

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 451 - 481

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. 451 Irish Caravan & Camping Council

Key Words: Policy, Physical Infrastructure

Summary of the Issues Raised in the Submission

The submission commences with an outline of the importance of tourism to the economic health of the west of Ireland. With the development and promotion of the Wild Atlantic Way, it is submitted that the considerable increase in tourists with motorbikes, camper vans and cyclists from the UK and the continent will make it vital to ensure that quality approved Caravan and Camping facilities are provided to accommodate as much of the projected growth as possible.

This submission requests the planning authority to:

- Integrate the Caravan and Camping product into the Clare County Development Plan
- Support operators to upgrade and expand existing facilities in line with Fáilte Ireland recommendations
- Ensure that proper signage is in place to guide visitors with a caravan/motorhome along the most appropriate routes
- Give priority to Fáilte Ireland Caravan and Camping Park signage at junctions on national secondary routes where there is a maximum of three accommodation signs permitted
- Give priority to Fáilte Ireland Caravan and Camping Park in local authority signage strategies
- Devise comprehensive traffic management and parking policies for motorhomes and enforce such policies. Improve signposting to indicate where overnight parking is prohibited
- Provide signage to authorised areas for overnight stays
- Ensure that better information is available on destination websites and at tourist information centres.
- Encourage the provision of privately run Fáilte Ireland registered facilities for motorhomes where none exist currently.
- Enact and enforce by-laws to prevent overnight parking of motorhomes in car parks, lay-bys etc.
- Inspect all unlicensed facilities and ensure they are operating under the *Planning and Development Regulations* and the *Local Government (Sanitary Services) Act, 1948*.

Chief Executive's Response

I thank the Irish Camping and Caravan Council for their submission and I am in full agreement with the comments made in relation to the importance of tourism to the economy of County Clare and the need to ensure that quality accommodation and services are available for visitors to the area.

The importance of camping and caravan facilities and the growth in the motorhome market is reflected in the draft Plan in Objective CDP9.4 Tourist Accommodation which supports the development of new camping, glamping and motorhome facilities in the county. However, Fáilte Ireland approval is a specific operational standard and I consider this to be too detailed an issue to be addressed in the County Development Plan.

It is recognised that signage, particularly tourism signage, is an issue that must be addressed and improved during the lifetime of the Development Plan. Signage plans have already been prepared for a number of key tourist areas in the county and it is proposed to prepare similar plans for the Ennis and Loop Head areas during the lifetime of the Plan. Under the existing strategies, when signage is provided for tourist attractions and facilities, they must meet the standards set by Fáilte Ireland. The signage strategies set out key information such as the maximum amount of signage that can be accommodated at each junction/location and the role of various agencies in the implementation of the agreed actions. The implementation of these strategies, which are prepared through engagement with relevant stakeholders, will greatly improve tourist signage throughout the county and provide clear directions to Fáilte Ireland approved facilities. Therefore I am

satisfied that Section 9.3.19 Tourism Signage addresses the signage issues raised in this submission.

In relation to the provision of improved information on destination websites, Clare County Council endeavours to provide extensive and accurate information on all websites under their management e.g. the Clare, Live the Life website. The Council is not in a position to influence the information provided on the websites of private businesses. However I have referred this submission to the Clare Tourism Forum which represents many sections of the tourism industry in the county.

I note the comments that are made in relation to supporting operators to upgrade and expand facilities in line with Fáilte Ireland recommendations. Objective CDP9.4 supports the expansion and upgrade of existing tourist accommodation. Further support is also provided through Local Enterprise Office Clare which can assist accommodation providers who wish to expand with training, one-to-one mentoring and assistance with accessing Micro-Finance Ireland loans.

The making of bye-laws is a reserved function of the Council and bye-laws are made based on identified need as part of the regular functions and activities of the Council. I do not consider that this is a matter than can be addressed through the County Development Plan process.

In terms of unauthorised developments, Clare County Council will take enforcement action in accordance with Part VIII of the Planning and Development Act, 2000 (as amended) when it becomes aware of any unauthorised development.

Chief Executive's Recommendation

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

Ref. 452 Patricia Dillon on behalf of Rural Protection Group, Mountrivers, Shragh, Einagh, Doonbeg and Monmore Residents

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

Summary of the Issues Raised in the Submission

This submission primarily relates to the Wind Energy Strategy and the Renewable Energy Strategy and raises the following points:

- It is noted that Circular 20-13 refers to noise, shadow flicker and distance between turbines and dwellings. The submission does not relate to these three issues and therefore they consider it to be a legitimate submission and not subject to the restrictions imposed by Clare County Council by an over-restrictive administrative interpretation of the Circular.
- The submission recognises the complexity of preparing a Wind Energy Strategy and the importance of a balanced approach to achieving our renewable energy targets.
- It is submitted that the Wind Energy Strategy needs to be reviewed as matter of urgency and that it currently does not reflect recent designations, court decisions or significant additional information made available through the planning process. It also does not comply with the Habitats and Birds Directives.
- To date all wind energy development that are operational, consented and in planning are in the West Clare Electoral Area creating a proliferation in one area to the detriment of local communities and landscape. The submission contains details of turbines that are constructed, consented or currently going through the planning process in the West Clare area. It is submitted that this is a huge source of anger and stress to families who live in the area. Multiple windfarms granted in one area have the appearance of one very large windfarm. This is a piecemeal approach and contradicts the definitions of appropriate scales as set out in the Wind Energy Strategy.
- The cumulative effects of such a large number of individual developments have not been assessed and a comprehensive SEA has not been carried out. The assessments carried out at the time the Strategy was prepared were mainly desk research. No further planning permissions should be granted in West Clare and a full scoping of the extent of existing and consented wind energy development in the West Clare area need to be undertaken.
- It is submitted that there is an absence of understanding reflected in planning policy of the cumulative visual impact of wind farm development and a failure to comprehend the extent of landscape destruction when all consented developments are operational. Up to 250 turbines will be required to achieve the stated objective of 550MW (113 currently permitted). It is submitted that this is not sustainable development, will impact negatively on landscape, flora fauna etc. and will destroy the rural communities they are imposed on.
- There is an over-reliance on on-shore wind for renewable energy generation. In the Renewable Energy Strategy 55% of the 2023 target for renewables is to come from this sources. There is a lack of strategic planning in relation to solar and other renewable energy systems which is evidence of the absence of a coherent, balanced approach to renewable energy.
- It is recommended that the Wind Energy Strategy and Renewable Energy Strategy be amended and integrated. The renewable energy target should be more evidence-based and more evenly balances across a greater range of options rather than an over-reliance on wind energy.
- It is recommended that the overall target for renewable energy of 966.4MW needs to be reviewed urgently. If Moneypoint, with a capacity of 915MW can meet 25% of Ireland's energy needs and the county has an additional renewable target of 966.4MW, then it is planned for County Clare to produce in excess of 50% of Ireland's energy needs. This places an undue burden on the county and has to be evaluated in the context of the likely significant environmental effects of implementing such as large-scale plan.
- There should be more emphasis on energy conservation. The Council should work in partnership with other agencies to run pro-active initiatives such as community workshops on energy efficiency.
- The submission requests that the current zoning of lands for wind energy development needs to be reassessed as a matter of urgency. In particular the submission refers to the areas south/east of Doonbeg that are identified as being "acceptable in principal" and on which there have been six planning applications since 2010. It is purported that this emphasised the concerns that designations are more developer-led than plan-led. Ms. Dillon includes extracts from a number of reports associated with previous planning applications in this area.

It is submitted that Clare County Council has a duty of care to its residents and both a moral and legal obligation to ensure that communities can continue to live and grow in an environment that provides a good quality of life, a safe and attractive place to live and creates a sense of pride and belonging.

As a community they contend that they have played their part in meeting renewable targets and request that the Manager recommend the de-zoning of the area for wind-energy development. The submission also calls on the West Clare Elected Members to exercise their reserved function under Section 12 of the Planning and Development Act, 2000 (as amended) to vote to dezone the area south and east of Doonbeg for renewable energy development and request an immediate evaluation of the cumulative impact of all wind farm developments, both operational and permitted, in the West Clare area.

Chief Executive's Response

I would like to thank Ms. Dillion for this detailed submission and I acknowledge the concerns and recommendations that are contained therein.

This submission requests an urgent review of the Wind Energy Strategy and also the removal of certain areas that are currently identified as being suitable for wind energy development. I acknowledge that a review of the Wind Energy Strategy is sought by some stakeholders, including Ms. Dillon, and I have given a commitment to prepare an updated strategy during the lifetime of the Plan (see Objective CDP8.39(d)). The updated strategy will be prepared when the new national-level guidelines are available to the Council. It is essential that any county-level strategy is in line with higher national and regional strategies to ensure that conflicts between the strategies do not arise. We are requested, by Department of Environment Circular PL20-13, to delay the reviewing of the County Clare Wind Energy Strategy and I note that the approach taken by the Council in this regard is supported by The Department of Environment, Community and Local Government and the Southern Regional Assembly in their submissions on the Draft Plan (submissions 001 and 008 respectively).

I welcome the suggestions made in relation to increasing energy efficiency. This is one of the key themes in the draft County Development Plan and is integrated in almost every issue addressed in the Plan. Clare County Council also works closely with the Limerick Clare Energy Agency to promote energy efficiency in business, community and domestic settings. In addition, there is an Environmental Awareness Officer employed by Clare County Council who works to promote, amongst other things, increased sustainability and energy efficiency.

Chief Executive's Recommendation

While I note the concerns that are raised in this submission and the serious issues that are discussed, having regard to Circular PL20-13, I recommend that no amendments are made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission.

Ref. 453 Grainne Flannery

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 Ms. Flannery for her 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.

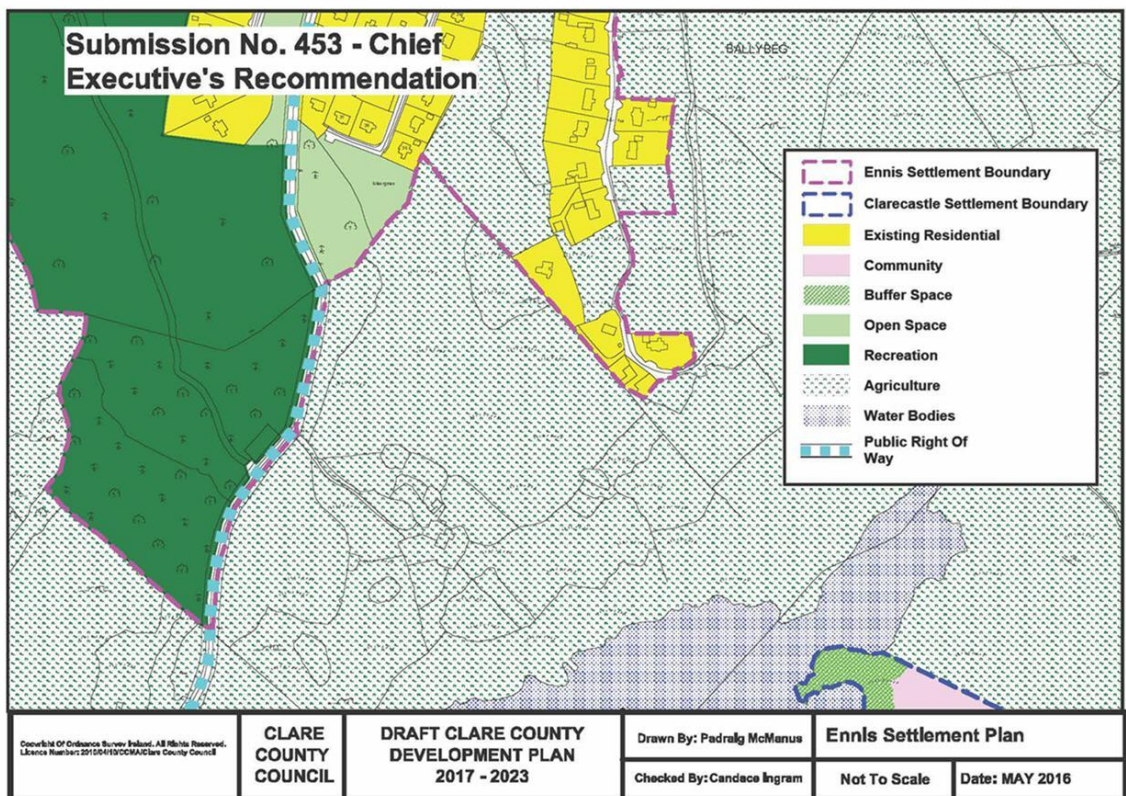
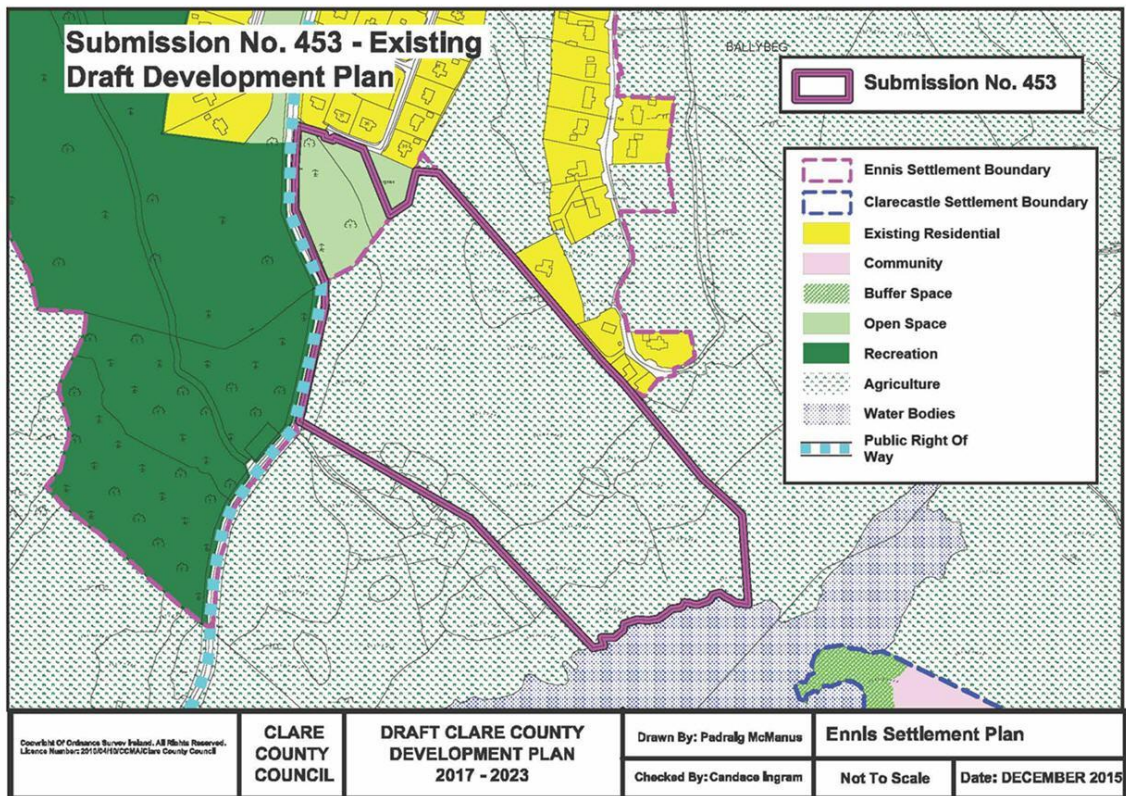
I also note that the eastern boundary of the subject site adjoins Ballybeg Lake. The surface water catchment inputting to Ballybeg Lake covers a limited area. Therefore, while there may be some contribution from surface water, the most significant contribution to water in the lake is from groundwater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

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. 454 Theresa O' Donohoe

Key Words: Policy, Renewable Energy, Flooding, Environment

Summary of the Issues Raised in the Submission

This submission makes recommendations and amendments in relation to the following chapters of Volume 1 Written Statement of the draft Plan:

Chapter 1 – Introduction and Vision

Section 1.5 - A Vision for County Clare – include the word 'wellbeing' as follows:

A County where people want to live and work sustainably and visit because of its unique quality of life. An inclusive County of sustainable communities that each have respect for their environment, a sense of awareness of place, a sense of shared purpose, wellbeing and a sense of civic pride.

1.6 Goals

The author proposes the inclusion of the words in green and deletion of the words with strikethroughs as below:

"...It is through the delivery of these goals that this common vision for County Clare will be achieved. The key goals are:

I. A County Clare that drives local and regional sustainable growth by harnessing the potential of its unique location, quality of life, natural resources and other competitive advantages.

VII. A County Clare which supports ~~strong~~ sustainable economic growth and a ~~high~~ comfortable quality of life for all residents through the provision of efficient and robust physical infrastructure whilst having regard to environmental responsibilities and complying with European and National legislation.

XVII. A County Clare that is resilient to climate change, manages flood risk, facilitates a low carbon future, supports energy efficiency and conservation and enables the decarbonisation of our lifestyles and economy.

The author also proposes the addition of the following goal. While this may be considered incorporated within references to planning regulations it is important to identify the rights and also the responsibility afforded the public.

XIX. A county where the public voice is heeded, where the public are adequately informed and encouraged to participate in all areas of planning affecting their environment, while all options are on the table in compliance with the Aarhus convention.

The inclusion of the Aarhus Convention may be useful for 2.3 and appendix 7.

Ms. O' Donohue offers to write an additional chapter for the Plan on public participation. It is submitted that the role of the PPN has been completely missed. It is for engagement in local government decision making structures such as strategic policy committees and boards. While its introduction coincided with the exit of the community forum its remit is pretty different.

Chapter 2 Core Strategy

Section 2.2 Strategic Aims

The author proposes the inclusion of the following strategic aims:

- To transition to a low carbon economy by coordinating policy and actions to reduce the county's carbon dependency in response to the need to mitigate and adapt to Climate

Change while addressing fossil fuel depletion. Both issues can be addressed with one solution, reduced dependence on fossil fuel.

- To raise awareness of climate change, resource depletion and economic contraction with a view to encouraging communities to build local resilience in light of fossil fuel depletion, rising costs and climate change. Support local community initiatives to a lower carbon, more resilient future.
- To work in partnership with businesses, education providers, state agencies, community and individuals to coordinate a positive approach to the challenges posed and the opportunities presented by climate change, resource depletion and economic contraction.

It is submitted that these points should be included as core aims because climate change and imported fossil fuel dependence are the greatest challenges we face and their consequences impact all other aspects of this plan.

Section 2.3 Relevant Plans, Policies and Strategies

The author proposes the inclusion of the following:

- Aarhus convention homepage on UNECE
- The Local Government Reform Act 2014
- The working group report on citizen engagement with local government
- White Paper on Energy - Ireland's Transition to a Low Carbon Energy Future

Chapter 4 – Housing

The author proposes the inclusion of the following additional objectives below:

Objective CDP4.2 Facilitating the Housing Needs of the Population

To insist on passive house standards in all new builds to ensure lower living expenses and energy efficiency;

To investigate the feasibility of district heating systems, local energy solutions like solar or anaerobic digestion and natural water treatment.

Objective CDP4.3 Living in our Towns and Villages

To provide multi-purpose buildings to allow for shared expenses and a reduction in energy usage. This could be a library, health centre, school, college or other public building. As costs rise people will seek low cost, shared facilities. People may also use public facilities to cut down on their own heating costs

Objective CDP4.14 Green Infrastructure in Residential Developments

To introduce community gardens or allotments. They nurture intergenerational and cross cultural relationships as well as re-skilling residents in the art of growing food, composting, harvesting rainwater, preserving food and seasonal cooking among other things. This also addresses economic contraction as the re-skilling results in more food growing lowering outgoings within the home.

Chapter 5 – Community Development and Social Infrastructure

Objective CDP 5.19 Further Education and Adult Learning

The author proposes the inclusion of the following additional objectives below:

Assess the educational requirements of adapting to a fossil fuel free society. With the rising costs of pesticides, fertilizers, fuel, food and imports among other things we will have different employment requirements in the future and education has to reflect that. The area of organic food production will feature greatly in a shift from fossil fuel so reskilling in organic farming and production of complimentary products such as natural chemicals and medicine will be prominent;

Employment in sustainable energy and fuel production will also feature greatly. Education to stimulate understanding and innovation of natural power sources will feed into an essential industry;

Collaborate with communities to establish the educational needs as they arise with the adaptation to a lower energy society. As awareness rises so too will a reactionary skills base to include mending, repairs, mechanics, permaculture, beekeeping, food preservation and seed saving.

Chapter 6 – Economic Development and Enterprise

Objective CDP6.1 Economic Development and Enterprise

The author proposes the inclusion of the following additional objectives below:

Be mindful of the economic impacts of resource depletion, such as peak oil, and climate change have on business;

Raise awareness of the challenges of peak oil, climate change and economic contraction within the business community. Stress the importance of locally sourced materials in building resilience into business;

Ensure the infrastructure is available to support employment in the areas education has focused on - as per Social Infrastructure, education.

Objective CDP6.19 Agricultural Developments (also relevant to 10.3.2 Economic Development in Rural Areas)

Advance the agri-food industry to promote local food production. This will drastically lessen the impact of rising food prices as the costs of imported food rises with the price of oil;

Raise awareness within the agriculture business to encourage a fossil fuel free, sustainable enterprise.

Chapter 8 – Physical Infrastructure, Environment and Energy

The author proposes the inclusion of the words and sentences in **green** and deletion of the words with ~~strikethroughs~~ as below:

*Goal VII: A County Clare which supports **sustainable** economic growth and a **comfortable** quality of life for all residents through the provision of efficient and robust physical infrastructure whilst having regard to environmental responsibilities and complying with European and National legislation.*

Section 8.1 Strategic Aims

- All actions on physical, environment and energy infrastructure will be completed considering and compliant with the national, regional and local climate mitigation and adaptation plans;
- To ensure compliance with the Aarhus convention in all plans, policies and projects relevant to provision of physical infrastructure, affording adequate information and supporting public participation in the planning.

Section 8.2.10 Public Transport

There needs to be commitment to a countywide transport audit and subsequently to greater integration of all of the public transport services provided. Here different options are addressed individually, rail and bus, where there is no provision that they may link up or serve connectivity between each service, all buses stop at all rail stations. There is no commitment to ensuring that various forms of transport connects with the other and also the wider private operators.

Section 8.8.1 Energy and Communications Context

In the preparation of objectives relating to Energy and Communications, Clare County Council has had regard to the following strategies, policies and guidance documents:

- **White Paper on Energy - Ireland's Transition to a Low Carbon Energy Future**

It is submitted that there is no mention of collaboration with communities regarding energy infrastructure. There are plans to facilitate, collaborate and expand the energy infrastructure in conjunction with the developers and state agencies but no mention of participation of the communities or the wider county. Ms. O' Donohoe states that this is unacceptable. There must be an intention to ensure adequate information and comprehensive public participation in all energy plans, projects and policies.

Ms. O' Donohoe suggests that an Energy Forum is formed to engage with the national energy forum in a meaningful way, especially given that Moneypoint is located in the County.

The following objectives and action boxes are proposed and it is submitted that they should be placed at the head of Chapter 8 as a commitment to the energy citizen of County Clare

8.8.3 Energy Citizens

All citizens are energy citizens, interacting with the energy system as consumers, employees, transport users, householders and landowners. Every citizen has a role to play in the energy transition. Consumer choice, in the home, in the community, at work and when travelling is an important aspect of the energy citizen's role and responsibility.

Energy citizens will play an active role in the transition to a low carbon energy future in the following ways:

- communities of citizens, in rural and urban areas, will be able to work together on energy efficiency initiatives and renewable energy projects;
- the public and business sectors will set examples of best practice in sustainable energy;
- innovators will contribute by developing new models and technologies that will help Ireland move to a low carbon energy system;
- entrepreneurs will avail of business opportunities in energy efficiency building work, clean technologies and innovative digital technology applications, creating jobs and increasing prosperity;
- the energy industry will work to ensure that all relevant policies, regulation, products, services and technologies, as well as the generation and supply of energy itself, contribute to a secure, competitive, sustainable and low carbon energy system;
- landowners, neighbours and communities will be able to engage with infrastructure providers and local government to ensure acceptable outcomes for all energy users.

Clare County Council will establish a county energy forum to engage with the National Energy Forum.

Clare County Council will work to widen the opportunity for participation by engaging and sharing the manifestations of the commitments made by government as set out below:

Energy White Paper, 4.5 Actions

Achieving our energy transition, and the vision set out in chapter two of this White Paper, will be a huge collective national undertaking. It will depend on the active engagement of citizens and communities. It will also require a deeper national awareness of the nature and scale of the challenge, and the development of consensus about the broad policy measures required to meet it. To help achieve this consensus, we will:

- Establish an energy forum to meet periodically to consider evidence-based inputs on the challenges arising from the energy transition outlined in this White Paper and a report on the findings of the Forum;

- Invite representatives of community and environmental groups, politicians from Government and opposition, as well as business, unions, research institutes and the academic community to participate in the Forum with a view to maximising and maintaining consensus on the broad policy measures required to meet existing and emerging challenges. The Forum will have a respected independent chair and rapporteur. It will also work to stimulate constructive and informed national debate on energy-related issues.

Meaningful public consultation and engagement by Government and infrastructure developers are prerequisites for the successful achievement of the energy transition. We will:

- Work with energy agencies, community experts and local government to ensure that information is provided to citizens in a timely and accessible manner;
- Work with SEAI to encourage the development of local intermediaries with expertise to facilitate and support local engagement.
- Keep legislation and procedures under review to ensure that citizens have ongoing opportunities to input into energy policy development, and that they are properly consulted on infrastructure developments that affect them.

The development of the White Paper revealed a wide citizen and community desire to be consulted on, and participate in, Ireland's energy transition and the development of energy-related projects. We acknowledge the need to develop mechanisms and instruments to make this happen such as:

- Supporting community participation in renewable energy and energy efficiency projects, via the SEAI, to share best practice, provide information and ensure that local strategies align with broader Government policy;
- Facilitating access to the national grid for designated renewable electricity projects, and developing mechanisms to allow communities to avail of payment for electricity, such as the ability to participate in power purchase agreements;
- Providing funding and supports for community-led projects in the initial stages of development, planning and construction. These will be defined using criteria such as scheme size and degree of community ownership;
- Providing a new support scheme for renewable electricity which will be available from 2016;
- Developing a framework for how communities can share in the benefits of substantial new energy infrastructure which is located in their area;
- Establishing a register of community benefit payments;
- Examining shared-ownership opportunities for renewable energy projects in local communities;
- Supporting, in particular, the emerging energy co-operative movement as one means of facilitating community participation;
- Exploring the scope to provide market support for micro generation. This will be informed by an SEAI analysis of the potential of technologies in the field of small-scale wind, solar, micro-CHP and small-scale hydro;
- Engage with local government on advising consumers on energy efficiency initiatives and clean energy options, integrating energy options, scoping the opportunities for demand and supply related local energy action through integrating energy issues into local area planning, and bringing stakeholders together to find locally appropriate solutions that bridge the gap between demand and supply (e.g. biomass fuel, district heating solutions).

Chapter 18 Climate Change Adaptation, Flood Risk and Low Carbon Strategy

The author proposes the inclusion of the following strategic aims as below:

Section 18.1 Strategic Aims

- Raise awareness and develop an understanding of the impact of Climate Change, especially on the local economy and the local community;
- Explore, with the community, sustainable community options including transport, energy, food, healthcare, education, economy;
- Rigorously pursue an energy efficiency and conservation programme throughout the county;
- Raise awareness across all sectors leading by example and best practice;
- Coordination of policy and action on reducing the county's carbon dependency in response to the need to mitigate and adapt to climate change;

- Support research and production within the county which helps develop local effective alternative energy supplies and energy saving products in order to encourage a move away from oil based fuels and in order to create local “green collar jobs”;
- Collaborate with communities to ensure resilience in weather-related events and the consequences such as flooding, water shortages, snow and severe storm episodes
- Comply with the Climate Change and Low Carbon Development Bill.

Section 18.2 Context

Need to include reference to the Climate Change and Low Carbon Development bill.

New Chapter

The author proposes the inclusion of an additional chapter as follows:

Chapter xx Public Participation and Community Centred Planning

Goal: A county where the public voice is heeded, where the public are adequately informed and encouraged to participate in all areas of planning affecting their environment, while all options are on the table in compliance with the Aarhus convention.

Objective CDPxx: To put the citizen at the heart of planning

It is an objective of the plan:

- To encourage representation of community groups on strategic policy committees and decision making bodies within the county in conjunction with Clare Public Participation Network in order to foster a shared responsibility in inputting and contributing to the shaping local government policy and decision making.
- To ensure compliance with the Aarhus Convention and its Protocol in order to empower people with the rights to access easily information, participate effectively in decision-making in environmental matters and to seek justice if their rights were violated. They protect every person’s right to live in an environment adequate to his or her health and well-being.
- To foster engagement and participation of communities in developing a shared vision of wellbeing for Clare.
- To ensure comprehensive public participation in all development that affects people and their environment, including adequate information and skills to enable participation.

Chief Executive’s Response

I would like to thank Ms. O’ Donohue for this detailed and considered submission which relates to issues which are highly pertinent to the future development of the county. I would like to respond to the issues contained in the submission in the order that they have been raised:

Section 1.5 Introduction and Vision

The vision of the county sets out the desired outcome as a result of the proper planning and sustainable development of the county during the lifetime of the Plan. The goals, policies and objectives of the Plan then work to ensure the achievement of the vision. Therefore I consider it to be of greater importance to ensure that the issue of participation is incorporated in the text and objectives of the plan. In this regard I note that the wellbeing of the people of County Clare is extensively referenced and addressed in the Draft Plan, in particular in Chapter 4 Housing, Chapter 5 Community Development and Social Infrastructure and Chapter 14 Biodiversity, Natural Heritage and Green Infrastructure. I do not consider that additional text is required in relation to this issue.

Section 1.6 Goals

I agree that Goal I would be improved by reference to ‘sustainable’ growth. However, I do not consider it appropriate to remove reference to ‘strong’ economic growth. Furthermore I consider the desire to achieve sustainability in economic growth to be addressed in the latter half of the goal, which requires regard for environmental responsibilities and compliance with European and National legislation. I also consider the goal for all residents to have a ‘high’ quality of life to be

reasonable and do not consider it necessary to amend this terminology. I agree that the decarbonisation of the economy should be added to the Goal XVII.

Proposed New Chapter

In relation to Ms. O' Donohue's offer to prepare a new chapter for the Draft Development Plan, I consider that public participation and public information will be fully addressed both through the County Development Plan, when adopted, and through existing plans and structures that are in place such as the Corporate Plan, the Local Economic and Community Plan, the Local Community Development Committee and the Public Participation Network. I do not consider that significant additions to the development plan are necessary in relation to this issue.

Chapter 2, Section 2.2 Strategic Aims

The aim and function of the core strategy are established in Section 10 of the Planning and Development Act, 2000 (as amended). While the proposed new aims set out in the submission are of merit, they are not appropriate for the Core Strategy of the Plan. I consider that these points are more suited to Chapter 18 Climate Change, Flood and Low Carbon Strategy and that they should be considered as possible aims for that chapter (discussed further below)

Section 2.3 Relevant Plans, Policies and Strategies

Similarly, the documents listed in Section 2.3 refer solely to the plans, policies and strategies that are central to the preparation of the Core Strategy, in accordance with the requirements set out in the Plan Act. However I consider the documents that have been mentioned can be integrated into other parts of the Plan as set out in my recommendations below. In relation to the White Paper on Energy, I refer to my recommendation in relation to Submission Ref. 381, which also raised this issue.

In relation to the Aarhus Convention, this establishes a number of rights of the public (individuals and their associations) with regard to the environment. Details in relation to the Aarhus Convention have been included in Volume 10 (b) SEA of the Draft Plan under Section 4.2 Population, Human Health & Quality of Life of the County Development Plan where it addresses the three pillars of the convention in relation to: Access to Environmental Information, Public Participation in Decision Making and Access to Justice.

In relation to the first pillar "Access to Environmental Information" this can include information on the state of the environment, but also on policies or measures taken, or on the state of human health and safety where this can be affected by the state of the environment. This information has been provided as part of the County Development Plan process through the undertaking and provision of the Strategic Environmental Assessment (in particular Chapter 5 Environmental Baseline) and in addition through the undertaking of the Strategic Flood Risk Assessment and Appropriate Assessment.

The second pillar relates to "Public Participation in Environmental Decision -Making". Through the integrated approach adopted in preparing the County Development Plan public participation has been a key focus which has been fostered throughout the various stages. Input from the public has been requested at numerous points in the preparation of the Plan, initially on the focus of the issues paper and subsequently on the pre-draft plan and currently on the Draft Plan which was on public display for a 12 week period with all relevant information made available to download on the Clare County Council website and also available in hard copy in public buildings such as libraries around the county. The Clare Public Participation Network was also specifically notified of the consultation process in order to ensure a wide audience was reached. This second pillar also requires comments by the public to be taken into consideration in decision making and the provision of information on the final decisions and the reasons for those, which is the focus of this Chief Executives Report.

The final pillar relates to "Access to Justice" with the right to review procedures, to challenge public decisions that have been made without respecting the two aforementioned rights on environmental law in general. This element is facilitated through the public display of amendments and associated consultation which will be undertaken by Clare County Council following consideration of the Chief Executives Report by the elected members.

The preparation of the Clare County Development Plan has therefore been undertaken in line with the pillars of the Aarhus Convention and I do not consider further reference to the Convention to be necessary. Furthermore, any future plans and projects carried during the lifetime of the Plan will be subject to similar statutory provisions this ensuring compliance at all times.

Objective CDP4.2 Facilitating the Housing Needs of the Population

Objective CDP18.4 Energy Efficiency promotes energy efficiency, energy conservation and the use of renewable energy resources in building design. While I acknowledge the importance of energy efficiency and progression towards a carbon neutral society, the local authority has a role to play in supporting and encouraging, wherever possible, low carbon and passive developments, but it is restricted to ensuring compliance with prescribed national building regulations and standards of energy conservation in individual construction projects.

While I note the comments in relation to establishing the feasibility of district heating, solar energy or anaerobic digestion, I do not consider it to be the role of the local authority to carry out such studies.

Objective CDP4.3 Living in Our Towns and Villages

I agree that multi-purpose buildings can provide a higher level of service to local residents and can also be more energy efficient. This issue is address in Section 5.4.4 Dual Use of Community Facilities and I note that the Settlement Plans set out in Volume 3 of the Draft Clare County Development Plan 2017-2023 make provision for Mixed Use developments which can accommodate a variety of uses taking place within individual developments. I do not consider new text in relation this issue to be necessary.

Objective CDP4.4 Green Infrastructure in Residential Developments

Section 5.3.8 Community Gardens and Allotments recognises the importance of these facilities to wellbeing and social inclusion and supports their development throughout the county. I do not consider further text in relation to this issue to be necessary.

Objective CDP5.19 Further Education and Adult Learning

The Draft Clare County Development Plan 2017-2023 strongly supports education, training and learning opportunities throughout County Clare. However, Clare County Council is not an education-provider and is not in a position to undertake the kind of assessment of educational needs that are requested in this submission.

