



Clare County
Development Plan
2023-2029

Draft Clare CDP 2023-2029 - Public Consultation Portal

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Volume 1

Core Strategy, Settlement Strategy and Housing

Volume 3(a) Ennis Municipal District Written Statements and Settlement Maps

Volume 3(b) Shannon Municipal District Written Statements and Settlement Maps

Volume 3(c) Killaloe Municipal District Written Statements and Settlement Maps

Volume 3(d) West Clare Municipal District Written Statements and Settlement Maps

Miltown Malbay

Associated Documents

None of the above

Environmental Reports

None of the above

Your Submission

Location Map



Earthstar Geographics | Esri, FAO, NOAA

Powered by [Esri](#)

Upload Files

1426 - Zoning Report - D02.pdf, 2.04MB



DIARMUID KEANE + ASSOCIATES LTD

Architecture

| Engineering

| Surveying

Submission: Draft Clare County Council Development Plan (2023-2029)

Location: Church Street,
Miltown Malbay,
Co. Clare

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Mr. Robert Johnston
Mr. Bobby Johnston

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Document Control Sheet

Applicants	Mr Gerard Johnston, Mr. Robert Johnston, Mr. Bobby Johnston
Project Title	Rezoning of Agricultural Lands at Miltown Malbay
Document Title	Submission to the Draft Clare County Development Plan (2023-2029)
Job No.	1426

Issue

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1.0 GENERAL

Diarmuid Keane & Associates (Agent), on behalf of our Clients Mr. Gerard Johnston, Mr. Robert Johnston, & Mr. Bobby Johnston (Applicants), have prepared and issued the following submission with respect to the draft Clare County Development Plan (2023-2029).

It should be noted that the Applicants are in full ownership of the lands at Miltown Malbay as delineated in the following report, which are currently zoned as Agricultural Use as per the Miltown Settlement Plan which is enclosed. For the purposes of this report, the applicable lands have been limited to the landholdings as defined by the Property Registration Authority as per Appendix A, specifically [REDACTED]

The Applicants seek a change in the zoning of circa 1.211ha of land, from Agricultural Use to Low Density Residential Use, in order to facilitate optimal use of the land based on the following material considerations:

1. Due to the development and expansion of the main town centre over a number of years, the applicable site can be considered as central, having close proximity to the town centre, and inherent public facilities provided therein, offering the potential for the site to be redeveloped an ideal location to contribute to the much-needed low density residential housing in the immediate area.
2. Currently, there is circa 0.419ha of lands zoned as Existing Residential Use, located at the adjacent field to the West, with 0.316ha lands zoned as Community Use, specifically St. Joseph's Church (RPS 112) to the immediate South. This haphazard approach and resultant mix of development is not optimal, particularly as access to, and typical activities of agricultural machinery could be considered a potential health risk to the existing residents who already reside here, and to the locals who travel to this area from the town centre on a regular basis to worship. Therefore, by consolidating these lands to a similar occupancy, it is the aim of the Applicants to maximise the potential of the lands, and to enhance the quality of the surrounding areas.
3. Due to its rural nature, Miltown Malbay town is surrounded by significant amount of lands already designated as Agricultural Use, while only a small portion of lands are proposed as Low Density Residential, with an even smaller percentage of these designated lands actually expected to be developed in the near future. From a recent article published 10/12/2021, Minister Peter Burke argues that, "*a huge population growth expected in all of Clare's major towns,*" and that in order to realistically provide an adequate housing supply to locals, "*housing output needs to be increased by 130 percent over the next seven years.*" According to Table 3.4 from the Core Strategy Document of the draft Clare County Development Plan (2023-2029), a requirement of 2.71ha has been specified for the Miltown Malbay townland area, while only 2.48ha are available Therefore, the Applicants hope to increase the overall residential designated lands in accordance with estimated growth rate predictions in order to meet the necessary targets set out by the Local Authority.

4. Miltown Malbay has a strong sense of place due to the continuous containment of space by buildings within the long, broad Main Street. The straight spine of Main Street forms a clear line of sight to the closing elements at each end, and the site has significant potential to further contribute to this unique layout, through the inherent location of the site at the Northern end of the Main Street.

5. Due to the recent adjacent development of 6no. residential units, the provision of site access via Church Street for future development is already in place. Furthermore, the inherent nature of the site being provided with access roads along both the Eastern and Western site boundaries, creates the potential for multiple entrance locations where required

Furthermore, this application seeks to rectify the delineation of the townland boundaries, to reflect what is owned by the Applicants. Currently, the townland boundary line dissects the site, which contrasts with the registered boundary delineation on file with the Property Registration Authority and the Applicants title deed records. Please note a drawing for clarification purposes has been prepared, please see it enclosed in Appendix B, which clearly illustrates the area seeking boundary rectification.

