (Objective CDP8.26) but such matters are now the function of Irish Water
Addition public water storage capacity for the Ennis area		The Council will advocate for the improvement of water supply and storage in the Ennis area (Objective CDP8.25) but such matters are now the function of Irish Water.
Upgrade of The Square as a civic space		This proposal is more suitable for consideration as part of the preparation of the forthcoming Ennis and Environs Local

Upgrade of the Friary carpark/Museum area	Area Plan. This proposal is more suitable for consideration as part of the preparation of the forthcoming Ennis and Environs Local Area Plan.
Market covered areas in Barrack Street and Lysaghts Lane carpark	This proposal is more suitable for consideration as part of the preparation of the forthcoming Ennis and Environs Local Area Plan. However I do consider that it is more appropriate to assess if the market building currently under construction satisfies demand for such facilities before further developments of this nature are designed and progressed.
Regeneration Plan for Parnell Street – including consideration of demolition of sections of the street to allow for modern high-designed square and buildings including apartments	I agree that the regeneration of Parnell Street is necessary and this will be progressed as part of overall town centre improvements. These matters will be addressed in more detail in the forthcoming Ennis and Environs Development Plan. Parnell St. (formerly Mill St.) Ennis is within the ACA of Ennis Town Centre and also within the Recorded Archaeological Zone No. CL033-082-, Historic Town. As such relevant policies apply to proposed alteration of character and demolition of existing buildings. It appears from recent research and discoveries that this street was built between the 1580s and 1680s and many of the buildings in the street date from this period. During the restoration of McParland's Shop and its Jacobean chimneys, at the corner of Chapel Lane, it was discovered that the internal walls were timber framed, a very rare late-mediaeval survival, and it is likely that this construction method exists in other such buildings in the street. It appears that Parnell Street, Ennis is unique in that it contains more vestiges of a late mediaeval, unwalled, Gaelic market town than any other in Ireland. I believe that every effort should be made to promote and advertise the unique, architectural heritage value of this ancient street and provide resources to encourage the re-use and appropriate repair of its individual structures. Consideration should also be given to restoring its late-mediaeval character, where lost, such as the replacement of modern concrete footpaths with the original Luogh flagstones, finished with limestone kerbing. Demolition should be confined to inappropriate 20 <sup>th</sup> century structures, which appear inconsistent with the old street. This unique pedestrian thoroughfare has the potential to become a major, urban tourist attraction but will require tax, rent, rate and grant incentives to regenerate it and encourage owners and occupiers to repair, restore and re-use ground floor shops and upper residential apartments.
Development of urban medieval heritage tourism in Ennis	Chapter 9 Tourism of the draft Plan support the progression of Heritage and Cultural Tourism (Section 9.3.15) and I consider that this issues is satisfactorily addressed by the provision contained in that section.

### Education

The Draft County Development Plan 2017–2023 strongly supports the development of educational services in the County, including higher education (Section 5.4.3.3). The opportunities to further develop higher education in the county are wide and varied and, while there may be benefit to progressing such developments in the IAPE, I consider it restrictive to identify a specific site for a development of this nature. I note that education/enterprise centres, schools and colleges are 'Acceptable in Principle' in the land-use zoning matrix contained in the Draft Plan which I consider will support educational development in the IAPE should such proposals be forthcoming.

### Quality of Life Projects

While I note the projects that have been listed in the submission, I consider them to be quite detailed and more appropriate to the Ennis and Environs Local Area Plan than to the County Development Plan process.

#### Sports and Physical Recreation

The Draft County Development Plan makes strong provisions to support and further enhance sports and recreation in the county e.g. Section 5.4.2 Physical Recreation and Active Living, Section 9.3.9 Rural Tourism and Forestry Tourism, Section 9.3.7 Activity and Adventure Tourism etc. I consider the very specific issues raised in this submission to be more suited to the Ennis and Environs Local Area Plan, when prepared.

#### Long-term Vision for the Society of Ennis

The two documents that have been mentioned in this submission were well-prepared and are very beneficial. The contents of both documents were considered in the preparation of the Draft Development Plan and will also be considered in the preparation of the forthcoming Ennis and Environs Local Area Plan. However, I note the Ennis 2020 document was not subject to Appropriate Assessment or Strategic Environmental Assessment and therefore cannot be directly referenced in the Draft Plan.

Whilst the submission is well-considered, if not already covered in the Draft Clare County Development Plan 2017-2023, the detail of which is more appropriately dealt with at Local Area Plan level.

#### **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. 439 Andrew Fowler

*Keywords: Access and Movement, Policy, Environment, Physical Infrastructure*

### Summary of the Issues Raised in the Submission

This submission outlines the author's objection to the Limerick Northern Distributor Road (LNDR) and queries the reason for its construction which he submits is not evident in the draft Plan. He submits that a "*southern access to UL is a welcome and long overdue development but it does not require the construction of what is in effect a motorway*". He also submits that the general environment has not been considered in this matter and that growth of UL should be limited beyond its present inflated size.

### Chief Executive's Response

I thank Mr Fowler for his submission and reply as follows:

The proposed Limerick Northern Distributor Road (LNDR) represents strategic transport infrastructure for Limerick City and its environs and the provision of such infrastructure forms part of the planned future sustainable development of the region.

The reasons for the construction of the LNDR are set out in a range of policy documents namely, the National Spatial Strategy, Regional Planning Guidelines 2010 – 2022, Mid West Area Strategic Plan (MWASP), Clare County Development Plan (2011-2017) and the South Clare Local Area Plan (2012-2018).

The LNDR is referenced in Chapter 8, Infrastructure, of the Draft Clare County Development Plan 2017-2023. It has already been adopted into the Clare County Development Plan (2011-2017) through Variation No. 3, and the reasons for its construction were set out clearly at that time.

In relation to your query on the significance of the access to University of Limerick, I would again reference the policy documents listed above, all of which stress the importance of appropriate access from the County Clare. The Council has been particularly clear in recognition of the role of UL in bringing an increasing range of benefits to County Clare and this is emphasised in the Clare County Development Plan 2011-2017.

I consider that the importance of third level institutions to the growth and prosperity of regions has been widely recognised in economic and planning research. The role of UL in bringing an increasing range of benefits to County Clare is noted in regional guidance and is emphasised in the 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.*

This policy approach is carried through to the Draft Plan 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.

In respect of possible environmental degradation, I would like to point out that the detailed design has not been decided upon to date and will be formulated at project level stage. An Environmental Impact Assessment of the route will be completed at this later stage which will examine the impacts on the local population, and critically will be subject to further consultation as required by the EIA Directives.

#### **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. 440 Glenville Residents' Association

*Key Words: Policy, Environment*

### Summary of the Issues Raised in the Submission

This submission requests the planning authority to amend objective CDP 5.9 concerning community gardens as follows:

"To facilitate the development of community gardens and allotments in County Clare where it can be demonstrated that such development will comply with all planning and other relevant legislation, and will not result in negative environmental effects, cause loss of amenity or adversely impact residential areas, cause noise pollution, traffic disruption or congestion or be prejudicial to public safety".

### Chief Executive's Response

I thank Glenville Residents Association for their submission and I would like to comment as follows:

Compliance with planning and other relevant legislation forms part of the assessment of development proposals and I do not consider it necessary to state this in the objective.

However, I do consider the issues raised in relation to traffic and parking provisions and impacts on residential amenities to warrant inclusion in the objective.

### 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:

#### 5.3.8 Community Gardens and Allotments – insert additional text as follows:

"Community gardens and allotments make a valuable contribution to society on a number of levels. They contribute to neighbourhood improvement, sense of community, connection to the environment and the overall green infrastructure network in an area. They can also have an important educational and social role in a local community. While there are numerous benefits to community gardens and allotments it is also important to ensure that they are developed and managed appropriately."

### Development Plan Objective: Community Gardens and Allotments

#### **CDP5.9 It is an objective of the development plan:**

To facilitate the development of community gardens and allotments in County Clare subject to normal environmental and planning considerations ~~where it can be demonstrated that such development will not result in significant environmental effects.~~

## **Ref. 441 Limerick and Clare Education and Training Board (LCETB)**

*Key Words: Policy, Killaloe, Ennis, Kilkee, Kimihil*

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

The submission commenced by setting out the background, vision and function of the LCETB. It also provides an overview of their work in relation to primary and post-primary education services in County Clare.

This submission requests the following amendments and additions to the draft Clare County Development Plan 2017-2023:

#### Volume 1, Objective CDP5.17 Primary and Secondary Education

*"that lands zoned for educational purposes will be located as adjacent as possible to the area experiencing population growth".*

The submission gives examples of a number of developments in which the LCETB are involved to meet the need for additional school places.

#### Volume 1, Objective CDP16.7 Addressing Depopulation

The submission requests that the following text is added to the objective:

*"access to quality education services is critical to the long-term viability of rural areas".*

*"rural depopulation in West Clare is a significant challenge to the retention of education services and LCETB would welcome the opportunity to work with the Local Authority to achieve this objective through a multi-agency approach and response".*

#### Volume 3(c) Killaloe Municipal District

It is requested that new text is added to the introduction to the Killaloe Settlement Plan as follows:

*"Killaloe has a strong education function, St. Anne's Community College under the LCETB patron a post primary school catering for in excess of 550 post primary students with longterm projected enrolments of 650".*

It is also requested that the following text be added to the Bellharbour Settlement Plan:

*"The Burren Outdoor Education Centre (LCETB) provides a service of quality outdoor recreational experiences to support the development of social, emotional and team building skills. In addition, the Burren Outdoor Education Centre can significantly enhance the development of education tourism in Co. Clare".*

#### Volume 3(a) Ennis Municipal District

It is requested that Clare County Council will work in coordination with LCETB with regard to Objective V3(a)10

#### Volume 3(d) West Clare Municipal District

It is requested that the following text is added to the introduction to the Kilkee Settlement Plan:  
*"Quality education opportunities are provided for post primary students at St. Joseph's Community College, Kilkee".*

The LCETB welcomes the objective to make provision for the sustainable growth of Kilkee by providing for a permanent resident population through the allocation of land within the town for the appropriate provision of permanent private, social and affordable housing, employment,

services and recreational/open space. The LCETB welcomes the opportunity to work with Clare County Council to achieve this objective.

It is also requested that the following addition be made to Kilmihil settlement plan.