Objective CDP6.1 Economic Development and Enterprise

While building resilience into business is highly important, I respectfully consider that it is too specific an issue for the County Development Plan to progress.

Objective CDP6.19 Agricultural Developments

I agree that local food production is highly important in terms of sustainability and cost stability. I consider that this is an issue more suited to Section 10.3.4 Agri-Food Sector and have included this in my recommendations below.

In relation to raising awareness amongst agricultural businesses about fossil fuel free production etc. I do not consider this to be the role of Clare County Council.

Section 8.1 Strategic Aims

Compliance with compliance mitigation and adaptation plans is covered in Section 18.3 Climate Change and Section 18.4 Climate Change Adaptation of the Draft Plan. Furthermore I refer to my response to Submission 008 in which I recommend addition of reference to the Climate Action and Low Carbon Development Act, 2015 which is if significant relevance to this issue also.

In relation to the inclusion of further reference to the Aarhus Convention, I refer to my response to this issue above.

Section 8.2.10 Public Transport

I agree that in order to be truly effective, public transport needs to be integrated and I consider that text and an objective to this effect should be included on the Plan. It should be noted however, that while Clare County Council can encourage and support stakeholder to ensure that transport services are fully integrated, the Council is not a public transport operation and cannot play a direct role in creating integrated services.

Section 8.8.1 Energy and Communications Context

In relation to the White Paper on Energy, I refer to my recommend in relation to Submission 381 which also refers to this document.

In relation to setting up an Energy Forum, it is more of a consideration as an operational manner rather than something that may be progressed through the County Development Plan.

Energy Citizens

I acknowledge the information that has been included in the submission in relation to Energy Citizens and I consider that this is an important issue that should be included in the Plan. However I consider it more appropriate to locate this information in the Low Carbon Strategy which is set out in Chapter 18 of the Plan. I have recommend that new text be included as set out below.

White Paper – Ireland’s Transition to a Low Carbon Energy Future

I acknowledge the importance of this document to achieving a low carbon future. As outlined above I also consider it important that the concept of Energy Citizens is recognised and supported in the Plan. However, many of the actions that are listed in the submission, as extracted from Section 4.5 of the White Paper, requirement implementation and management at a national level. While I recommend that direct commitment to implementation of the White Paper be included in the Plan, as outlined below, I do not consider it appropriate to directly include the listed actions in the Draft Clare County Development Plan 2017-2023.

Section 18.1 Strategic Aims

The aims that were proposed for inclusion in Chapter 2 Core Strategy have also been considered for inclusion in this section.

I acknowledge the suggested aims that have been put forward in this submission and I consider that there is merit in including some of the points raised in the Strategic Aims for Chapter 18.

Chief Executive’s Recommendation

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

Volume 1, Chapter 1, Section 1.6 Goals – amend the goals to read:

Goal I: A County Clare that drives local and regional **sustainable** growth by harnessing the potential of its unique location, quality of life, natural resources and other competitive advances.

Goal XVII: A County Clare that is resilient to climate change, manages flood risk, facilitates a low carbon future, support energy efficiency and conservation and enables the decarbonisation of our lifestyles **and economy**.

Volume 1, Chapter 5, Section 5.2 Context – add the following documents

- **The Local Government Reform Act 2014**

- Working Group Report on Citizen Engagement with Local Government

Volume 1, Chapter 10, Section 10.3.4 Agri-Food Sector – add new paragraph to read:

The agri-food industry, and in particular local food production, has an important role to play in ensuring sustainability and resilience. Local food production can provide both local employment and a better product for the consumer

Volume 1, Chapter 8, Section 8.2.10 Public Transport – new section and objective added as follows:

Integrated Transport Services

In order to increase usage of public transport and to make it a viable alternative to the private car for a greater number of users, it is vital that there is greater integration of public transport services. This integration should include both national transport providers and community-based services. See also Objective CDP10.5 Rural Transport.

Development Plan Objective: Integrated Transport Services	
CDP8.13	<p>It is an objective of the development plan:</p> <p>To support the integration of public transport services throughout the county in order to create more efficient transport services that meet the needs of a wide range of users.</p>

Volume 1, Chapter 18, Objective CDP18.1 – new point added to read:

- To raise awareness and understanding of the impacts of Climate Change on both the local economy and communities in the county.

Volume 1, Chapter 18, Objective CDP18.3 – new point added to read:

To work to implement the provisions of *Ireland's Transition to a Low Carbon Energy Future 2015-2030* as they relate to County Clare

Volume 1, Chapter 18, Section 8.5.1 Energy Efficiency, new text to be added to read:

Energy Citizens

All citizens are energy citizens, interacting with the energy system as consumers, employees, transport users, householders and landowners. Every person has a role to play in the energy transition. Consumer choices in the home, in the community, at work and when travelling are an important aspect of an energy citizen's role and responsibility. Energy citizens can play an active role in the transition to a low carbon energy future.

Ref. 455 Ennis Chamber

Keywords: Ennis, Retail

Summary of the Issues Raised in the Submission

This submission focuses' on particular areas of direct relevance to businesses' and their customers and submits the following observations under each heading:

The Bigger Picture

- The vision for Clare and Ennis is for a prosperous and dynamic county and capital town, facilitating the population that is served by economic, social and environmental facilities.
- The Plan must give a vision for the people of Ennis that is aspirational but realistic in its intentions.

Retail

The submission notes that today's retail environment has significantly changed over the past number of years. Retail is no longer about 'shops' or 'shopping'. It is about a 'Day Out', about 'An Experience'. It is about the consumer enjoying a space, a location that is providing retail and hospitality and hours of dwell time. Based on this consumer trend, they propose the following:

- Ennis Chamber is cognisant of the need to retain retail within the town centre. Therefore, we propose that Opportunity Site 6 Post Office and Opportunity Site 5 Analogue Building and adjoining infill site, Bank Place Field, to be developed for a mix of retail and hospitality, with carparking to compliment a recreational space / peoples' park as a priority. Provide a 'day out' experience in the heart of the town centre.
- Ennis Chamber acknowledges that there is lack of medium sized retail units of 150-200 square metre (1,500-2,000 square feet) in floor space. The location of such units could be provided in Opportunity Site 6, retaining footfall in the town centre and supporting existing retail in the town centre.
- With over 20% retail premises vacancy in Ennis Town Centre and the use of out of date and inaccurate data from the Mid West Retail Strategy 2009, Ennis Chamber refutes the need for an additional 10,803 metre squared (108,000 square feet) non-bulky comparison goods floor space requirement. The volume appears excessive as this would equate to approximately 100 extra shops based on the average square foot retail unit in Ennis. A strategy to utilise existing empty units or merge existing units should be a priority to provide the desired retail requirements of new business. The addition of such additional retail would need to be strategically positioned to ensure Town Centre prosperity.
- Ennis Chamber also recognises the need of existing and new bulk comparison retail businesses for larger units up to 3,000 square metres (30,000 square feet) to mitigate the consumers' attraction to Limerick and Galway. Therefore, we are proposing that Opportunity Site 2 (Old Boys National site) be zoned for this purpose with the vision to consciously link the existing town centre with this site. That there is a seamless integration of the two locations.
- Development of the Opportunity Site 2 (Old Boys National site) would negate the need for Site COM1 Ballymaley Business Park to be used for bulk comparison retail and instead continuing to be zoned as light industrial with facilities to be provided and managed to encourage such industry to invest in the location. It's location off the by-pass lends perfectly to this light industrial use.
- The Plan has the opportunity to specify the retail mix of all town centres, particularly Ennis as the main shopping town, in order to provide the best offering to customers. A targeted approach and incentives to encourage an attractive retail mix would be most welcome.
- Now that Ennis has achieved the Purple Flag, the plan needs to look at how to enhance the early evening offering in both hospitality and retail. A scheme to encourage residential living quarters over retail units would encourage a greater early evening economy. (i.e. Westport introduced such measures).
- Recent national estimates from estate agents have said that the country is 20-30% overstocked in terms of commercial space in towns. Therefore, Ennis Chamber believes that Ennis town centre should be the primary focus of retail development and that major

out of town centre and motorway retail developments would have a detrimental effect on Ennis Town centre's retail survival.

- The retail centre of Roslevan is a good example of the provision of local services. In order to safeguard Ennis town centre, such local retailing should only be provided where there is a proven need, i.e. a significant population growth in a particular area. Ennis Chamber believes that the local retail offering in Clarecastle needs to be enhanced, perhaps through commercial rates or renovation incentives on derelict buildings, in order to service the local population and further enhance the sense of community, especially for those with no transport.
- Ennis Chamber also refutes the proposal for an additional 6,000 metres squared of convenience floor space (60,490 square feet). In reference to the DCCDP Volume 3 Objective V3(a)4, Ennis Chamber considers the Claureen neighbourhood on the Lahinch Road to be adequately served in retail terms by the two existing developments at Loughville and Claureen.
- These figures as set out in Section 1.7.2 of the Retail Strategy for Ennis would have a displacement effect of shutting down a combined 160 retail premises.
- Ennis Chamber requests that Table 1 and Objective V3(a)4 be amended to remove allocated quantum of floor space to any expansion areas or neighbourhoods and retain only the allocated additional core shopping area and locations on the Retail Table. Ennis Chamber believes this represents excessive over-zoning of additional retail space. The local authority could work with landlords of strategic commercial building to ensure the best use is made of the building. Ennis Chamber believes this represents excessive over-zoning of additional retail space.
- The chamber believes that additional core retail area's are required to provide national and international retailers the opportunity to expand in Ennis, providing the desired 2000 square feet retail units. However, this has to be strategically positioned in the town centre, to encourage footfall and not starve the town centre of footfall.
- The submission notes that the Retail Strategy of the DCCP Volume 8 section 8.2.3.2 outlines for Motorway Service and Rest Areas and Ennis Chamber agrees with objective CDP8.3 for Clare County Council to collaborate with Transport Infrastructure Ireland for such on-line motorway facilities. However due the daily commuter patterns between West and North Clare as well as Ennis to Shannon, Ennis Chamber proposes that the site for such facilities be located north of Junction 13 by approximately 15 minutes nearer to Junction 15. Therefore there would be no requirement for the zoning for off-line service facilities in Volume 3a of the DCDP t Kilbreckin Doora Area Site COM7 Kilbreckin Doora at Junction 12 of the M18. Ennis Chamber believes that the impact of such objectives would result in the hollowing out of core of town and the creation of a doughnut effect.
- Ennis Chamber considers that new parking initiatives such as card and mobile payments are welcomed and more should be introduced to make it easy for the customer to enjoy a longer dwell time in the town centre.
- The submission proposes that Lower Market Street Car Park should be covered in a similar fashion to the Buttermarket in Limerick and used as a market on particular days, with the possibility of using it as a small concert or entertainment venue in the evening. It's location and natural structure lends itself to a very attractive space if designed accordingly and again, adding to the 'day out' experience and the evening economy.
- The Chamber notes that the need to provide an attractive retail mix in the town centre, with easy accessible and available carparking, in close proximity to the town centre, would need to be addressed before the discussion on pedestrianisation could be explored.

Infrastructure

- Ennis Chamber supports and encourages the Shannon Commercial Group to invest in its 32 acre Information Age Park and in particular its urgent need to improve its access from the Gort Road as a matter of priority. This would also provide the much needed roundabout into the Gort Road Industrial Estate.
- With the independence of Shannon Airport and the assistance of the Development Agencies, the submission notes that Clare and Ennis has the opportunity to target and attract industries that are spin-offs or suppliers to the aviation industry.

- The submission considers that Ennis is well served by rail and road (it is critical that the Gort to Oranmore motorway be completed shortly) however, it is important to enhance the broadband offering by making the connection to fibre optic inexpensive in order to encourage high-tech and ICT businesses.
- Ennis Chamber considers that provision should be made to provide an additional Junction at the Quin Road for the Motorway. This would provide the necessary access for large heavy goods vehicles which currently have difficulty accessing the Clare Mart, Quin Road Business Park, motor businesses and the Bus Eireann depot on the Quin Road.
- Additionally is it considered that a comprehensive management structure must be put in place for the Quin Road and Gort Road industrial estates in order to allow better marketing and presentation.
- The Chamber submits that an incentive scheme for Commercial Rates could be offered in certain part of the Ennis Town Centre to encourage urban renewal.
- Ennis is the ideal base for industries looking to offer excellent quality of life to its employees and this should be promoted.

Ennis Town Centre

- Ennis Chamber supports Section 1.8 - Public Realm as contained in the Draft Clare County Development Plan 2017-2023.
- It notes that Ennis needs to turn its focus to one of its greatest amenity's and assets, the river Fergus. As previously highlighted, the development of the Opportunity Site 6 Post Office and Opportunity Site 5 Analog Building and adjoining infill site, Bank Place Field, would harness the asset which is the River Fergus, highlight the experience of the river walk and create a hub of activity along the river and in the town centre.
- The River Walk would benefit from enhanced lighting of a warm tone to create a safe ambience.
- The extension of the river walk to Clarecastle would create a huge attraction for recreation.

Ennis Settlement Strategy

- The submission considers that it is important to ensure that the existing housing estates in Ennis are completed in order to avoid unfinished estates not being managed.
- The Draft Plan should include plans for local transportation from housing estates into Ennis town centre in light of the Local Property Tax.
- Vacant buildings in the town centre could be reverted to residential buildings, particularly in above the shop situations in order to revitalise the town centre in the evening time. Older streets would require a creative financial incentive scheme to encourage the investment in both the vacant residential and commercial portions of the building.

Tourism and the Arts

- Ennis Chamber considers that Motorway signage for Ennis prior to all 3 exits in both directions must be enhanced to ensure the town is marketed to passing trade
- The Western Relief Road, including its roundabouts, needs to be enhanced in order to create an appealing approach road to the town
- The tag line of Ennis as Ireland's Friendliest Town encompasses what Ennis is known for in terms of traditional music and boutiques
- Early evening entertainment should be encouraged particularly with visitors
- Music spots for young musicians could be created around the town centre that would be covered from the elements where they would be allowed to busk in the early evening
- The now roofed Ennis Abbey is an ideal location for appropriate musical performances
- With its proximity to Shannon Airport and the College of Hotel Management as well as the mantle of Ireland's Friendliest Town, Ennis has the potential to develop a training centre of excellence in hospitality.

The Environment and Biodiversity

- The submission considers that the River Fergus Flood Relief Scheme should ensure that natural flooding takes place in appropriate areas while protecting residential areas as well as the town centre.
- The River Fergus could be stocked with appropriate fish with licences available as a tourist attraction.
- Extended flood relief works would enable the creation of a port in Clarecastle.
- Ballyalla Lake has huge potential to be developed as an amenity for walks, exploring wildlife and water sports.

Getting Around - Transportation

- There is a need for public transportation from housing estates and areas such as Clarecastle and Barefield into the town centre.
- The Post office field should be explored in terms of its potential for several amenities including flood relief, wild life and parking with a pedestrian bridge linking to the town centre.
- Possibility of cycle lanes around Ennis as well as electric bikes.
- A road linking the Quin Road to the Western Relief Road would ease congestion of Heavy Goods Vehicles.
- The taxi rank in Parnell Street Car Park works very well during the day but not so well at night due to the distance from the late-night socialising spot on Abbey Street and the numerous taxi licences in the town leading to taxis circulating the town to pick up fares. Therefore, night time taxi ranks could be created in areas that are currently used as loading bays or parking in the daytime which are away from residential or accommodation areas to avoid noise disturbance. Such areas could include Garda Station and the Queen's Nightclub as well as Abbey Street, O'Connell Square and Bank Place.

Chief Executive's Response

I wish to thank Ennis Chamber for its detailed, thoughtful and wide ranging submission. My response is set out under the following headings.

The Bigger Picture

I refer to Volume 3 (a) as attached to the Draft Clare County Development Plan 2017-2023 and specifically Section 1.2.2 contained therein which sets out the overall strategy and vision for Ennis and Environs. Specifically the Draft Plan provides the following strategic vision for Ennis:

"A vibrant and culturally-rich Ennis area with a revitalised town centre and strong economic growth balanced with enhanced social inclusion, sustainable neighbourhoods and a high level of environmental quality, to ensure an excellent quality of life for all"

I consider that this vision will serve Ennis well and form the basis upon which the town will thrive and develop in to the future.

Retail

I refer to Strategic Flood Risk Assessment Volume 10 as attached to the Draft Clare County Development Plan 2017-2023 and specifically Section 12.3.1 which refers to "Opportunity Site 5 The Analogue Building and Adjoining Infill Site, Bank Place". (These buildings are referenced in Section 2.14 and specifically under "OS5 Analogue Building and adjoin Infill Site, Bank Place" as contained in Volume 3(a) in the Draft Plan). Section 12.3.1 of Volume 10 of the Draft Plan sets out development considerations regarding flooding, flood storage, management of surface water, etc. in relation to OS5. I am distinguishing this section of the site from the larger area of the Post Office Field, which is identified as "OS 6 The Post Office Field" in Volume 3(a). The Post Office Field site lies wholly within Flood Zone A and is not protected by the flood relief scheme and plays an important role in the flooding regime of the River Fergus. Volume 3 (a) Section 2.4 "OP6 The Post Office Field" sets out the development objectives for this site. As part of the green infrastructure

plan, the Council will, subject to available funds, seek to sensitively enhance the Post Office Field and improve pedestrian and cycle access through it by the provision of a board walk along the northern boundary. Other forms of built development will not be permitted on the site. Protecting and managing the natural qualities of the Post Office Field and protecting its role in the flooding regime of the River Fergus will be the paramount consideration on the future development of the site. Having regard to the foregoing I do not agree that the Post Office Field is the most sustainable location for a mix of retail and hospitality use. However it is considered that OS5, which is proposed to be zoned for town centre uses, can accommodate a range of commercial, mixed use or civic uses.

The comments as contained in the submission regarding the figures of the Mid West Retail Strategy 2010- 2016 are noted. In discussing the retail profile of Ennis, I would make an important distinction between scale of retail development and location of retail development.

Regarding the scale of retail development, I acknowledge concerns as raised in the submission in relation to the scale of floor space estimated as being required for convenience goods and non bulky comparison goods. I acknowledge that the strategy was prepared in a time of unprecedented economic growth and the figures may be interpreted as reflecting this optimism. I also fully share the concern about the potential for over provision of retail floor area and the impact vacant units can have on the town centre. While I acknowledge that there is a requirement for Local Authorities under the *Retail Planning - Guidelines for Planning Authorities*, to quantify the floor area planned to be provided for the various types of retail (i.e. convenience, non bulky comparison and bulky goods). I wish to advise that when the Mid West Retail Strategy 2010- 2016 is reviewed, the Clare County Development Plan 2017- 2023 and any Local Area Plan made there under for Ennis will be required to be varied to reflect the new figures. In the intervening period, the figures set out in the Mid West Retail Strategy 2010- 2016 will guide the quantitative provision of retail floor space.

As this stage I would point out that the figure for bulky goods is a minus figure (-3,367 sq.m.) clearly showing an over provision for this category of retail. I note that this submission is seeking to allow for bulky goods provision to be located at OP2 (Former Boys National site). I am however reluctant to dedicate a key town centre site (OP2) for bulky goods in light of the evidence base pointing to an over provision. Instead I consider that bulky goods retail is more appropriately accommodated at Ballymaley Business Park, with convenient access to the motorway. In this regard I consider that a portion of the light industrial LI1 running along the northern boundary of the park be changed to Commercial to accommodate any new bulky retail demand which may arise over the plan period.

Regarding the location of retail development, I note that this Plan endorses the sequential approach to the location of retail prioritising firstly the core retail area and town centre, followed by the town centre expansion area, edge of centre, and finally out of town. I would fully support a strategy to examine the feasibility of reformatting retail space in the town centre by joining properties. This may be carried out in the forthcoming Ennis Local Area Plan. The adoption of the 'sequential approach' to retail development would further consolidate the core of the town and align with the sequential approach as contained within the Draft Plan which places the town centre at the top of the hierarchy.

I concur with the idea that a town should strive to have a good retail mix to provide the best offering to customers thus encouraging repeat business. I agree that such a mix does not happen by chance and it must be properly researched and analysed. It must be widely supported by the businesses of the town and it must be championed and led by a dedicated team. I agree that an over provision of any one kind of shop can detract from such potential. I believe that Ennis already has an excellent range of independently owned fashion boutiques and this could be complimented by a mix of other shops currently under represented. I believe that Ennis has the ability to become a niche retail destination over the life time of this plan.

The comments regarding the Purple Flag as contained in the submission are noted. I consider that this is an operational matter that is best addressed outside the plan making process.

I note this submission is requesting that retail offer in Clarecastle requires to be enhanced to serve the local population. In this regard I would state that it would be preferable if the vacant shops units at Heather Hill were occupied or reconfigured to attract a retail investor. I would also note that Com 9(a) and Com 9(b) are identified as a neighbourhood centre which could also serve the

wider Clarecastle area. Much of the centre of Clarecastle has a zoning on which retail development would be normally acceptable in principle.

I note that the Chamber considers Clareen neighbourhood is adequately served in retail terms by two existing forecourt shops at Loughville and Clareen. I wish to advise that Clareen neighbourhood is identified for growth and as such requires properly planned and designed neighbourhood centres to accommodate the variety of uses normally associated with such.

I note the comment regarding the extent of floorspace which is identified for convenience (6000 sq.m.). In this regard, I wish to refer to my response above regarding the Mid West Retail Strategy 2010- 2016.

I refer to Volume 3 (a) as attached to the Draft Clare County Development Plan 2017-2023 and specifically to Table 1 'Allocated Quantum of Floor Space at the Preferred Sites for Retail Provision'. I note that this submission is seeking to remove the allocated quantum of floor space to any expansion areas or neighbourhoods and retain only the allocated additional core shopping areas. In this regard, please see my earlier comments regarding review of the Mid West Retail Strategy 2010- 2016.

In relation to the zoned of Site COM7 at Junction 12, 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. Issues raised such as the range and services and uses on the site and potential impact on the town centre can be assessed as part of specific development proposals for the site through the Development Management process.

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,

The comments regarding parking initiatives and pedestrianisation are noted.

Infrastructure

It is an objective of the Council to ensure that the existing road network serving the settlement area is maintained and upgraded as necessary, and to facilitate new road infrastructure to provide greater accessibility to and connectivity between neighbourhoods and opportunity sites. The Gort Road to Tulla Road infrastructure safeguard including the roundabout is an key component of the network.

In this regard, I note that there are no immediate plans for roundabout at this location due to financial constraints and the fact that the level of activity in the Information Age Park Ennis (IAPE) would not be of sufficient scale to justify same at this point in time. Without prejudice to the outcome of planning application reference no. p16 254, which has been submitted by Shannon Commercial Properties to, inter alia, the construction of a link road between the proposed Northern Inner Relief Road (NIRR) and existing services road in the IAPE and an extension to the existing services road within the site of the IAPE, Clare County Council will construct a standard priority junction onto the Gort Road from the NIRR. It is envisaged that this will ultimately be upgraded to a roundabout when demand from within the IAPE justifies same and funding of this would be by way of Development Levies from further stages of development of the IAPE. The works to facilitate provision of the roundabout would involve relocation of the existing Southern access to the Gort Road Industrial Estate, in order to enable direct access to the Industrial Estate off the roundabout.

The comments contained in the submission regarding potential for industries that are spin offs or suppliers to the aviation industry are noted. Chapter 6 as contained in Volume 1 of the Draft Plan provides objectives for economic development and enterprise. This Chapter sets out an economic strategy to achieve greater prosperity in all areas of the country which is based on a number of strategic aims.

I agree with the Chambers contention that inexpensive access to broadband is critical to attracting ICT businesses and other high tech industry to Ennis and the County as a whole.

The comments regarding additional access at the Quin Road to the M18 are noted. Such a proposal was previously proposed in the Draft Ennis and Environs Local Area Plan 2015 - 2021 which has since been discontinued. TII (NRA) advised against such a proposal as it was considered to be inconsistent with the requirements of Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines. Having regard to same it was considered not to include it in this Draft Plan.

The comments regarding marketing the presentation of the Gort Road Industrial Estate and the Quin Road Business and Retail Park are noted. I agree that this is an operational matter that can be pursued outside of the plan making process. I agree that the implementation of the series of operational measures to improve the appearance of the area, address signage and improve way finding and boundary treatments.

The comment regarding incentive scheme for commercial rates is also noted. While worthy of consideration, this issue is considered to be outside the Plan making remit.

I agree that Ennis is an ideal base for industries looking to offer excellent quality of life to its employees. I note Volume 3 (a) of the Draft Plan provides the following strategic vision for Ennis: *"A vibrant and culturally rich Ennis area with a revitalised town centre and strong economic growth balanced with enhanced social inclusion, sustainable neighbourhoods and a high level of environmental quality, to ensure an excellent quality of life for all"*. In order to achieve this vision, a number of goals for the future development of Ennis and its environs have been development. These goals will be implemented through the delivery of a number of objectives as contained in the Draft Plan which are set out in Volume 1.

Ennis Town Centre

I note the Chambers' support for Section 1.8 'The Public Realm and Built Environment' as contained in Volume 3 (a) of the Draft Plan. The extension of the river walk from Ennis to Clarecastle will be further detailed as part of a green infrastructure strategy in the forthcoming Ennis and Environs Local Area Plan.

Ennis Settlement Strategy

I agree that it is important to ensure that existing housing estates in Ennis are completed in order to resolve the difficulties associated with unfinished estates. A dedicated unfinished estates/ taking in charge team works full time to pursue these matters in Ennis and also across the County.

I refer to Volume 3 (a) Section 1.4.1 where in the strategic aims for housing and sustainable neighbourhoods are set out. I agree that vacant buildings in the town centre could be reverted to residential buildings where appropriate, and subject to planning permission if required.

Tourism and the Arts

Many of the ideas raised under the theme of Tourism and the Arts may be pursued as operational matters outside of the preparation of this plan; for example music spots, use of roofed Ennis Abbey, and College of Hotel Management. However I acknowledge that support for funding various initiatives in tourism and arts require to be supported through policy or objectives in the Draft Clare County Development Plan 2017-2023. In this regard, I note Section 5.4.1 as contained in the Draft Plan, which contains objectives in relation to the development of programmes that supports the arts and people's experience of the arts; support to the development of workspace for artists and artists organisations and display facilities for visual arts works throughout the county; and support to cultural and entertainment activities in the county by operating within the

forthcoming National Cultural Policy and by co-operating with the Arts Council, community groups and other bodies.

The issue of motorway signage has been raised on many occasions with the Transport Infrastructure Ireland (TII) who have advised against any further signage.

I agree that the Western Relief Road, including its roundabouts, need to be enhanced in order to create an appealing approach road to the town. I agree that the Clare Abbey roundabout is a very important junction. It is one of the main entrance points to town of Ennis and it is important that it is attractive and makes a good first impression on people arriving in the town. It is also an important junction between the town of Ennis and the village of Clarecastle. For these reasons it is important that the area is redesigned, not only to make it more attractive but also to make sure that it is safe and easy-to-use for all road users e.g. motorists, walkers, cyclists etc. The Council will be preparing plans to enhance that area in the near future. I have forwarded your ideas for improvements to the Clare Abbey roundabout to the planner, architects and engineer who will be working on plans to improve the entrance to the Ennis and Clarecastle in the Clare Abbey area. However, I consider that it would be of benefit to include a specific objective in the Plan to carry out improvement works and to give guidance on the type of enhancements that are needed in the area. In this regard, please refer to my recommendation provided for Submission no. 345.

The Environment and Biodiversity

I agree with the point raised in relation to the River Fergus Flood Relief Scheme ensuring that natural flooding takes place in appropriate areas while protecting residential areas as well as the town centre. I am happy that those works which have been completed are under construction and at approval stage will be carried out in compliance with the Planning and Flood Risk Guidelines which ensures a balance is achieved between development and land use together with flood risk protection.

I note the point made in relation to stocking the River Fergus with appropriate fish with licences available as a tourist attraction. The River Fergus forms part of the Lower River Shannon SAC and as such has strict conservation measures in relation to the protection of its designated fish species namely Lamprey and Salmon species. Significant conservation methods are in place on the Fergus to protect these vulnerable stocks and provide opportunity for rivers such as the Fergus to recover. Inland Fisheries Ireland is the statutory body operating under the aegis of the Department of Communications, Energy and Natural Resources established under the Fisheries Act, July 2010. Its principal function is the protection and conservation of the inland fisheries resource. IFI promotes facilities and advises the Minister on the conservation, protection, management, development and improvement of inland fisheries and in particular is committed to the protection of our wild salmon stocks. Until such time as the wild populations of our fish species return to above their Conservation Limit I would not be recommending a stocking programme for the River Fergus.

I note the point raised in relation to extended flood relief works in Clarecastle to enable the creation of a 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 it's 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.

I note the point in relation to Ballyalla Lake and its potential to be developed as an amenity for walks, exploring wildlife and water sports. In this regard the objectives included at CDP5.11, 5.12, 8.13, 9.1 – 9.3 will support any future proposals in relation to Ballyalla lake relating to amenity for walks, exploring wildlife and water sports.

Getting around – Transportation.

I refer to Volume 3 (a), and specifically Section 1.9.1 contained therein which states that it is a strategic aim to support and facilitate improvements to public transport services and infrastructure in the settlement area. In 2013 the Council carried out a study to examine the feasibility of a bus service from Clarecastle to the Gort Road Industrial Estate. The feasibility study showed that there is sufficient demand to make a bus service a viable option. However it should be noted that the feasibility study did not extend to Barefield. The Council's policy is to encourage such a bus service. Further detailed objectives for all forms of public transport will be included in the forthcoming Ennis and Environs Local Area Plan.

Comments regarding Post Office Field are noted. I agree that this site has multipurpose potential in terms of flood relief, wild life, and pedestrian linkages to the town centre. This is elaborated upon further in Volume 3 (a) which accompanies the Draft Plan, and specifically Section 2.14.

I note there is support for road linking the Quin Road to the N85. However TII have advised against this proposal.

Comments regarding the location of the taxi rank are noted and I would agree with the observation that night time ranks need to be located close to where the night time uses are concentrated. I refer to Volume 3 (a) which accompanies the Draft Plan, and specifically Section 1.8 'The Public Realm and Built Environment' which identifies the Riverside at Parnell Street Car Park as being a key area for public realm improvements. This area is also designated an opportunity site (OS7) in Section 2.14 of Volume 3 (a). In this regard, I note that it is necessary to improve universal access to OP7 and also to liaise with relevant stakeholders to identify suitable alternative locations for the taxi ranks in the town in order to progress the enhancement of this area.

Details of cycle lanes will be set out in the forth coming Ennis and Environs Local Area Plan as part of an overall green infrastructure walking and cycling strategy.

Chief Executive's Recommendation

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

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

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

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

- Change zoning along the northern periphery of the Ballymaley Business Park from Light Industry to Commercial. (see also recommendation and associated map in relation to Submission 428).

Ref. 456 AF Engineering on behalf of Brigitte Meehan

Key Words: Ennistymon

Summary of the Issues Raised in the Submission

This submission refers to land owned by the above off the Circular Road in the Ennistymon settlement plan in the West Clare Municipal District. An accompanying map identifies the location of the subject site which is proposed to be zoned "Existing Residential" and "Open Space" in the draft Plan.

The submission requests that the planning authority to rezone the land "Commercial".

The author submits that the site is adjacent to the existing site of the Ennistymon Mart which has recently been approved for a large scale commercial project. In addition, a number of commercial sites around the subject land which is fully serviced by the existing municipal sewerage scheme and mains water.

Chief Executive's Response

I acknowledge the request contained in this submission. In response to the proposal for a Commercial use on these lands I note the site is located in close proximity to the rear of an existing row of houses and is, in places, elevated and visible from the surrounding area. The land in question has limited depth, being only 8 meters wide at its narrowest point, giving limited opportunity to provide an appropriate buffer between future development and both the existing houses to the east and the graveyard to the west. Therefore I do not consider it appropriate to zone these lands for Commercial use.

However, I agree that the zoning on the site does not accurately represent that current land use in the area. There are lands zoned as Existing Residential that would be more accurately zoned as Open Space. I consider it appropriate to amend the zoning map accordingly.

In consideration of this submission I note the Opportunity Site OP1 (Mixed Use Site at the Former Mart) has received planning permission for a retail development and, as it is no longer appropriate to be identified as an Opportunity Site, this should be amended in the settlement statement and map accordingly. I also consider it appropriate to amend the zoning on the site to reflect the current status of the site.

Chief Executive's Recommendation

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

Volume 3(d) Ennistymon Settlement Plan - amend settlement zoning map as follows:

- Amend the zoning to west of Circular Road to ensure existing land uses are accurately reflected (Existing Residential to Open Space)
- OP1 Mixed Use Site at Former Mart – remove Opportunity Site designation and change zoning from Mixed Use to Commercial.

