

Draft Clare County Development Plan Submission

Clonroad More, Ennis





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1. INTRODUCTION

We note that The Development Plan Review for Clare County Council is currently in Stage 2: Draft Stage. On behalf of our client, Mr. Pat Mulcair, Marlfield Developments Ltd., we wish to make a submission to Clare County Council in relation to the Draft Clare County Development Plan 2023-2029, which was published on 10th December 2021 and will be on public display and open for public consultation until Monday 28th March 2022. Our client is the owner of lands at Clonroad More, Ennis, Co. Clare as indicated on Map 01 attached.

The subject lands are located at Clonroad More, in Ennis. The site is within the Ennis and Environs Local Area Plan Boundary. The lands are zoned for the use of 'Agriculture' in the Clare County Development Plan 2017-2023. Clare County Council propose to maintain the agricultural zoning of the lands in the Draft Clare County Development Plan.

It must be noted that planning permission has been previously granted on the subject site, for an application proposing 82 dwellings and another proposing 120 dwellings. Additionally, the lands to the north, south and southeast of the site are residential. Therefore, the principle of residential development for the lands in the area has been accepted by Clare County Council from both a policy and development management perspective.

It is considered that a change of zoning from agricultural to residential is warranted and in accordance with proper planning and sustainable development of the area.

2. SITE LOCATION AND CONTEXT



Figure 1 Site location map (Site outlined in red, indicative only)

The subject lands are located South of the N85. There is direct access via a local road, Clonroadbeg, (L4176) which connects the site to the N68 and the R458 (See Figure 2). The subject lands are secured on all boundaries by shrub planting and a wooden fence (See Figures 2 and 3) . The site is approximately 2.5km south of Ennis Town Centre.

The subject site measures approximately 13 hectares (33 Acres) and consists of mainly scrub land. It is an overgrown stretch of land which is not currently used for agricultural purposes. In terms of wastewater treatment, the Ennis area is served by treatment plants at Clonroadmore and Clareabbey. Irish Water is progressing works to ensure that wastewater services are available to meet the population targets. It is stated in the Clare County Development Plan 2017-2023 that *‘the existing Clareabbey WWTP will have sufficient capacity to cater for the current load from the area along with some added capacity.’*



Figure 2 Picture showing an overgrown entrance to site from Clonroadbeg Source: Google Maps



Figure 3 Picture showing the site secured by a wooden fence from the N68 Source: Google Maps

2.1 Connectivity

As evident in Figure 4, the site is bound to the north by the N68, a National Road, to the west by open space and to the east and south by a linear pattern of residential development. There is also a gap where the site can be accessed through a 34-metre gap between two existing dwelling houses that stretches out to the local road.