*"St. Michaels Community College is an LCETB school which has a strong tradition in provision of quality education opportunities for post primary students in the educational hinterland".*

The submission sets out the current and future role of the ETBs in the patronage of national schools and gives an overview of the further education and training programmes. Within County Clare they currently provide:

- Over 200 places on Post Leaving Cert courses
- 160 Vocational Training Opportunity Scheme places
- 85 Youthreach places

They also provide a comprehensive array of part-time training courses, many of which also lead to recognised certification.

The submission also summarised the guidance, learning supports they provide and their work in the design and delivery of adult education initiatives.

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

I would like to thank the Limerick Clare Education and Training Board for their comprehensive submission. I am in agreement with the proposed additions that they have requested. However in some instances I consider that the additional text would be better placed in the main text of the Plan rather than in an objective, as requested in the submission.

In addition to the changes requested, I consider it would be beneficial to expand Section 5.4.3.4 Further Education and Adult Learning to include information about the training and education opportunities available in County Clare, as set out in this submission.

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

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

Volume 1, Objective CDP5.17 Primary and Secondary Education – new point (b) to read:

*"b) To ensure that land developed for educational purposes is located as close as possible to the area experiencing population growth which it is intended to serve."*

Volume 1, Section 5.4.3 Educational Services – include additional text as follows:

*"Educational services, for the purposes of this plan, encompass pre-school and childcare facilities, primary and secondary educational facilities, higher education and adult learning. Education is a critical driver of economic success and social progress in modern society. Access to quality education services is also essential to the long-term viability of rural areas. Rural depopulation is a significant challenge to the retention of educational services and Clare County Council will work with local communities, education providers and all relevant stakeholders to address this issue during the lifetime of the Plan. This issue is addressed further in Section 16.7 Addressing Depopulation."*

Volume 1, Section 5.4.3.4 Further Education and Adult Learning – include additional text as follows:

*"Adult learning includes evening and part-time courses such as those offered by the Limerick Clare Education and Training Board (LCETB), Clare Local Development Company Community and by numerous secondary schools in the county. Opportunities for further education and adult learning are key elements of educational provision and social development."*

Volume 3(a) Ennis Municipal District – addition to Objective V3(a)10 as follows:

“It is an objective of Clare County Council:

To continue to work with the Department of Education and Skills, the Limerick Clare Education and Training Board and other agencies in meeting future educational requirements of the Ennis and Environs area on land zoned for Community and identified for schools.”

Volume 3(c) Killaloe Settlement Plan, Introduction and Context – 3<sup>rd</sup> Paragraph

Today the towns continue to act as a service and retail centre for the surrounding hinterland in East Clare and North Tipperary. Killaloe plays a strong cultural, retail and community role in the region. Killaloe also has a strong educational function; ~~it is home to St. Anne’s Community College, the main secondary school serving Killaloe, Ballina and the surrounding area.~~ St. Anne’s Community College, under the patronage of LCETB, caters for in excess of 550 post-primary students and has a long-term projected enrolment of 650 students. The town has significant appeal for development because of its proximity to Limerick and its location on one of the few crossings over the River Shannon. Killaloe and Ballina have experienced significant pressure for development in recent years. However, in recent times infrastructure deficiencies have constrained development in both towns.

Volume 3(c) Bellharbour Settlement Plan – new section on Tourism to read:

“Tourism

The Burren Outdoor Education Centre (LCETB) is located in close proximity to the village of Bellharbour and provides outdoor recreational experiences to support the development of social, emotional and team building skills. In addition, the Burren Outdoor Education Centre can significantly enhance the development of education tourism in County Clare.”

Volume 3(d) West Clare Municipal District – Kilkee Settlement Plan – addition to Introduction to read:

“The original core of the settlement is home to some fine buildings dating back to the 18th and 19th centuries. The town also has a concentration of pubs, restaurants, hotels and visitor accommodation, take-away outlets, shops and a number of tourism-related retail outlets. There are a number of unused buildings throughout the town centre which provide opportunity for appropriate redevelopment which would assist to further enhance the character of the town. Kilkee acts as a centre for community services, not only to local residents but also to the wider population of West Clare. Facilities such as the library and theatre at Culturalann Sweeney, the community centre and available childcare facilities reflects the important role of Kilkee in local social, community and cultural activities. It is also a centre for education with quality educational opportunities provided at a post-primary level in St. Joseph’s Community College.”

Volume 3(d) West Clare Municipal District – Kimihil Settlement Plan – addition to Introduction to read:

“The village is well situated on the R484, just off the main Ennis to Kilrush road. It has a comprehensive range of services, including a church, ~~national school and St. Michael’s Community College~~, GAA grounds, credit union, graveyard, petrol station, a number of public houses, a small supermarket and a number of other small retail outlets. St. Michaels Community College serves post primary students from within the village and its hinterland.”

## Ref. 442 Fehily Timoney & Co. on behalf of Shannon Commercial Properties

Keywords: Shannon, Policy

### Summary of the Issues Raised in the Submission

This submission relates to land owned by SCP within the settlement boundary of Shannon Municipal District, which they wish to be optimised for the economic development of Shannon and the Mid-West Region as a whole. There are no proposed changes in the draft Plan to the current zonings in the Shannon Local Area Plan 2012-2018.

- Airport Enterprise Site E4

The author submits that there is an evident need for a Petrol Filling station with ancillary services to serve the employment catchment of the Shannon Free Zone and visitors to and from the airport, however such uses are currently not open for consideration in the land use zoning matrix on Enterprise zoned sites.

The submission requests the planning authority to recognise this need and the author suggests that such an objective should be included for under the "Employment, Economic and Enterprise" section of the Plan in Volume 3(b).

- Universal House and surrounding lands

These lands are currently zoned for light industry and the author submits it would be more appropriate for the lands to be zoned enterprise. It is the clients intention to incorporate a standalone coffee pod on these lands to cater for the needs of the working population of the area.

The submission requests the planning authority to recognise this need and the author suggests that following text could be inserted under the "Employment, Economic and Enterprise" section of the Plan in Volume 3(b).

*"The Local Area Plan seeks ..... adjacent industrial parks. It is recognised however that some of the land use zoning needs to be reconsidered due to the changing economic climate and to reflect appropriately existing and proposed uses".*

- Enterprise Site E1

This site forms part of the greater Shannon Free Zone with a generic zoning objective, however the author submits that the site should have a site specific zoning objective.

The submission requests the planning authority to amend the text under "Vibrant and Viable Town Centre" of the Plan in Volume 3(b).

*"Focusing on the town centre ..... of particular importance. There may be opportunity in the future to expand the range of complementary town centre uses and residential uses to the north on land identified as Enterprise (E1), this would help to integrate the residential, industrial and town centre with opportunities for connectivity and enhanced permeability. The centre would.... throughout the centre."*

- Smithstown & Free Zone East

The Smithstown lands located to the north of the town and to the south of the motorway are identified as "Industrial" lands. The author requests the planning authority to consider the following opportunities for the land bank and recognise the potential of the lands to contribute to the economic development of the Mid-West Region.

Access – the author has identified a potential access option in the form of a roundabout, from the N19 which could unlock the majority of the lands which remain undeveloped.

### Range of Uses

The submission requests the planning authority to amend the text under "Shannon as a Visitor Destination" of the Plan in Volume 3(b).

*"The development of tourism in Shannon ..... Chapter 10 of the Local Area Plan. In updating the Plan, consideration should be given to optimise retail tourism through identifying a suitable site for a large standalone retail warehousing facility which will attract both national and international tourism."*

### Motorway Service Area

The author submits that the land bank adjacent to Junction 9 off the M18 could be an ideal location to accommodate a high quality, accessible and well designed Motorway Service Area to meet TII requirements.

The submission requests the planning authority to amend the text under "Infrastructural resources including the Shannon Estuary" of the Plan in Volume 3(b).

*"Shannon Town and Environs ..... via the N19 road link. There is a need to facilitate a prominent access from the N19 to "Industrial" zoned lands in the Shannon Free Zone East".*

- Area zoned "Open Space" along the R471 (OS1)

This 5 hectare site is identified as being within the Shannon Green Infrastructure Plan 2013 and the LAP sets out an objective for these lands to act as a future civic park for the expansion of Shannon town. SCP welcomes this commitment to revitalise the area and suggests that the following approach is considered when updating the zoning plans associated with the area.

In order to unlock site R1, the Council should specifically identify an element of flexibility in the development of the site by facilitating a quantum of residential development within the OS1 site which also achieves the objective to provide for open space and amenity facilities. The development of the site could be framed around an effective integration of green spaces and pocket parks made safe through active passive surveillance of nearby dwelling houses.

- Infrastructure Reserve Site (IS4)

**The submission requests the planning authority to recognise the opportunities of this site and its potential use for higher order office development or an Airport Hotel while also respecting the objective to reserve part of the site for the proposed ESB cable. The**

The submission requests the planning authority to amend the text under "Low Carbon Strategy" of the Plan in Volume 3(b).

*"Shannon is ideally placed ..... efficiency and conservation. The infrastructure safeguard sites in Shannon LAP have the potential to contribute to this objective, it is also considered that the site could accommodate a state of the art environmentally sustainable building which could act as a blue print for the redevelopment of the Shannon Free Zone. Such use that could be considered would include office use and an Airport Hotel".*

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

I thank Shannon Commercial Properties for their detailed submission and note the content which relates to the Shannon Town and Environs Local Area Plan 2012-2018. I wish to advise that this Local Area Plan does not form part of the Draft Clare County Development Plan 2017-2023 and as such cannot be considered as part of this process. Any future review of the Shannon Town and Environs Local Area Plan 2012-2018 will present the opportunity for submissions to be made at that time.

**Chief Executive's Recommendation**

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

## **Ref. 443 Fehily Timoney & Co. on behalf of Shannon Commercial Properties, Bunratty**

*Keywords: Bunratty*

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

This submission relates to land owned by Shannon Commercial Properties within the settlement boundary of Bunratty in the Shannon Municipal District. The submission requests that some of their landholding be identified for residential development and the remainder for a range of uses subject to a masterplan which SCP intend to prepare.