Volume 3(d) Ennistymon Settlement Plan - amend text as follows:

~~OP1 Mixed Use Site at Former Mart~~

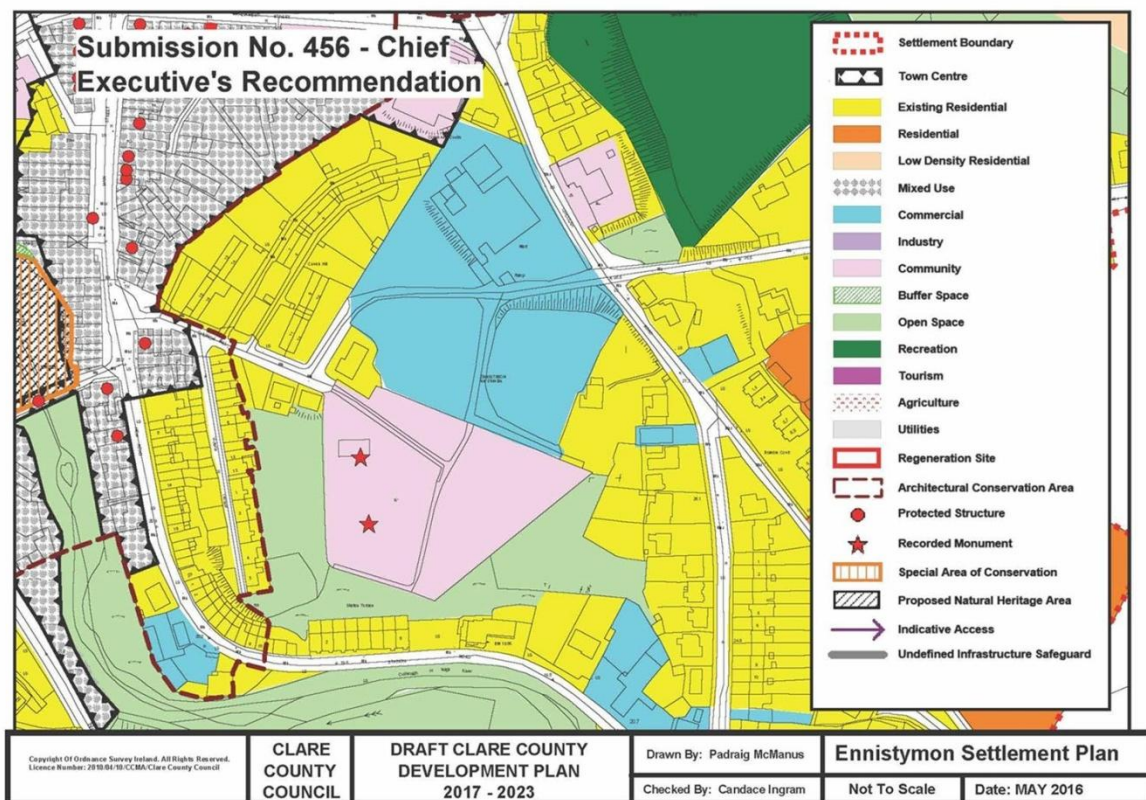
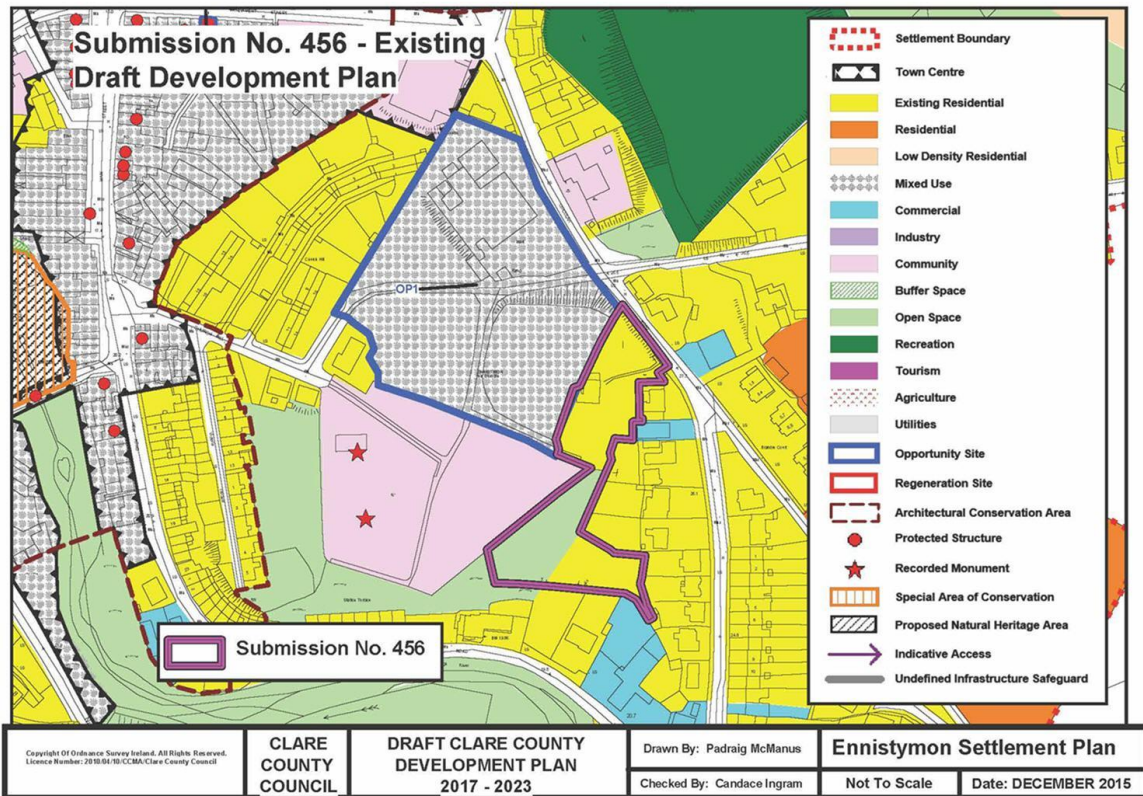
~~The site of the mart offers an opportunity to introduce a mix of retail, commercial, office, tourism and residential uses. The site is bounded to the south by Ennistymon cemetery and an access road intersects the site. The site is situated in an elevated area and the building designs shall have regard to its prominent elevation.~~

Re-number Opportunity Sites as follows:

OP2 OP1 Former Convent Site

OP3 OP2 Former Fitzpatrick's Site

OP4 OP3 Parliament Street



Ref. 457 The Guerin and Mungovan Families

Keywords: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the Guerin and Mungovan families at Ballylannidy, Ennis. The land which is identified on an accompanying map has an area of 10.45 ha which is currently zoned "Residential" and it is proposed to put this land outside the settlement boundary and dezone it in the draft Plan.

The submission requests the planning authority to:

Zone the Plot of land identified as "A", outlined and hatched in blue on the map which accompanied the submission, low density residential in the Plan.

The author submits that his clients' zoned land has been steadily reduced in recent local area plans and the draft Plan proposes to de-zone it completely.

The submission notes that the land is not contained within a Flood Zone, SAC, SPA or NHA and by maintaining this zoned land will pave the way for future sustainable development of quality low density homes within the Woodstock area.

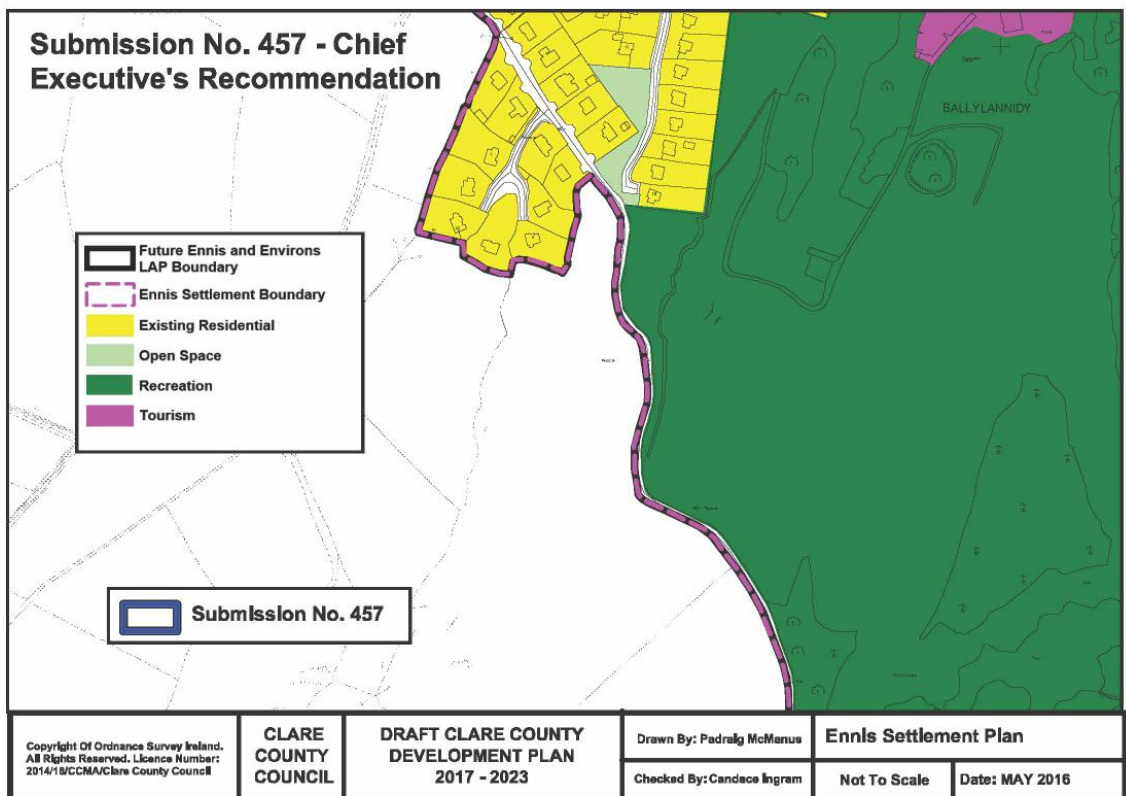
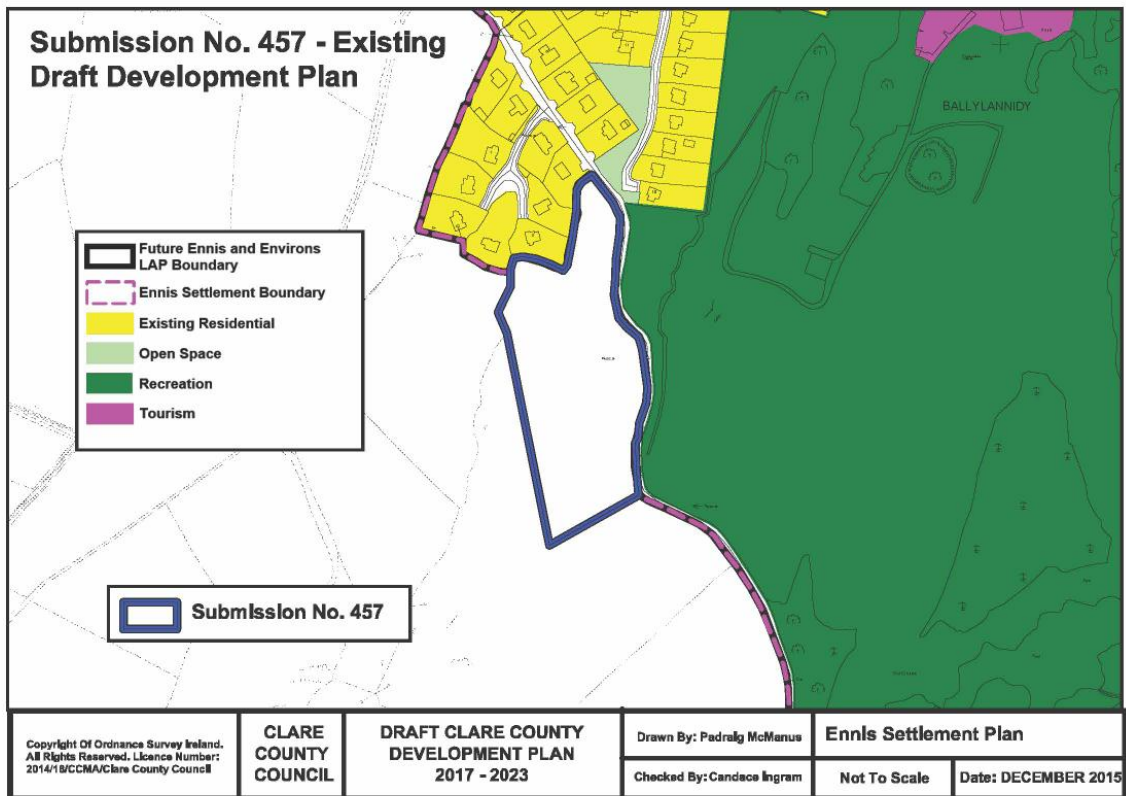
Chief Executive's Response

I wish to thank the Guerin and Mungovan families for their submission. I note the submission refers to the zoning of lands referred to "Plot A" in the submission. This site lies outside the settlement boundary and outside the plan area. I do not consider that there is any planning merit in extending these boundaries to incorporate land for residential purposes in a neighbourhood which is not identified for expansion. Zoning land at this location would be contrary to the guiding principles of sequential growth. 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 AA 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 therefore do not agree with the request to zone this land for low density residential.

Chief Executive's Recommendation

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



Ref. 458 Killaloe Civic Trust

Key Words: Policy, Killaloe

Summary of the Issues Raised in the Submission

The author submits that recent economic stresses have deterred development in Killaloe and as such the town centre has deteriorated with high vacancy rates, derelict and rundown buildings offering limited scope for regeneration.

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

- **Killaloe Regeneration.**
Clarification and detail is sought on the provision for a "Regeneration Site" for Killaloe
- **Economic Development**
The author submits that the Tourism zoned sites in the Plan for Killaloe are long term proposals which are uncertain to be developed in the lifetime of the Plan and requests that a stronger provision for local sustainable economic development is secured and detailed within the Plan.
- **Streetscape**
The author submits that Killaloe Civic Trust would be interested in discussing measures to ensure the many buildings on Main Street which are vacant and dilapidated are retained to an attractive state and offer a solution to increasing rates.
- **Heritage Town**
The author proposes that the Plan takes cognisance of existing historical building within the town core which have potential to be used for community use and tourism product eg vacant Killaloe Courthouse, Brian Boru Centre and ESB building "between the waters" which would align with the Plans' objective of promote enterprise and employment generating development in the town.
- **Clarification**
The author queries mention of "*remains of an ancient Norman castle*" within Killaloe in Volume 3(c) and submits that no such castle is known.
- **Aillbhaun Walkway**
The proposal for the above is welcomed and the author also requests that the recently developed walkway from Killaloe to Two Mile gate which links the town to Brian Boru's fort is acknowledged in the Plan.
- **Bane Field and Tobermurragh Park**
The author welcomes the designation Opportunity Site (OP1) to create a new urban park environment.

Chief Executive's Response

I thank the Civic Trust for their submission the content of which is acknowledged and I reply as follows:

The term "Regeneration Site" relates to sites identified under the Urban Regeneration and Housing Act 2015 and the legend on all town maps carry the reference to such sites. The designation of sites identified for regeneration has been done so that where key buildings and/or sites have a significant impact on the appearance of the town or village and have the potential to invigorate the town and village centre, their renovation facilitated. At this time no sites are identified in Killaloe although in the future suitable site may well be identified.

On Economic Development, Chapter 6, the Draft plan has 26 policies in support of a range of activities over half of which could apply to Killaloe and other small towns. Although I note your comments on the seasonality of tourism, Killaloe can benefit from increasing developments such as the increasing focus on East Clare as referred to in Chapter 9, particularly CDP 9.22. Killaloe has benefitted from the investment and development at Clarisford in recent times. Further investment is planned in Bane Field and Tobermurragh to upgrade the facilities in that end of town. I recognise that very many towns and settlements throughout the country are struggling with vacancy, under used buildings and dereliction. These issues taken with your comments on streetscape and heritage town are relevant to Chapter 16, Towns and Villages.

This chapter states that while towns and villages are the heart of County Clare, the economic decline of recent years has had an effect on all of the towns and villages in the county and, in some cases, has resulted in a reduction in the number of services available, limited employment opportunities and a decline in the quality of the public realm. The strategic aims are relevant to the points you raise particularly with regard to working with local communities. I am mindful of the fact that there are over eighty listed settlements in Clare including seven in the small town's category similar to Killaloe and resources are limited.

Strategic aims of Towns and Villages, Chapter 16.

- To support the renewal of towns and villages in need of economic, social and/or physical regeneration;
- To achieve the beneficial reuse of vacant, derelict or under-utilised sites, particularly identified Opportunity Sites;
- To identify and actively engage in initiatives that will support economic growth and social and physical regeneration in the towns and villages of County Clare;
- To support local communities across the county in their work to enhance their towns and villages;
- To identify physical changes that could enhance the 'sense of place' in our towns and villages.

Having made further enquiry, I note that no vestige now remains of the Norman castle and this reference will be removed from the text.

The walkway from Killaloe to Two Mile Gate is outside the settlement boundary, however, I believe that the County Development Plan Objective 5.12 in relation to Off-Road Walking and Cycling provides the necessary Plan level support for any such proposals in relation to green infrastructure in the East Clare area. In particular part a) which supports the maintenance of existing off-road walking and cycling trails and support the development of new trails in County Clare and g) which seeks to ensure the development of any off-road walking and cycle routes do not negatively impact on any European designated site. Objective 14.27 in relation to Green Infrastructure and in particular part e) promotes working with community groups to access funding for appropriate and beneficial green infrastructure projects including parks, woodlands, sports facilities, green areas, playground/play facilities, river corridors, walkways, cemeteries, churchyards, paths, seating and amenities which would also serve to assist the development of a Lough Derg footpath or other ancillary developments.

The project to develop and enhance Bane Field and Tobermurragh is currently in process. There will be a public consultation phase in due course which will explain the proposals and invite submissions from the stakeholders.

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:

Killaloe. Introduction and Context. Amend the text as follows:

Killaloe and Ballina have been designated as a Heritage Town. Heritage Town status is allocated to towns across Ireland that exhibit unique heritage resources. These towns have a strong physical heritage and will be developed as being representative of the heritage of Ireland. Killaloe and Ballina boast a magnificent arched bridge which joins the two towns. The area is also known to have been home to Brian Boru. Today the towns share a visitor's centre, a Romanesque cathedral and a church ~~and the remains of an ancient Norman castle.~~ although much of the historic streetscape is in Killaloe. The historic importance of the settlements and their surviving features and their attractive location at the southern end of Lough Derg are major visitor attractions.

Ref. 459 Michael Duffy, Chartered Civil Engineer on behalf of Shane Brigdale

Keywords: Ennis

Summary of the Issues Raised in the Submission

Mr. Brigdale is the owner of lands at Kilbreckan, Doora, Ennis to the east the site zoned "COM7", through which he states he has a specific right of way " *at all times and for all purposes on foot and with or without animals or vehicles to pass and repass over the property*" and which he uses daily.

The site proposed as "COM7" 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 remove the proposed "COM7" zoning objective.

The authors' clients submits that this is a very specific rezoning for a particular purpose and notes that a planning decision to grant, which he submits that this rezoning was intended to facilitate, is under appeal to ABP at the time of making this submission. He further submits that the proposed zoning may potentially sterilise his land to the north of the subject site and does not make provision for future uses of his land.

The author further submits that a reasonable approach to any proposed rezoning in this area should look at several important factors before making changes that could have long reaching detrimental impacts as follows:

- Consideration of local flood plains with respect to future potential and in this regard, it is important to acknowledge that there is a conflict between existing flood mapping and CFRAM mapping.
- Acknowledgement of the significant road infrastructure already provided in this location and that any rezoning should be comprehensive and not piecemeal.
- The benefits of this location with respect to relieving traffic pressure on the town of Ennis.
- The need to have a comprehensive plan for this area, particularly the suitable land bounded on the West by the M18 extending from junction 12 northwards to junction 13.
- There is a zone parallel to the motorway which may not be suitable for residential development due to, among other things, noise from passing motorway traffic. This land, including consideration of future access, should be considered in a comprehensive fashion.

Chief Executive's Response

I wish to thank Mr. Brigdale for his submission. I note the submission primarily relates to site COM7 in the Ennis Municipal District Area.

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.

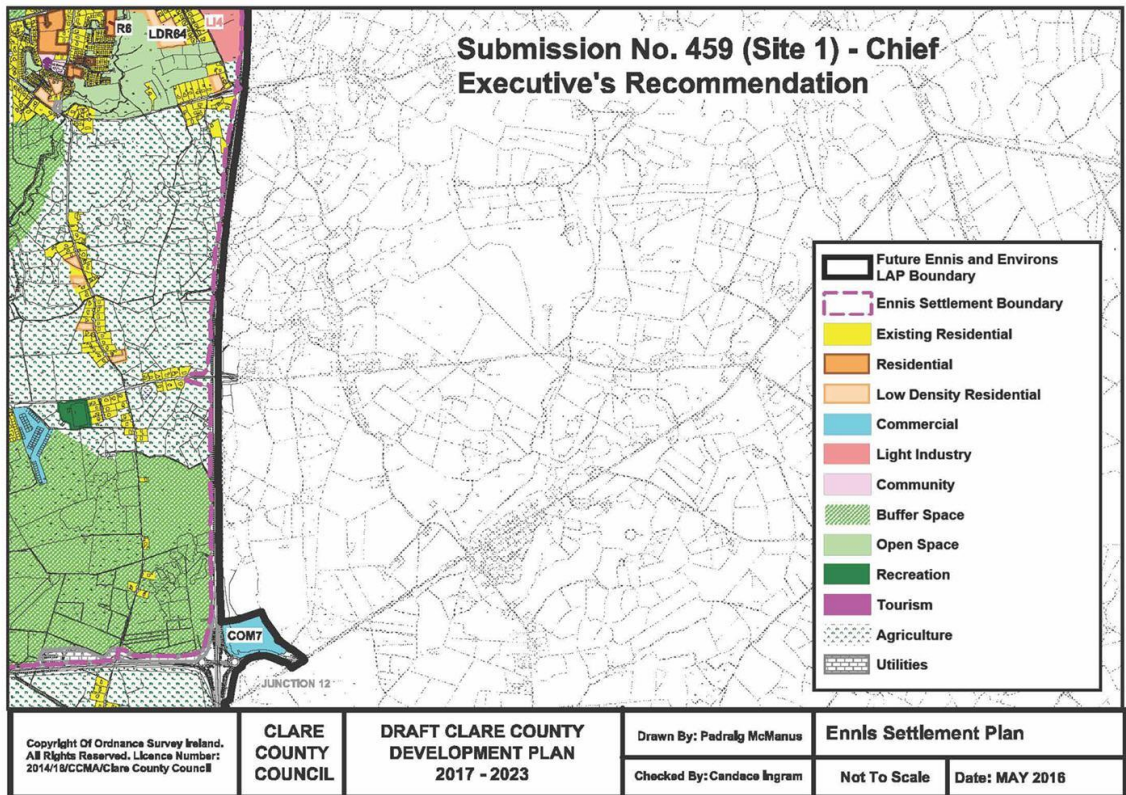
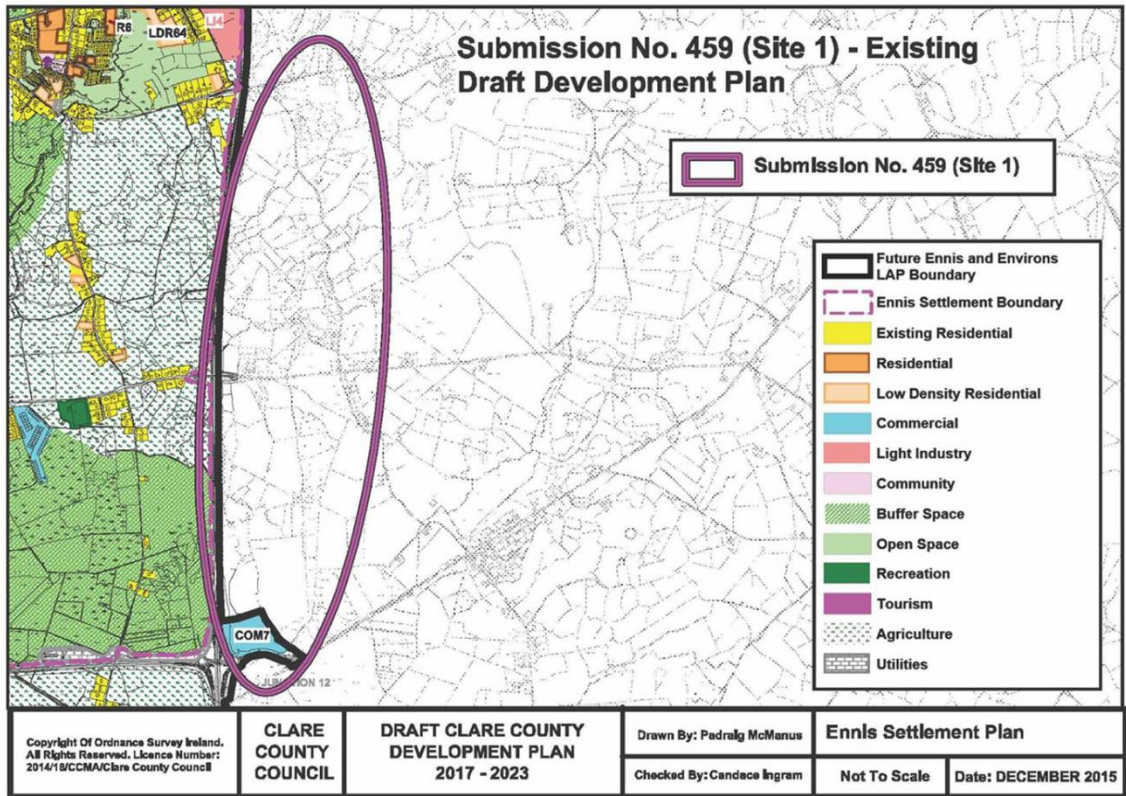
In relation to the zoning at Junction 12, this zoning reflects an existing planning permission that has been granted by Clare County Council (currently being considered by An Bord Pleanála) and as such I consider it appropriate for this zoning to be retained. I also note that a Traffic Impact Assessment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

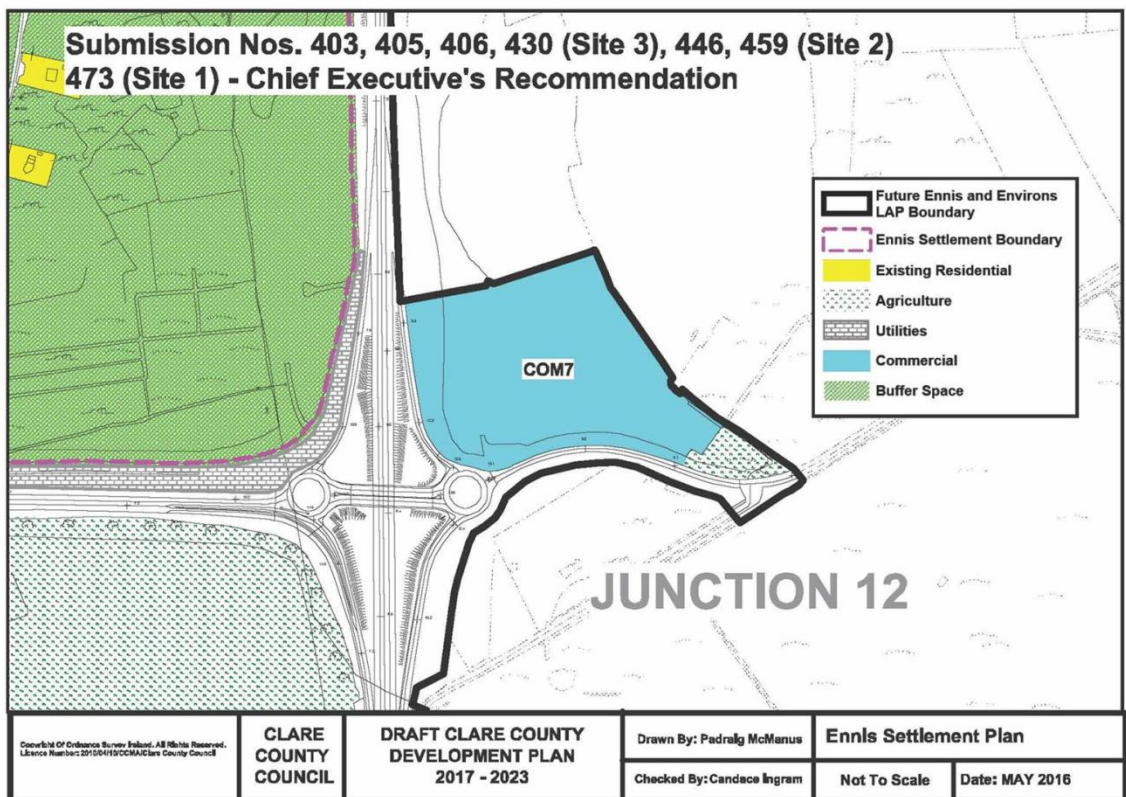
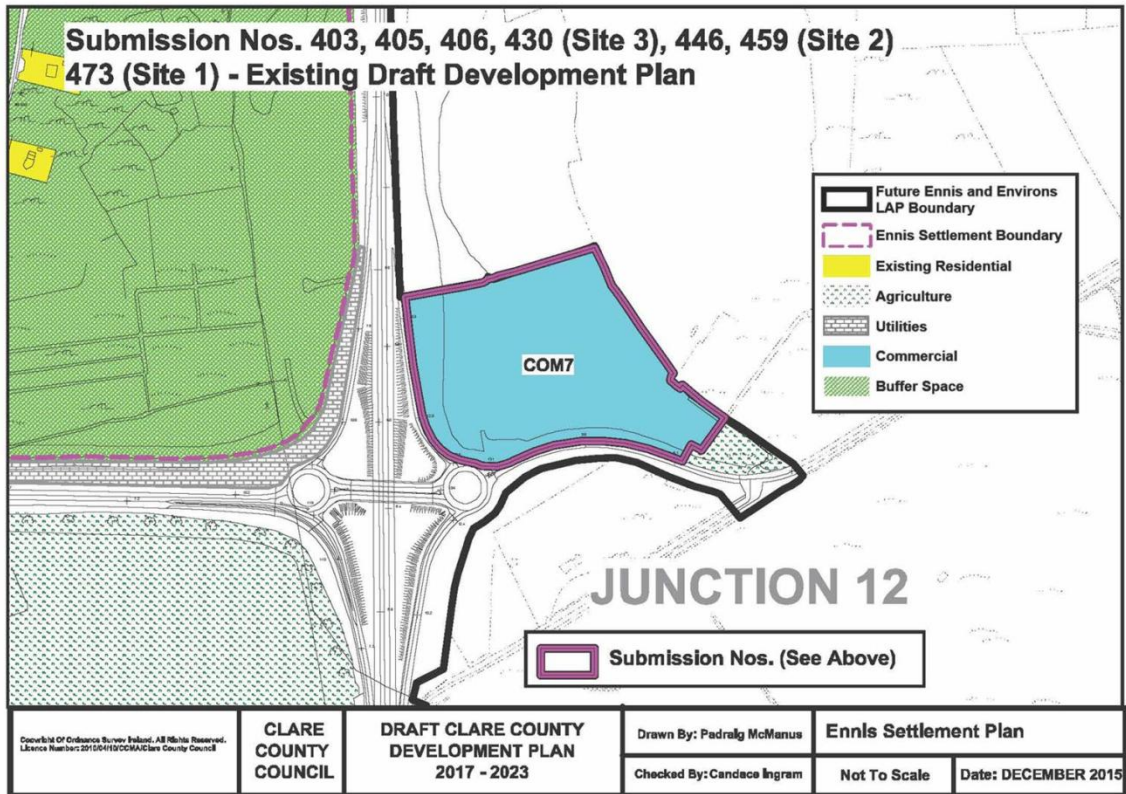
It is important to note that the zoning of Site COM7 does not preclude the consideration of other applications at different locations in the Plan area,

I note the comments that have been made in relation to flooding and in this regard I refer to my recommendation on Submission 010 in which I recommend that the Draft CFRAM maps are integrated into the Strategic Flood Risk Assessment.

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. 460 Mr. Gerard Mungovan

Keywords: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands owned by Mr. Mungovan at Kilquane, Ennis. The land which is identified on an accompanying map has an area of 2.05 ha and while it has been proposed to include this land within a future Ennis and Environs Local Area Plan boundary, the land has been zoned "Agriculture" in the draft Plan.

The submission requests the planning authority to zone the lands as referred to in the submission, and identified on the submitted map as "D" outlined in red, and hatched in blue, as Residential or Low Density Residential.

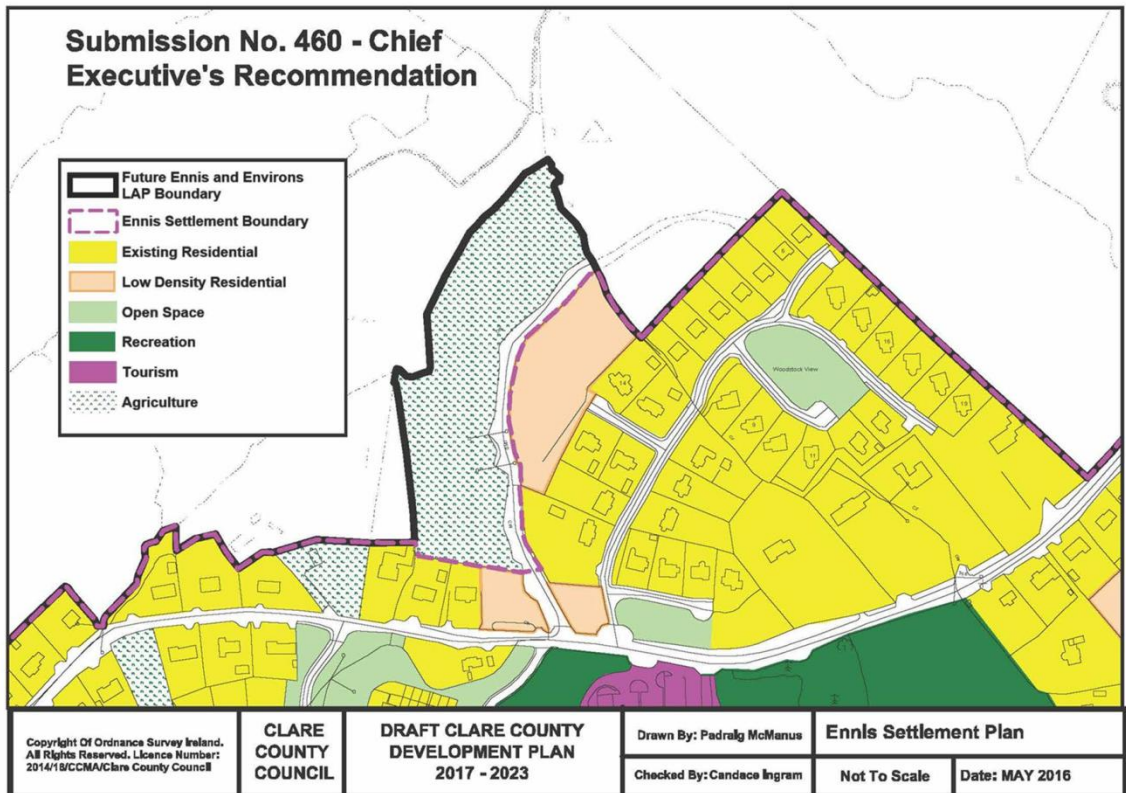
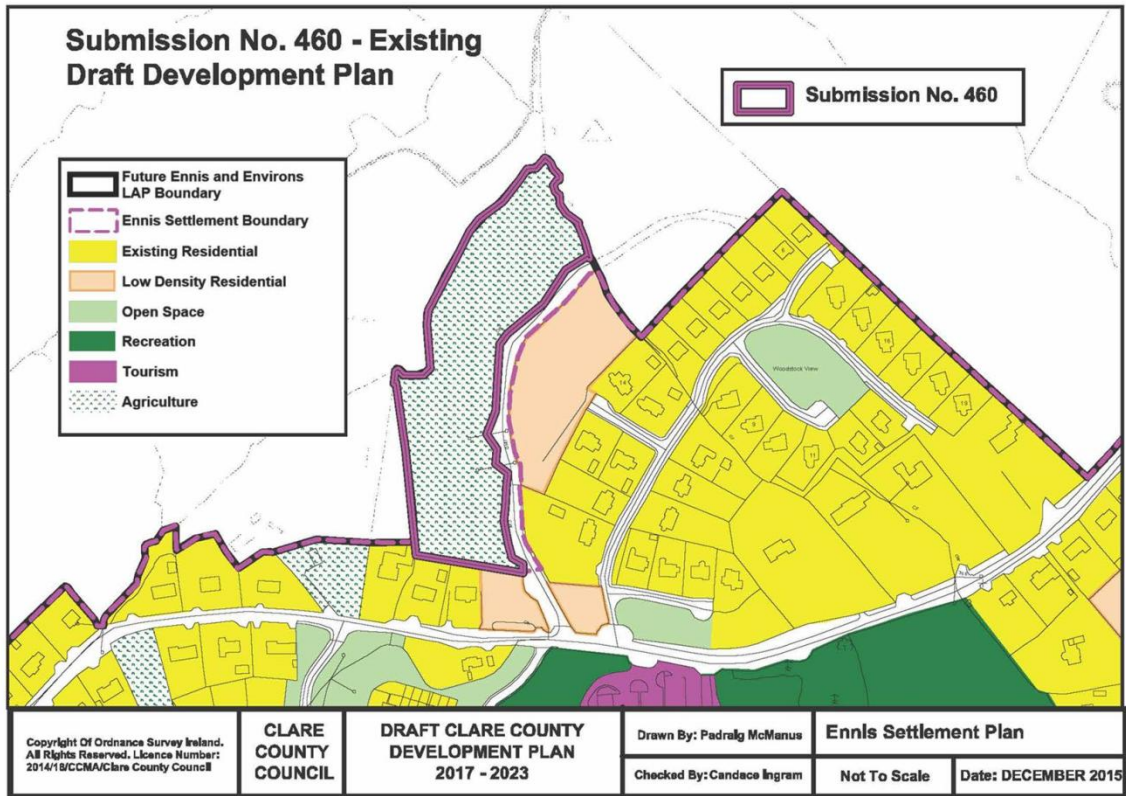
Chief Executive's Response

I wish to thank Mr. Mungovan for his submission.