2.0 SITE LOCATION & CONTEXT

2.1 Site Context

The subject land comprises of circa 1.211ha lands, located on Church Street to the North of Miltown Malbay town centre, at a distance of circa 500 meters, as illustrated in Figure 1.0 below.

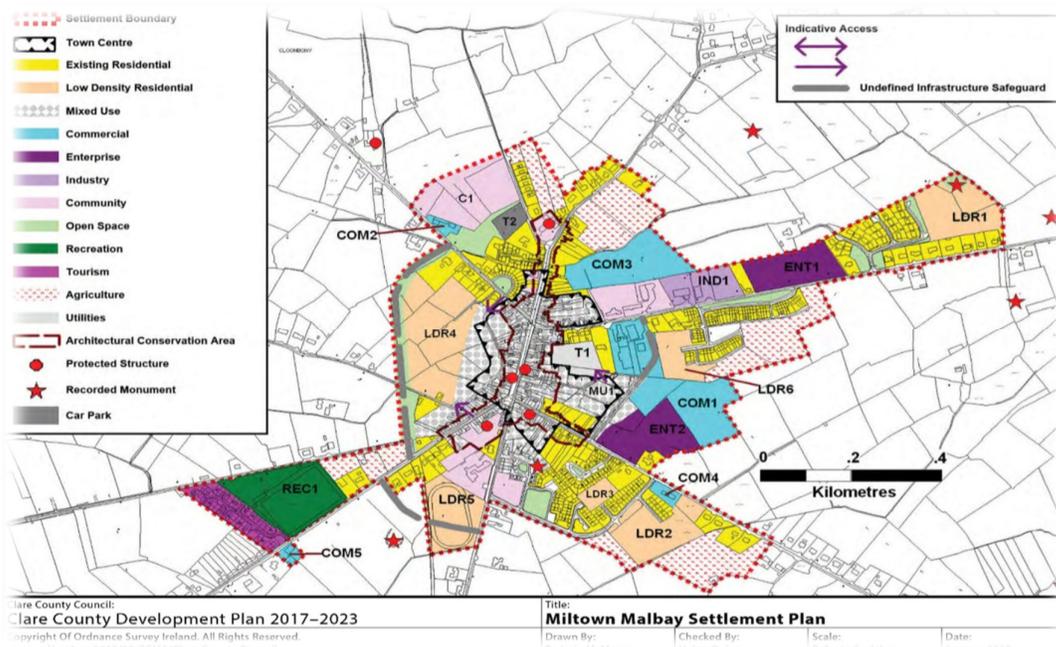


Figure 1.0 Location of the overall site in context of surrounding land uses.



Figure 2.0 Satellite imagery of overall site in context of adjacent townland

The site is well serviced by the 333-bus route, which provides a bus stop (357621) at a distance from the site of approximately 565m, meaning that the site is easily accessible to pedestrians and within acceptable walking distance. Furthermore, a bus between Miltown Malbay and Ennis is available 4 times a day as follows:

- Ennis Bus Station - the Square - **9:16 AM**
- Ennis Bus Station - the Square - **12:18 PM**
- Ennis Bus Station - the Square - **3:18 PM**
- Ennis Bus Station - the Square - **6:17 PM**

2.2 Planning History

To date, no Planning Applications are on record with the local Planning Authority register, as having been submitted on the portion of lands delineated as Agricultural. It should also be noted that while Architectural Conservation Areas are present within the surrounding area, the site does not form part of this delineation, and is completely outside any potential areas of conservation.

3.0 DEVELOPMENT INTENT

The draft Clare County Development Plan (2023-2029) Plan delineation of proposed land zones is detailed above in Figure 1.0.

According to the draft Clare County Development Plan report (2023-2029), the General Objectives have been highlighted as follows:

- To consolidate and regenerate the existing town centre by encouraging infill development, redevelopment of derelict, obsolete and brownfield sites and through the development and access of backlands in a planned and integrated manner
- To promote Miltown Malbay as a linked settlement with Spanish Point in order to expand the range of services and facilities which are complementary to both settlements
- To make provision for the sustainable growth of Miltown Malbay by the appropriate provision of private, social and affordable housing, employment, services and recreational/open space
- To safeguard the existing character of Miltown Malbay by permitting development that respects the built heritage of the town and the designated Architectural Conservation Area
- To provide for the growth and diversification of the local economy
- To make provision for the development and maintenance of physical service infrastructure to allow for future growth
- To improve vehicular access and parking facilities within the town and provide for an integrated approach to circulation, signage, parking and traffic around the town.