The submission requests the planning authority to:

- a) Provide for additional residential land at Bunratty in order to meet the increase in housing demand associated with economic and service expansion within the village in accordance with the masterplan to be prepared which will create a more balanced community and curtail possible speculative urban expansion at the village fringe. Two areas of land on Hill Road are identified as being suitable for residential development.
- b) Provide clarity on permissible uses within the area identified in the plan for those proposing projects, local communities, as well as for the planning authority and An Bord Pleanála.
- c) Amend the text under "TOU1 lands to the East of the Low Road" of the Plan in Volume 3(b).  
*"A Strategic Flood Risk Assessment..... water compatible uses shall be permitted, such as shops, financial and professional services, tourist related activities such as leisure facilities and recreation. Permanent residential....within Flood Risk Zone A/B".*
- d) The submission requests the planning authority to add the following text to "REC2 Lands to the North of the Folk Park" in the Bunratty Settlement Plan.  
*The lands are considered to be suitable for tourism based recreation and integration into the overall masterplan for the lands".*

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

I thank Shannon Commercial Properties for their submission the contents of which are acknowledged. I wish to respond to the issues raised as follows:

a) In respect of land zoned Residential; the Core Strategy indicates that there is limited requirement for additional Residential lands in Bunratty. However, due to flood risk issues there are also a limited number of sites that are suitable for residential development. Area 1, as shown on the map accompanying the submission has the capacity to accommodate low density residential development and I consider it appropriate to the zone the lands for this purpose, subject to strict criteria in relation to the retention of mature trees on the site and the achievement of satisfactory access to future residential development. Access to TOU2 from the Hill Road area will also need to be provided.

b) Chapter 19- Land Use and Zonings and Appendix 2- Land Use Zoning Matrix set out the broad parameters for development on zoned land in each settlement. Designations, whether environmental, relating to Flood Risk or other category, taken together with site specific matters, set the a context for development. Of necessity this often involves many overlapping issues.

c) The submission asks that acceptable uses for TOU1 be identified. As the site falls within Flood Risk Zones A/B, I refer to 'The Planning System and Flood Risk Management 2009' which in Table 3.1 lists Water compatible uses, for example: *use as an amenity open space, outdoor sports and recreation and essential facilities such as changing rooms*". It is not the role or function of the development plan process to redefine the accepted definition of 'water compatible uses'. If future development proposals can satisfactorily demonstrate that other uses can be accommodated on this site without generating flooding issues either within the site or elsewhere, this evidence will be considered by the Planning Authority on a case-by-case basis. Future uses will most likely be established through dialogue between Shannon Commercial Properties and Clare County Council. As the site adjoins the SAC, a project specific Appropriate Assessment will inform the uses which can be carried out on the site to include connectivity in relation to Waste Water Treatment Systems.

d) Whilst the Tourism section of the Bunratty text refers to REC2 in the context of a Masterplan and I consider the request for additional clarity reasonable.

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

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

#### Volume 3(b), Bunratty Settlement Plan – zoning

Change zoning on part of site TOU2 to Low Density Residential, label LDR1 and add the following text:

#### **LDR1 – Lands to the East of Hill Road**

These lands have been identified as having the capacity to accommodate low density residential development. The site is elevated in nature and future residential development must be sited and designed to ensure integration into the surrounding landscape and to minimise visual impact.

Mature trees are an attractive feature of the site and, in addition to hedgerow and dry stone wall, form an attractive roadside boundary to the site and contribute to the rural character of the village and Hill Road. Providing safe vehicular and pedestrian access to the site must be balanced with the retention of these features wherever possible. It is noted that there is an existing lane providing access to the site which traverses the Open Space land to the south. The Council is agreeable to the improvement and use of this entrance to the Low Density Residential site (if suitable safe access can be provided at this location) provided the integrity of the open space is retained and there is no other infringement on the open space.

A connection from Hill Road through to TOU2 must be integrated into development proposals.

#### Volume 3(b), Bunratty Settlement Plan – Site REC2 Lands to the North of the Folk Park – new text to be added to read:

The lands may be suitable for tourism-based recreation and integration into the overall masterplan for the lands”.



## **Ref. 444 Fehily Timoney & Co. for Brian Whelan, Ardcloney. (Sub No 1)**

*Key Words: Killaloe, Environment*

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

This submission relates to land owned by the above at Ardcloney in the Killaloe Municipal District Plan. The land is currently zoned for integrated tourism development in the East Clare Local Area Plan 2011-2017 and is proposed to dezone part of the land which lies within an SAC in the draft Plan

This submission requests the planning authority to:

Maintain the current integrated tourism zoning for the land

The site in question has a pending planning application for a tourism related development and it is intended to carry out this development in the context of the current zoning objective for the site.

The author submits that there has been no legislative or procedural change since the incorporation of the site into the East Clare LAP 2011-2017 that would now prevent same from being included within the Killaloe Municipal District Plan 2017-2023. He further submits that the findings of the associated SEA are somewhat flawed and should be considered in the context of the Habitats Directive. Provided that the proposed zoning is mitigated by express reference to the fact that an AA will have to be carried out in respect of any proposed development on the relevant lands, then the Plan itself does not give rise to a risk that the integrity of the site will be affected.

The author has also submitted a Natura Impact Statement of his lands.

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

I thank Mr. Whelan for his submission, and I reply as follows:

In the past, (East Clare Local Area Plan 2011-2017), the site which is the subject of this submission was zoned for Tourism. However, the requirements and restrictions of the Habitats Directive have increased and have become more onerous for sites which are in, or are adjacent to, European sites. In addition, the zoning of isolated, unserviced parcels of land can lead to unsustainable patterns of development which is not in the common good. The proposal in relation to integrated tourism at this site does not represent a sustainable location in terms of development, is not within the settlement area and, "as the crow flies" is situated c.3.7km south of Killaloe, 2.9km to the west of Birdhill, and 2.9km north of O'Briensbridge.

The site at Ardcloney, in its location on the lakeside, raises particular environmental concerns which are outlined below.

The zoning of lands at Ardcloney for integrated tourism has the potential for impacts on water quality as a result of inadequate wastewater treatment and discharge with impacts to the Lower River Shannon SAC. As the site lies within an SAC there is potential for the loss of SAC habitats or habitats (both terrestrial and freshwater) on which SAC qualifying interest species depend. Any development on this site has the potential for direct and indirect disturbance to the Lower River Shannon SAC and Lough Derg SPA qualifying interest features and special conservation interest species. There is potential for disturbance to habitats/species during construction and in operation from noise, lighting and increased boat traffic. There is also potential for disturbance to Lough Derg SPA special conservation interest species utilising the area for roosting/feeding during construction and operation. There is also the potential for disturbance to resting/breeding/foraging sites of Otters which were recorded on the site in 2005 and possible feeding remains in 2010 as outlined in the Appropriate Assessment submitted with this submission. Potential impacts on the qualifying interest fish species habitat (at various lifecycle stages) are also possible together with disturbance within the European sites from increased recreation e.g. via water craft movement. In relation to any marine related tourism development, the potential for the introduction or spread of aquatic/terrestrial invasive species to European sites via water craft/other equipment and

vectors that may be brought into the area, due to the tourism zoning, is also a significant threat. Marina and berthing facilities are not suitable proposals for this location given that the site lies largely within an SAC.

#### Assessment against Strategic Environmental Objectives (SEOs)

Any development at this location is in direct conflict with SEO B2 of the Draft CDP SEA as approximately half of the site is within the Lower River Shannon SAC and does not achieve the conservation objectives for the site. (Please see the AA Natura Impact Report for a more detailed assessment of this site under the Habitats Directive). With regard to biodiversity and SEO B1, B2 & B3 the EIA associated with planning application P04-2597 recorded Otters at this site together with existing records from NPWS for this site, this species is protected under the SAC designation and therefore are in conflict with B1, B2 & B3.

It fails to meet SEO B4 as the Water Framework Directive (WFD) identifies Lough Derg as a provisional Heavily Modified Waterbody with an Ecological Potential Class of Moderate. Any future development at this location must meet the requirements of the WFD and transposing regulations. Physical modifications to the shoreline at this location on Lough Derg could affect the natural sediment processes and biodiversity therefore failing to meet the requirements of the Water Framework Directive and the achievement of "Moderate Ecological Potential" as required under the WFD. It is also a nutrient sensitive lake as identified under the EPA Register of Protected Areas and therefore any future use at this location which could potentially negatively affect this designation as a sensitive area under the Urban Waste Water Treatment Directive (91/271/EEC) and therefore does not meet the requirements of B4, W2, and W4.

The EIA associated with planning application P04-2597 also identified the presence of zebra mussels adjacent to the site which would be exacerbated should there be increased interference from human activity.

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

#### **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. 445 Fehily Timoney & Co. on behalf of Brian Whelan, Ardclony (Sub No2)**

*Keywords: Killaloe, Environment*

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

This submission relates to land owned by the above at Ardclony in the Killaloe Municipal District Plan. The land is currently zoned for integrated tourism development in the East Clare Local Area Plan 2011-2017 and is proposed to dezone part of the land which lies within an SAC in the draft Plan

This submission requests the planning authority to:

### **Maintain the current integrated tourism zoning for the land**

The author submits that the site in question has a pending planning application for a tourism related development and it is intended to carry out this development in the context of the current zoning objective for the site. If the Council do not consider appropriate to zone lands contained within the SAC, the author submits that an alternative zoning be included omitting the lands in question.

The author has also submitted a Natura Impact Statement of his lands.

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

I thank Mr. Whelan for his submission, the contents of which are noted, and I reply as follows:

In the past the site was zoned for Tourism. However, the requirements and restrictions of the habitats directive have increased and have become more onerous for sites which are in or are adjacent to Natura sites. In addition the zoning of isolated, unserved parcels of land can lead to unsustainable patterns of development which is not in the common good. The proposal in relation to integrated tourism at this site does not represent a sustainable location in terms of development and is not within the settlement area and "as the crow flies" is situated c.3.7km south of Killaloe, 2.9km to the west of Birdhill, and 2.9km north of O'Briensbridge.