Plot D, as referred to in the submission, is located outside the defined settlement boundary for Ennis and Environs for the purposes of the subject Plan. Furthermore, the site is located in an area that is not identified for expansion. 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 AA processes and the Water Framework Directive. In addition site specific land use issues were considered. These criteria include availability of services, sequential growth, flood risk assessment, planning history, consolidation or urban form etc. Having regard to the foregoing I do not agree that this land is suitable for 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. 461 John Duggan on behalf of George Whelan

Key Words: Flooding, Kilrush

Summary of the Issues Raised in the Submission

This submission relates to land owned by the above in Shragh, Kilrush in the West Clare Municipal District Plan. The authors' client is of the opinion that the flood risk area indicated in the vicinity of his property is very inaccurate and should be corrected.

Chief Executive's Response

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

In the preparation of the Draft Clare County Development Plan 2017-2023 a Strategic Flood Risk Assessment (Volume 10c) was undertaken for the County which informed its preparation. I have reviewed the site subject of this submission and note that a large portion of the land is shown to be in Flood Zone A and B. The flood extents as shown are based on best available information at the time of preparing this development plan and as such I do not consider an amendment to the flood mapping appropriate at this time.

Chief Executive's Recommendation

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

Ref. 462 Brian Foudy and Associates on behalf of Darwin Trading

Keywords: Ennis

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Ballylannidy, Ennis. The land which is identified on an accompanying map has an area of 1.229 ha, the front part of which is currently zoned "Other Settlement Land" and it is proposed to be partially zoned "Low Density Residential" in the draft Plan.

The submission requests the planning authority to:

Zone Plot B as per the submitted map "Low Density Residential"

Zone Plot C as per the submitted map "Low Density Residential!"

Chief Executive's Response

I wish to thank Darwin Trading Company Ltd. for its submission. My response in relation to the two plots of land as referred to in the submission is set out below:

Plot B –I agree that this site should be zoned low density having regard to its location and the pattern of development in the vicinity, the availability of services. I also note the location of the land in relation to the Drumcliff Protection Zone, that the referred plot of land is not within a Flood Zone and is considered acceptable having regard to the Strategic Environmental Assessment as prepared in respect of this Plan.

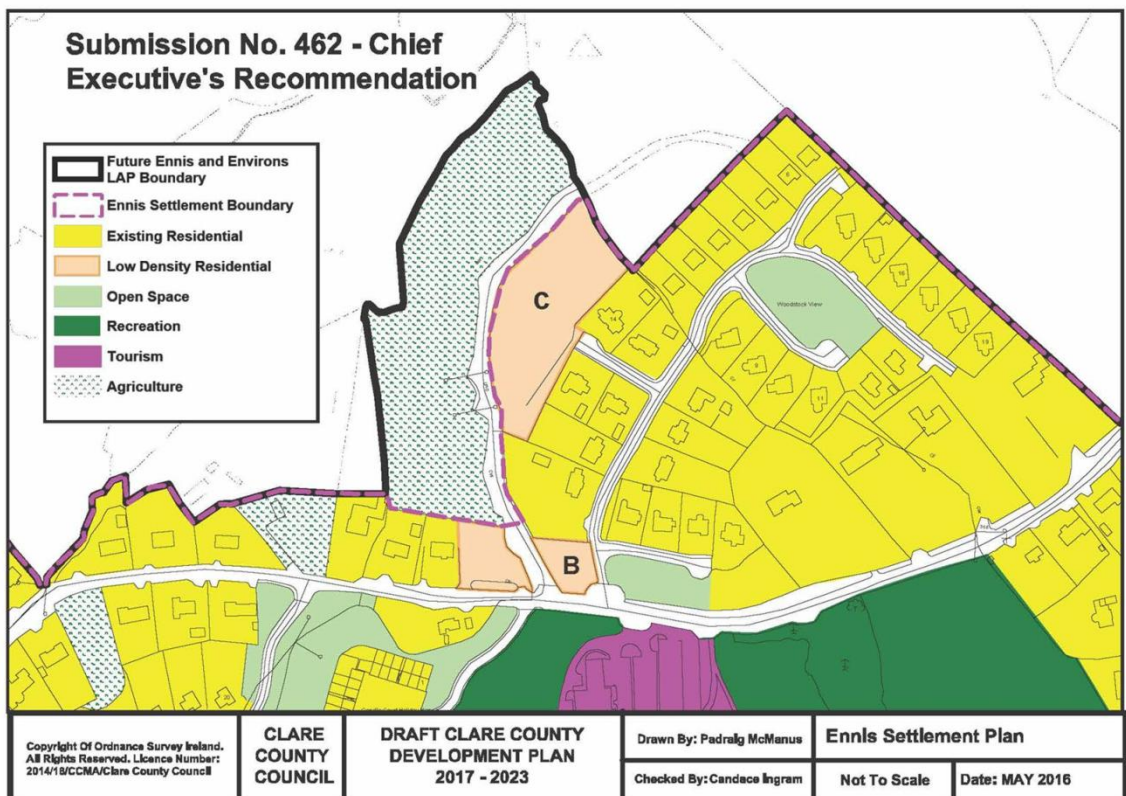
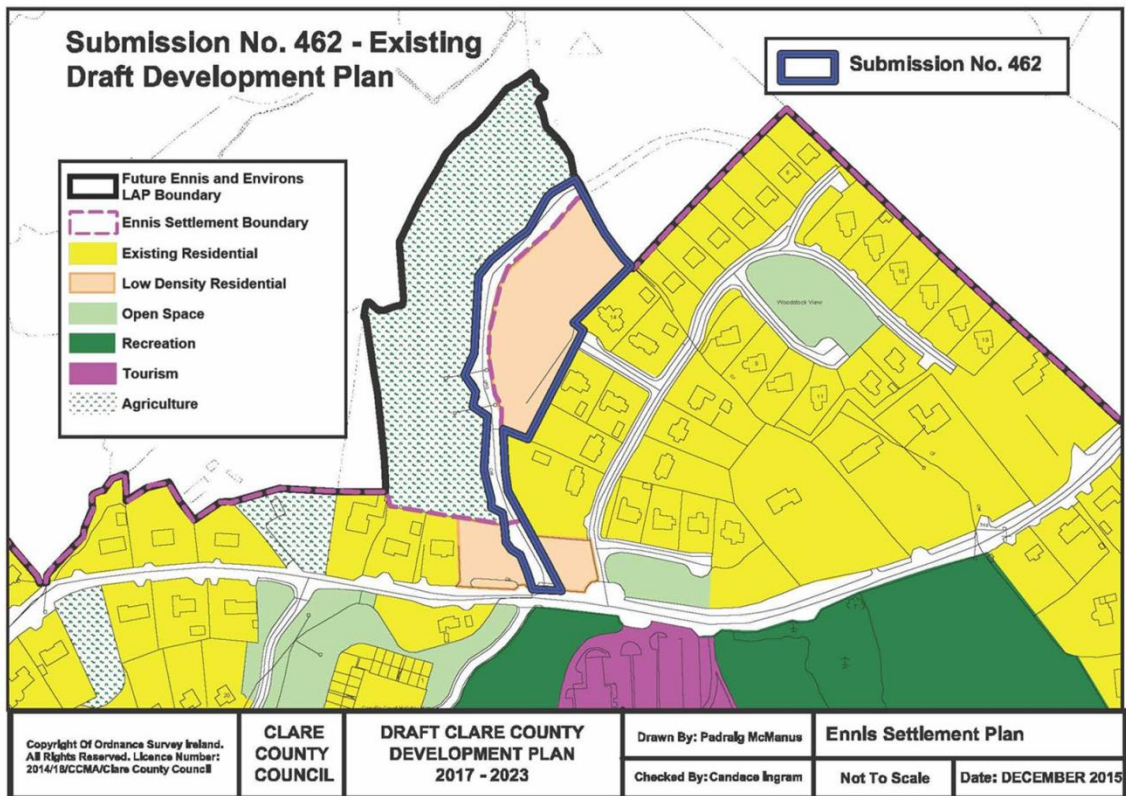
Plot C – Plot C is located within the settlement boundary and is proposed to be zoned low density residential. I note the comments in relation to the availability of services. I also note the location of the land in relation to the Drumcliff Protection Zone, that the referred plot of land is not within a Flood Zone and is considered acceptable having regard to the Strategic Environmental Assessment as prepared in respect of this Plan.

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:

Plot B as per the submitted map – zone Low density residential

Plot C as per the submitted map - zone Low density residential



Ref. 463 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 lands owned by the above at Clare Road, Ennis which are identified on an accompanying map and have an approximate area of 17 acres currently zoned "Retail". It is proposed to zone half of the landholding as commercial as identified by "COM9A" and "COM9B" in the draft Plan, with the remainder proposed as "Open Space".

The submission requests the follow amendments to be made:

- Neighbourhood Centre Objective at Clare/Limerick Road

The authors' client supports this objective and makes an observation in respect of Table 1 and submits that the footnote should be amended to include the green text "*The allocations for the three neighbourhood centres of 1000-1200 sqms should apply to the anchor convenience unit*".

The author has also recommended change to the text below for Site COM9a and 9b Clare Road which he submits would provide greater clarity for both applicant and decision makes in the development management process.

"...1200sq.m net sales area with the possibility of a limited number of other neighbourhood units. A playground shall be provided as part of the development of the neighbourhood centre. A playground should be provided as part of the wider Masterplan for the Com9 lands."

- Zone additional portion lands to the east of the landholding as "Commercial" and remove the split zoning of "COM9A" and "COM9B"

The author refers to Circular PL02/2014 – Clarification of advice contained in the 2009 DECLG Guidelines for Planning Authorities – "The Planning System and Flood Risk Management"

The author submits that the Plan outlined in the Strategic Flood Risk Assessment (Volume 10c) is incorrect and misleading as the east of the site has not been inundated at any time from ground water or overland flows associated with the sink hole at St. Flannans' College. He requests that this plan be removed from the SRFA or a note included clarifying its source and reliability.

The author submits that detailed topographical surveys of the subject lands carried out as part of historic planning applications on the lands confirm that no part of the land holding sits below 4 metres and has submitted a Flood Risk Assessment Report with this submission.

Chief Executive's Response

I wish to thank Mr. Bamford for his submission made on behalf of Michael Lynch Ltd. I wish to respond to the submission in accordance with the headings as above.

- Neighbourhood Centre Objective at Clare/Limerick Road

I note the submission's support in relation to the provision of a neighbourhood centre on the Clare / Limerick Road. I do not consider that the additional text as suggested in the submission is necessary, as the stated net retail floor space may be used for either the anchor convenience unit, and / or ancillary units. Same will be decided during the Development Management process, having regard to the existing retail offer in the vicinity, the impact of such ancillary units on the vitality and viability of the town / village centre, and the Retail Planning Guidelines for Planning Authorities (DoECLG, 2012).

- Zone additional portion lands to the east of the landholding as "Commercial" and remove the split zoning of "COM9A" and "COM9B"

The subject site is located within Flood Zone A, B & C, however there is also a pluvial groundwater risk to the site. Having regard to the draft CFAMS maps, as well as a review of the benefits and residual risks undertaken by Ryan Hanley Consulting Engineers, in November 2014, it is considered that the residual risks to the central area of the site will be somewhat reduced following the implementation of the Ennis South Flood Relief Scheme. However the report concluded that it is unlikely that the proposed flood relief scheme will significantly reduce the flood risk at the low lying depression area in the eastern portion of the site. The division of the overall site into COM 9a and COM 9b is to allow for the development of a neighbourhood centre on the site, within the area identified as COM 9a, while also considering the potential flood risk in the eastern depression area of the site – COM 9b, which may accommodate water compatible uses such as car parking. Therefore I am not in favour of changing the split zoning of COM 9a and COM 9b.

Chief Executive's Recommendation

I recommend that no amendments are made to the zoning of Com 9 (a) and Com 9 (b) as contained in the Draft Clare County Development Plan 2017-2023 on the basis of this submission. However I recommend that the following amendments are made to the text pertaining to Com 9 (a) and Com 9 (b) as contained in Volume 3(a) of the Draft County Development Plan:

Sites COM9(a) and COM9(b) Tobartescain

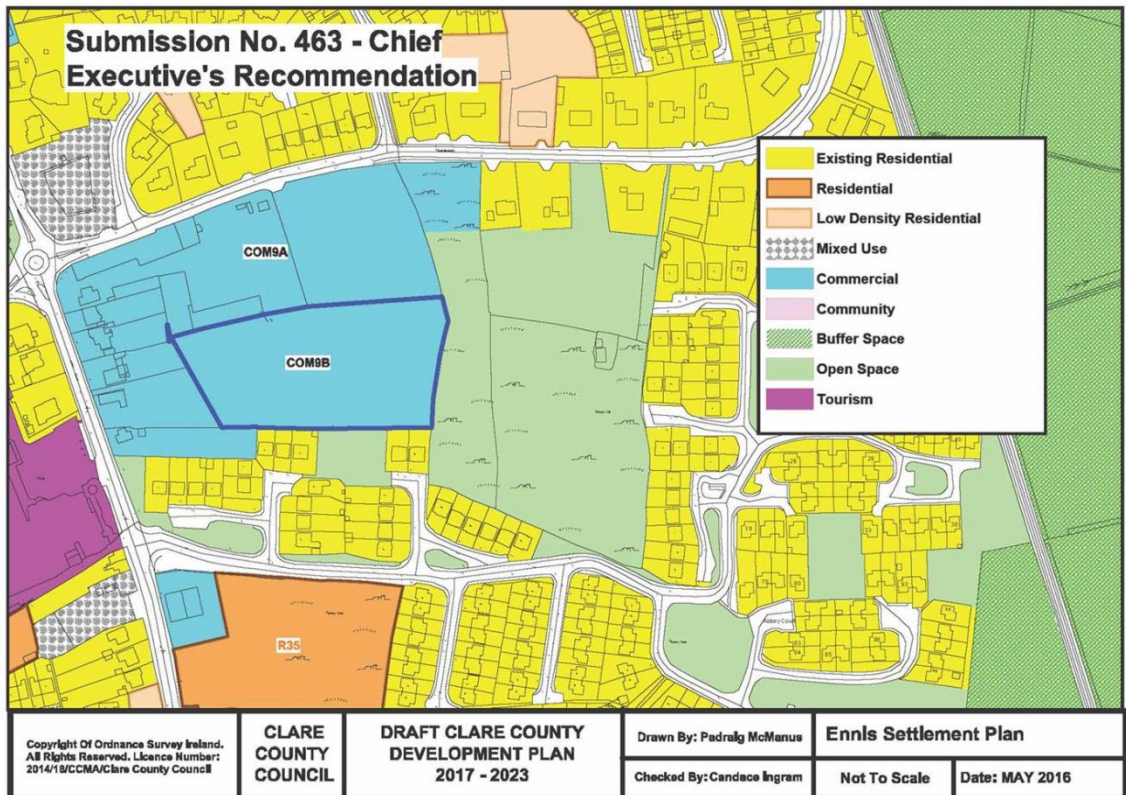
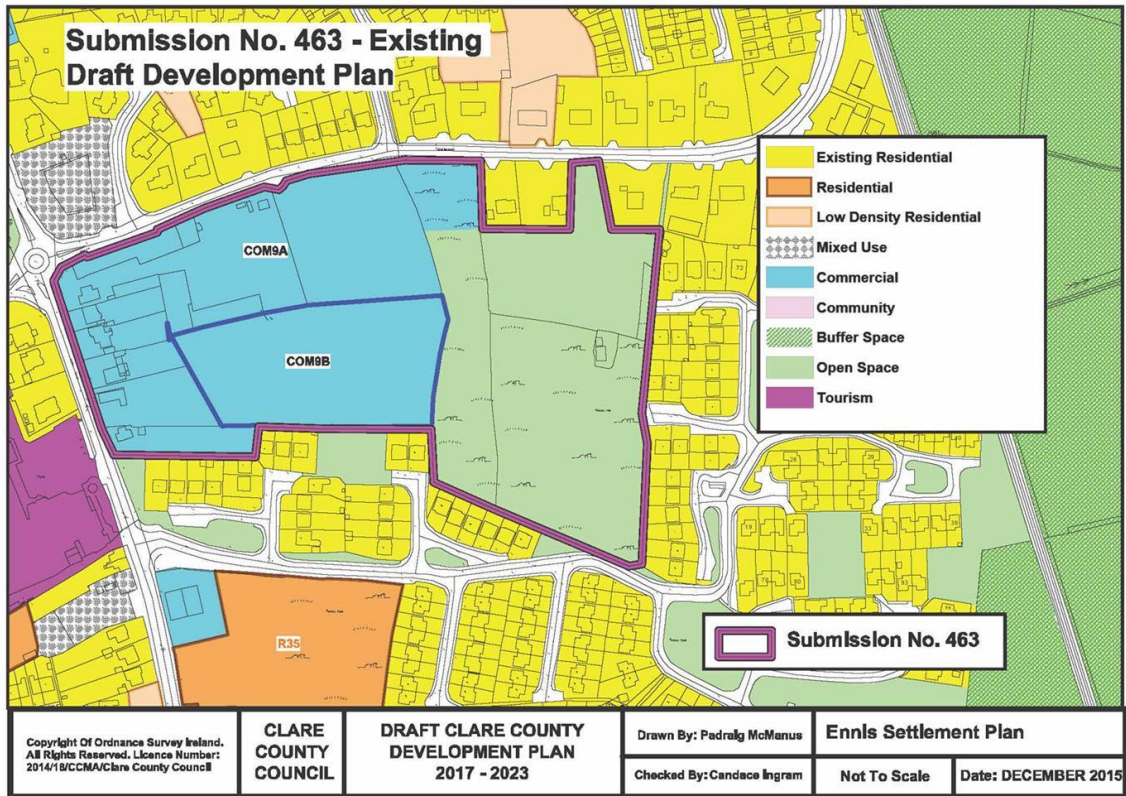
This site has the potential to accommodate a neighbourhood centre to serve local residents in the Clonroad More area. Development proposals for a neighbourhood centre on this site must be accompanied by proposals for complementary community uses including a neighbourhood playground to be provided as part of the overall development. **The proposed playground must be of a high quality design, cater for a variety of age groups, and be easily accessible by pedestrians and cyclists. Additionally, the neighbourhood centre must contain a landmark building; incorporate a high quality of design, which respects the set back / existing building line as established along the Limerick Road. A single access to the overall Com 9 (a) and Com 9 (b) site shall be provided.**

Future development on this site must have regard to the findings of the Strategic Flood Risk Assessment in Volume 10 of this Plan. Retail and community uses shall be located on Site COM9(a) with water-compatible uses such as car parking located on Site COM9(b).

The landscaping and positioning of buildings on COM9(a) must maintain the flow route from the road to the South Central Area (as identified on the maps contained in the SFRA). Development of the road frontage at the north of the site may be possible subject to a site specific flood risk assessment being carried out. The finished floor levels of buildings on this site must be a minimum of 300mm above ground level to prevent egress of water. Floor levels should also be raised above the level of the overflow spill between the Southern Central Area and the Eastern Area (SFRA Volume 10).

Site COM9(b) is only suitable for water-compatible uses and, should the site be developed, ground levels must be retained at present levels and only permeable surface treatments will be permitted.

Woody vegetation on the perimeter of the site should be retained and a buffer zone identified to protect this vegetation that remains unlit. All applications for development on this site must demonstrate that there will be no increase in ambient light levels beyond the perimeter of the development footprint (via a light spill modelling study). Any scrub habitats loss must be offset by additional landscape planting to ensure no net loss of woody vegetation.



Ref. 464 Rita McInerney

Key Words: Policy, Doonbeg, Access and Movement, Retail, Wind Energy

Summary of the Issues Raised in the Submission

This submission addresses a number of issues, most of which relate to the West Clare area:

Section 8.2.3.3 Access onto National Roads

In relation to lightly-trafficked sections of National Secondary Routes, it is submitted that this designation which is already applied to the N67 between Doonbeg and Kilkee, should be extended as far as the junction with the Creegh Road (R484).

Chapter 7 Retail

It is requested that Clusters be included in retail objective CDP7.4.6 Small Villages. Currently the plan does not have an objective for retail development in Clusters as they do not fall into either the Small Villages of the Countryside designations in the Retail Hierarchy.

Wild Atlantic Way

The development plan should include an objective for the provision of facilities to service the needs of users of the WAW in key locations such as designated Discovery Points.

Cluster Boundaries

The Plan should encompass the full natural boundary of a site. It is submitted that it does not make sense to draw a line in the middle of a site. In the case of the Mountrivers Cluster it is requested that the boundary be extended towards Doonbeg on the north side of the N67 to encompass the full natural boundary.

Speed Limits

A 60kmph speed should be introduced in clusters where there are significant road hazards such as dangerous bends or bridges, as is the case in Mountrivers, to avoid further accidents and road deaths.

Wind Energy

Volume 5 of the Plan identifies Doonmore as an area to accommodate a medium wind farm of 7-11 turbines. Planning permission has already been granted for 13 turbines, already in excess of the medium wind farm designation. It is submitted that no further wind farms should be permitted in this area. The support this request the submission sets out extracts from An Bord Pleanála reports in relation to previous applications for wind farm developments in the area.

Chief Executive's Response

I thank Ms. McInerney for her submission and I would like to comment on the issues raised therein as follows:

Section 8.2.3.3 Access onto National Roads

If the Council wish to identify areas where a less restrictive approach can be applied to access onto a National Secondary Road there are certain criteria that must be met. The identification of areas where a less restrictive approach can be applied must be done in compliance with Section 2.6 of the *Spatial Planning and National Roads Guidelines 2012* e.g. the traffic count must be low and forecast to remain below 3,000 AADT for the next 20 years and TII must be fully consulted and their submissions taken into account. The Council, with the agreement of TII, have identified all areas in the county that meet the necessary criteria for a less restrictive access policy. It is not

possible to identify other areas, which do not meet the necessary criteria, the list of less restrictive areas.

Chapter 7 Retail

In relation to retail developments in clusters, I note that small-scale retail services operate in a number of clusters in the Plan area and act as a focal point in the local community. However, while the development plan supports established uses and reasonable improvements/extensions to existing premises, generally it is not envisaged that clusters will perform a retail function. I consider that such activities are more appropriate to towns and villages in the county.

Retail uses in rural area are supported in the Plan only where the proposed use is located on a farm and is ancillary to agricultural uses on the holding.

Having regard to the above I do not consider it appropriate to make provision for new retail activity in clusters in the Draft Clare County Development Plan 2017-2023.

Wild Atlantic Way

I agree with Ms. McInerney about the importance of ensuring that the needs of visitors to the Wild Atlantic Way are fully met. However it is also important to note that many Signature Points and Discovery Points are identified because of their unspoilt nature and it is not always appropriate to develop services directly at these locations. In response to this Objective CDP9.3.5 accommodates the improvement and expansion of tourist services and amenities at the WAW Signature Points and Discovery Points in County Clare. It also aims to provide improved information on local services, amenities and activities to ensure that rural businesses benefit from increased visitor numbers. I am satisfied that these existing objectives respond to the issue raised in this submission.

Cluster Boundaries

I note the issue raised in relation to cluster boundaries and, wherever possible, the Council endeavour to follow natural boundaries when agreeing the boundary of a settlement. However, other key issues must also be considered such as flood risk, the achievement of safe access to lands etc. In the case of Mountrivers, I note that the settlement boundary in question follows the site boundary of an existing dwelling house, which is the outermost dwelling in the cluster.

Speed Limits

Speed limits around County Clare are subject to periodic review. Alterations to speed limits must be addressed through this review process and cannot be dealt with through the development plan process.

Wind Energy

I note the concerns that are raised in this submission in relation to wind energy developments and the request that no further turbines be granted in the Doonmore area. The adopted Wind Energy Strategy identifies areas for wind energy development across the county and the Council, in the draft County Development Plan, have committed to review the Wind Energy Strategy during the lifetime of the Plan. Department of Environment Circular 20-13 precludes the local authority from review/making amendments to the Strategy at this time. However, through the development management process, the Council will work to ensure that there is no over-concentration of wind farm development in any one part 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. 465 Michael Duffy on behalf of Patrick and Eilís Blake

Key Words: Liscannor, Access and Movement, Physical Infrastructure

Summary of the Issues Raised in the Submission

The owners are residents of Liscannor and have been involved with the provision of tourism services locally for many decades. They wish to address the need to get tourists to spend more time locally, preferably based in Liscannor Village and submit that there is a requirement for the provision of serviced stands for touring caravans and motor homes as well as a demand for the provision of camping and glamping services.

This submission requests that the Planning Authority rezone land currently zoned Agricultural within the village boundary to "Tourism" or Low Density Residential" or "Opportunity Site" with a view to the owners providing caravan, camping and glamping park for touring caravans, motorhomes and campers.

The author submits that there is a distinct lack of serviced parks for mobile short stay tourists in North Clare and that existing providers tend to cater for customers with quasi permanent mobile homes. It is the land owners intention when circumstances are appropriate, to seek planning permission to provide this much sought after service for tourists.

He further submits that the land is well located for such a service as there is appropriate road access from the main road and also a separate direct pedestrian access to the core of the village. The surrounding lands along the access route are already zoned for tourism uses.

The remainder of the submission contains extracts from the draft Plan which supports the proposed development.

A letter of support from the Irish Motor Caravanners Club has also been submitted.

Chief Executive's Response

I thank Mr. Duffy for this submission made on behalf of Patrick and Eilís Blake and I would like to comment on the request contained therein as follows:

I recognise that growth in the touring caravan and campervan market in recent years and also the importance of providing appropriate facilities to ensure that County Clare continues to provide a quality tourism product to all visitors. An increase in the provision of such facilities is desirable and Liscannor, as an established tourism destination, has the potential to accommodate a development of this nature.

The site in question is currently zoned for 'Agriculture' and 'Low Density Residential'. Having regard to the location of the site within the settlement boundary of Liscannor, the linkages that can be provided to the town centre and the need for further facilities for touring vehicles throughout the county. I consider it appropriate to zone the subject site for tourism use.

Chief Executive's Recommendation

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

Volume 3(d) – Liscannor Settlement Plan

Amend the zoning map for Liscannor to show the subject site zoned for Tourism use. I further recommend that new text be added to the Liscannor Settlement Plan to read:

Site TQU5

The subject site has been zoned for tourism use to accommodate the development of a camping and/or glamping site and facilities for campervans and touring caravans. The use of the site for the

development of holiday home or permanent mobile home bays shall not be permitted. Direct pedestrian linkage to Holland Drive must be provided as part of any future development on the site.

The zoning of this site for the development of a camping and campervan site does not prohibit a development of the same nature from locating at an alternative suitable site in the town

Ref. 466 Brian Foudy on behalf of Jack O'Neill

Key Words: Lisdoonvarna

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Gowlan, Lisdoonvarna. The land, which is identified on an accompanying map, currently lies outside the Lisdoonvarna settlement plan and is open countryside.

The submission requests that the planning authority zone the subject land "Low Density Residential"

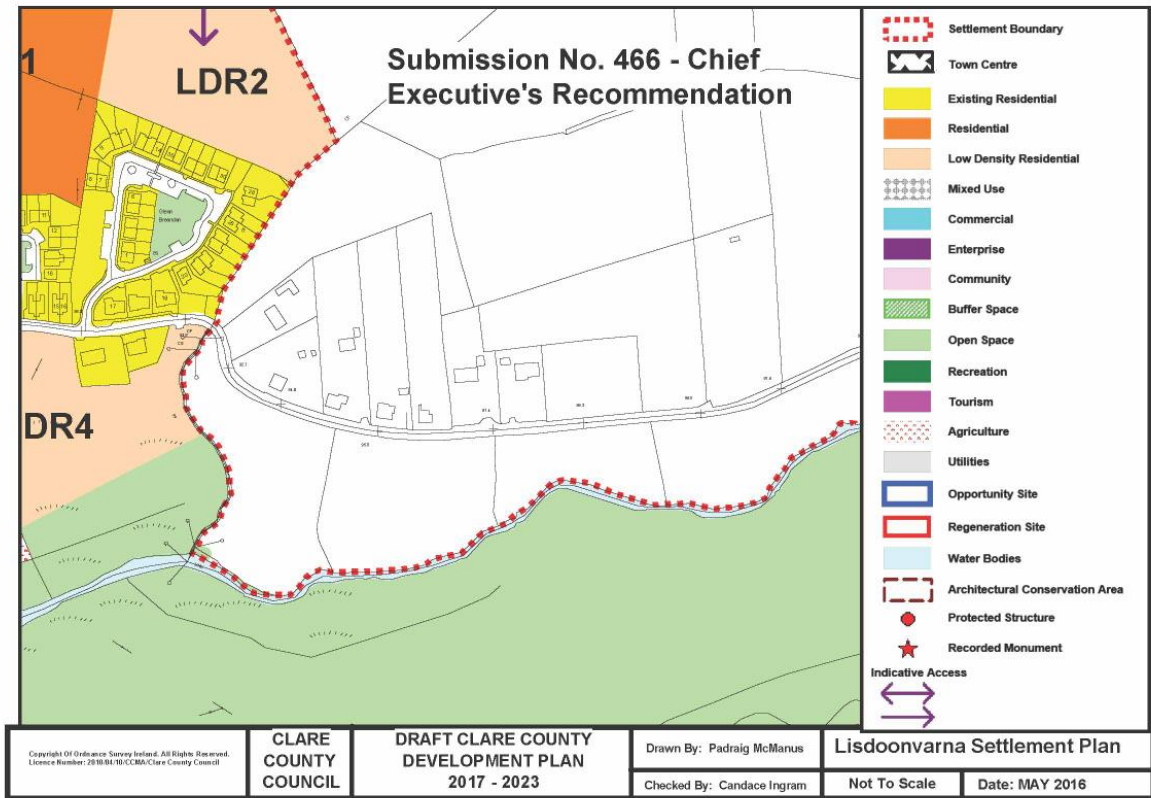
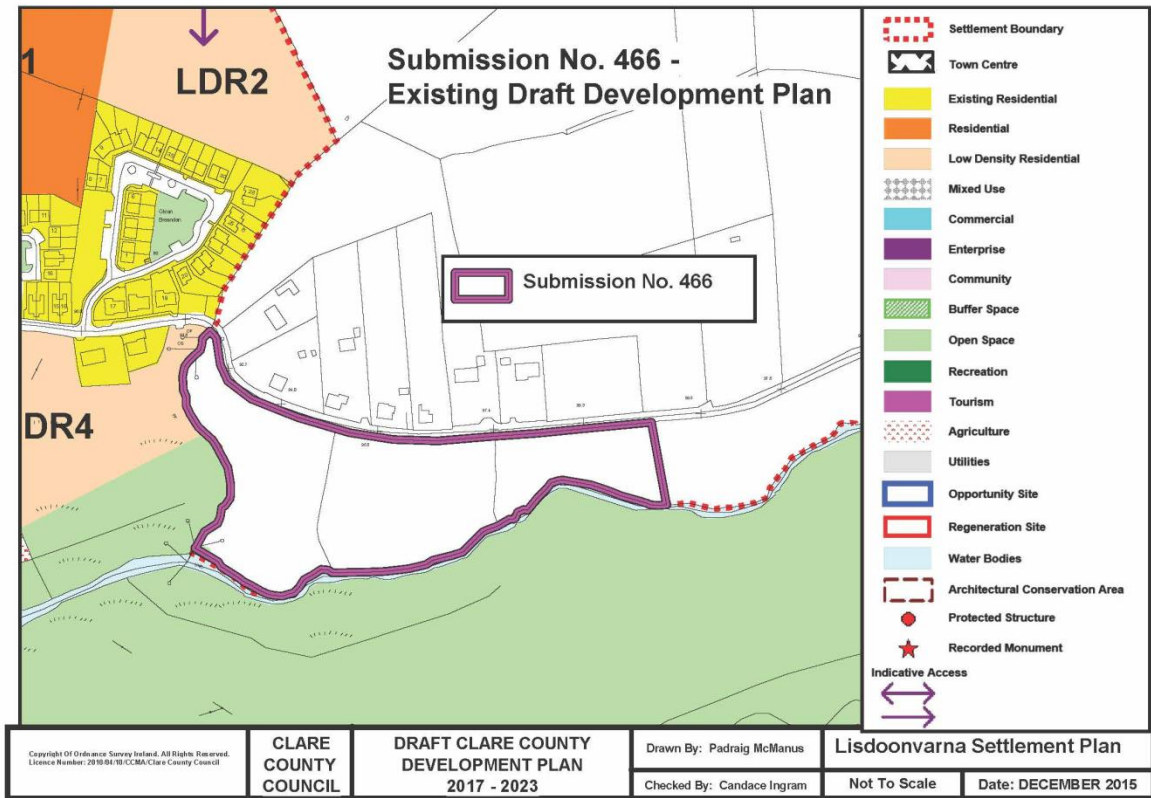
Chief Executive's Response

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

The subject site is on the east side of the settlement and stretches for 350m along a local road outside of the current settlement boundary. Having regard to the area of residential land required to meet future population growth in Lisdoonvarna (as set out in the Core Strategy), the location of the site on the periphery of the settlement and the location of a large portion of the subject site in Flood Zone A, I do not consider it necessary or appropriate to zone these lands for development at this time.

Chief Executive's Recommendation

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



Ref. 467 Michelle and Patricia Hanley

Key Words: Liscannor, Policy

Summary of the Issues Raised in the Submission

The authors advise that they are currently setting up a craft shop called "Whatknot" in Liscannor, that focuses heavily on the best of local and national crafts and artisan foods and that genuinely reflects outstanding natural heritage, culture, music and traditions. They wish for their space to give an artistic and cultural outlet to the locals and visitors alike.

This submission requests clarification on the intended development of "OP1" former Tides Restaurant and "LDR1" and "LDR3".