Furthermore, according to the draft Clare County Development Plan (2023-2029) Plan, Miltown Malbay is identified in the settlement hierarchy of this Plan as a ‘small town’. The Urban and Rural Settlement Strategy contained in Volume 1 of this Plan indicates that the objective for small towns is *“to ensure that their existing role is maintained and strengthened. This will be achieved through adequate zoning of lands and implementing a positive approach towards appropriately scaled and designed urban development. The expansion of Miltown Malbay should be sympathetic with the focus on developing sites from the centre out and expanding its retail and commercial functions.* Therefore, it is the intent of the Applicants to adapt this approach of “centre out” development, to utilise the existing network of public infrastructure, specifically public footpaths, roads and ancillary site services, to develop a small number of low-density housing units. Proximity is a key factor, and it is only through the fortunate location of the site relative to the existing town centre, which offers significant potential as a low-density residential development site. St. Joseph’s Church (RPS 112) is a visually strong element to the north, and therefore consideration with regard to visibility has been a part of the general design philosophy for all future proposals. Therefore, is the intent of the Applicants to deliver multiple residential units which are sensitively located and effectively screened from the adjacent roadside contiguous elevation. Furthermore, the development and necessary visual improvements from an agricultural site, into a low-density residential site, through general landscaping,

improvements to access routes etc would benefit the public and surrounding areas significantly. The general surrounding public areas, in and around this site, would also benefit from a design which improves the management and movement of traffic, in order to provide for a balance of typical pedestrian users in a visually attractive and safe manner.

5.0 MATERIAL CONSIDERATIONS

There are a number of material considerations put forward for consideration by the Applicants which, it is submitted, will need to be considered by the Council, including the need for compact and sustainable growth; sequential approach to development; and the lack of provisions for realistic low-density residential requirements.

The recently published Draft Development Plan Guidelines by the Department of Housing, Local Government & Heritage clearly states that *“planning authorities should approach the development plan with a clear focus on the delivery of expected development outcomes”*. The Applicants have a plan to revitalise and regenerate the Local/ Neighbourhood Centre, and fully commits to the regeneration of the site in the short-term subject to securing appropriate zoning on the land.

The National Planning Framework (NPF) seeks to achieve more compact and sustainable growth through consolidating a greater share of future development within the existing built footprint of settlements, to include new homes, businesses and amenities. The NPF sets national targets for brownfield/infill housing development, to support the regeneration of existing urban areas. NPF compact growth objectives together with Town Centres First principles are focused on the reuse of previously developed buildings and land and building up ‘infill’ sites, especially those that are centrally located in settlements at all scales.

The subject site is best described as an ‘underutilised’ site in a developed urban area, surrounded by residential development, access to nearby public transport stops, which, can be comprehensively regenerated thereby making the most efficient use of valuable serviced, urban land, all in accordance with national planning objectives for compact growth as set out in the NPF.