The zoning of lands at Ardclony for integrated tourism has the potential for impacts on water quality as a result of inadequate wastewater treatment and discharge with impacts to the Lower River Shannon SAC. As the site lies within an SAC there is potential for the loss of SAC habitats or habitats (both terrestrial and freshwater) on which SAC qualifying interest species depend. Any development on this site has the potential for direct and indirect disturbance to the Lower River Shannon SAC and Lough Derg SPA qualifying interest features and special conservation interest species. There is potential for disturbance to habitats/species during construction and in operation from noise, lighting and increased boat traffic. There is also potential for disturbance to Lough Derg SPA special conservation interest species utilising the area for roosting/feeding during construction and operation. There is also the potential for disturbance to resting/breeding/foraging sites of Otters which were recorded on the site in 2005 and possible feeding remains in 2010 as outlined in the Appropriate Assessment submitted with this submission. Potential impacts on the qualifying interest fish species habitat (at various lifecycle stages) are also possible together with disturbance within the European sites from increased recreation e.g. via water craft movement. In relation to any marine related tourism development the potential for the introduction or spread of aquatic/terrestrial invasive species to European sites via water craft/other equipment and vectors that may be brought into the area due to the tourism zoning is also a significant threat. Marina and berthing facilities are not suitable proposals for this location given the location of the site largely within an SAC.

### **Assessment against Strategic Environmental Objectives (SEOs)**

Any development at this location is in direct conflict with SEO B2 of the Draft CDP SEA as approximately half of the site is within the Lower River Shannon SAC and does not achieve the conservation objectives for the site. (Please see the HDA for a more detailed assessment of this

site under the Habitats Directive). With regard to biodiversity and SEO B1, B2 & B3 the EIA associated with planning application P04-2597 recorded Otters at this site together with existing records from NPWS, this species is protected under the SAC designation and therefore are in conflict with B1, B2 & B3.

It fails to meet SEO B4 as the Water Framework Directive identifies Lough Derg as a provisional Heavily Modified Waterbody with an Ecological Potential Class of Moderate. Any future development at this location must meet the requirements of the WFD and transposing regulations. Physical modifications to the shoreline at this location on Lough Derg could affect the natural sediment processes and biodiversity therefore failing to meet the requirements of the Water Framework Directive and the achievement of "Moderate Ecological Potential" as required under the WFD. It is also a nutrient sensitive lake as identified under the EPA Register of Protected Areas and therefore any future use at this location which could potentially negatively affect this designation as a sensitive area under the Urban Waste Water Treatment Directive (91/271/EEC) and therefore does not meet the requirements of B4, W2, and W4.

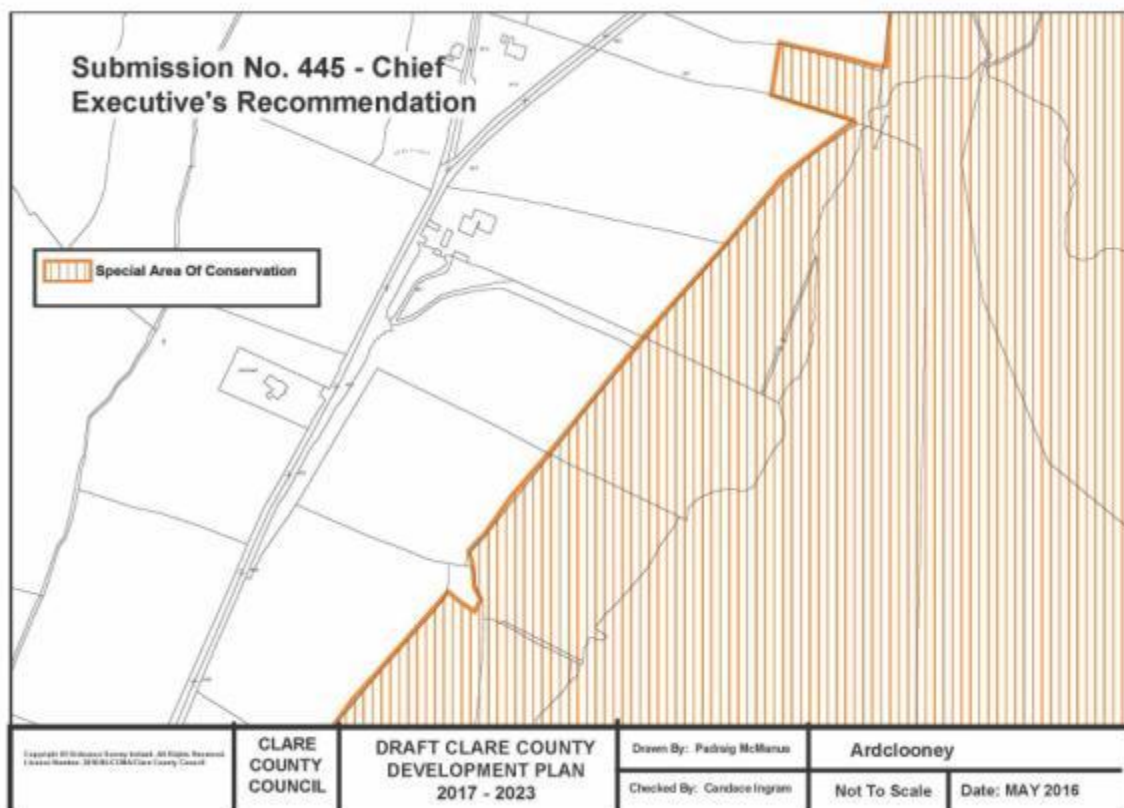
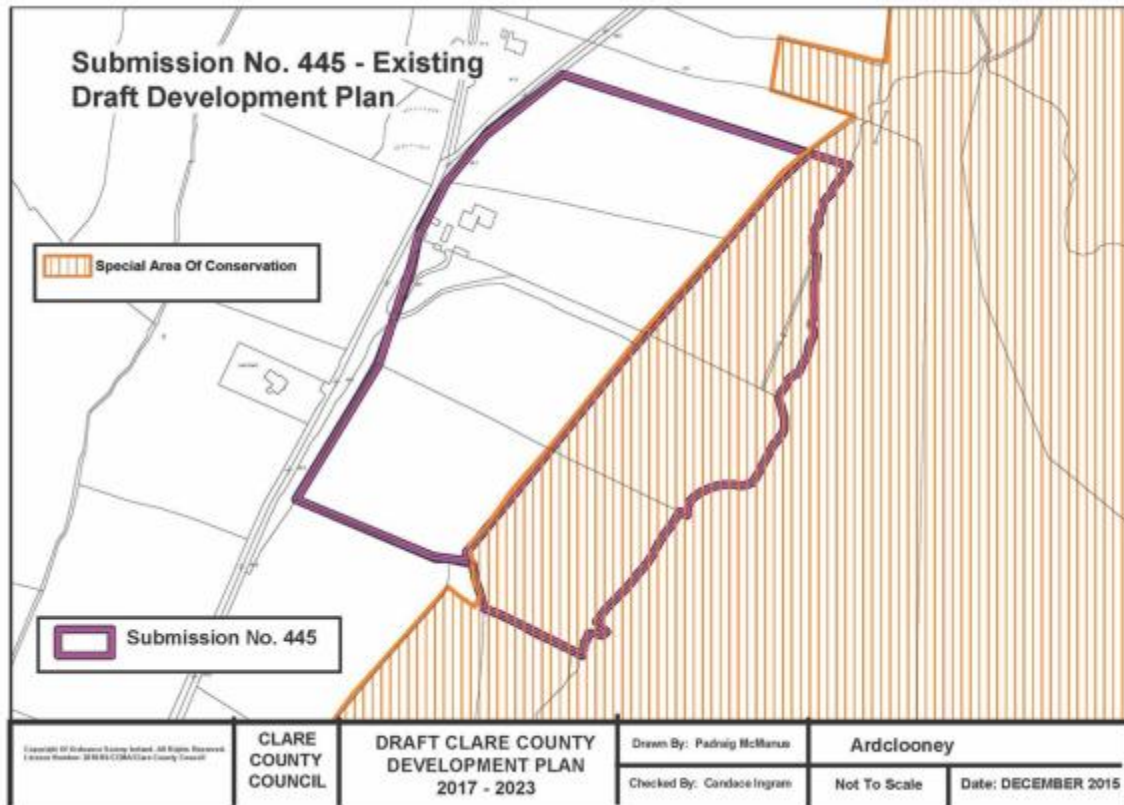
The EIA associated with planning application P04-2597 also identified the presence of zebra mussels adjacent to the site which would be exacerbated should there be increased interference from human activity in this area which conflicts with B5.

As submitted by the author if the Council does not consider it appropriate to zone lands contained within the SAC, an alternative zoning could be included omitting the lands in question.

Amending the Tourism zoning boundary to remove all of the SAC lands on the eastern half of the site (lands east of the drainage channel running through the site) and also allowing for a buffer zone between the Tourism zoning boundary and the SAC boundary ca. 25m could potentially be acceptable. This should also include the removal of the reference to the potential for 'Marina' development at this site as this would not be suitable at this location, especially in view of the proposed amended zoning boundary. In addition, the mitigation measures identified in the Draft Clare County Development Plan, Natura Impact Statement, for this site would require strict adherence.

### **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. 446 McGill Planning on behalf of Applegreen Service Areas Ltd.**

*Key Words; Ennis*

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

Applegreen previously made a submission to the Pre-Draft stage of the Clare County Development Plan in March 2015 which recommended a forward planning approach for off-line Motorway Service Areas (MSAs) (as recommended in national policy) that do not require zoning of any specific sites. They submitted that a more appropriate approach in relation to off-line MSAs would be to identify a number of potential locations adjacent to interchanges along the M18 where off-line MSAs could be delivered. The benefit of a specific forward planning approach would be the avoidance of the risk of zoning a single specific MSA site without having a full understanding of the potential limitations of that site.

The author notes that in response to the above submission, the Chief Executives' Report acknowledged that the Draft Plan would need to have regard to the Spatial Planning and National Road Guidelines and to the NRA (now TII) Service Area Policy 2014 and that the proposed policies and objectives would also be considered in the preparation of the draft Plan.

However, the author submits that instead of taking a broad approach to potential future off-line MSA development, the draft Plan has taken the much riskier option of designating one specific site for such provision which could even be counterproductive to the potential for an online site currently being promoted by TII.

The zoning has been proposed, they submit, without any proper analysis of the range of other locations at available at junctions along the M18 which would also accord with TII MSA location policy and which may be equally or more appropriate in terms of traffic and environmental impact.

They further submit that an off-line MSA at Junction 12 is preordained to become a local destination in its own right. It will attract a significant amount of trade from local traffic with knock on impact for the vitality and vibrancy of Ennis and Clarecastle town centres and the range of services that should be provided within these settlements next to the centre of population, not at an out of centre MSA. They contend that an MSA at junction 12 is contrary to national MSA policy and also clearly at odds with other policies of the draft Plan which seeks to protect and expand the service functions of these towns.