Chief Executive's Response

I would like to thank Michelle and Patricia Hanley for their submission and I would like to comment as follows:

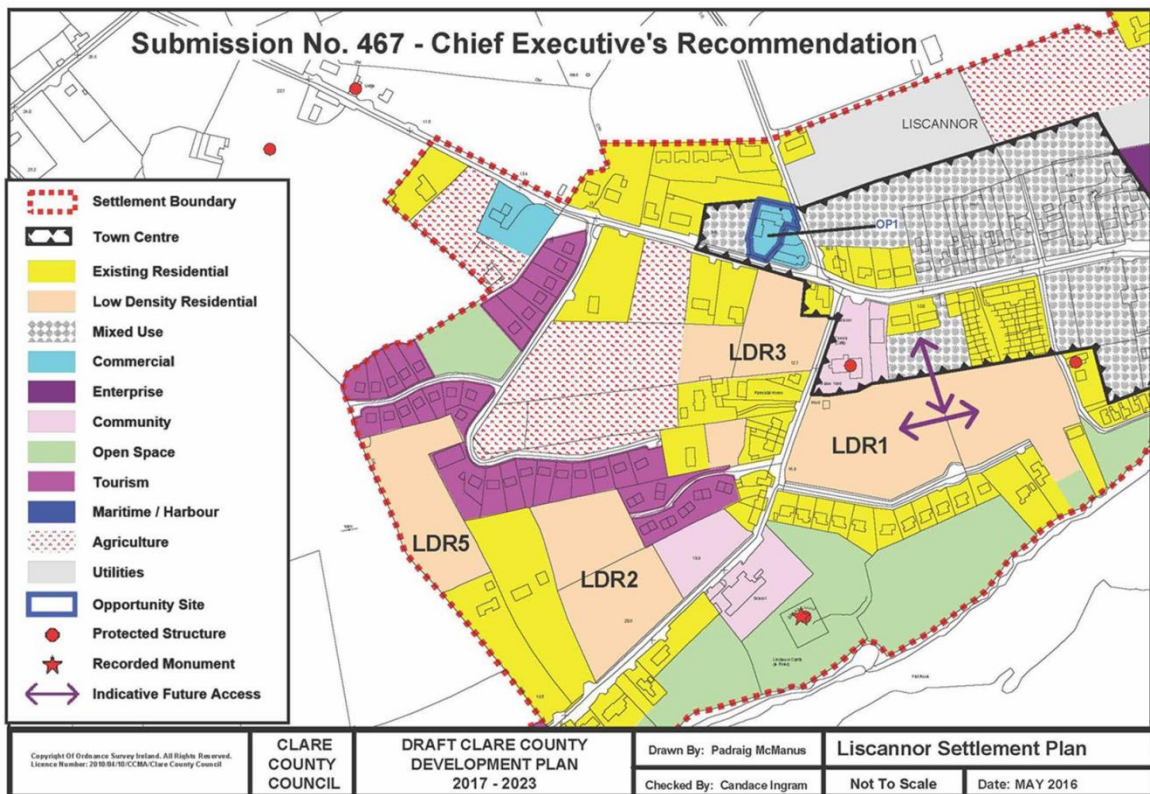
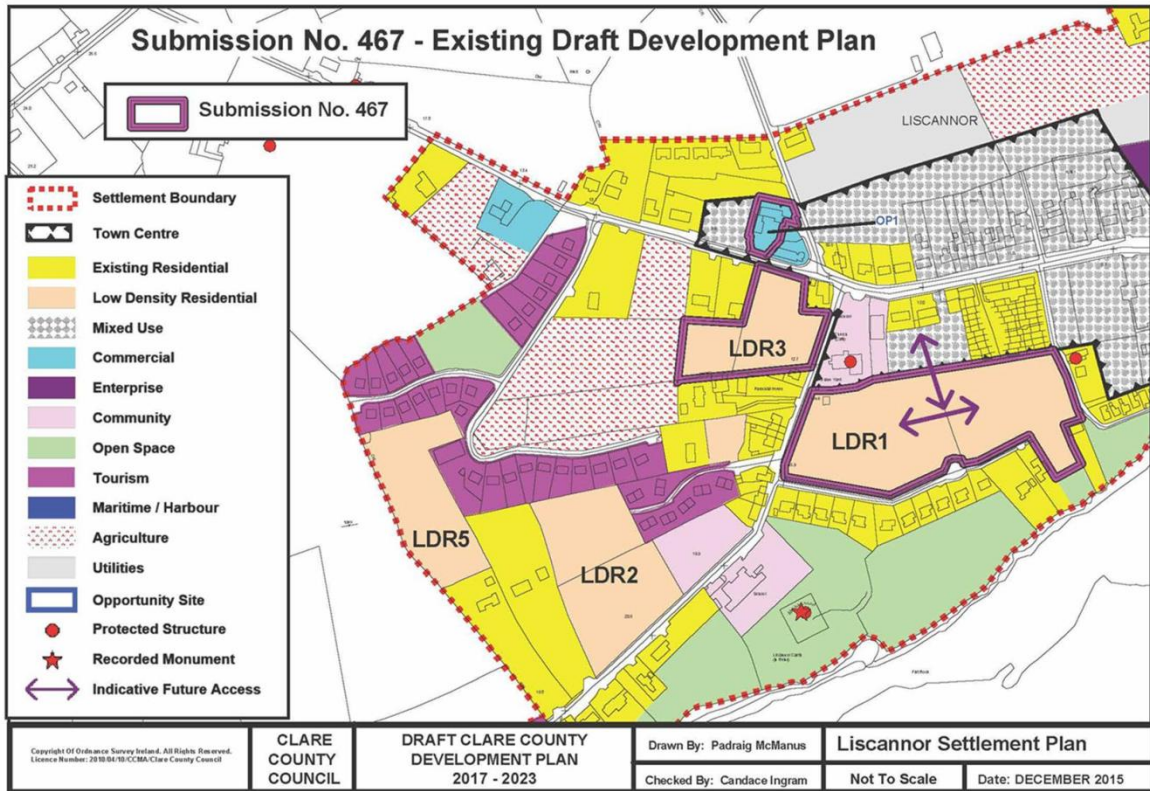
Site OP1 is a key site in the centre of the village and it is hoped that this site will have a successful commercial or tourism/cultural use in the future. Its prominent location in the village and on the route of the Wild Atlantic Way is highly beneficial and it is hoped that this site will reach its full potential in the coming years.

Site LDR1 and LDR3 are zoned for low density residential development. LDR1 is close to important community services such as the school and church and therefore has been identified as a suitable location for housing for permanent occupancy. LDR is also zoned for the development of low density housing.

Given that the authors have indicated that they intend to open a business in the Liscannor area, staff from the Planning office have contacted the Hanleys to discuss their proposal and to clarify the zoning on the site. I have also referred this submission to the Local Enterprise Office so they can offer relevant training and mentoring in relation to this business.

Chief Executive's Recommendation

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



Ref. 468 Brian Foudy on behalf of Jack O'Neill

Key Words: Ballyvaughan

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Loughrask, Ballyvaughan. The land which is identified on an accompanying map currently lies outside the Ballyvaughan settlement area and is located within open countryside.

The submission requests that the Planning Authority zone the subject lands for low Density Residential use.

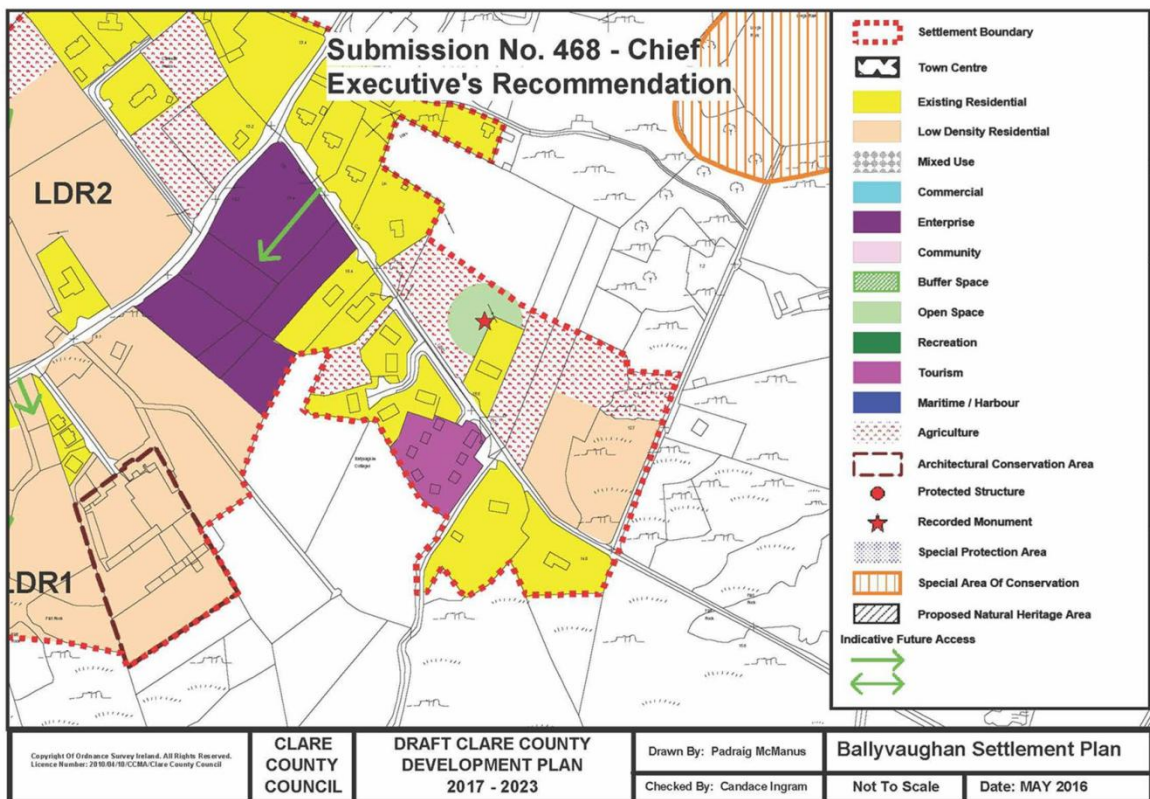
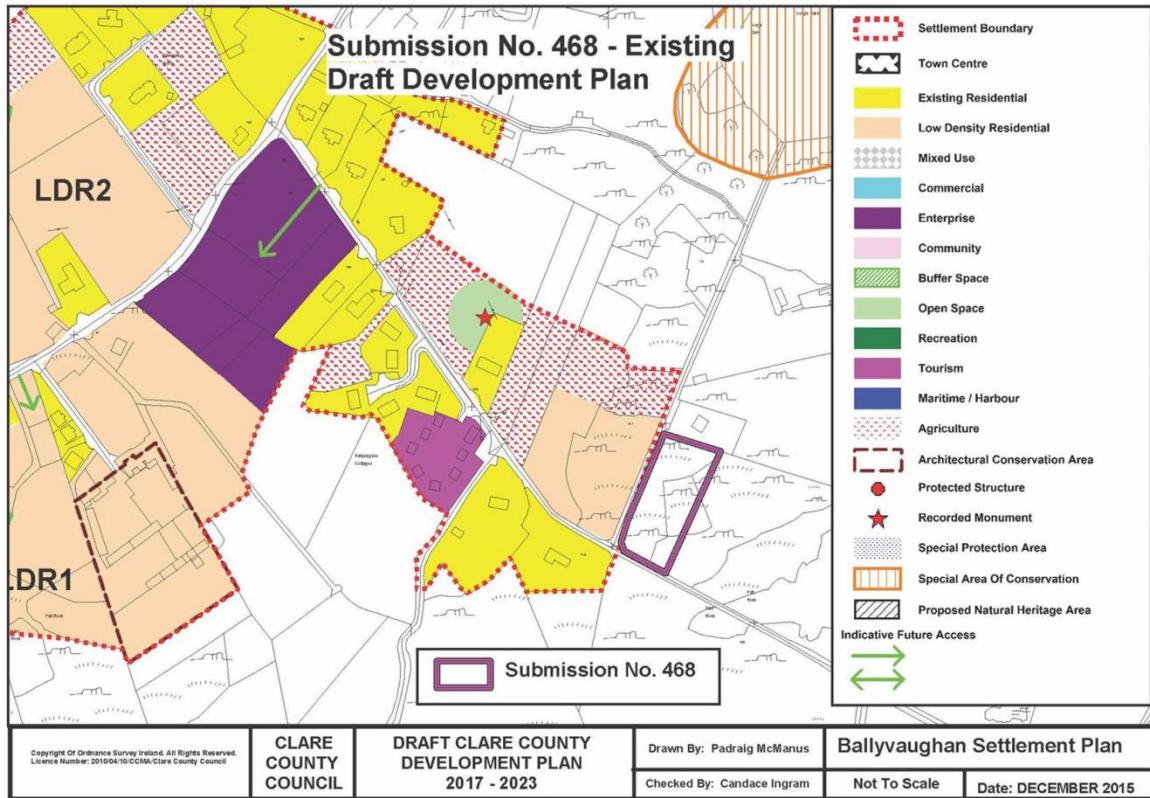
Chief Executive's Response

I thank Mr. Foudy this submission made on behalf of Jack O'Neill and I would like to respond to his request as follows:

The subject site is located in the Lough Rask area, on the eastern periphery and outside of the defined settlement. Having regard to the required amount of residential land in the village of Ballyvaughan, as set out in the Core Strategy, the location of the site on the edge of the settlement and the availability of a large amount of land for residential development closer to the centre of the village and its associated services, I do not consider it appropriate or necessary to zone land in the location for residential development.

Chief Executive's Recommendation

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



Ref. 469 Rob and Susie McEvoy

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 Rob and Susie McEvoy 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

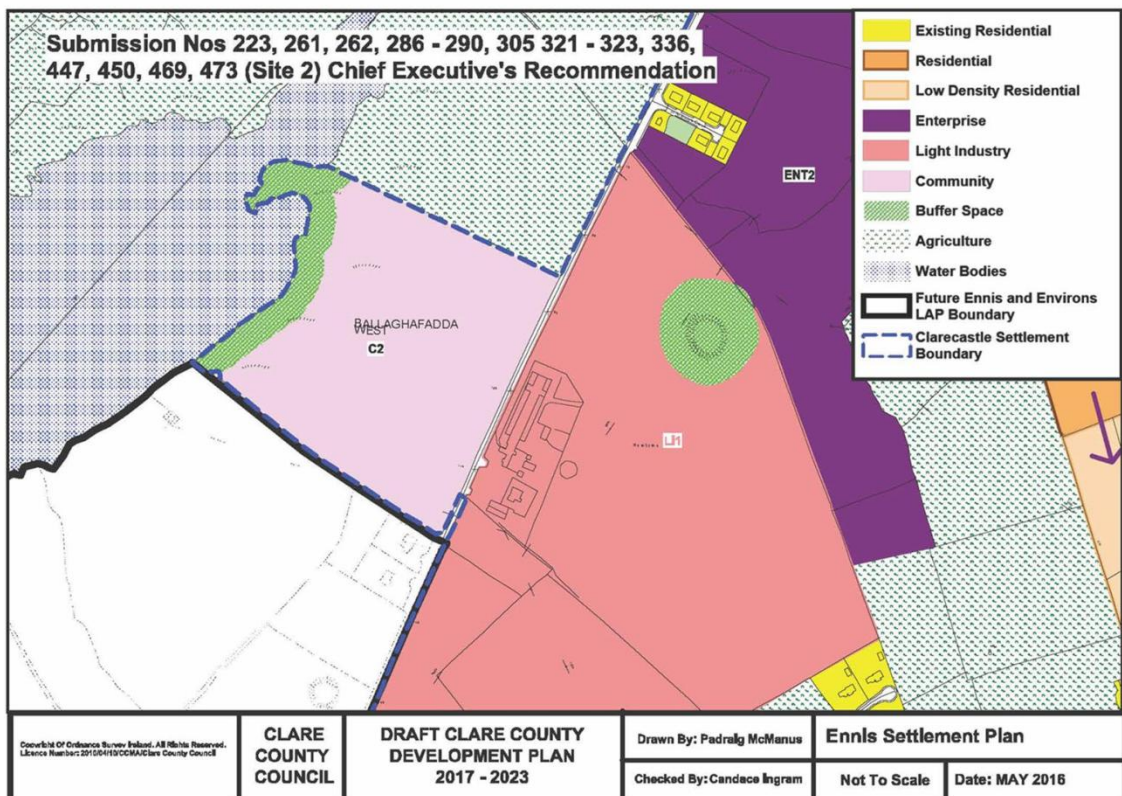
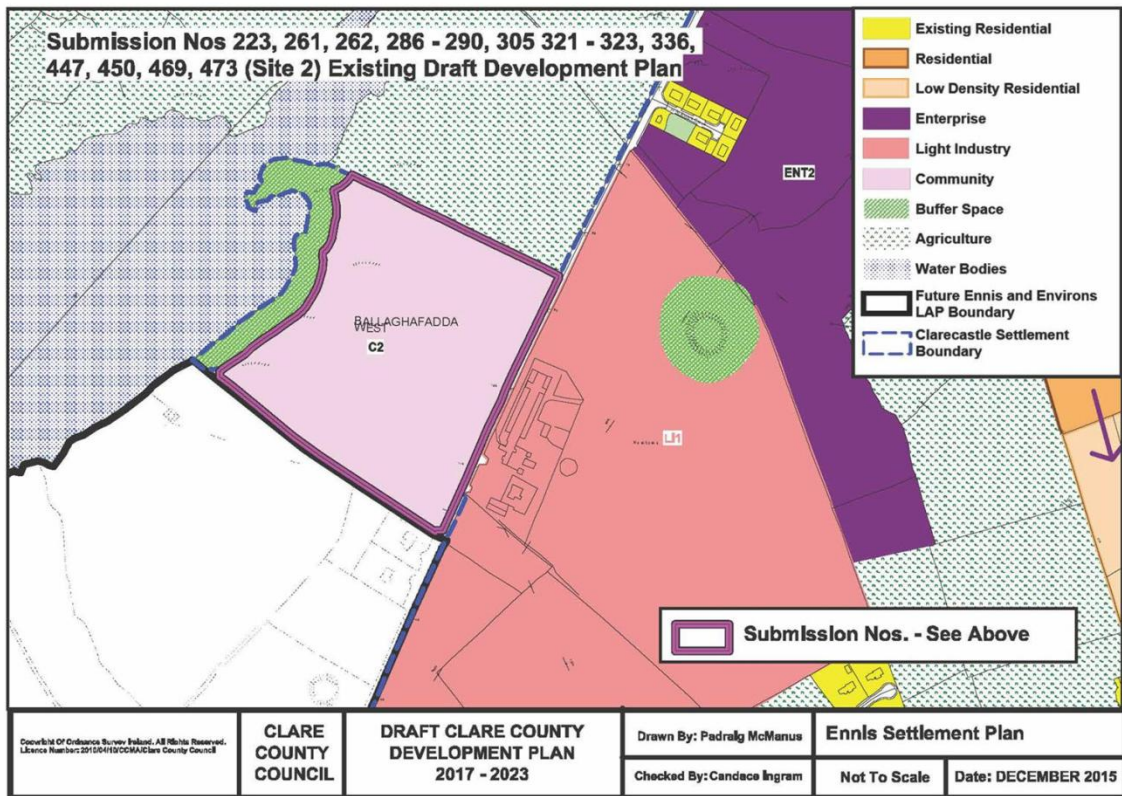
I acknowledge the concerns as raised in the submission, however I consider that this site is suitable for a crematorium, with potential for the co-location of a graveyard having regard to the location of same, which has excellent connections to the surrounding area and wider region, via the local, regional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

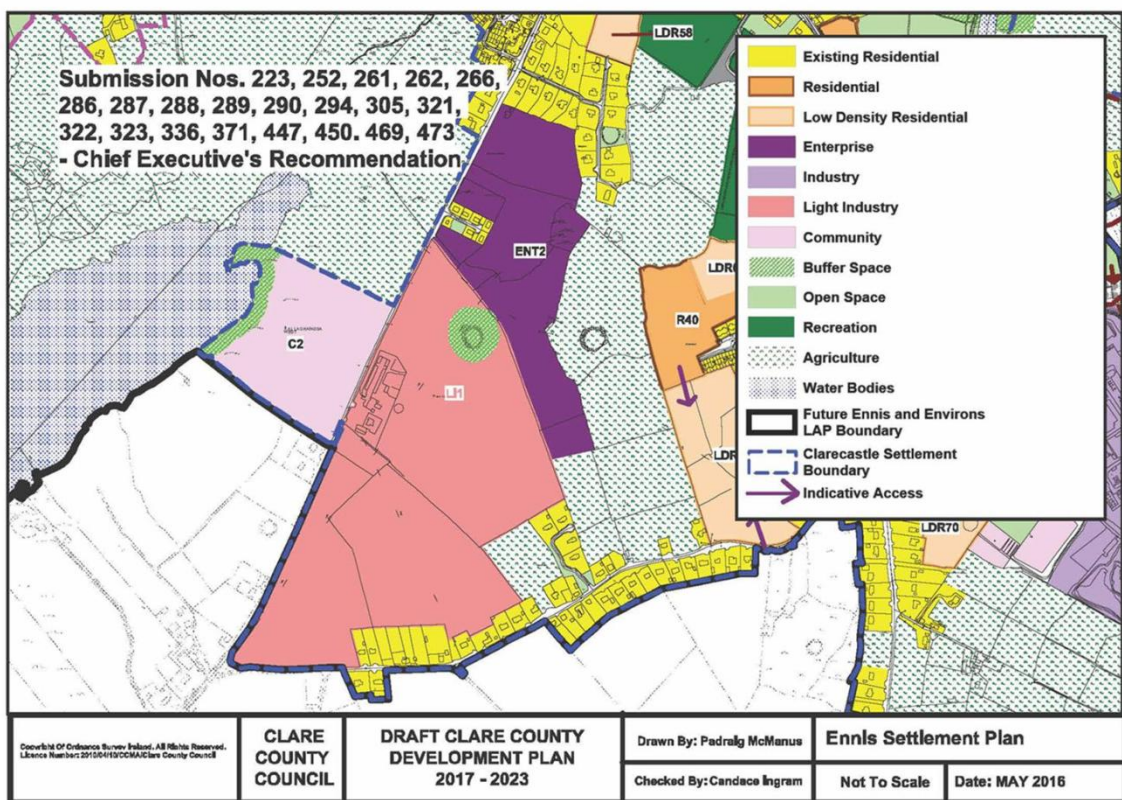
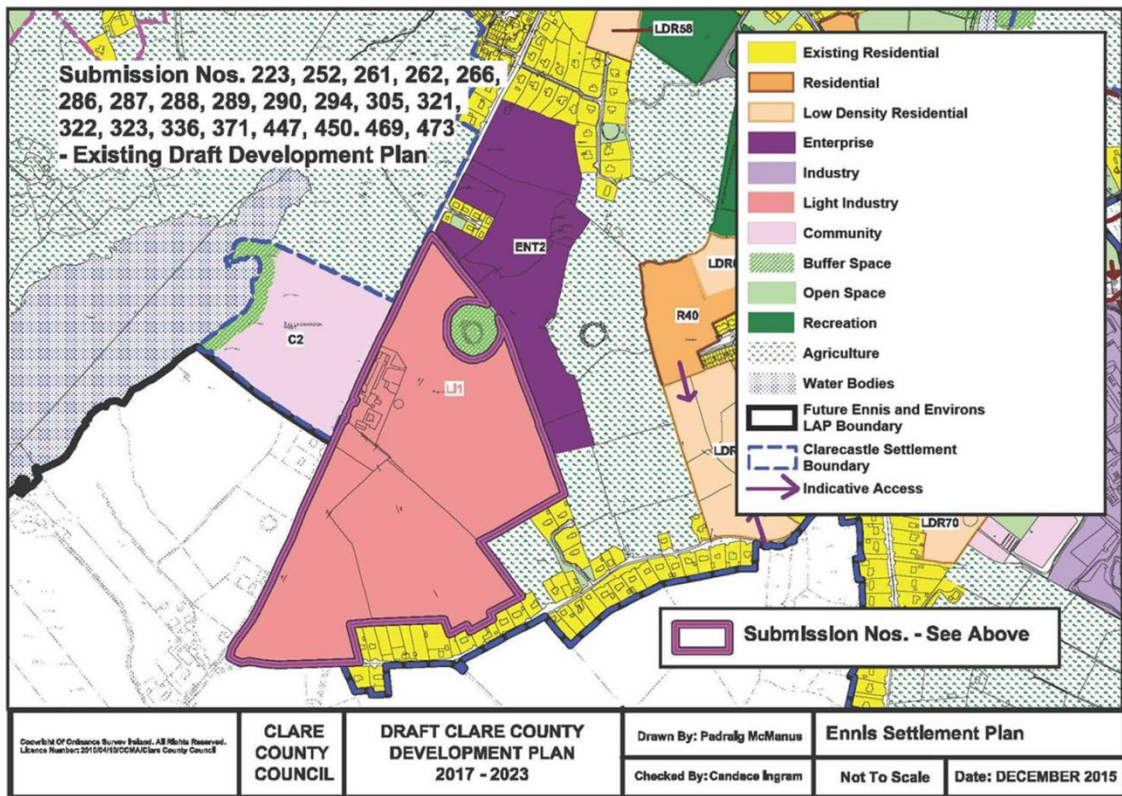
Chief Executive's Recommendation

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. 470 Martina Knight

Key Words: Ballyvaughan

Summary of the Issues Raised in the Submission

This submission refers to land owned by the above in the Ballyvaughan settlement plan in the West Clare Municipal District. An accompanying map identifies the location of the subject site which is proposed to be zoned "Commercial" in the draft Plan.

The submission requests the planning authority to rezone the part of the land "Mixed Use".

The author submits that the subject lands are presently in agricultural use and that planning permission was granted on the site for a permanent residence.

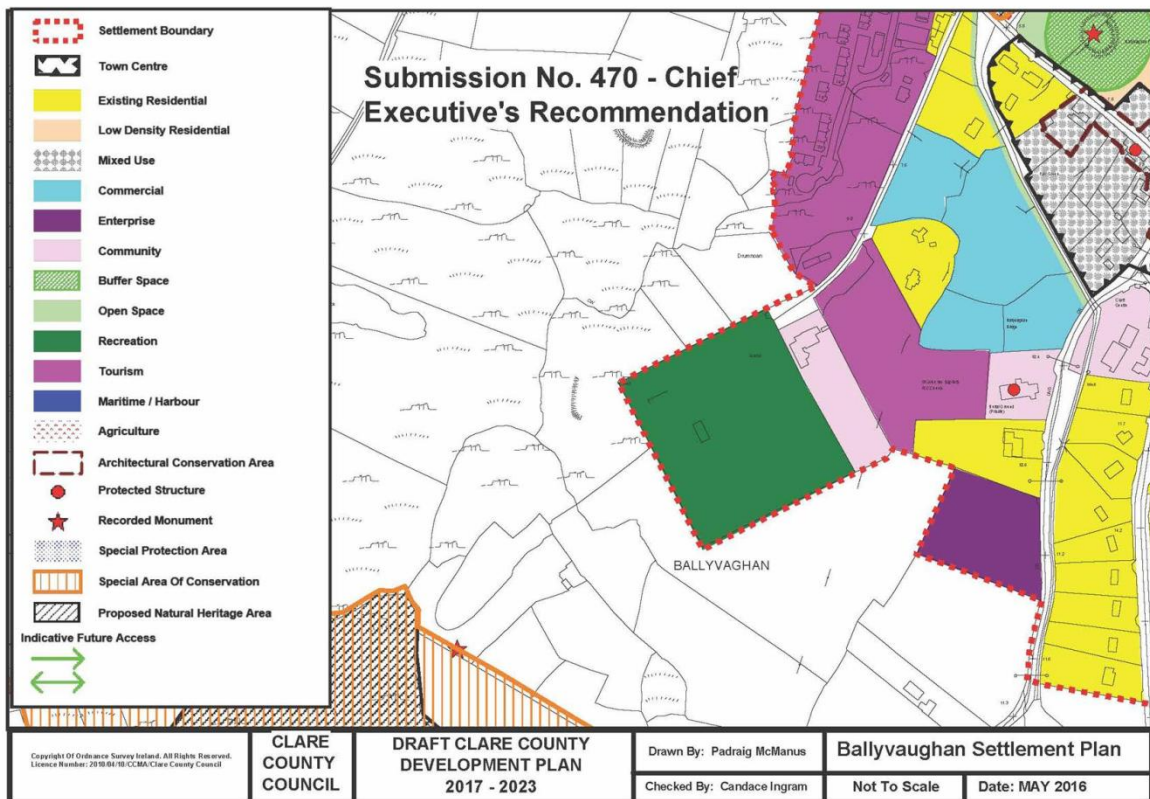
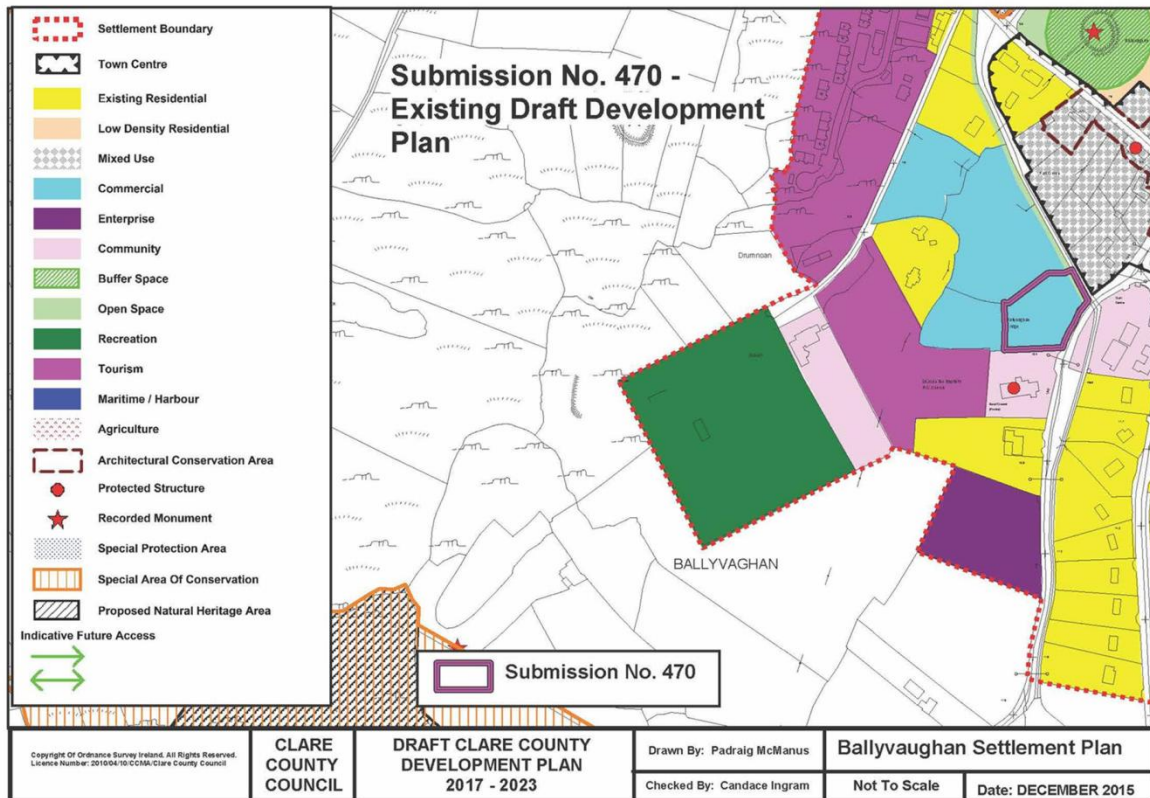
Chief Executive's Response

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

I note the lands to which is referred is part of a larger area zoned for commercial uses in the Draft Clare County Development Plan 2017-2023. I have examined the site history on the subject site and an Outline Permission for a single house was granted under 02/1563 that expired in 2006 and acknowledge that the lands are currently in agricultural use. I note the request to amend the zoning on these lands to Mixed Use, however, I believe the zoning of Commercial lands in such a central location reflects a longer-term view of the village in terms of its future potential growth and it is important to make provision for this to occur. I consider that to allow the incremental change of the Commercial zoning for different uses would hinder the comprehensive development of these lands and would be detrimental to the long-term future sustainable development of the village of Ballyvaughan. I have carefully considered the options for the zoning of this land and conclude that it is important to retain the current zoning in order to plan for the future sustainable development of Ballyvaughan.

Chief Executive's Recommendation

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



Ref. 471 Brian Foudy on behalf of Patrick O'Donoghue

Keywords: Ballyvaughan

Summary of the Issues Raised in the Submission

This submission refers to 2 no. separate plots of land owned by the above in Ballyvaughan, one which lies within the settlement plan and is proposed to be zoned "Agriculture" in the draft Plan. The other site which is identified on an accompanying map currently lies outside the Ballyvaughan settlement plan and is within open countryside.