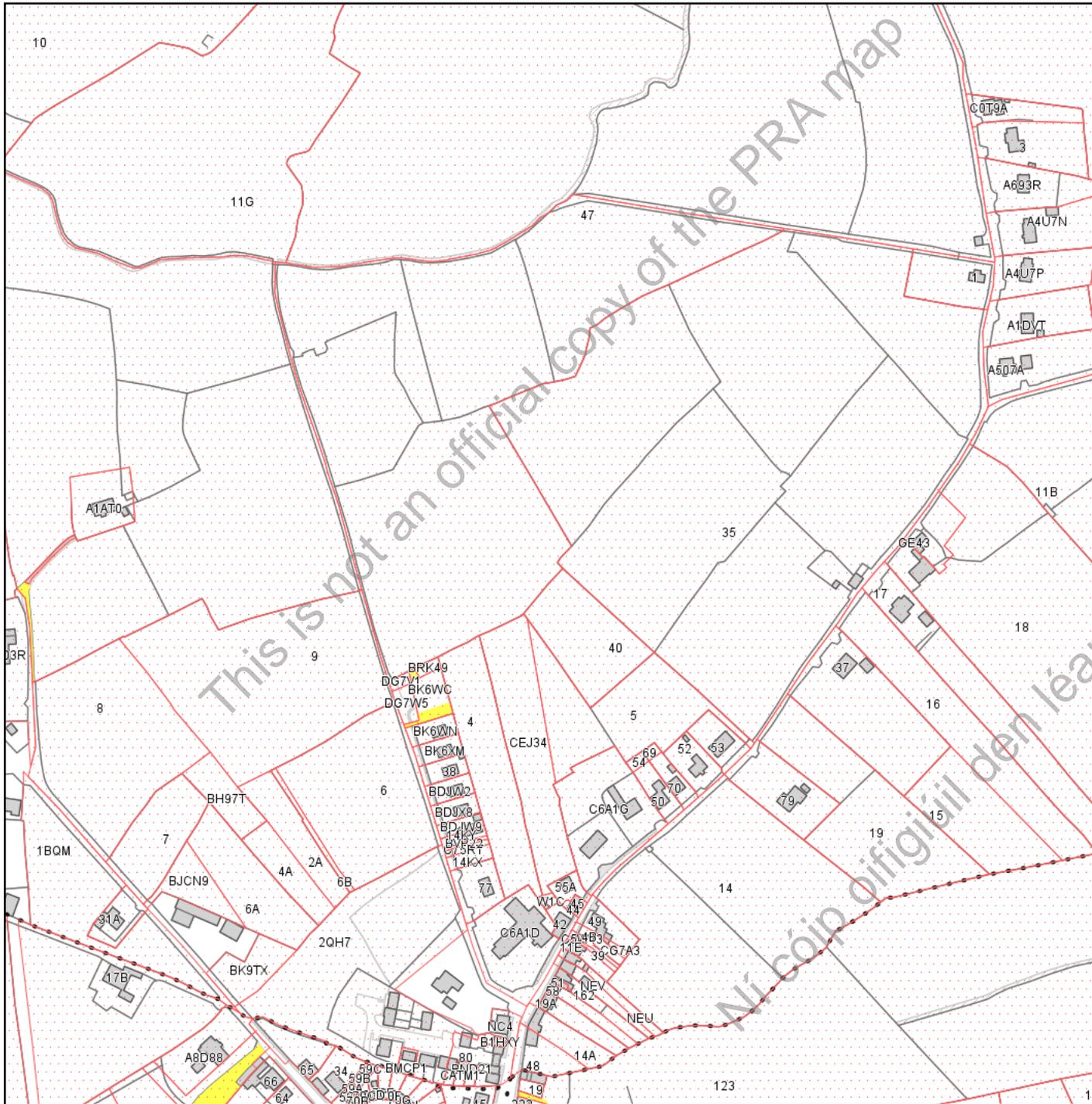
The proposal to provide for a limited residential development offers diversity in housing mix and tenure. With little alternative development opportunity sites in the area to accommodate similar developments, it is submitted that the subject site provides a realistic opportunity for delivery. The existing site has not fully utilised its potential, and it is therefore the opinion of the Applicants that the site must be re-adapted to become a functional and usable space. Zoning the subject land for Low density residential use demonstrates how such land can be readapted for the benefit of all.

6.0 THE REQUEST

It is requested that the Local Authority changes the land use zoning in respect of 1.211ha of land from Agricultural Use to Low Density Residential use. The full extent of the land is detailed in Appendix B enclosed.

It is also requested that the Local Authority rectify the delineation of the townland boundaries, to accurately reflect what is owned by the Applicants. The full extent of this request is detailed in Appendix B enclosed.

7.0 APPENDIX



The Property Registration Authority An tÚdarás Clárúcháin Maoine



Official Property Registration Map

This map should be read in conjunction with the folio.

Registry maps are based on OSi topographic mapping. Where registry maps are printed at a scale that is larger than the OSi published scale accuracy is limited to that of the original OSi Map Scale.

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(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(see Section 8(b)(II) of Registration of Title Act 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010).

Burdens (may not all be represented on map)

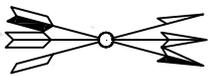
- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- ▭ Septic Tank
- ▽ Soak Pit

A full list of burdens and their symbology can be found at: www.landdirect.ie

The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent.

(see Section 85 of the Registration of Title Act, 1964). As Inserted by Section 62 of the Registration of Deed and Title Act 2006.





2.06

Clonbony

3.39

Land Registry Use Only

0.55

1.13

Car Park

0.33

CLONBONY GARDENS

Catholic Church

0.31



0.58

0.89

2.08

0.46

0.40

1.00

1.16

0.26

0.20

APPLICABLE FOLIOS IN OWNERSHIP OF THE APPLICANTS SEEKING
REZONING FROM "AGRICULTURAL USE" TO "LOW DENSITY
RESIDENTIAL USE" DELINEATED IN SOLID RED LINE
Total Area = 1.21130224ha

PROPOSED TOWNLAND BOUNDARY RECTIFICATION, INCLUSIVE
OF OWNED LANDS DELINEATED IN DASHED GREEN LINE
Total Area = 0.25433763ha

CURRENT LOCAL SETTLEMENT BOUNDARY EXTENTS DELINEATED
IN DASHED BLUE LINE

Milltown Malbaw