The submission requests the planning authority to:

- Omit "COM7" zoning at junction 12 of the M18 and replace it with an objective for an off-line MSA at one or more of the motorway interchanges identified in TII MSA policy (junctions 7-12).

The author submits that the proposed TII on-line MSA identified for the M18 is a single sided facility served by an overbridge. One or more off-line MSAs at other suitable locations off the M18 will therefore optimise the service to motorway users. In allowing the potential for more than one MSA on any given route, the author notes that same has been achieved to date on several other national routes and without any issues arising in relation to proliferation or negative traffic impact. The preferred of-line MSA location(s) for the M18 should be chosen through the development management process. The author submits that potential applicants should be required to provide a detailed comparison report of their site against other potential locations having regard to a range of criteria including national service area policy, traffic impact, landscape/visual/amenity, impact on nearby town and village, cultural heritage and flooding.

On this basis, the following objectives are proposed to be included:

*"To facilitate the development of off-line Motorway Service Areas as part of the strategic motorway infrastructure for the county, at suitable locations close to motorway interchanges within the county and having regard to the NRA Service area Policy".*

*"To require that any planning application for an off-line MSA submit a justification report and examination of alternative motorway interchange sites subject to the proper planning and development of the area".*

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

I wish to thank Applegreen Service Areas Ltd for their submission. I note the submission primarily relates to a site in the Ennis Municipal District Area, namely COM7, at Junction 12, as identified in Volume 3(a) of the Draft Plan.

There is an identified need for a Service Station at a location between Junction 7 and Junction 12 on the M18. It is the intention that the Council will provide for such facilities only where it can be proven through a strong evidence-based approach that there is adequate junction capacity and that there will be no negative impact on the main-line traffic flow. Any such provision will be in accordance with Strategic Planning and National Roads Guidelines (2012) and the NRA Service Area Policy (2014). In this regard please refer to my response to Submission 006 where I propose an addition to the Draft Plan in this regard.

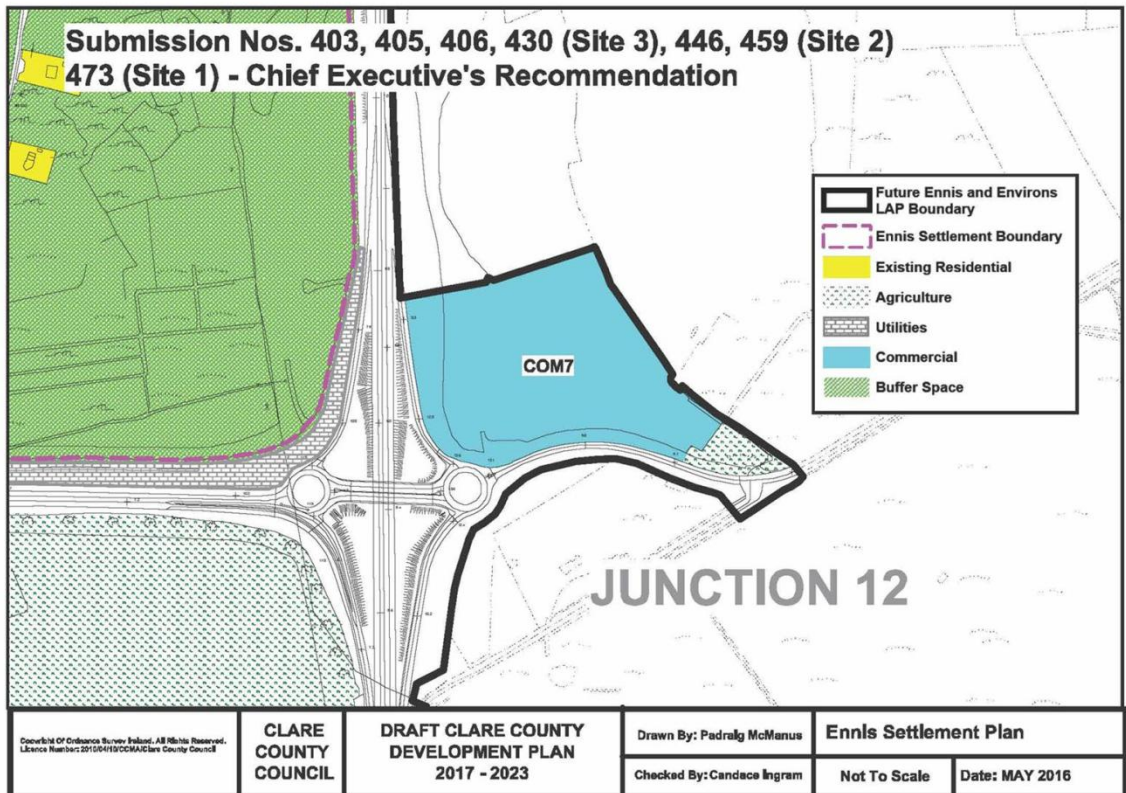
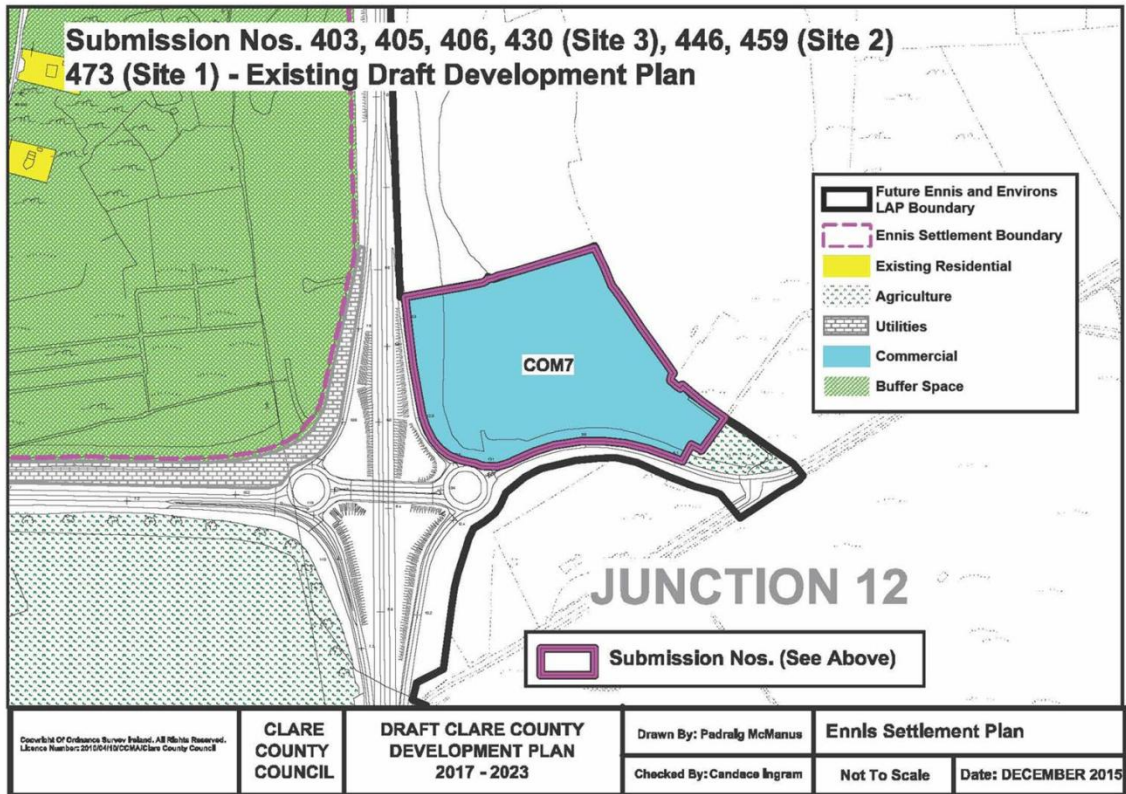
In relation to the zoning at Junction 12, this zoning reflects an existing planning permission that has been granted by Clare County Council (currently being considered by An Bord Pleanála) and as such I consider it appropriate for this zoning to be retained. I also note that a Traffic Impact Assessment of the proposed zoning at Junction 12 has been carried out and has been sent to Transport Infrastructure Ireland (T.I.I.) for their consideration.

It is important to note that the zoning of Site COM7 does not preclude the consideration of other applications at different locations in the Plan area,

There are numerous other issues raised such as the range and services and uses on the site and potential impact on the town centre. I consider that these issues can be assessed as part of specific development proposals for the site through the Development Management process.

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

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



## Ref. 447 Nuala Halpin

*Key Words: Ennis*

### Summary of the Issues Raised in the Submission

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

- Site L1: Kildysart Road, Clarecastle.

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

- Contradictions in the Plan

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

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

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

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

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

- Site C2: Kildysart Road, Clarecastle.