The submission requests the planning authority to: Zone both subject sites "Low Density Residential"

Chief Executive's Response

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

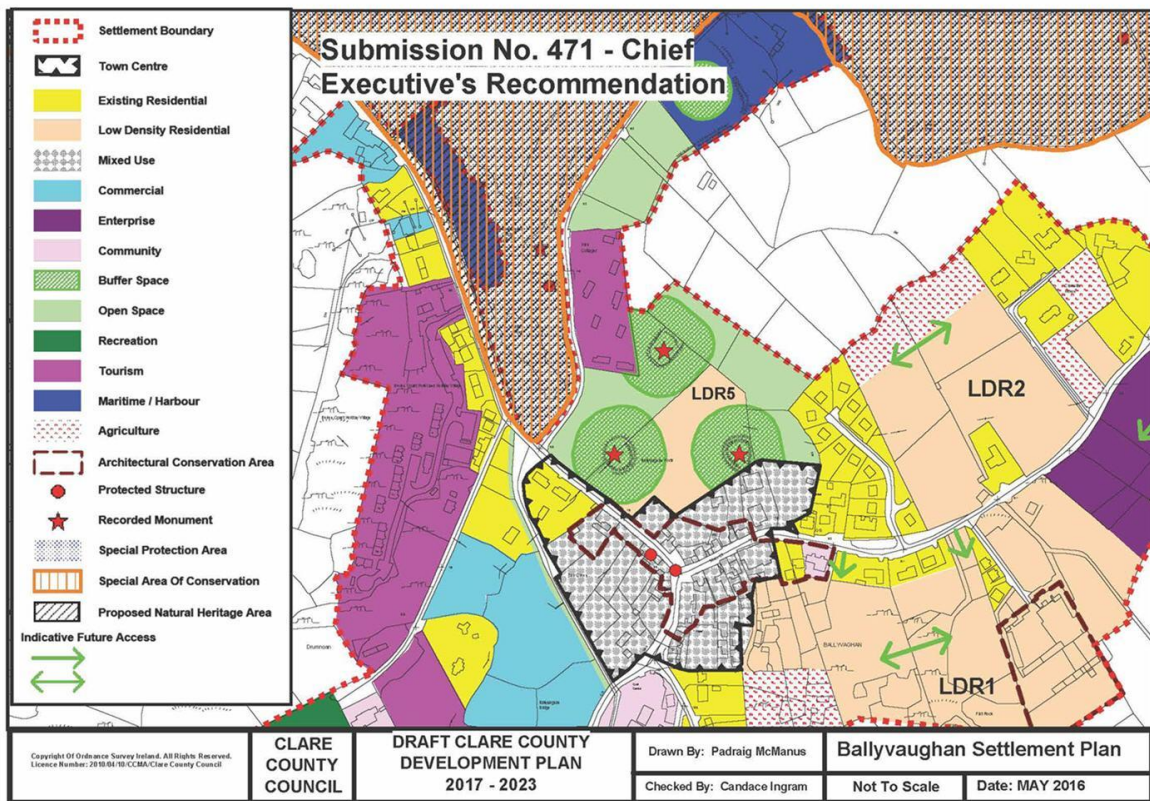
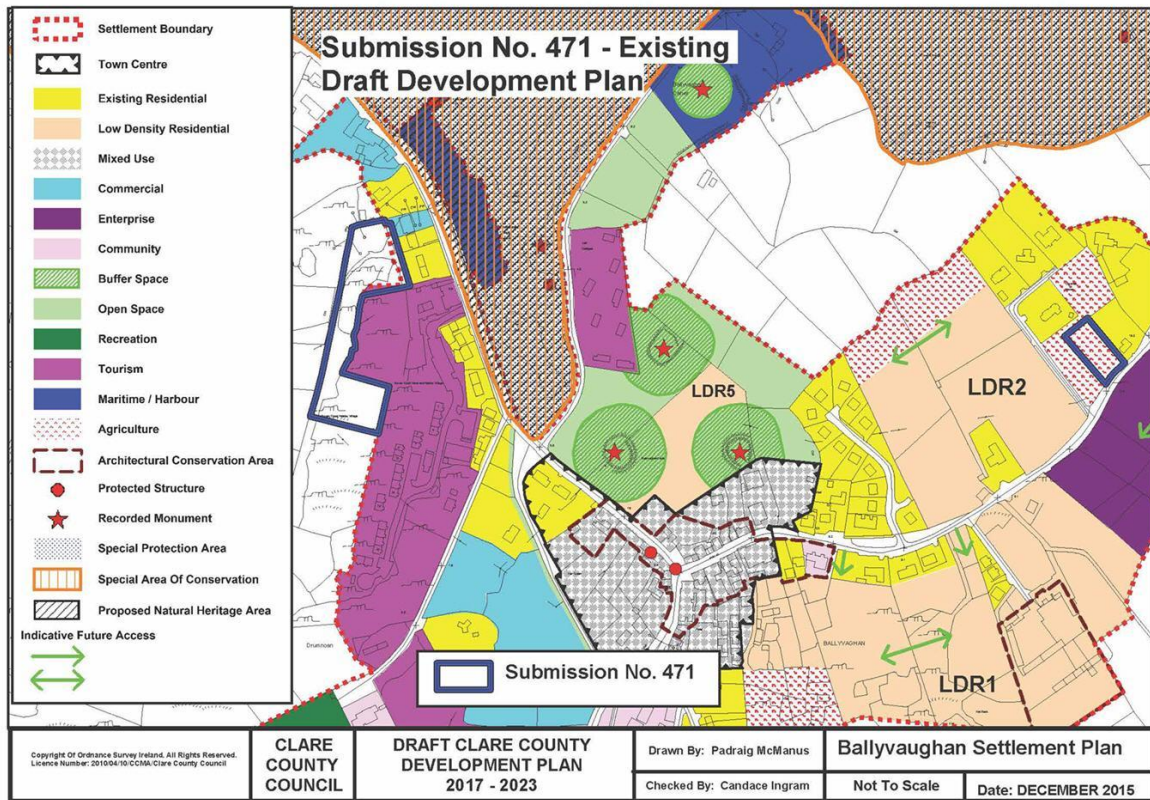
This submission relates to separate sites which I will address individually.

With regards to the site located outside the settlement boundary to the west of the village, it is situated to the rear of existing properties with no apparent access in a peripheral location to the village. There are significant areas of land zoned for residential development within the settlement area which promote sequential growth, meet the requirement of the Core Strategy as set out in Chapter 2, Volume 1 of the Draft Clare County Development Plan 2013-2023 which the promote proper planning and sustainable development of the village. I do not consider it appropriate to amend the settlement boundary to include these lands.

The second site subject of this submissions is located to the eastern side of the village which is a small area located within the settlement boundary currently zoned as agriculture. Given the location of lands I consider it appropriate to amend the zoning to low density residential with the provision that any development of the site will not be accessed from the N67.

Chief Executive's Recommendation

I recommend that the zoning as proposed in the Draft Clare County Development Plan 2017-2023 for the site east of the village be amended from Agriculture to LDR on the basis of this submission.



Ref. 472 Brian Foudy on behalf of Sylvester Mullins

Key Words: Ballyvaughan

Summary of the Issues Raised in the Submission

This submission refers to lands owned by the above at Knocknagroagh, Ballyvaughan. The land which is identified on an accompanying map currently lies outside the Ballyvaughan settlement plan and is open countryside.

The submission requests that the Planning Authority zone the subject lands for Low Density Residential use.

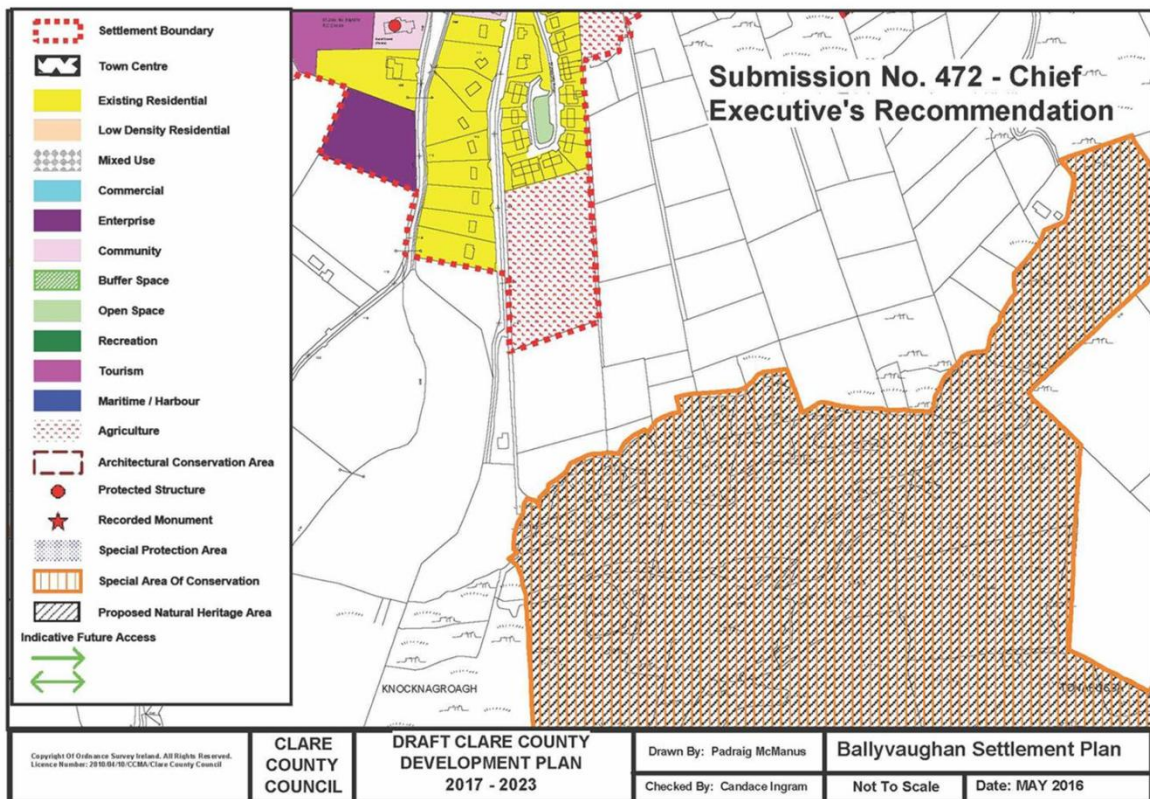
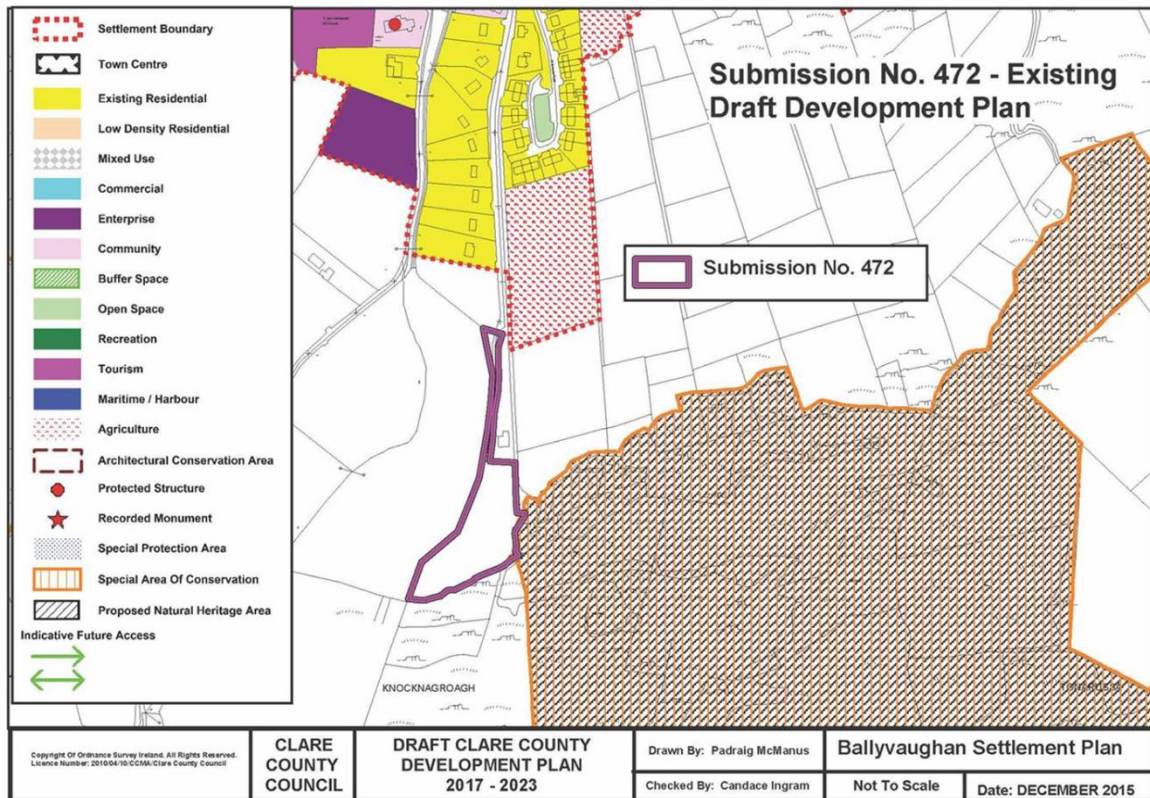
Chief Executive's Response

I thank Mr. Foudy for the submission made on behalf of Sylvester Mullins and I would like to comment on his request as follows:

The subject site is located to the south of Ballyvaughan. A private lane leads from the end of St. Senan's Road to the field on which the zoning is proposed, a distance of approximately 220 meters. Having regard to the extent of residential lands required in the settlement during the lifetime of the Plan, as set out in the Core Strategy, the location of the site in a predominantly rural area outside of the village and the availability of a large amount of land for residential development closer to the centre of the village and its associated services, I do not consider it appropriate or necessary to zone land in this location for residential development.

Chief Executive's Recommendation

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



Ref. 473 Councillor Paul Murphy

Key Words: Clarecastle, Quin

Summary of the Issues Raised in the Submission

This submission refers to the Clarecastle area of the Ennis settlement plan.

The author makes the following observations:

- The submission welcomes the additional text introducing Clarecastle and providing its descriptive profile.
- Regarding COM7, the submission raises concerns about zoning this site in order to provide for a motorway service station and considers that same may severely impact on existing businesses in Ennis Town.
- The submission requests site ENT1 at Quin Gardens is zoned for the future residential development of Quin village.
- The submission further requests site IND1 is removed and provided for elsewhere in the plan.
- Councillor Murphy notes that Site R37 in Clarecastle is prone to flooding and believes that it will restrict the future development of the village.
- The submission considers site ENT2 is appropriate for residential development to allow for the future development of Clarecastle.
- The submission requests that LI1 is removed in order to protect the quality of life currently enjoyed by those that are living in the area. Increased traffic would be a concern as the road network is inadequate and the Kildysart Cross junction and Maxol service station are a traffic hazard.
- The submission requests that C2 is removed and zoned for agricultural use, a considerable part of this land flooded in December/January 2015/2016.
- The submission notes that Site R38 is prone to flooding and this must be allowed for in order to facilitate the future development of Clarecastle.

Chief Executive's Response

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

- I acknowledge the comments in relation to the profile of Clarecastle. The need to establish a separate visual identity for Clarecastle is very important and one which has been examined by the Council. Proposals to improve sense of arrival and to visually distinguish the village will be further developed in the forthcoming Ennis and Environs Local Area Plan in the form of a schematic master plan which can be used as a template for more detailed design for specific locations that require upgrading.
- In relation to COM7, 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.
In relation to issues 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.
- I have recommended that the zoning on site ENT1 in Quin be changed from Enterprise to Residential. I refer to my response to Submissions 65 to 83 (inclusive) which also deals with this issue.

- In relation to site IND1 in Ennis, I note that Transport Infrastructure Ireland raised concerns regarding the traffic safety implications of this zoning. I have therefore recommended that this zoning be removed and that the settlement boundary of Ennis be altered so as to exclude this site. I refer to my response to Submission 006 which deals with this matter in more detail.
- Site R37 is identified as being at risk of flooding. However, the site has passed the justification test, as set out in Section 12.3.10 of the Strategic Flood Risk Assessment (Volume 10c of the Draft Development Plan) and therefore I consider the zoning of the site to be appropriate.
- Regarding the site zoned ENT2 I consider that a key requirement of this Draft Plan is to ensure that there is adequate land zoned for employment purposes in the form of a mixture of enterprise, industrial and light industrial and commercial zoning. ENT2 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 ENT2 zoning is well positioned to form an employment hub in the plan area taking advantage of its location close to the motorway. I therefore consider there is no requirement to change the zoning proposed.
- I acknowledge the concerns as raised in the submission regarding the proposed zoning of LI 1. 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.
- Site C2 is zoned for Community use, which can include water-compatible uses, and therefore I consider the current zoning to be appropriate for to the area.
- Site R38 is considered to be essential to the regeneration of the village centre in Clarecastle. While the site has been identified as being at risk from flooding, it has also passed the justification test as set out in Section 12.3.10 of the Strategic Flood Risk Assessment (Volume 10c of the Draft Development Plan) and therefore I consider the zoning of the site to be appropriate. For reference, this site is incorrectly labelled R28 in the SFRA.

Chief Executive's Recommendation

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

Volume 3(a), Quin Settlement Plan – new text to be added to read:

R1 – Quingardens

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

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

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

Please also refer to submission 65 – 83 (inclusive) in this regard.

Volume 3(a) Ennis Settlement Plan – zoning map

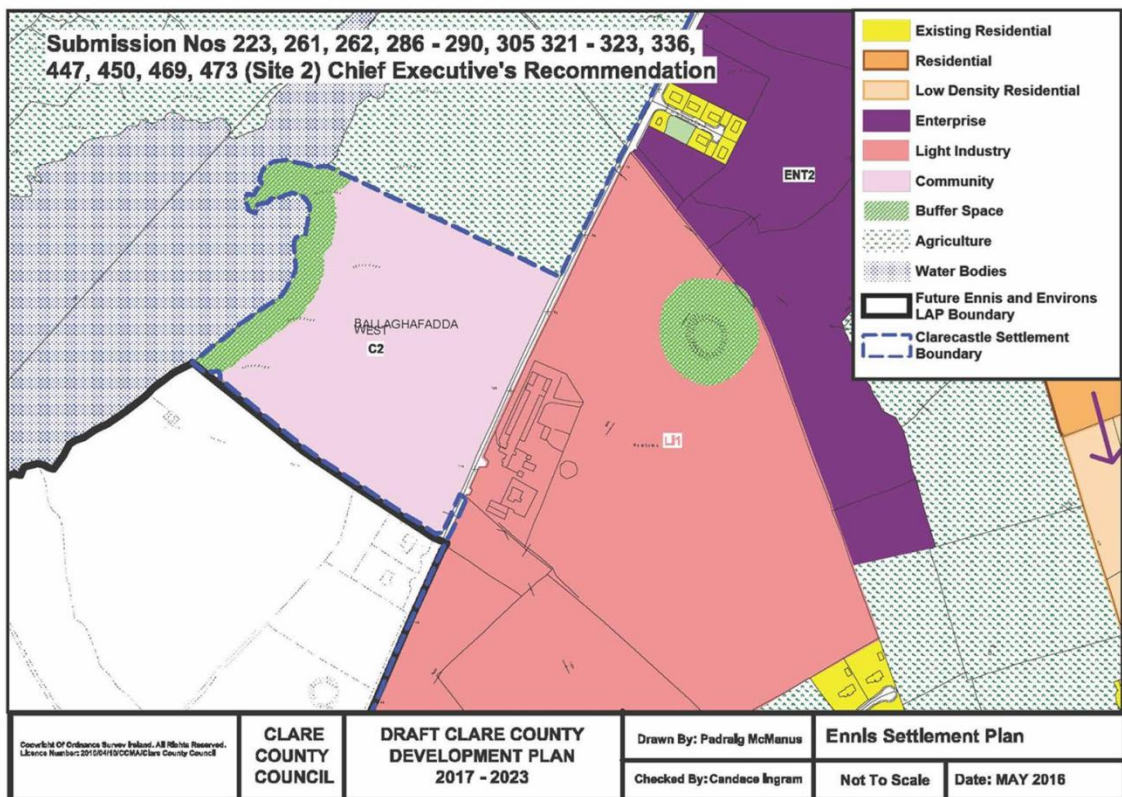
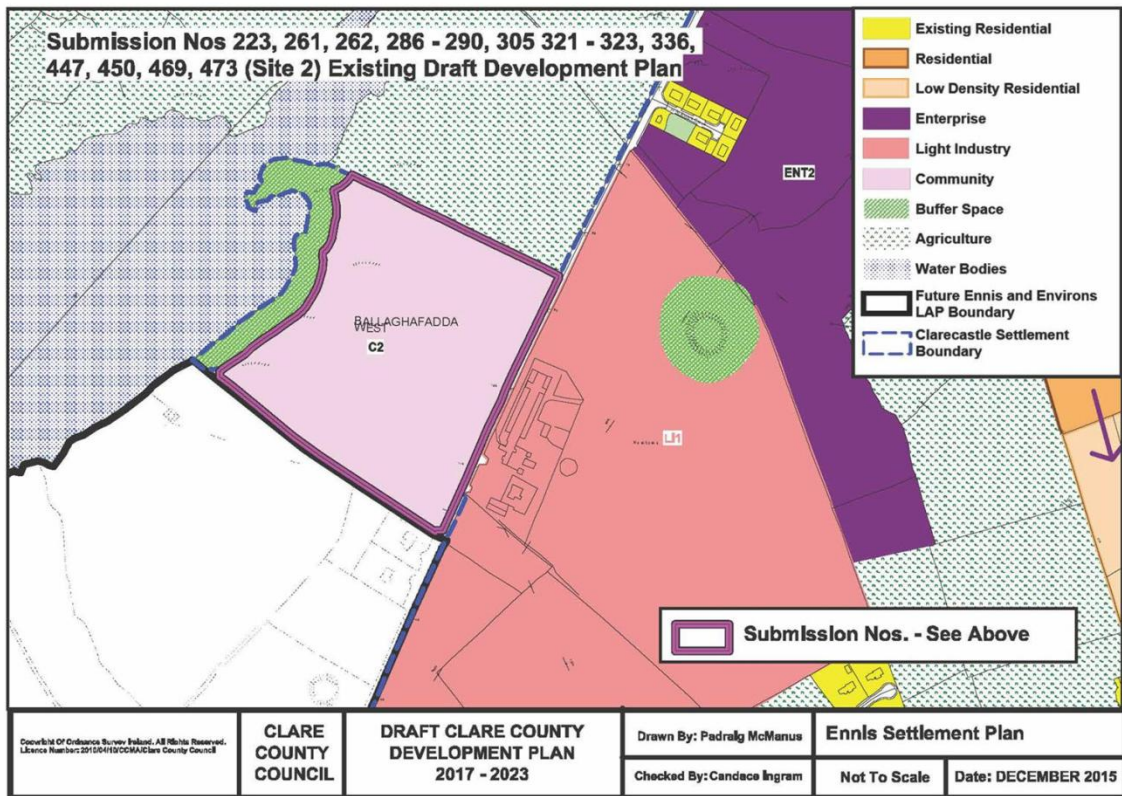
- Remove the Industry zoning from IND1 in Ennis and to move the settlement boundary westwards so that it no longer incorporates these lands.

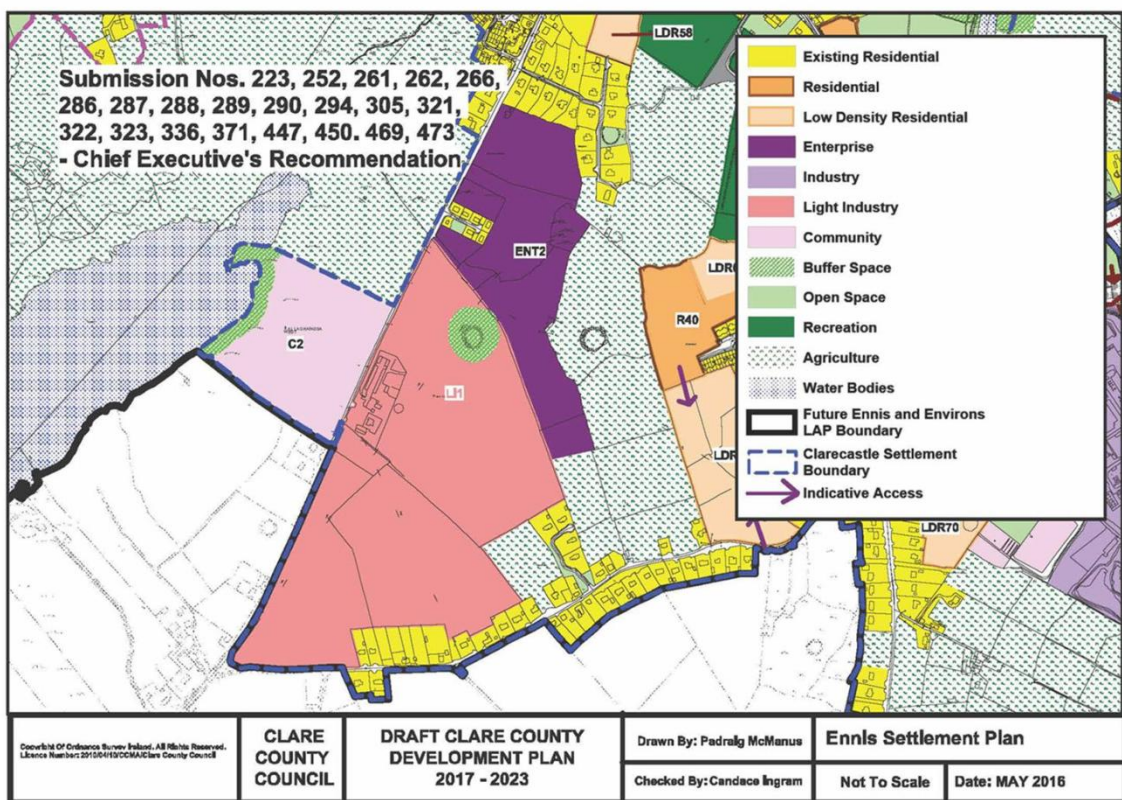
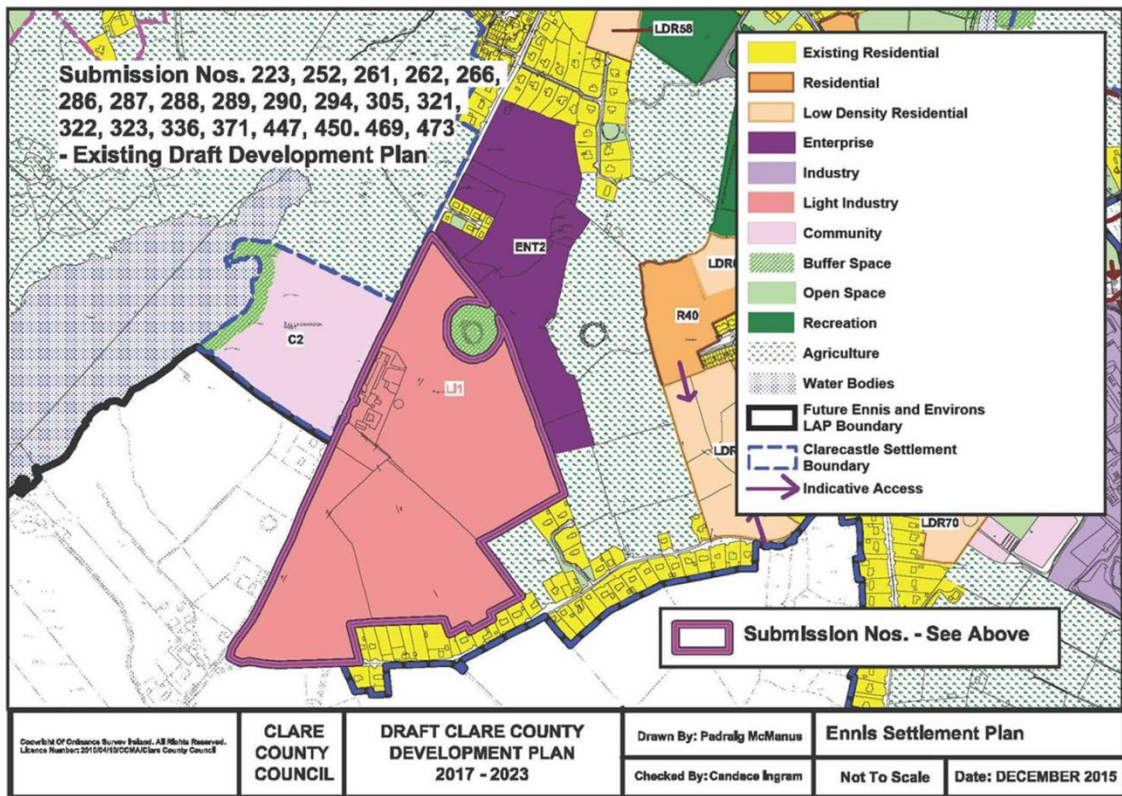
Volume 3(a), Section 2.12 – additional text to be inserted under Site LI1 Kildysert Road, Clarecastle

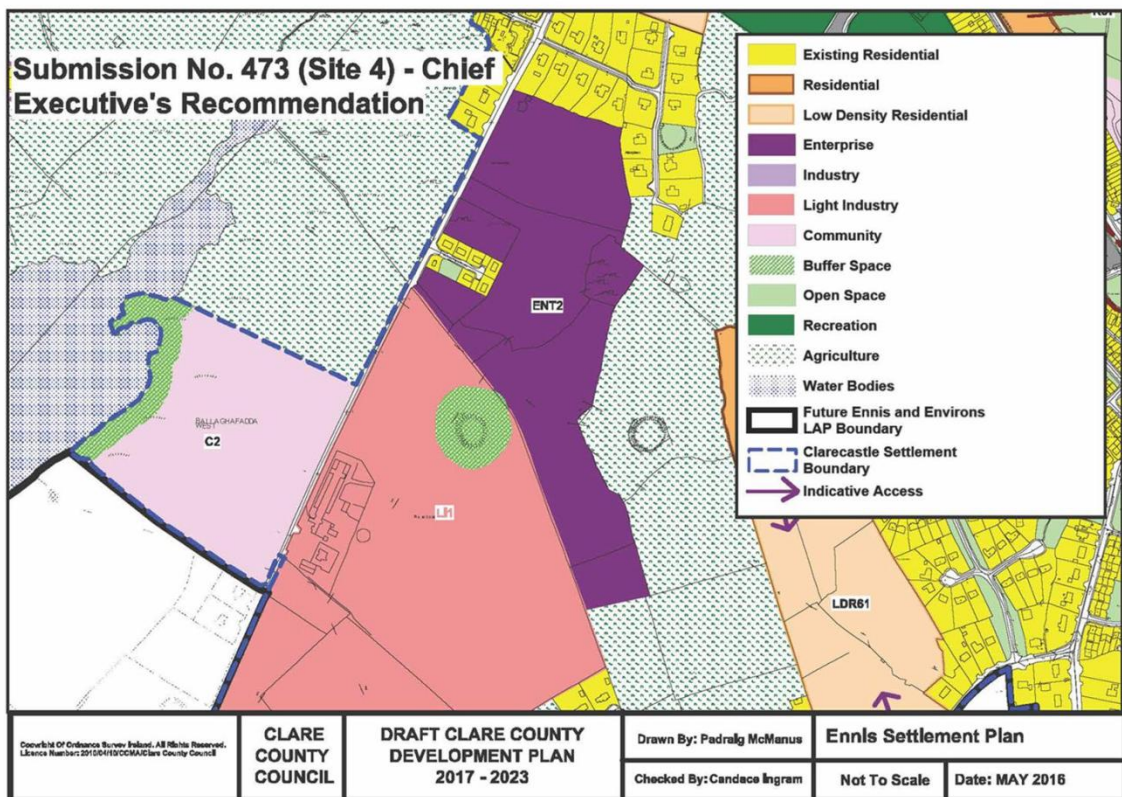
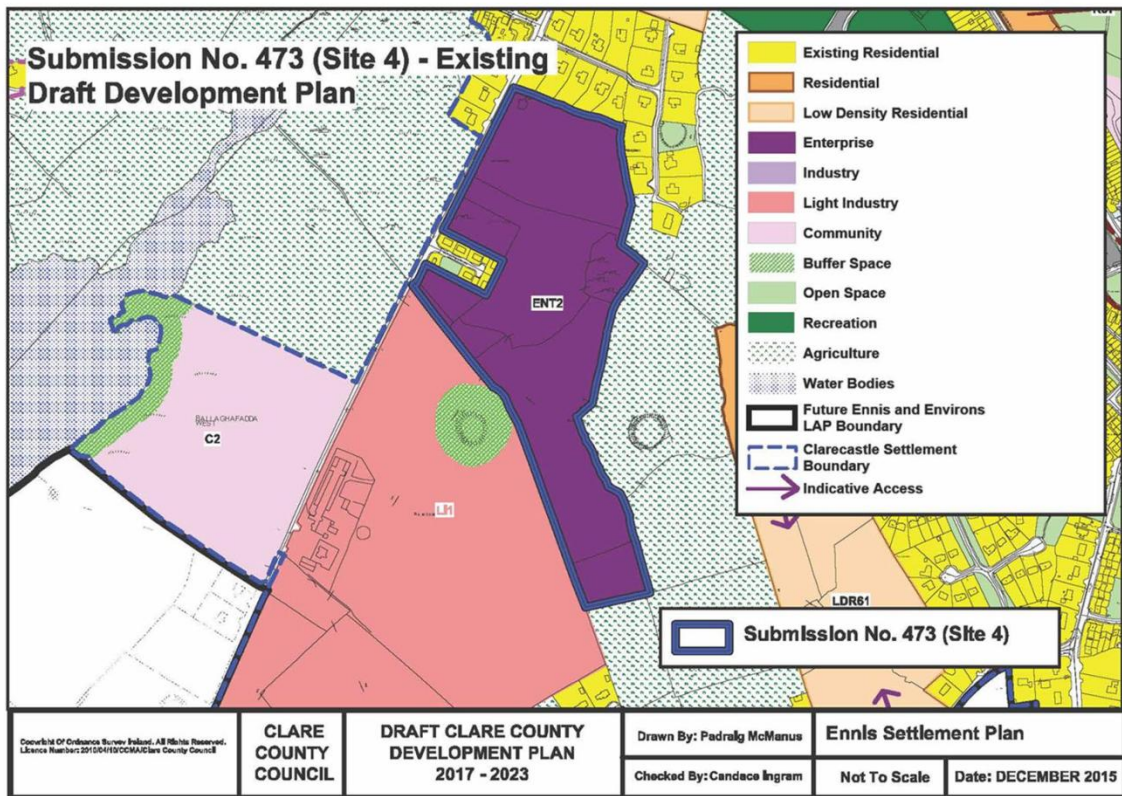
The masterplan shall incorporate the following elements:

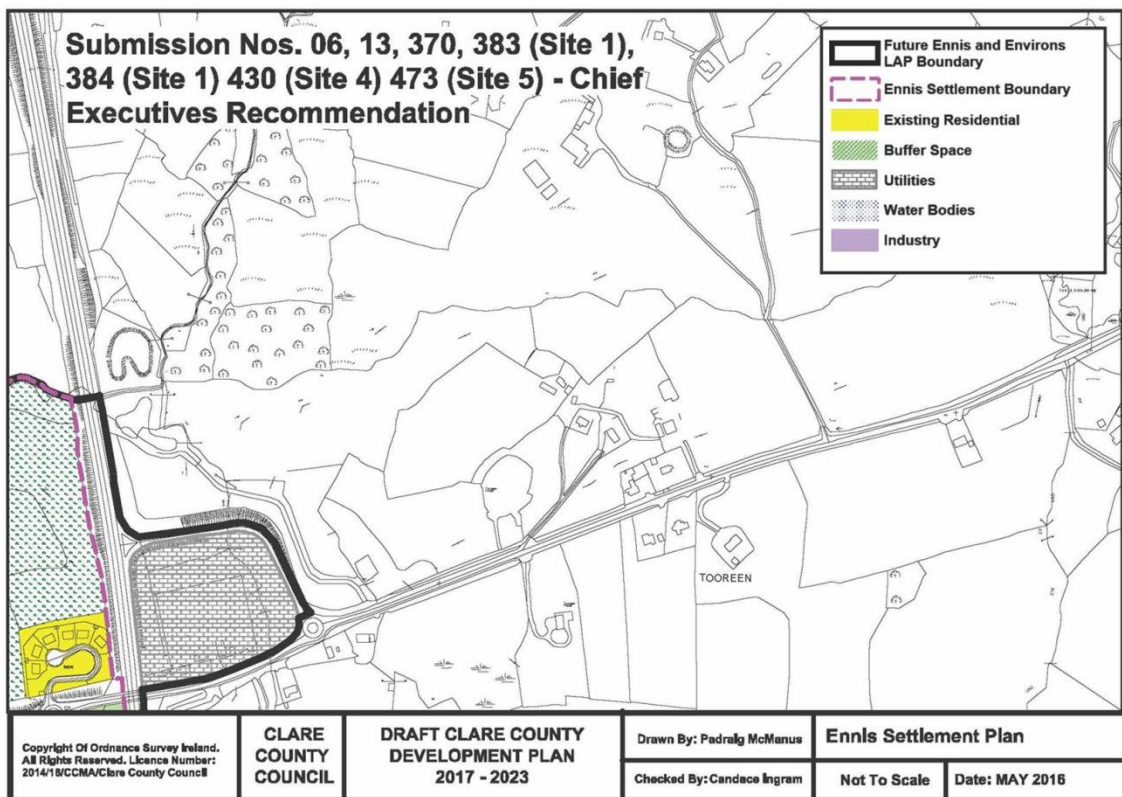
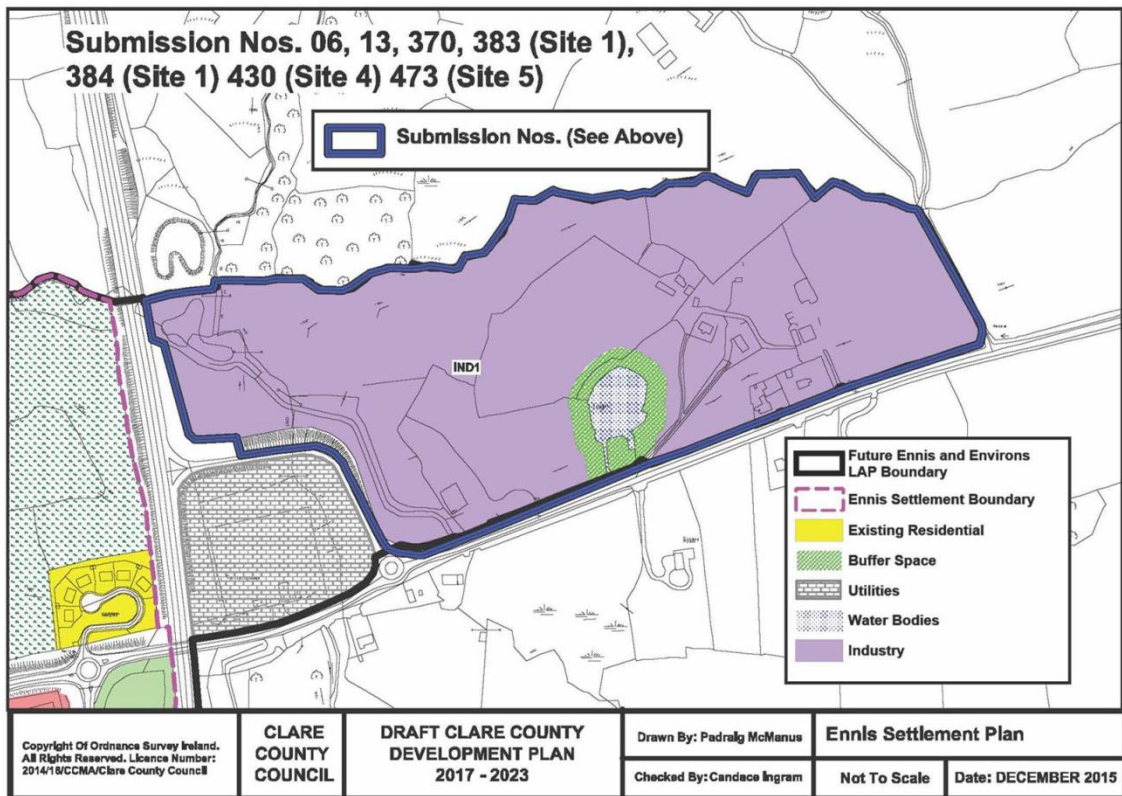
- Design and site layout rationale;
- A detailed landscaping plan, utilising as far as possible existing landscaping features;
- Consideration of the future / existing development of adjacent areas;
- Measures to prevent significant negative effects on adjacent land use zonings;
- Detailed traffic management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

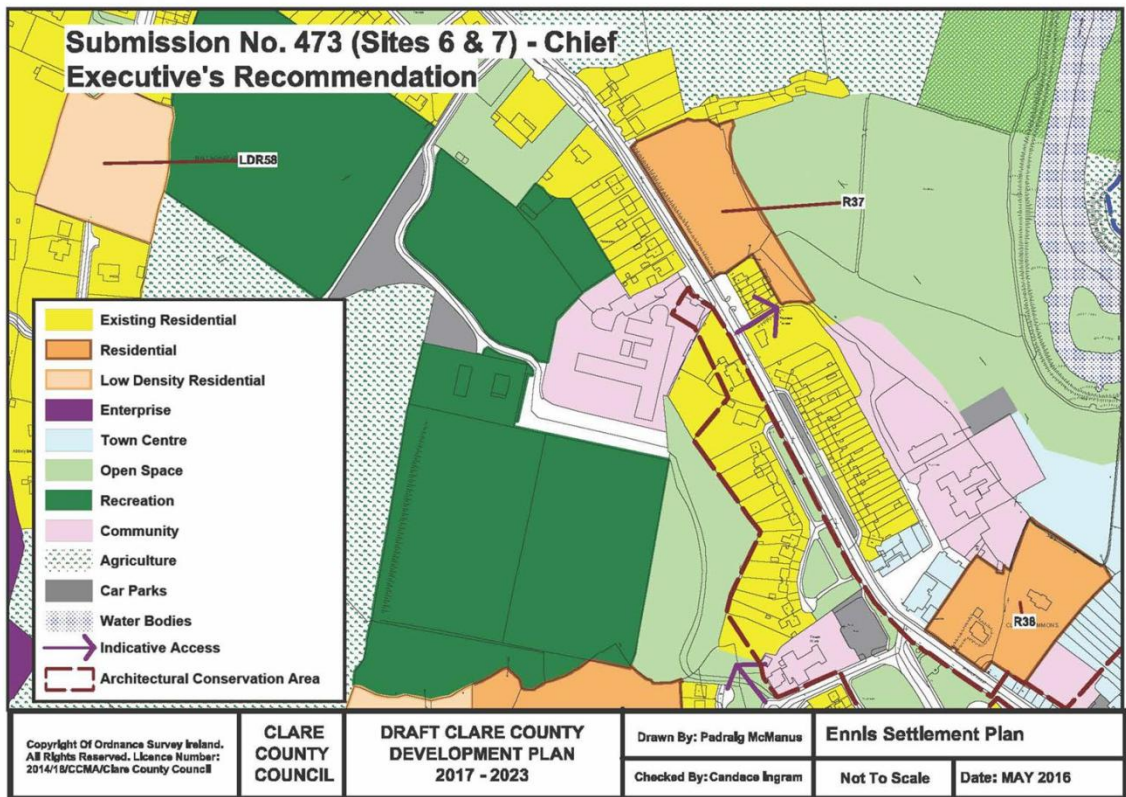
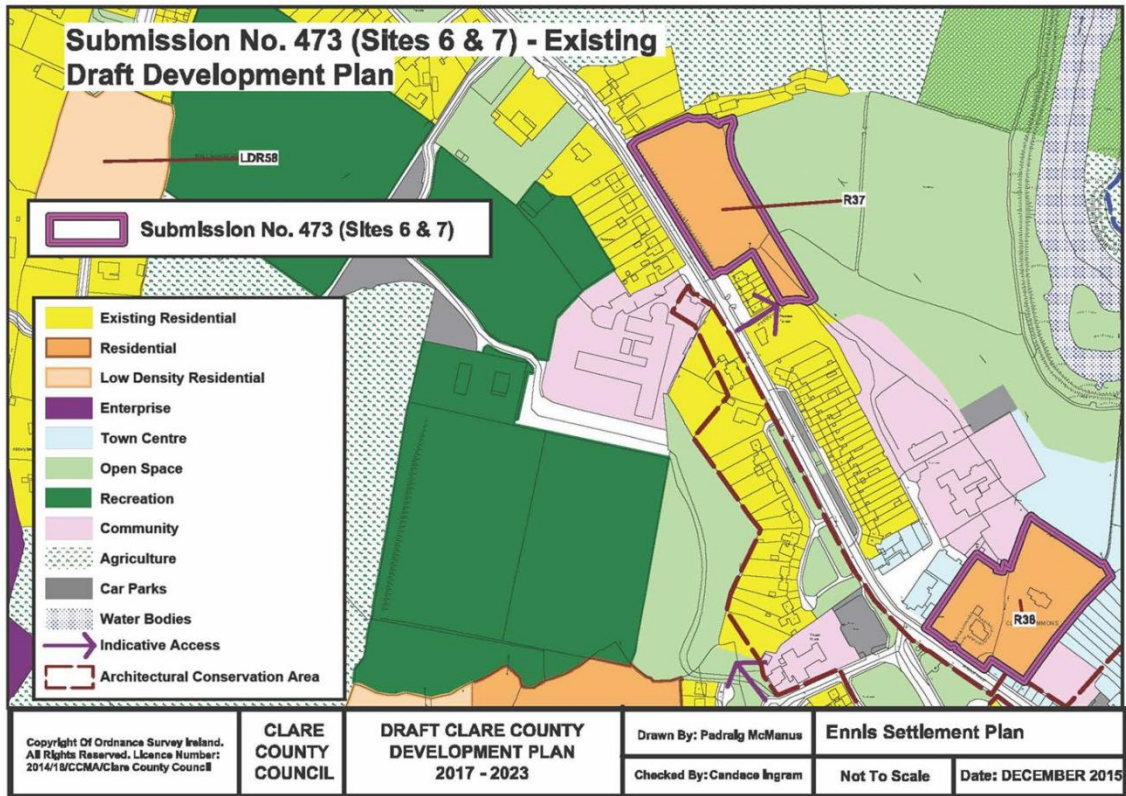
Please also refer to submissions 290, 286, 287, 288, 294, 321, 322, 323, 305, 223, 261, 262, 469, 450, 447, 336, 371, 107, 252, 266, 289, 473 in this regard.

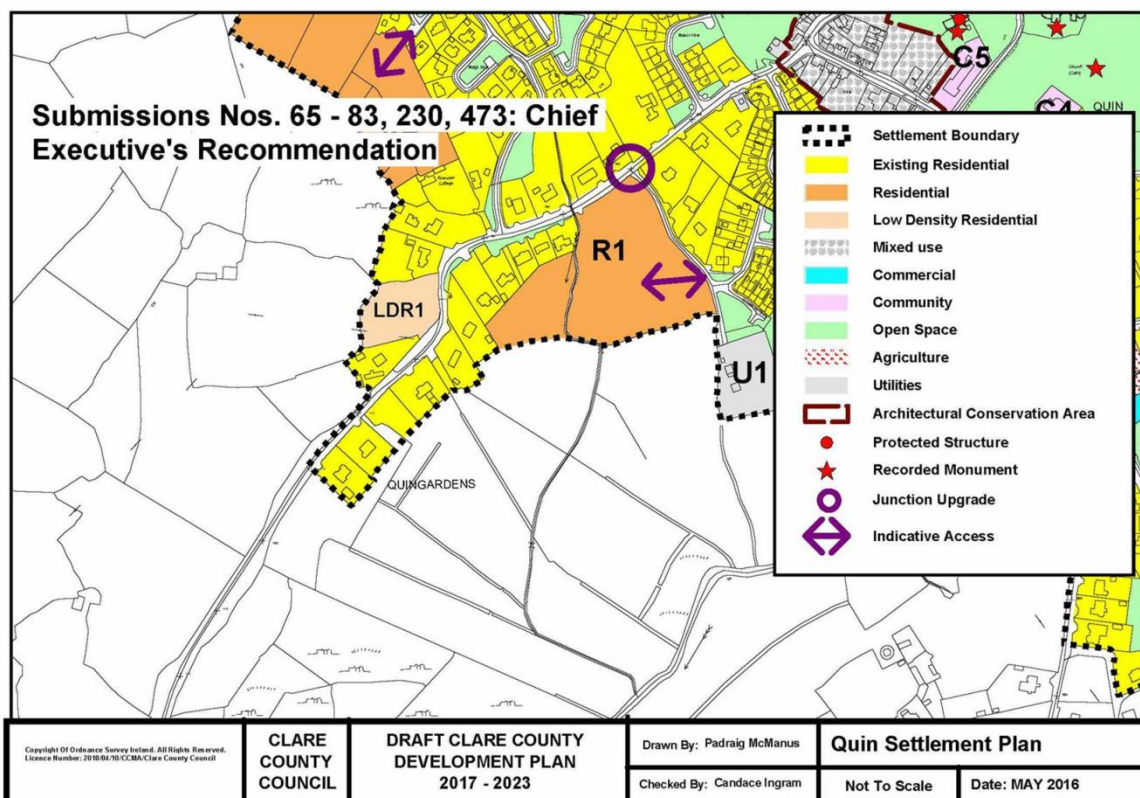
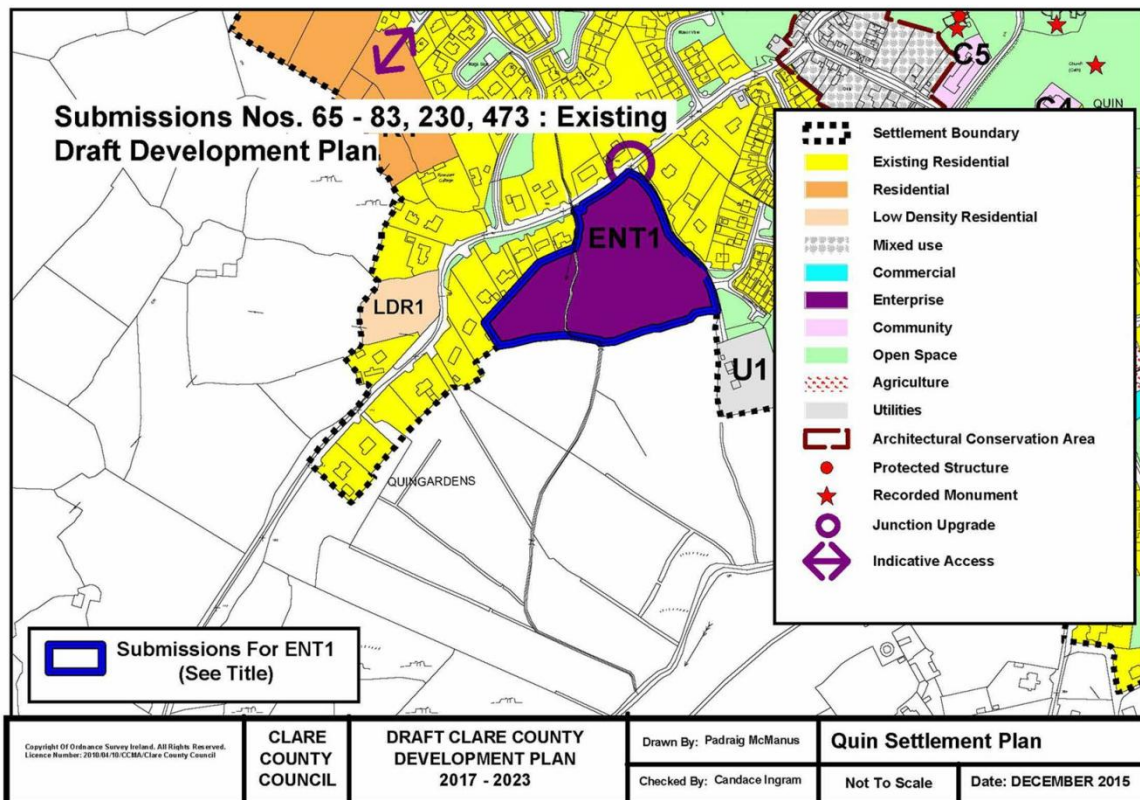












Ref. 474 Melina Sharp and Michael Everson

Key Words: Policy, Access and Movement, Physical Infrastructure

Summary of the Issues Raised in the Submission

This submission relates to the creation of a Green Way on the West Clare Railway Track which the author submits will provide a much needed alternative to the dangers of walking or cycling on main roads. The authors believe that the benefits of the Wild Atlantic Way need to be managed in a balanced manner to ensure that benefits are distributed fairly.

The submission is critical of the negative impact of new forms and patterns of development on the character of both landscape and on towns and villages. They call for more innovative solutions to these problems and make suggestion as to how to go forward.

Chief Executive's Response

I thank Ms. Sharp and Mr. Everson for their submission and I reply as follows:

The importance of the former West Clare Railway to tourism in West Clare is widely recognised and this is reflected in objective CDP9.25 *"To facilitate the reopening of the West Clare Railway as an operational tourist attraction by permitting new sections of railway as alternatives to parts of the line which have been built on or are inaccessible since its closure"*.

The potential of the route for walking and cycling also has policy support in *objective CDP 8.13 "(b) To safeguard, where feasible, the route of the old West Clare Railway which has not been affected by existing development and to encourage its use for recreational purposes and/or as part of an operational railway tourist attraction. Exceptions to this shall include short sections within the curtilage of residential or commercial property"*.

It is envisaged that a greenway could run parallel to the track on sections where the rail tracks are reinstated. The settlement maps of most of the towns which the train served do show the line of the track to facilitate consideration in the event of planning permissions in the vicinity.

I acknowledge the comments made regarding the increase in tourism as a result of the Wild Atlantic Way initiative and therefore the economy and the need for respect and consideration by the Council, government and key tourist industries of the community. I consider this is more a matter of tourism management as opposed to an issue to be addressed through land-use planning.

The wide ranging commentary on the development patterns which have emerged over recent decades in respect of both the urban and rural contexts are noted. The issues you outline are priorities for the Council in the coming years. The Draft Clare County Development Plan 2017-2023 contains a dedicated chapter on Towns and Villages which sets out objectives to address many of the issues raised including depopulation, vacancy and regeneration. The Design Manual for Urban Roads and Streets (DMURS) is also a valuable policy document which strongly supports the development of public spaces which cater for a balance of users and not just the motorist. Objective CDP 8.8 seeks to implement the requirements and recommendations contained in DMURS.

Chapter 17 on Urban Design and Place Making deals with the importance of forming attractive new places in the context of existing settlements. Both chapters recognise that a multi-disciplinary approach is essential. There is a substantial body of guidance available in this regard i.e. Sustainable Residential Development in Urban Areas and the companion document Urban Design Manual.

On the subject of Landscape the Clare County Rural House Design Guide contains guidance which has benefitted the house design and in particular the guidance on siting would address many of the negative visual impacts on the landscape.

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. 475 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 land owned by the above at the Drehidnagor Road, Lifford, Ennis. The site is proposed to be zoned "Low Density Residential LDR16" in the draft Plan.

The submission requests the planning authority to amend the proposed "Low Density Residential" zoning to "Residential" zoning.

The author submits that given the proximity of the site to local services, that it should be categorised as accommodating densities of 20-35 units per hectare.

Chief Executive's Response

I wish to thank Michael Lynch for his submission. The subject site has been examined in detail as part of the Strategic Flood Risk Assessment (Vol. 10c). I note that the site falls within Flood Zone A, B, and C. The higher part of the site, along the road, lies within Flood Zone B and C. Vulnerable uses such as housing, is not considered appropriate within Flood Zone B; however it may be accommodated within Flood Zone C. I therefore recommend that the map is amended to show the Low Density Residential zoning of LDR 16 contained within Flood Zone C only. I also recommend that the text pertaining to LDR16 as contained under Section 2.6 in Volume 3(a) is altered to reflect same.

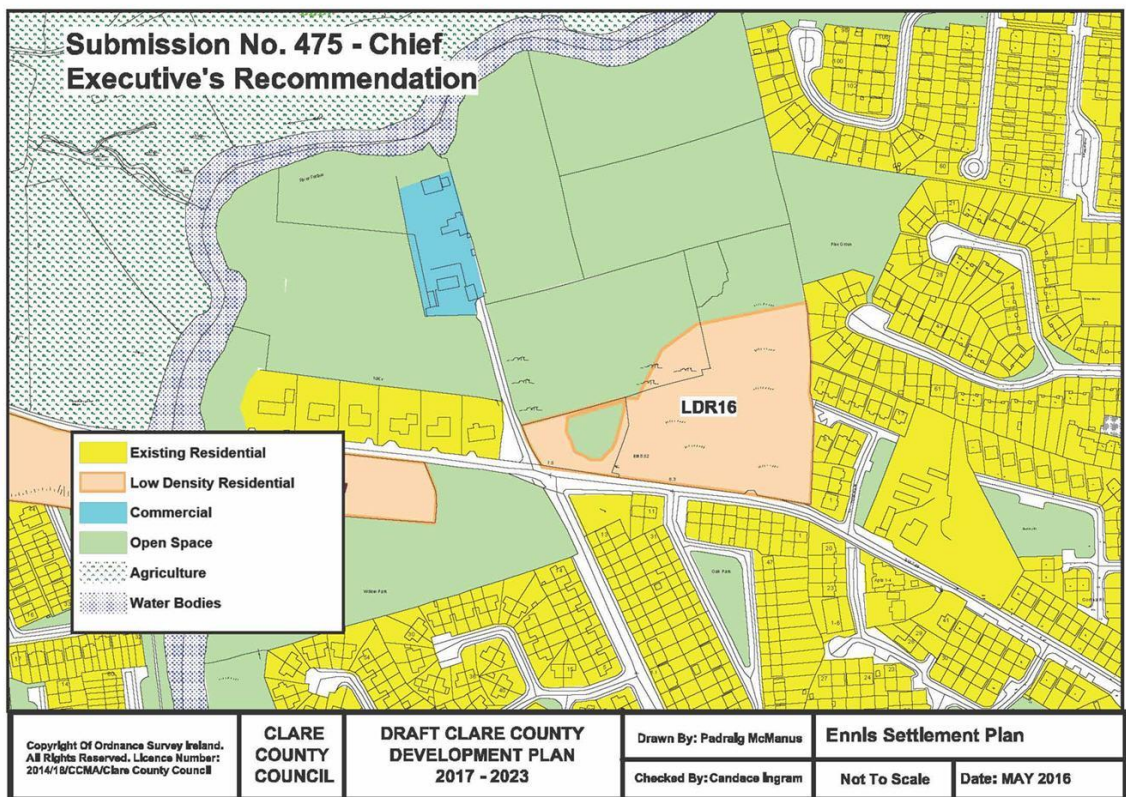
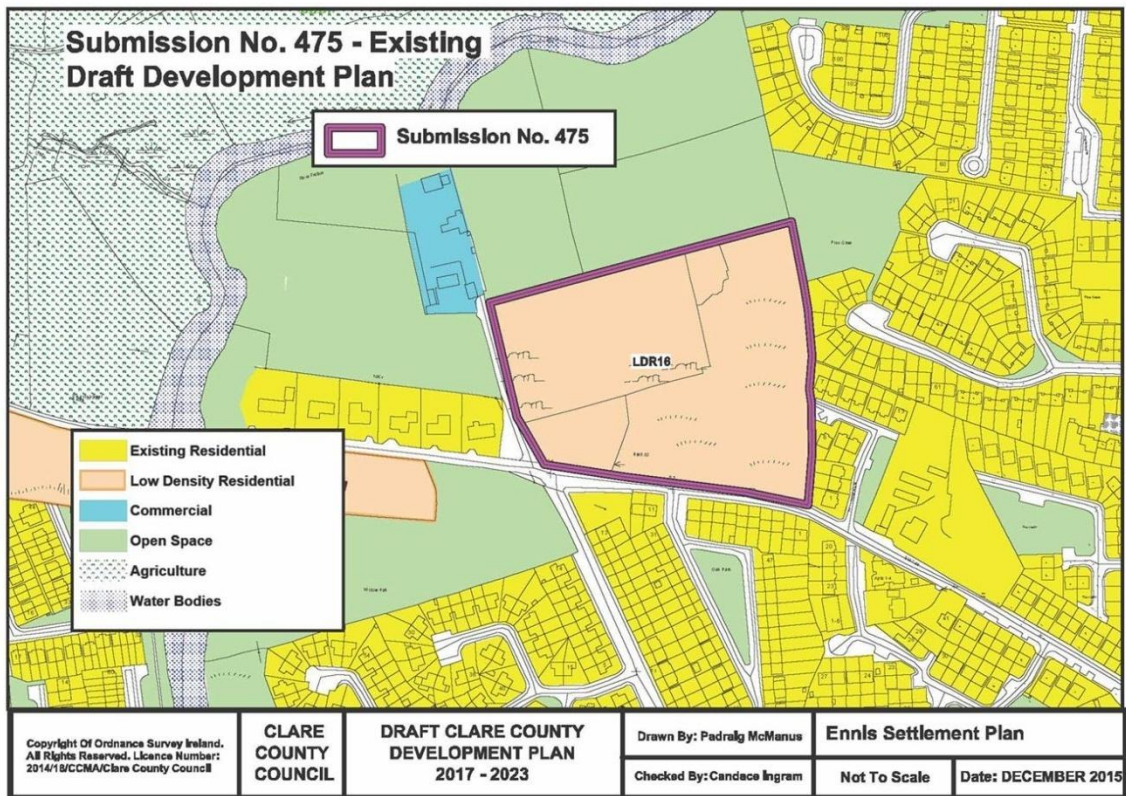
Chief Executive's Recommendation

I recommend that the extent of lands zoned 'LDR 16' in the Draft Clare County Development Plan 2017-2023 be reduced in accordance with the attached map. I also recommend the following amendments are made to Section 2.6, Volume 3(a) of the Draft Clare County Development Plan 2017-2023 on the basis of this submission:

Site LDR16 Drehidnagower

This site is identified for low density residential development of high quality design and layout, **incorporating an area of Open Space**. Any development at this site will be required to make provision for junction improvements adjacent to the site, **to include for a roundabout to access the site**, and provide a cycle and pedestrian pathway along Drehidnagower Road fronting the site. ~~Open space shall be provided in the northwest section of the site to serve the development, with housing arranged to overlook the public road and the open space. No development can take place on the lands which are zoned open space and the natural woodland in this area of the site shall be retained. The site falls within Flood Zone A, B and C. A flood risk assessment in accordance with 'The Planning System and Flood Risk Management-Guidelines for Planning Authorities' DoEHLG and OPW 2009 shall be submitted as part of any planning application made in relation to this site. Any proposed land raising in Flood Zone A must be balanced with compensatory storage within the land holding on a level for level basis.~~ **The Flood Risk Assessment shall clearly show that the Finished Floor Levels of the proposed dwellings are set above the 1 in 100 level (of 6.3m OD) plus freeboard of at least 600mm. No residential development shall take place within the Open Space area, and the flood risk assessment as referenced above shall have regard to the design and provision of high quality open space to be provided for the enjoyment of the residents.**

Development proposals for this site shall include details of how surface water will be managed during construction to allow the local authority to screen the proposals under Article 6(3) of the Habitats Directive. Only proposals that can clearly demonstrate that they will not adversely affect the cSAC will be permitted. An ecological assessment of the site must be undertaken, including woodland and scrub habitats, which must inform the preparation of a landscape management plan.



Ref. 476 Councillor Paul Murphy

Key words: Clarecastle

Summary of the Issues Raised in the Submission

This submission refers to the Clarecastle area of the Ennis settlement plan.

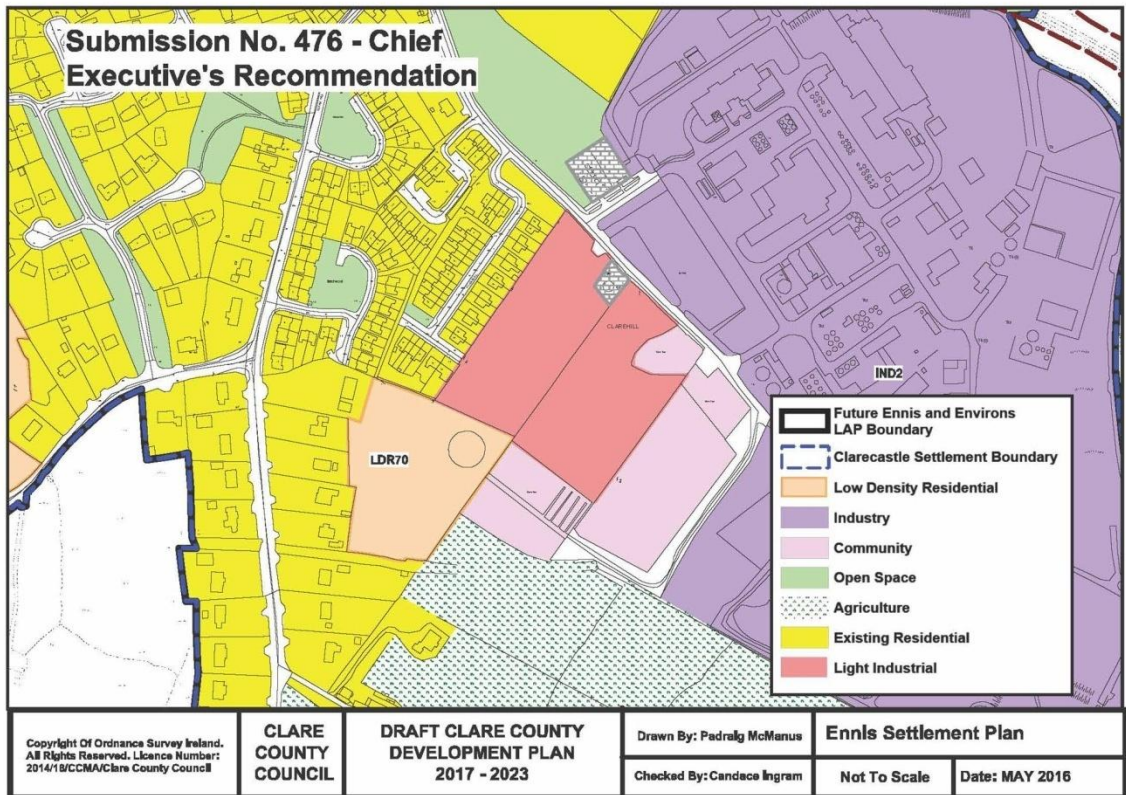
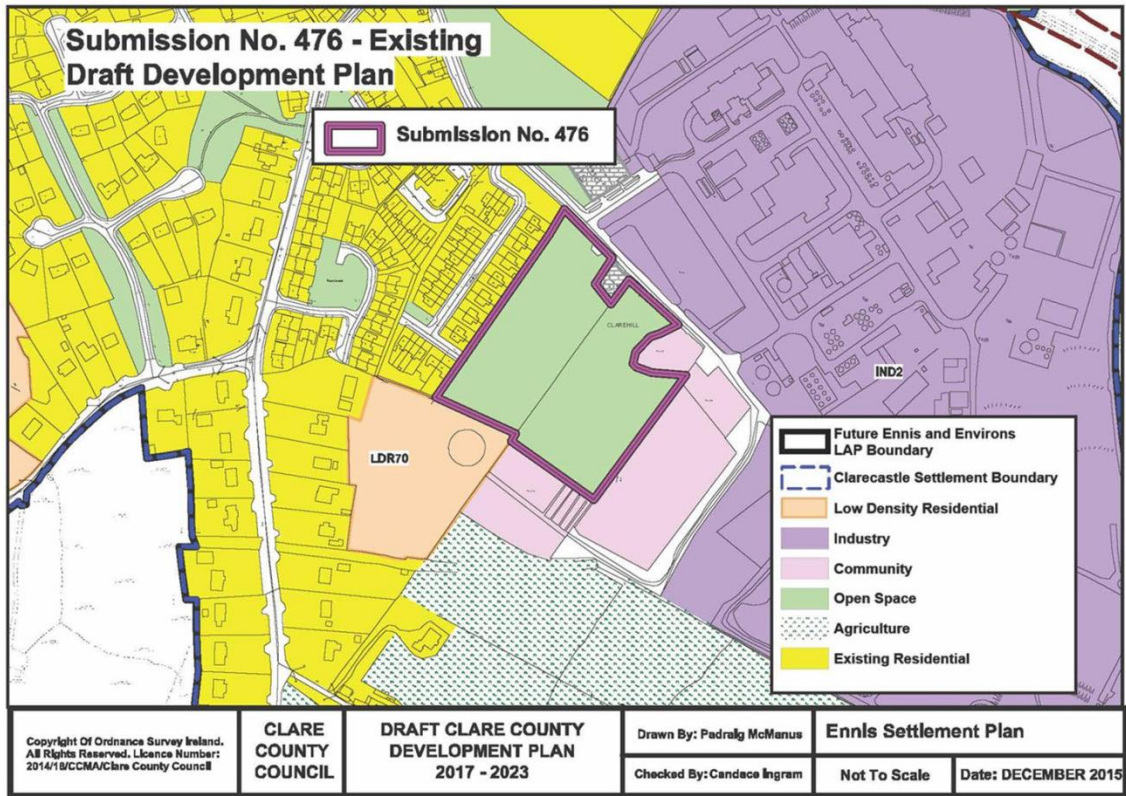
The author requests that the two Greenfield sites adjacent to the water tower in Clarehill are zoned for light industry.

Chief Executive's Response

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

Chief Executive's Recommendation

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



Ref. 478 Ian Lumley on behalf of An Taisce

Key Words: Policy, Environment, Housing, Retail

Summary of the Issues Raised in the Submission

General Comments

The author submits that it is imperative that the new County Development Plan (CDP) sets out a clear, rational, evidence based and plan-led strategy for the future spatial development of the locality to address critical emerging global challenges, most importantly energy scarcity and climate change, and is grounded in the principles of sustainable development.

The new CDP should have due regard to the Climate Action and Low Carbon Development Act. Section 15(a) under 'Duties of Certain Bodies' states that:

"A relevant body shall, in the performance of its functions, have regard to:

- a) the most recent approved national mitigation plan;*
- b) the most recent approved national adaption framework and approved sectoral adaptation plans;*
- c) the furtherance of the national transition objective;*
- d) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the state."*

In addition to the Climate Action and Low Carbon Development Act 2015, regard should be given to Section 10(n) of the Planning and Development Act 2010 as amended, which states that:

"A development plan shall set out an overall strategy for the proper planning and sustainable development of the area of the development plan and shall consist of a written statement and a plan or plans indicating the development objectives for:

The promotion of sustainable settlement and transportation strategies in urban and rural areas including the promotion of measures to –

Reduce energy demand in response to the likelihood of increases in energy and other costs due to long-term decline in non-renewable resources

Reduce anthropogenic greenhouse gas emissions, and

Address the necessity of adaptation to change;

In particular, having regard to location, layout and design of new development."

The objective for those preparing the new CDP should be conciseness, clarity and simplicity in use of language, and that planning terms be explained in an appending glossary. The excessive flexibility inherent in many CDPs is a key factor in the long delays experienced in the planning process. The flexibility is evidenced both vagueness and by 'letout' clauses which causes interpretation problems for the developer, the Councillors, the public, and even the officials.