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

### Chief Executive's Response

I wish to thank Ms. Halpin for her 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

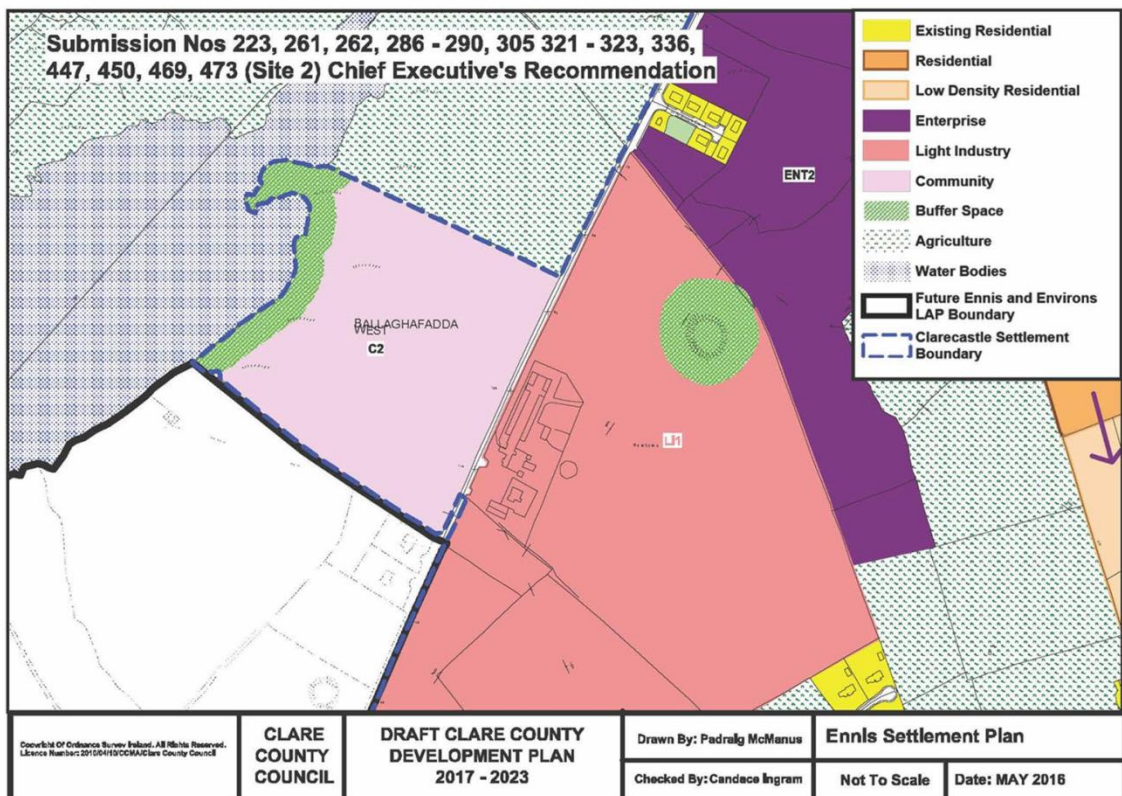
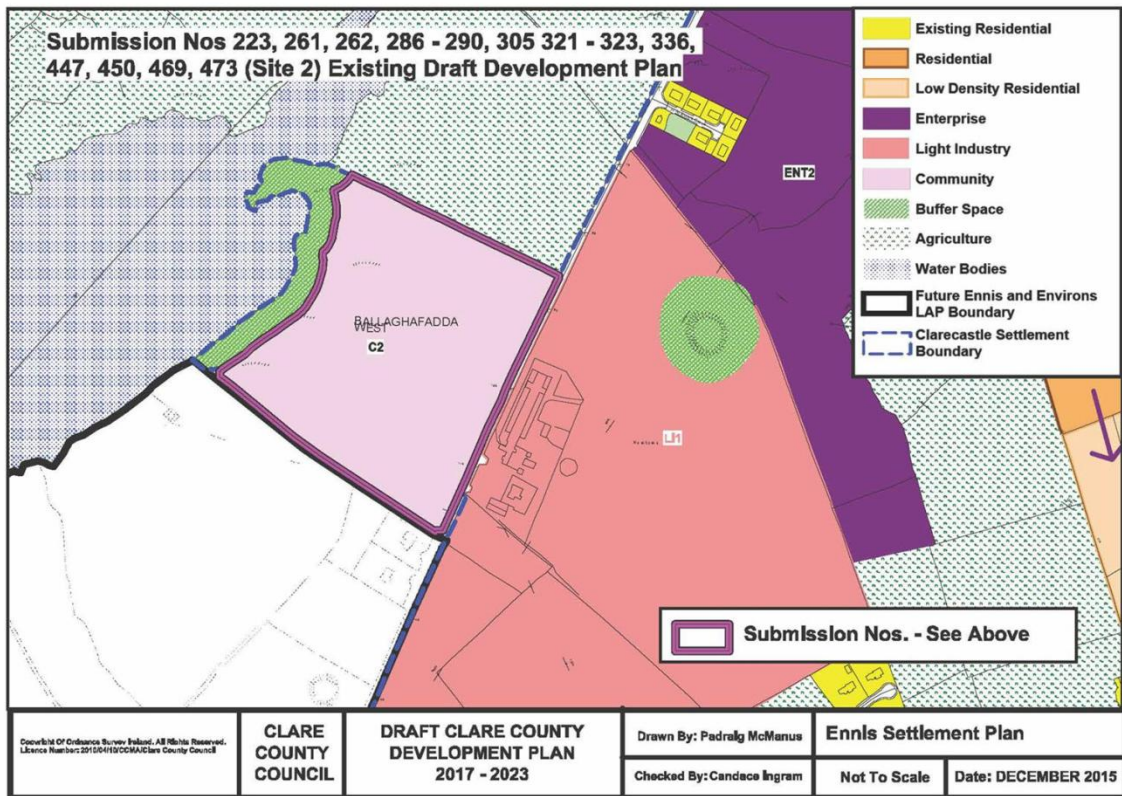
I acknowledge the concerns as raised in the submission, however I consider that this site is suitable for a crematorium, with potential for the co-location of a graveyard having regard to the location of same, which has excellent connections to the surrounding area and wider region, via the local, regional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

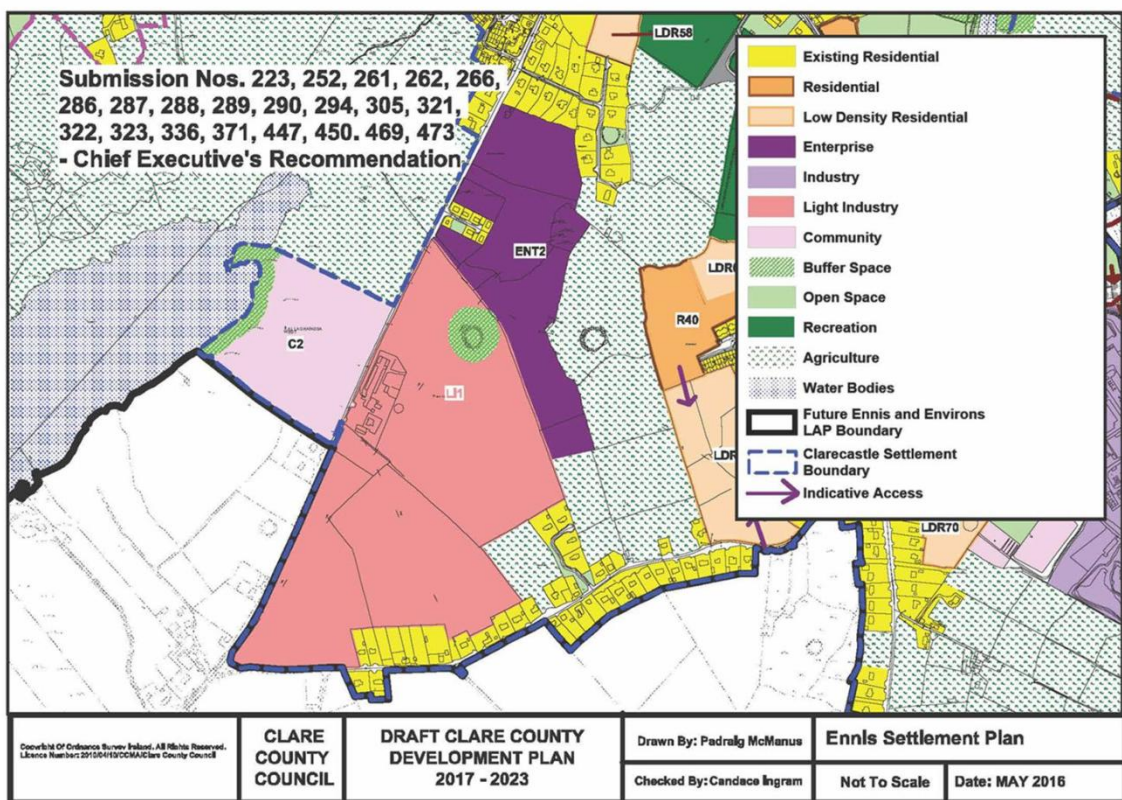
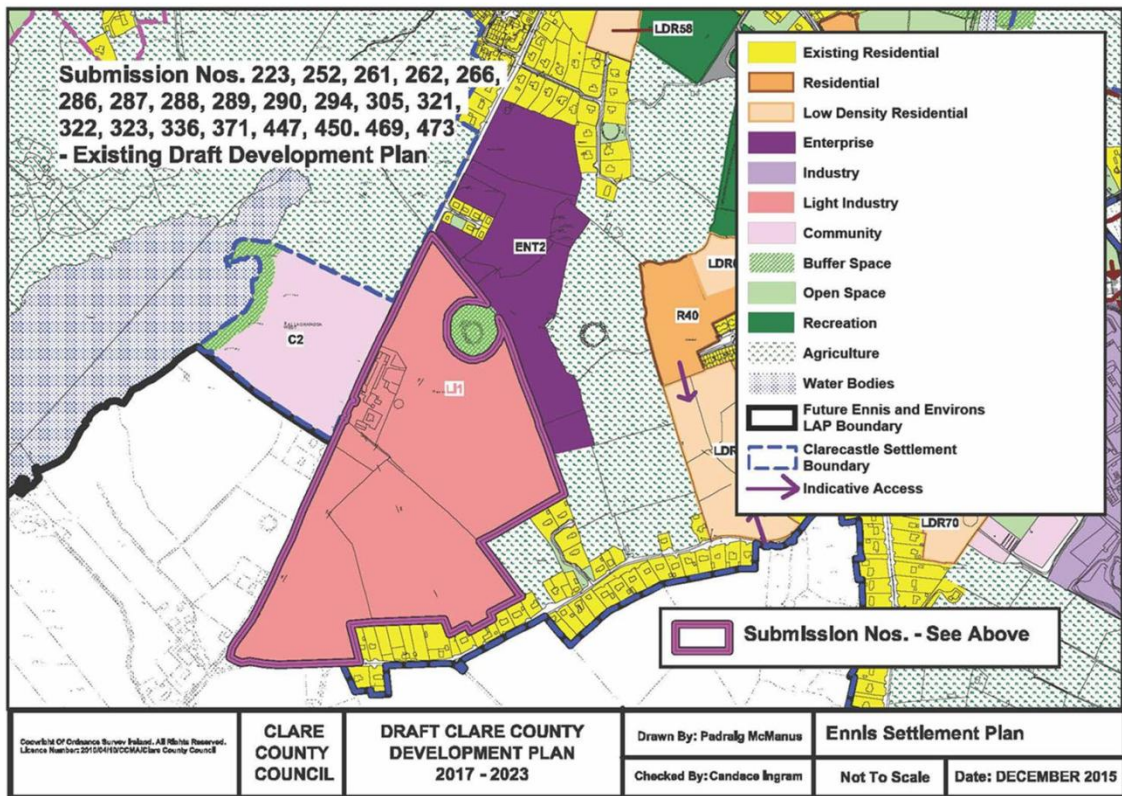
### **Chief Executive's Recommendation**

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, Clarecastle 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. 448 Tony Bamford Planning Consultant on behalf of Michael Lynch Ltd.**

*Key Words; Ennis*

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

This submission relates to the Retail Warehouse Strategy contained within Volume 3(a) of the draft Plan. The author submits that the Clare Road site offers an alternative, better and more strategic location for retail warehousing to that proposed to promote Ballymalley and Quin Road which they feel will not deliver quality retail parks. They further submit that the Clare Road site could, with appropriate zoning, deliver upward of 250 fulltime equivalent jobs for Ennis.

The submission requests the planning authority to amend the Retail Strategy to remove the Quin Road site from the Retail Warehouse Strategy and replace it with the Clare Road site.

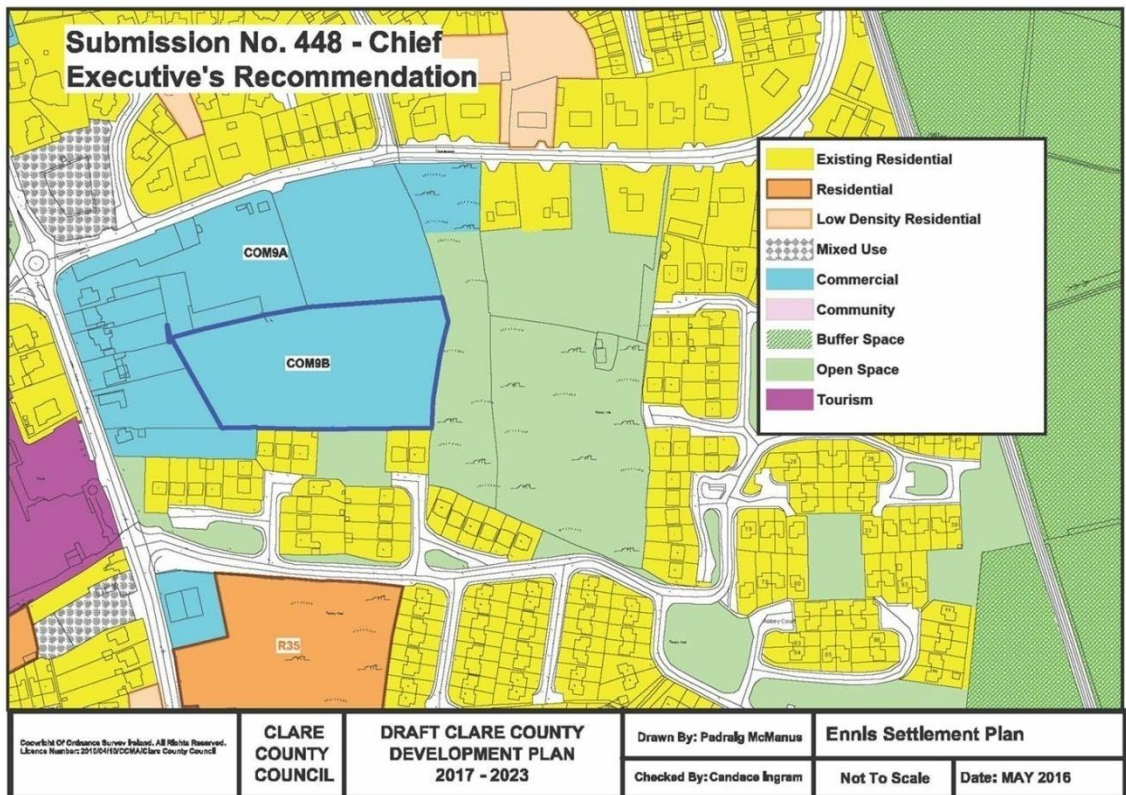
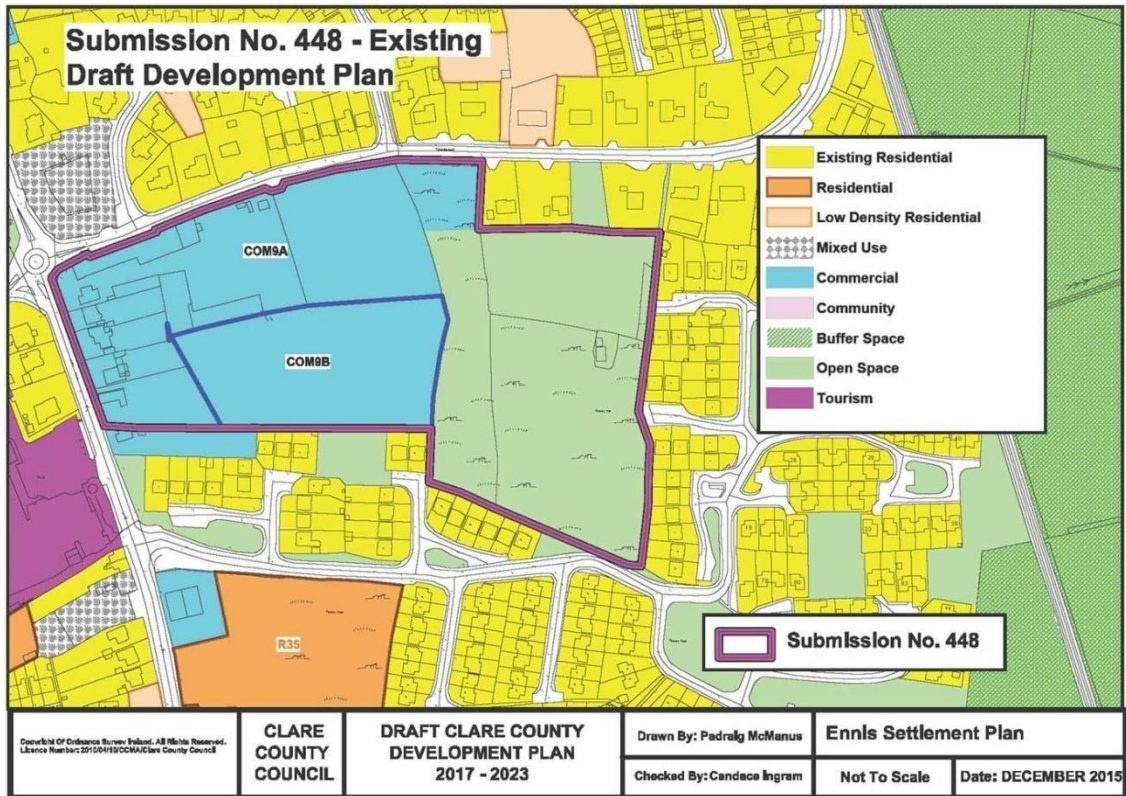
In this regard the author has suggested that a new amended text for section 6.3.4 of volume 3(a) entitled **Commercial Lands at Clare Road, Ennis<sup>3</sup>**

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

I wish to thank Mr. Bamford for the submission made on behalf of Michael Lynch Ltd. Site COM9(a)/COM9(b) has been identified as a suitable location for the provision of neighbourhood-based services, including retail services. This site is considered to be optimum location for such facilities in the neighbourhood. The zoning of additional lands for Commercial use, in close proximity to a substantial site that has already been zoned for this purpose in the Draft Plan could lead to a cluster of commercial development, at a distance from the town centre and disproportionate to the scale of the surrounding neighbourhood which would be contrary to the proper planning and sustainable development, not only of the Clonroadmore neighbourhood, but also of the wider Plan area. I am not therefore in favour of the requested change to the zoning on this land.

### **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. 449 Séamus Torpey**

*Key Words: Policy, Flooding, Miltown Malbay*

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

This submission refers to the flooding problem in the Canada Cross area of Miltown Malbay in the West Clare Municipal District Area.

The most recent flood occurred in September 2015 and the author submits that the problem arose from the under-road drain which is unable to take the excess flooding.

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

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

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

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

## Ref. 450 Kieran and Mary Holland

*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 Kieran and Mary Holland 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