- The PA is requested to review the plan ensuring any vagueness and 'letout' clauses are removed;
- The PA is requested to explain planning terms in an appending glossary

Specific Comments

Section 3.3.2 Settlement Hierarchy and Strategy - Development Plan Objectives

An Taisce submits that the objectives included under this section for Ennis, Shannon, Service Towns, Small Towns, Large Villages, Small Villages, Clusters should each include objectives relating to:

- Sustainable transport and mobility objectives in order to ensure the implementation of 'Smarter Travel: A Sustainable Transport Future'.
- Protection and enhancement of distinctive town centres
- Ensure a good quality environment, through the provision of public transport and ensuring a high quality of life.
- Appropriate zoning and land use

Section 4.3.8 Housing for Older People and Section 5.3 Sustainable and Inclusive Communities

It is stated that 'one of the key aims of the development plan is to ensure that County Clare becomes synonymous with a high quality of life based on healthy, **accessible and inclusive communities**' pg.67 (Emphasis Added)

Having regard to the 'aging' population, there is a need for the development plan to include specific objectives relating to the location of housing for older people in order to ensure that such locations are appropriate for their needs. As such, An Taisce submit that the council need to recognize that the provision of residential /day care and nursing homes is an essential community requirement. It is recommended that the following objectives be incorporated:

"There is a need to ensure that such facilities are successfully integrated into the community and allow residents full access to goods and services outside of the facility"

"Such facilities should be required to locate in existing towns or villages, located in close proximity to shops and other community facilities required by the occupants and shall be easily accessible to visitors, staff and servicing traffic"

By implementing such objectives, the development plan would contribute the the objective of inclusive communities.

Section 5.4.3.2 Primary and Secondary School Facilities

The CDP should have regard to the Department of Educations' and Skills Technical Guidance Document (TGD027) "Identification and suitability of sites for Post Primary Schools" and the Department of Education and Skills Technical Guidance Document (TGD020 "General Design Guidelines for Schools (post and primary)" which states:

"Safe access for all as well as circulation to public roads approaching the school site and safe internal and on-site circulation should be considered. All traffic management and mobility issues should be considered during site identification and assessment. This will include appropriate provision for school buses, pedestrian and bicycle access, staff and visitor parking, car set down and pick up provision. The site should accommodate, where possible, approaches from a number of directions to facilitate and promote diversity of modes of transport thereby reducing vehicular congestion, reducing the need for excessive vehicular infrastructure (roads, parking, set down, etc.) and thereby focusing on land use directly associated with educational function. Consideration should be given to Government policy on Transport. (Useful references include the Department of Transport's current transport strategy; the National Transport Authority's publication Tool Kit for School Travel, Smartertravel and AnTaisce's Green School Initiative.)"

As such, objectives should be included in the CDP that support the above and ensure appropriate location, design and access for post and primary schools.

Chapter 7 Retail, Section 7.1 Strategic Aims

An Taisce submit that the strategic aims for retailing should include the following:

- The promotion of retailing within the core retail areas / existing town and village centres and therefore in accordance with the sequential approach to retail.
- Accessibility in terms of ease of walking/cycling and use of public transport.

Section 7.4 Level and Form of Retail Activity

An Taisce recommends the following amendment to the objective CDP7.2 below

(a) to ensure that sufficient lands are appropriately zoned for retail development in the settlements of County Clare to support a level, quantum and form of retail activity that is appropriate to the position of the settlement of the Settlement Hierarchy for the county”.

Section 7.4.1 Ennis

“It is not anticipated that there will be any requirement for new edge-of-centre or out-of-centre bulky, convenience or comparison floorspace in the Ennis area during the lifetime of this plan”

“There is an identified need for additional convenience and comparison floorspace in the Ennis area during the lifetime of this plan.”

In order to ensure that such development is sustainable, the new CDP should include a strong objective that outlines a general presumption against out-of town shopping facilities. Furthermore, an additional objective should be outlined to promote and facilitate the development of retail development in a sustainable manner.

Neighbourhood centres in Ennis

An Taisce recommends the inclusion of an objective specifying the need to protect neighbourhood centre services and facilities which provide for the day to day needs of the local community.

Proposed New Retail Objectives:

- Facilitate measures to improve accessibility through the development of pedestrian and cycle friendly environments.
- Ensure the protection and promotion of town centre vitality and viability through the zoning of land, avoiding out of centre and edge of centre locations and through the implementation of the sequential approach
- To control the provision of non retail uses at ground floor level in the principal shopping streets of centres, in order to protect the retail viability of centres and to maintain the visual character of streets.
- In relation to fast-food development, An Taisce submit that an objective should be included that takes into account the siting of such development. It is recommended that fast-food/takeaway outlets should not be permitted within 400m of the gates or site boundary of schools, parks or playgrounds and that there should be a general avoidance on 'drive-through' take away facilities as it promotes car dependency.

Chapter 13 - Landscape

The new CDP should include objectives and policies pertaining to the protection of sensitive landscapes, biodiversity and the county's heritage. Development proposals should have regard for the value of the landscape, its character and distinctiveness. As such, An Taisce recommends that the new CDP should include objectives pertaining to the following:

- Protect the visual and scenic amenities of the built and natural environment of County Clare.
- Ensure the protection of skylines and ridges
- Development proposals should have high regard to the environment and heritage – as such, the council should discourage development proposals that would result in the removal of extensive amounts of trees, hedgerows and historic elements of the landscape.
- Ensure that new development proposals are of high standard, siting and design.

15.3.1 Record of Protected Structures

“An alteration to a protected structure may alter an entire streetscape or rural scene. Therefore, protected structures should not be viewed in isolation, but should be considered as part of a larger architectural picture”

An Taisce recommend the inclusion of additional objectifies in order to ensure the protection of County Clare's Protected Structures.

- Ensure the character and special interest of Protected Structures
- Resist demolition of Protection Structures
- Ensure the works on the site of a Protected Structure are carried out using best heritage practices.

15.3.4 Architectural Conservation Area (ACA)

- The council should ensure the architectural detailing on buildings should be retained and that the siting of new buildings should be in scale with the adjoining buildings in order to ensure the protection of ACAs.
- Developments within or adjacent to ACAs should not detract from the overall character.

Chapter 18 - Climate Change and Energy

- The development of Solar PV should be strongly encouraged within the new County Development Plan. Clare County Council should use this as an opportunity to encourage the development of renewable solar energy in a manner that is not to the detriment of surrounding landscape and good tillage land in tandem with new development proposals.
- Suitable lands for large scale Solar PV development need to be identified in order to ensure that any such development would be well screened and not injure the visual amenity, land use quality and biodiversity value of an area.
- An Taisce recommend that a strong emphasis is placed on reducing energy demand on all building, with particular emphasis on new commercial/warehouse/industrial developments.
- An Taisce recommend the inclusion of CoP21 and EU2030. Following on from CoP21, at which Ireland accepted an obligation to take action to limit global temperature rise below 2 degrees celcius above pre-industrial levels and notably 'to limit that to 1.5 degrees celcius', it is now imperative that such action is taken in order to ensure Ireland's contribution to decarbonisation and limit global temperature increases. The importance of emissions reductions is growing and Ireland has a legally binding obligation under EU 2020 and EU 2030 to commit to a 20% cut in greenhouse gas emissions from 1990 levels by 2020 and a commitment to continue reducing greenhouse gas emissions and setting reduction targets by 40% by 2030 relative to 1990 levels respectively.

Chief Executive's Response

I would like to thank An Taisce for their detailed consideration of the Draft Clare County Development Plan 2017-2023 and I would to comment on this issues raised in the submission as follows:

The requirements of the Planning and Development Act (as amended) have been fully addressed in the draft development plan, as has the Climate Act and Low carbon Development Act 2015. The Draft Development Plan contains a Low Carbon Strategy and the themes of sustainable development, sustainable transports and achieving greater energy efficiency across all sectors are prevalent in the Plan. I am satisfied that the Plan is a very positive step towards achieving a low carbon society in County Clare.

With regard to clarity in the Plan, every effort has been made to ensure that there is no ambiguity in the policies and objectives and any issues that are identified will be addressed. Furthermore, a glossary of terms in already contained in the plan so I do not consider any further action to be required in relation to this matter.

Section 3.3.2 Settlement Hierarchy and Strategy

I note the comments in relation to sustainable transport and mobility, distinctive town centre, creation of a good quality environment and a high quality of life and appropriate zoning and land use. These issues are dealt with in detail in the respective chapters of the plan and also in the settlement plans for individual chapters contained in Volume 3. I do not consider it necessary to reiterate this information Chapter 3 of the Plan.

Section 4.3.8 Housing for Older People

I am in agreement that the issue of nursing home and day care facilities should be addressed in the Plan.

Section 5.4.3.2 Primary and Secondary School Facilities

I agree that reference to the Department of Education and Skills technical guidance documents *Identification of Sites for Post Primary School* and *General Design Guidelines for Schools* should be included in the Plan.

Section 7.1 Strategic Aims (Retail Chapter)

I consider that the two points set out in the submission should be included as strategic aims for the retail chapter.

Section 7.4 Level and Form of Retail Development

I agree that the proposed addition to Objective CDP7.2 would be beneficial to the Plan.

Section 7.4.1 Ennis

I note the comments that are made in relation to edge-of-centre and out-of-centre retail development in the Ennis area. I am satisfied that this issues is fully addressed in Section 7.6.1 of the Plan which indicates that *it is not envisaged that new edge-of-centre or out-of-centre convenience or non-bulky retail comparison developments will be required or permitted in Ennis or Kilrush during the lifetime of the Plan*. However I consider that it would be beneficial to include a cross-reference to Section 7.6.1 in Section 7.4.1 of the Plan.

Neighbourhood Centres in Ennis

I note the comments that are made in relation to neighbourhood centres in Ennis in this submission. I am satisfied that the text of the draft Plan, which recognises the importance of the two existing neighbourhood centres in Roslevin and Claureen and supporting the development of similar centres in other identified neighbourhoods in the town is sufficient to support and protect these centres into the future.

Additional Retail Objectives

- The improvement of town centre accessibility is addressed in Section 7.5.3 Improved Accessibility and Mobility.
- Town centre vitality and viability and the application of the sequential test, in accordance with the Retail Planning Guidelines, is addressed in Section 7.4 Level and Form of Retail Development (and associated Objective CDP7.2), Section 7.5.2 Diversity of Uses, Section 7.5.4 Retail Health Checks and Section 16.2.1 Town Centre Vibrancy.
- In relation to non-retail uses at ground floor level on principle shopping streets, this is an issue that primarily relates to vibrancy, appropriate mix of uses and the avoidance of an over-concentration of a particular use and I consider that this matter is addressed through a combination of these existing policies and objectives of the plan.
- I note the issue raised in relation to fast food outlets and this was an issue given much consideration in the preparation of the Draft Plan. However, given that most secondary schools in the county are located within 400 meters of the town centre, implementing a "no fry zone" in these areas is not feasible.

Chapter 13 Landscape

I consider that the issues raised in this section of the submission to be already covered in detail in the policies and objectives of Chapter 13 Landscape, Chapter 14 Biodiversity, Natural Heritage and Green Infrastructure and Chapter 17 Design and the Built Environment.

Section 15.3.1 Record of Protected Structures

A detailed description of the character of each protected structure and their category of special interest is listed in the draft Record of Protected Structure (Volume 4). The RPS and the County

Development Plan policies commit to protect all protected structures and their setting. Furthermore, all development proposals affecting a protected structure will be referred to the County Conservation Officer as part of the Development Management process who will ensure that all works will be carried out using best heritage practices.

Architectural Conservation Areas

Having considered the points raised in this submission, I consider that the matters are already fully addressed in Section 15.3.4 of the Draft Plan and associated Objective CDP15.5.

Chapter 18 – Climate Change and Energy

In relation to solar energy, this matter is already addressed in the Renewable Energy Strategy (Volume 6) and I refer also to my response in Submission 372 where I recommend additions to the Plan in relation to this topic.

Energy efficiency in industry and building is addressed in Section 18.5.1 and associated objective CPD18.4. The Conference of Paris and in this regard I refer to the recommendations that I have made on this issue in response to Submission 008.

Chief Executive's Recommendation

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

Section 4.3.8 Housing and Accommodation for Older People

Older people have certain housing requirements relating to access, medical care, security and personal safety, amongst other issues. While the majority of older people own their own homes, some may find that their accommodation is not entirely suitable to their needs. The demographic profile of County Clare indicates that the number of older people per head of population is increasing which results in a growing need to provide assisted housing which is suitable for older people.

Day care and nursing home facilities are going to become increasingly important in the coming years and Clare County Council will facilitate the development of quality services throughout the county. It is important that. Wherever possible, these services are integrated into the community to allow residents to access goods and services outside the facility and to ensure it is convenience for visitors, staff and servicing vehicles.

In addition to the provision of assisted housing, it is highly important to ensure that older people can remain in their own homes for as long as possible. For this reason it is important to ensure that new developments provide accessible and adaptable homes so that residents can remain in their own community, if they so wish, through all stages of their life.

Older members of the community, particularly those currently living in rural areas, can also experience social isolation and difficulties accessing essential services. They can benefit from moving to towns and villages where they are close to services and social opportunities. Housing for older people in such locations also supports the Council's objective to encourage greater residential uses in town and village centres.

Development Plan Objective: Housing for Older People	
CDP 4.10	It is an objective of the development plan: a) To ensure that new housing developments provide a range of house types and that accessibility and life-long adaptability are key elements in house design;

b) To provide and facilitate the provision of accommodation to meet the needs of older people and to encourage the provision of a range of housing options for older people in appropriate, convenient and easily accessible locations;

c) To support the development of new nursing home and day care facilities in towns and villages in the county;

d) To support nursing home and day care facilities on brownfield sites outside of settlements, subject to normal site suitability criteria.

Section 5.4.3.2 Primary and Secondary School Facilities – addition to second paragraph

In the assessment of applications for development the Planning Authority will have regard to The Provision of Schools and the Planning System – A Code of Practice for Planning Authorities (2008), ~~and~~ Sustainable Residential Development in Urban Area – Guidelines for Planning Authorities (2009) and the Department of Education and Skills technical guidance documents 'Identification and Suitability of Sites for Post Primary Schools' and 'General Design Guidance for Schools'.

Section 7.1 Strategic Aims

The addition of the following point to the strategic aims of the Retail chapter:

- To promote retail activity in the core areas of towns and villages in the county
- To improve accessibility and ease of movement for all forms of transport in town and village centres.

Objective CDP7.2 Retail Activity – addition to point (a)

a) To ensure that sufficient lands are **appropriately** zoned for retail development in the settlements of County Clare to support a level, quantum and form of retail activity that is appropriate to the position of the settlement on the Settlement Hierarchy for the county;

Section 7.4.1 Ennis

Include cross-reference to Section 7.4.1 of the Plan.

Ref. 479 Brian McManus on behalf of Clare Comhairle na nÓg

Key Words: Policy, Access and Movement, Physical Infrastructure

Summary of the Issues Raised in the Submission

This submission makes the following general suggestions that the draft Plan should include:

- Plan for ways to combat homelessness in Clare. The author submits that a different solution is needed for young people as houses or single flats are not the only answer.
- Provision for the arrival of groups of refugees to Clare and ensure resources are in place to facilitate them.
- More public transport around Clare
- Proposals to adapt late opening Library times for Youth Spaces/Cafés
- Proposals for the development of dedicated Youth Spaces
- Proposals to develop Educational Tourism throughout Clare and attract a broader range of tourists such as historians and geologists
- Positive comments especially when referring to areas where people live.

Chief Executive's Response

I thank Clare Comhairle na nÓg for their submission and I would like to respond to the issues they have raised as follows:

In relation to homelessness Clare County Council is working in partnership with both voluntary and statutory agencies to develop a new initiative to accommodate and support young people in County Clare who are homeless or at risk of becoming homeless. The initiative is aimed specifically at persons who are under the age of 26 and there are dedicated support staff and accommodation units suited to the need of this client group.

In relation to migrant/refugee support, Clare County Council works with the Department of Foreign Affairs to secure specific accommodation for refugees arriving in the county. A wide range of other supports such as English Language Support, cultural events and advocacy services to promote social inclusion are then provided by the Clare Immigrant Support Centre.

In terms of library service, Clare County Council is currently working to expand library open hours. De Valera Library in Ennis will be an 'Open Library'. This is a library that allows self service access to library members outside of normal opening hours. De Valera Library will be open with full service with staff present during the current library opening hours. Additionally the library will open on a self service basis outside of normal opening times. This will make it available from 8am - 10pm 7 days a week. If the 'Open Library' concept is successful in Ennis it may be expanded to other areas in the future.

In relation to public transport, the Draft Plan strongly supports an increase in public transport services. Various forms of public transport are dealt with in Section 8.2.10 of the Draft Plan. Furthermore, the issue of sustainable transport such as walking and cycling are addressed in numerous places including Section 8.2.9. Clare County Council will also be participating in projects and schemes to promote sustainable travel and to improve facilities for walkers and cyclist e.g. Smarter Travel (Section 8.2.6) and Active Travel Towns (Section 8.2.8).

The development of dedicated youth spaces would be of great benefit to the county but this may be difficult to achieve due to limited resources available. While there are a number of dedicated spaces such as The Junction in Ennis, the Plan aims to achieve greater use of existing spaces by promoting the shared/dual use of existing facilities (Section 5.4.4 Dual Use of Community Facilities).

In relation to educational tourism, I agree that there is potential to expand this type of tourism in the county. There are festivals and events held throughout the year based on the culture and heritage of the county and these events make a significant contribution to the tourism industry. Also, much of the geology of the county is unique and I agree that there is great potential to increase the number of visitors who come to learn about these unique features each year. There

issues are addressed in Section 9.3.15 Heritage and Cultural Tourism and Section 9.3.8 Education Tourism of the Draft Plan.

The Plan aims to be very positive in relation to the areas where people live. Volume 3 of the Plan sets out an individual plan for each settlement in the County. These plans highlight the attributes of each town and village and also give details of improvement that the Council aim to achieve during the lifetime of the Plan.

Chief Executive's Recommendation

I again thank Comhairle na nÓg for their submission and I recommend that no amendments are made to the Draft Clare County Development Plan 2017-2023 on the basis of this submission.

Ref. 480 Rita McInerney on behalf of Doonbeg Community Development Ltd.

Key Words: Policy, Doonbeg, Physical Infrastructure, Environment

Summary of the Issues Raised in the Submission

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

Population and Future Housing Trends

The character of Doonbeg Village should not be compromised by large and dense housing developments and that any such developments should provide relevant additional services to the village such as recreational or community amenities to be proposed for agreement with the local community. Also they request that any permissions granted should include a condition that 2/3 of the houses are for permanent residence to assist in the year round viability of coastal villages.

Employment and Economy

The Plan should allow for the possibility of community enterprise, should the opportunity arise, within the designated ENT1 and ENT2 sites which would be considered on an application by application basis.

Infrastructure

The installation of a separate suspended footbridge to the south of and adjacent to Doonbeg Bridge would allow safe access for pedestrians while not interfering with the character of the bridge (PS 201). The boundary wall of "R1" should be stepped away from the road in order to improve visibility from traffic turning from the Killard Road onto the N67 at Doonbeg Church.

The speed limit in operation on the Killard Road entering Doonbeg should be moved back to where the Doonbeg sign is located and the Doonbeg settlement boundary begins on the Killard Road. This would increase safety around the access to Doonbeg NS, Church and the housing development at "R1".

Transport

Lighted footpaths and cycling routes linking the village of Doonbeg with the Mountrivers cluster and the GAA pitch would benefit everyone in the community and encourage guests of the Doonbeg Golf Club to walk or cycle to recreational activities and to avail of local services.

Built Form, Heritage and Conservation

The author submits that it is vital that the built and cultural heritage of Doonbeg is maintained through community projects whereby local organisations can take ownership of restoring and conserving with assistance from Clare County Council and relevant government departments.

Chief Executive's Response

I would like to thank Doonbeg Community Development Ltd. for their submission and I would like to comment on the issues raised as follows:

Population and Future Housing Trends

Two sites in the village have been zoned as 'Low Density Residential'. In the context of a large village, these sites can accommodate development at a density of 5 units to the hectare. This will ensure that the village is not compromised by large and dense housing developments. The development plan also contains an objective to ensure that an appropriate balance is struck between the number of permanent homes and holiday homes in any settlement (Objective CDP4.12).

Employment and Economy

The zoning of land for enterprise development will accommodate a variety of employment-generating developments that are of a scale suited to a large village such as Doonbeg. This includes community enterprises.

Infrastructure

Requests for alterations to speed limits must be dealt with as part of the periodic review of speed limits in the county. This is not an issue that can be addressed as part of the development plan process. Similarly, alterations to junctions, boundary walls etc. are dealt with as part of the day-to-day operations of the Council and cannot be dealt with via the making of a development plan. In relation to the enhancement of pedestrian linkages within the village, I consider it appropriate to make an addition to the Placemaking and Amenity section to the settlement plan to support works in this area.

Transport

I agree that lighted footpaths and cycling routes are of benefit in any area. However the provision of such infrastructure along national routes lies within the remit of Transport Infrastructure Ireland and not Clare County Council.

Built Form, Heritage and Conservation

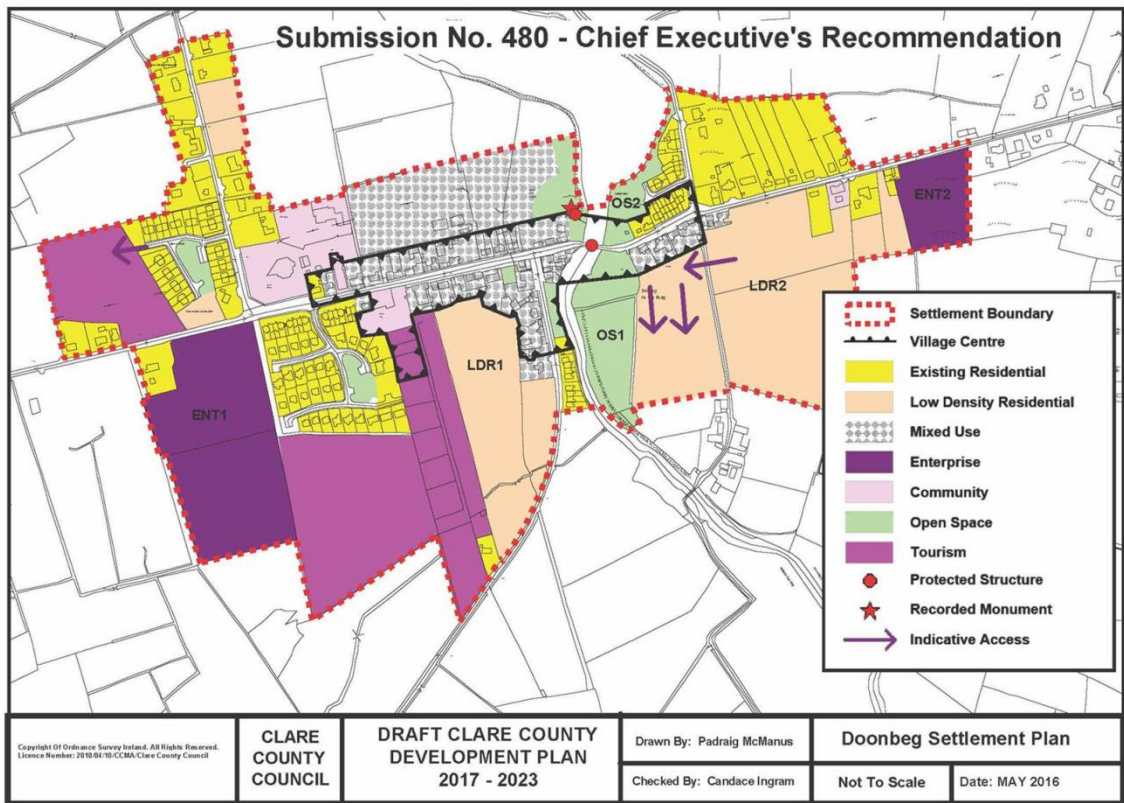
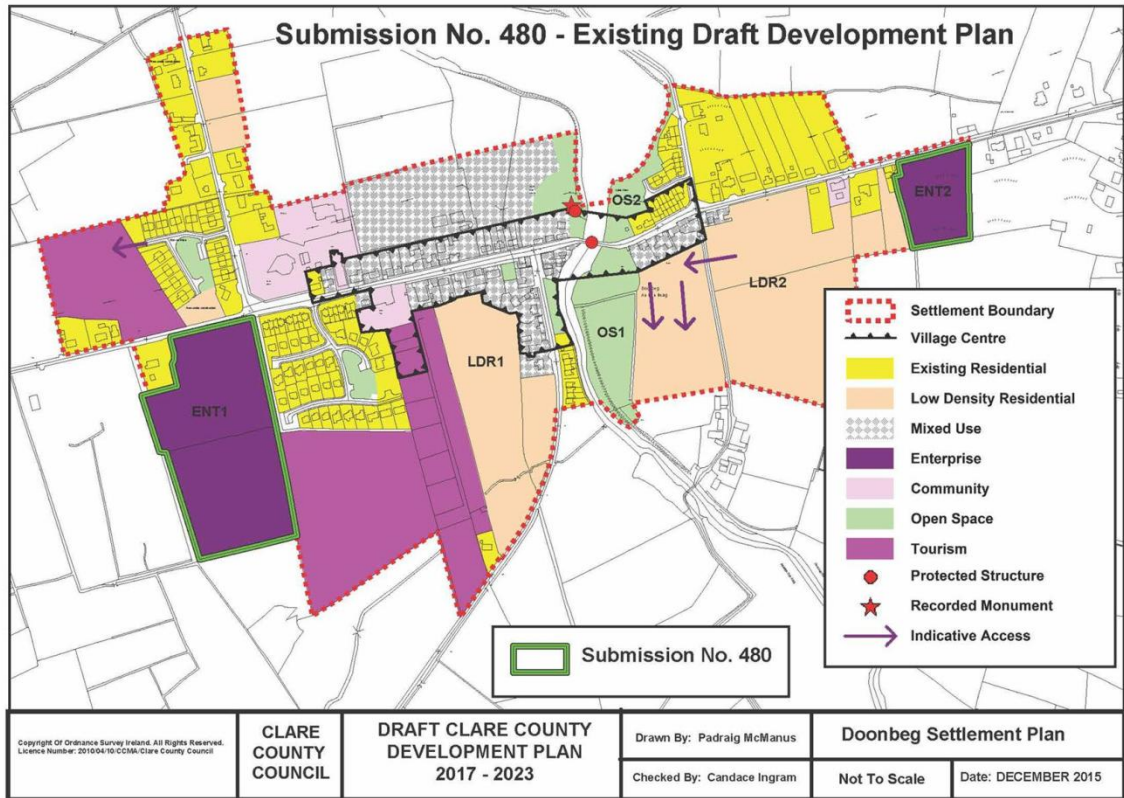
I agreed that there is a rich cultural heritage in the Doonbeg area and the restoration and conservation of heritage features is of great importance. This is addressed in Section 15.3.6 Supporting the Improvement of Architectural Heritage.

Chief Executive's Recommendation

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

Place Making and Amenity – include additional text as follows:

"This is a settlement which extends along the N67 and effective gateways are required to announce the village and to calm traffic. While the open space around the river crossing effectively presents the estuary to the passing public, the existence of Doonmore pier close by on the coast is not apparent and this needs to be rectified by landmarks and signage. Improved facilities for pedestrians such as footpath linkages between the key elements of the village would encourage pedestrian movement and improve amenities in the area and as such will be supported. As with many towns and villages integrating new suburban style housing with traditional urban forms presents difficulties. Care must be taken to keep road widths to their minimum sizes without routinely introducing set-backs. Access to zoned land should be from minor side roads thus leaving the front boundaries intact. e.g. LDR2 Doonbeg is situated on the Wild Atlantic Way. The principles for place making on the Wild Atlantic Way are set out in Chapter 17, Volume 1."



Ref. 481 Tony Bamford Planning Consultant on behalf of Michael Lynch Ltd.

Keywords: Ennis

Summary of the Issues Raised in the Submission

This submission relates to land owned by the above at the east side of the Clare Road, Ennis approximately 200m south of St. Flannan's College. The site is proposed to be zoned "Low Density Residential R35" in the draft Plan.

The submission requests the planning authority to extend the existing "Commercial" zoning along the front of the site, including a small portion of the lands to the rear of the Topaz service station. Remainder of the site to be changed from the proposed "Low Density Residential" zoning to "Residential" zoning.

The author submits that his client may extend the Petrol Station to allow for its complete upgrade and expansion to include other ancillary uses such as an enhanced shop, dining and cafe franchises, as part of a more contemporary filling station model.

Vehicular access for the residential lands to the rear would be from the adjacent Abbeycourt and Abbeyville housing estates.

The author further submits that the subject lands are not susceptible to flooding contrary to the draft Plan which indicates the site is at risk of flooding to the rear as a result of overflows from St. Flannan's Stream.

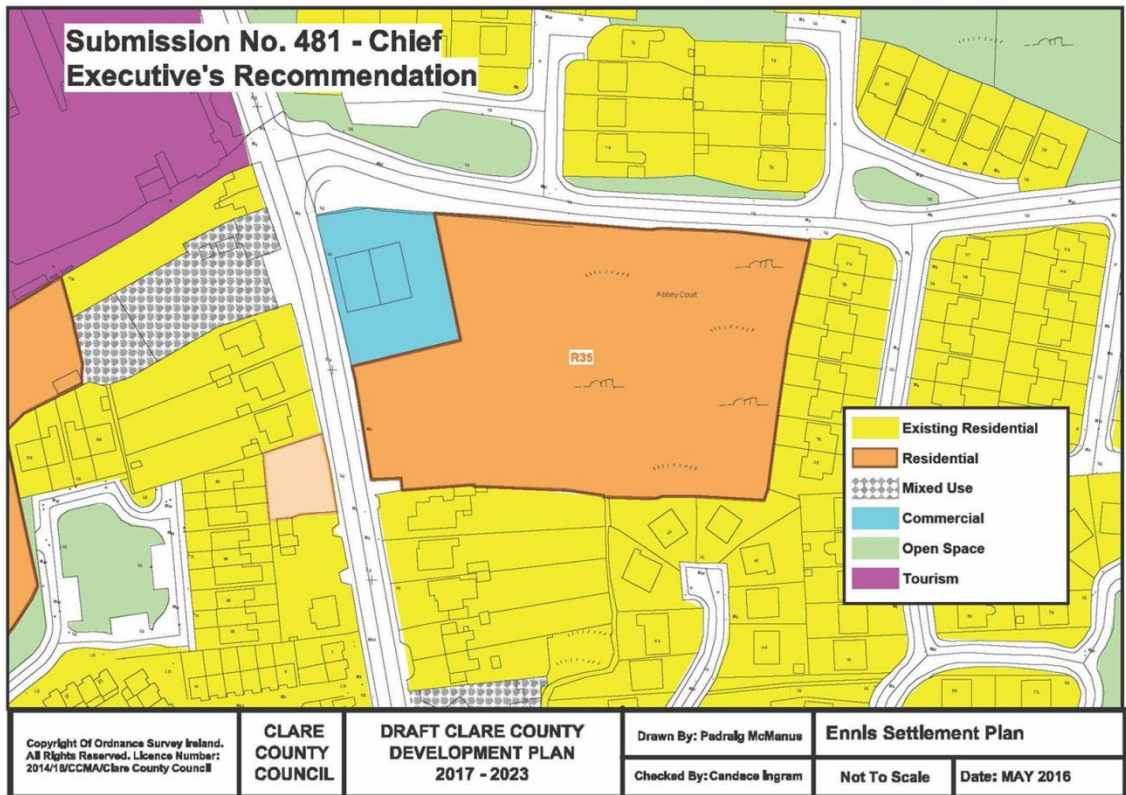
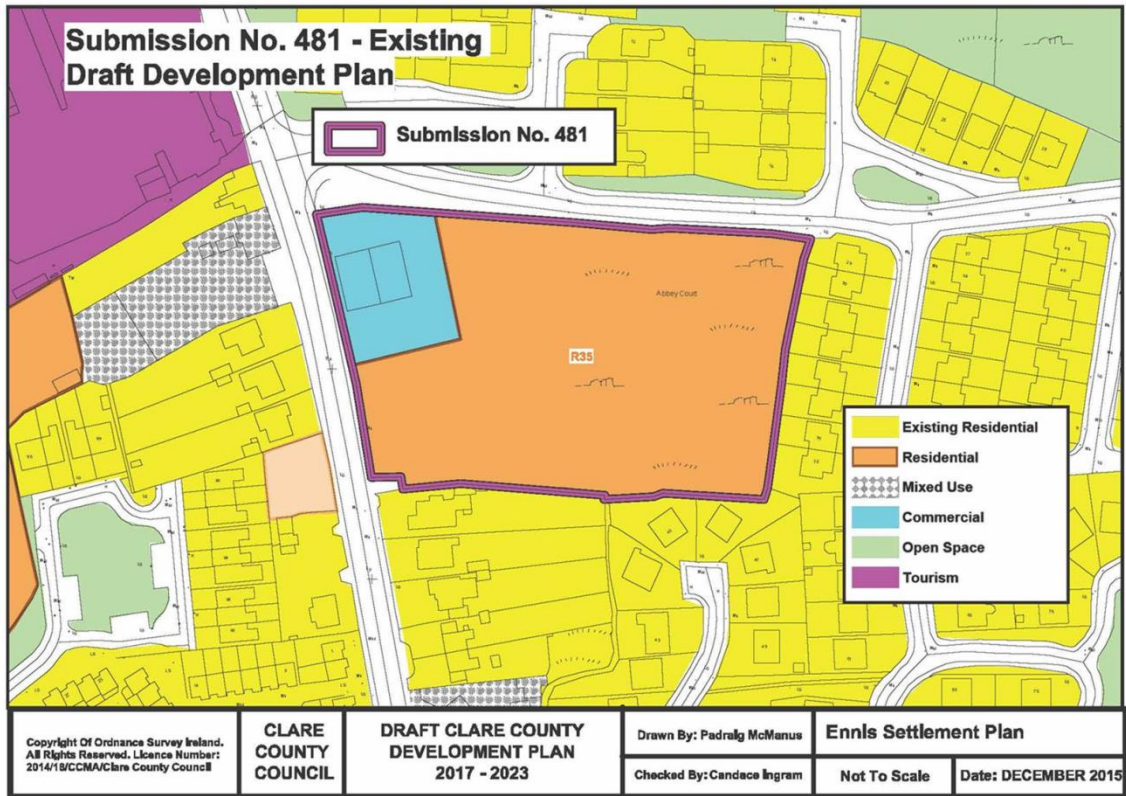
Chief Executive's Response

I wish to thank Mr. Bamford for the submission made on behalf of Michael Lynch Ltd. I note that the site is zoned Residential in Volume 3(a) as contained in the Draft County Development Plan 2017 – 2023, and not Low Density Residential as stated in the submission.

Regarding the extension of the Commercial zoning, I do not consider same is appropriate. I note that the Guidelines for Planning Authorities - Retail Planning (DoECLG, 2012) state that the petrol filling station floorcap space is 100sqm (net) irrespective of location. Any proposed development within the environs of the existing filling station shall be assessed under 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.



Access and Movement, 965, 967, 995, 1008
Ballyvaughan, 973, 979, 981, 983
Clarecastle, 985, 999
Doonbeg, 965, 1010
Ennis, 924, 936, 948, 952, 956, 960, 962,
975, 997, 1013
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Environment, 926, 1001, 1010
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