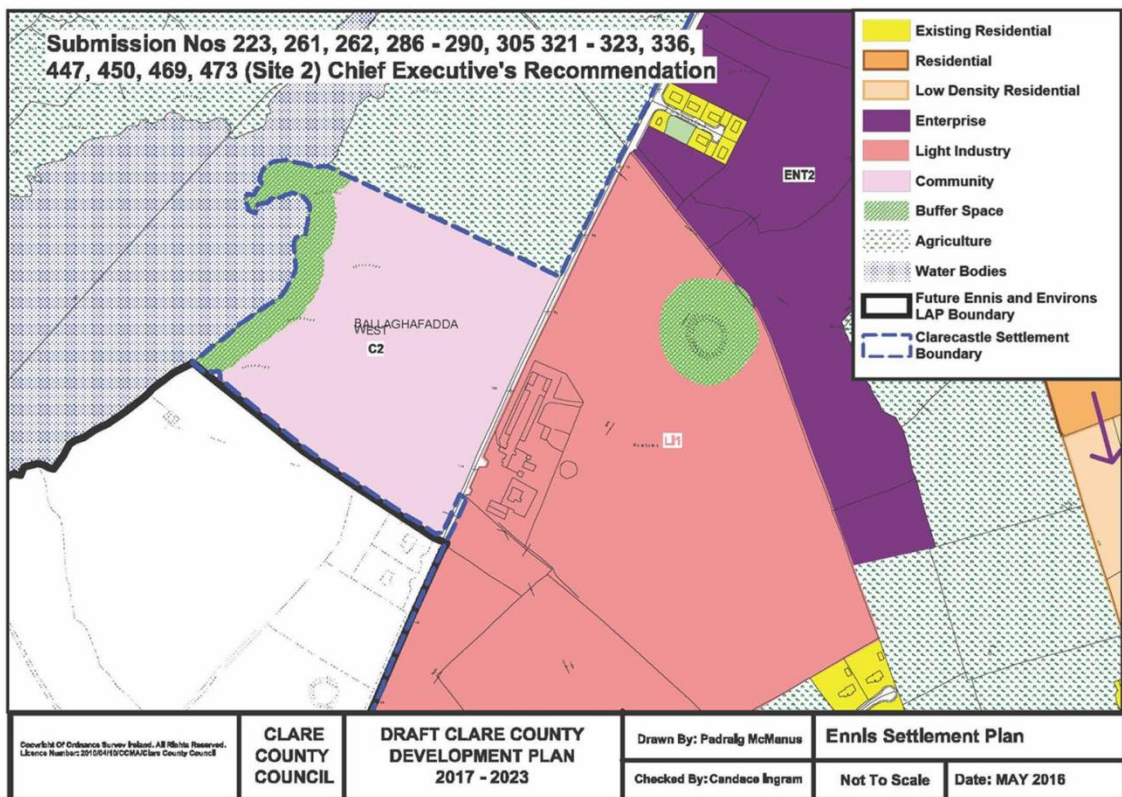
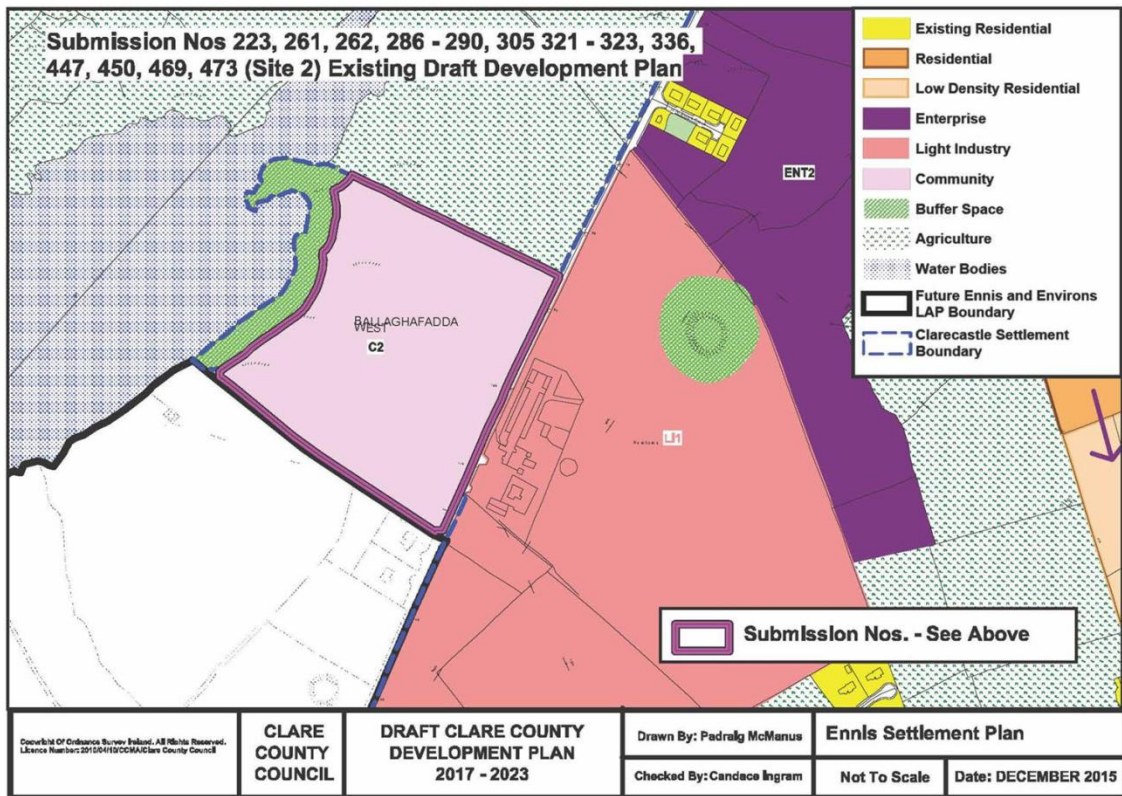
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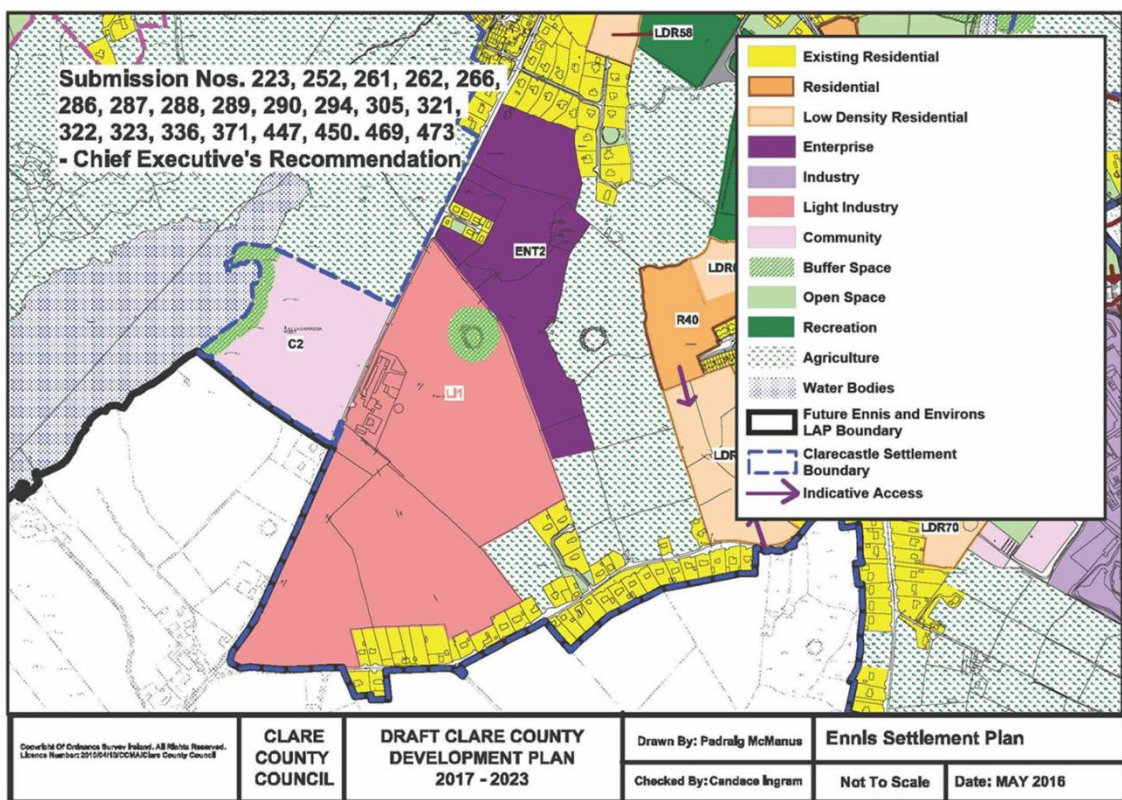
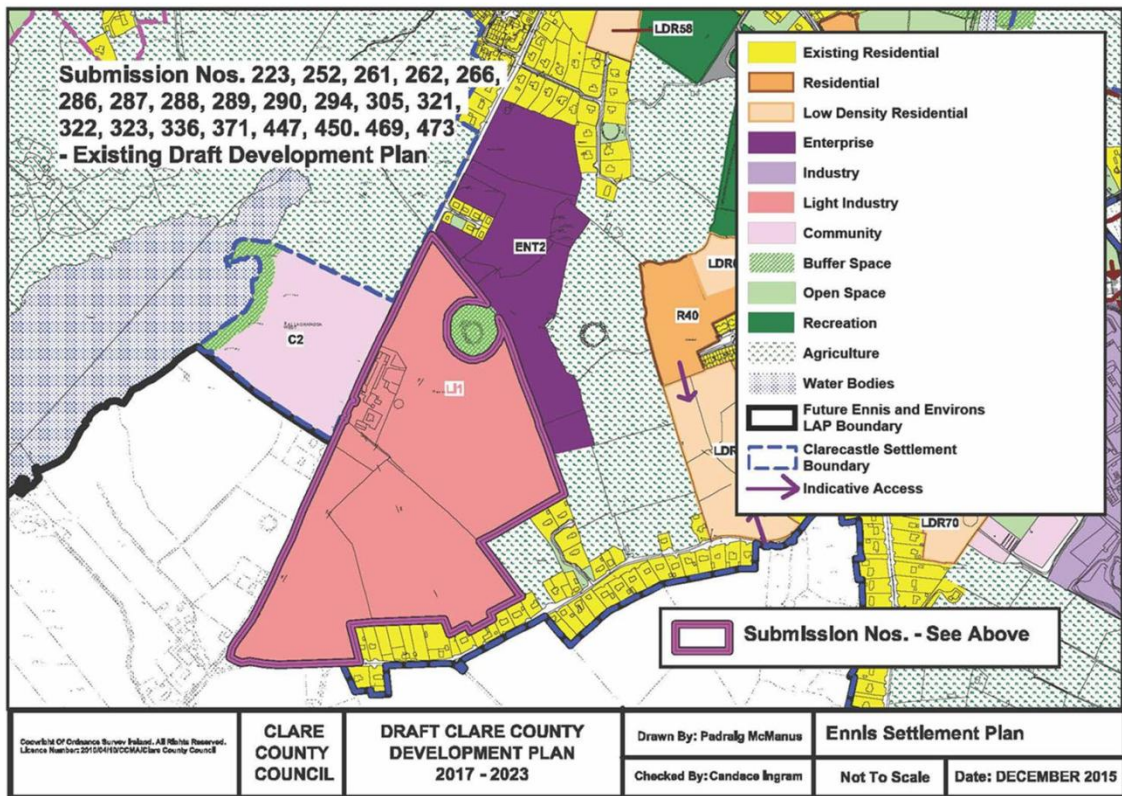
### **Chief Executive's Recommendation**

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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;
- Flood impact assessment





*Access and Movement*, 820, 821, 837, 851,  
852, 853, 871, 873, 888  
*Bunratty*, 897  
*Clarecastle*, 880  
*Ennis*, 791, 794, 796, 799, 801, 804, 807,  
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*Ennistymon*, 820  
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*Environment,,* 820  
*Flooding*, 816, 837, 852, 853, 879, 915  
*Flooding,,* 880  
*Housing*, 835, 849  
*Kilkee*, 891  
*Killaloe*, 868, 891, 900, 903

*Killaloe Municipal District*, 841  
*Kimihil*, 891  
*Miltown Malbay*, 814, 816, 860, 915  
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*Physical Infrastructure, Access*, 820  
*Policy*, 816, 821, 824, 825, 835, 837, 849,  
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*Spanish Point*, 855  
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