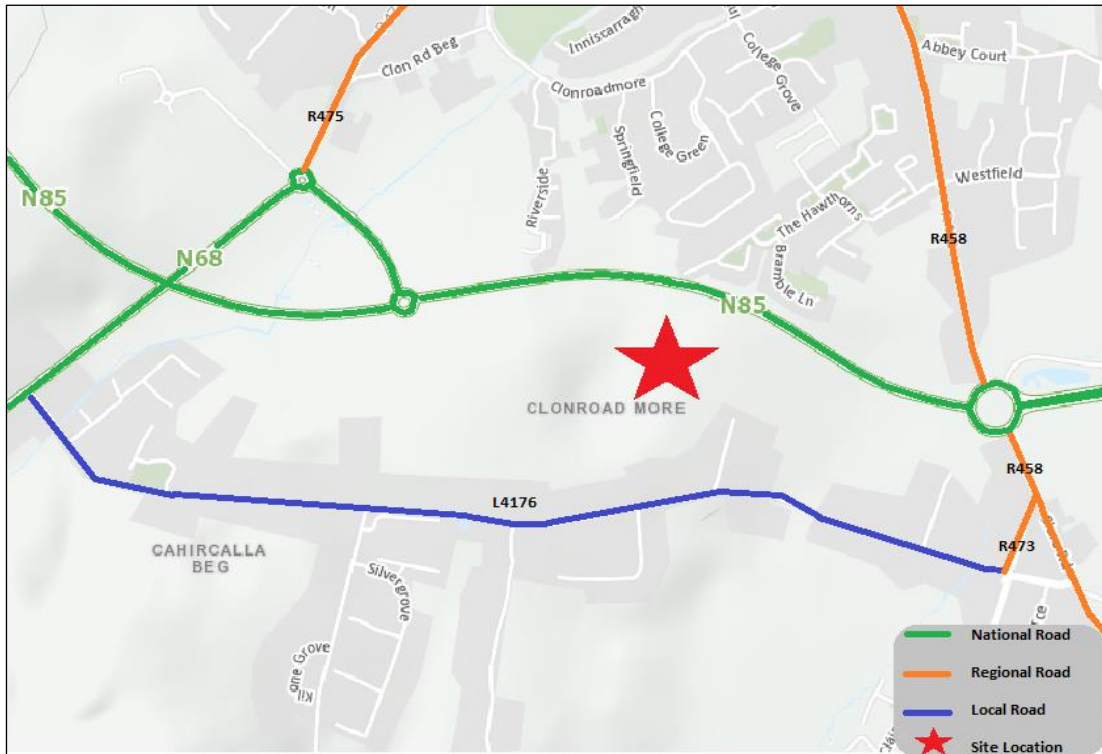


Figure 4 Map showing the access roads to the site

There is a wide range of existing key infrastructure, both within close proximity and walking distance to the subject site, including schools and childcare. The indicative location of a range of amenities which are serviced by multiple bus stops along the Clare Road (R458) are illustrated in Figure 3. The site is located just a 10-minute walk to Spraoi Early Learning Centre, Ennis National School, Realta Draiochta Preschool and Woodhaven Montessori & Childcare Academy with an existing pedestrian route. A number of amenities are located within walking distance of the site e.g., Maxol Service station, Super Netto, Hotels, Bars and Restaurants. The site is serviced by 2 bus stops within a 10-minute walk from the site by busses 343, 343X and 51.

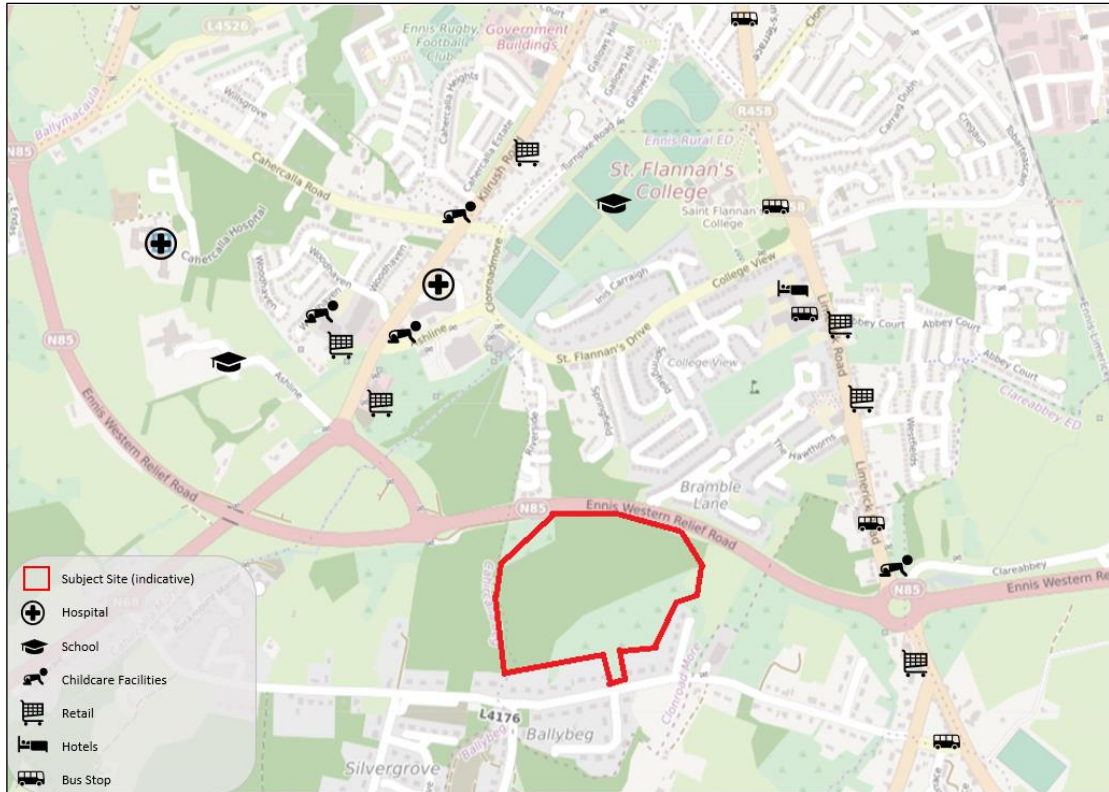


Figure 5 Map showing the location of key services in the context of the subject site (Source: uMap, Edited by MKO)

3. CLARE COUNTY DEVELOPMENT PLAN 2017-2023

3.1 Zoning

Under the Clare County Development Plan 2017-2023, the subject lands are zoned as ‘Agriculture’ (See Figure 6). The general description for Agricultural zoning in the Development Plan reads as follows:

Agriculture - This zone is for the use of land for agricultural purposes and farming-related activities. Individual dwellings for permanent occupancy of established landowners and their immediate family members will be open for consideration subject to the objectives set out in Chapter 3 of this Plan and normal site suitability considerations.

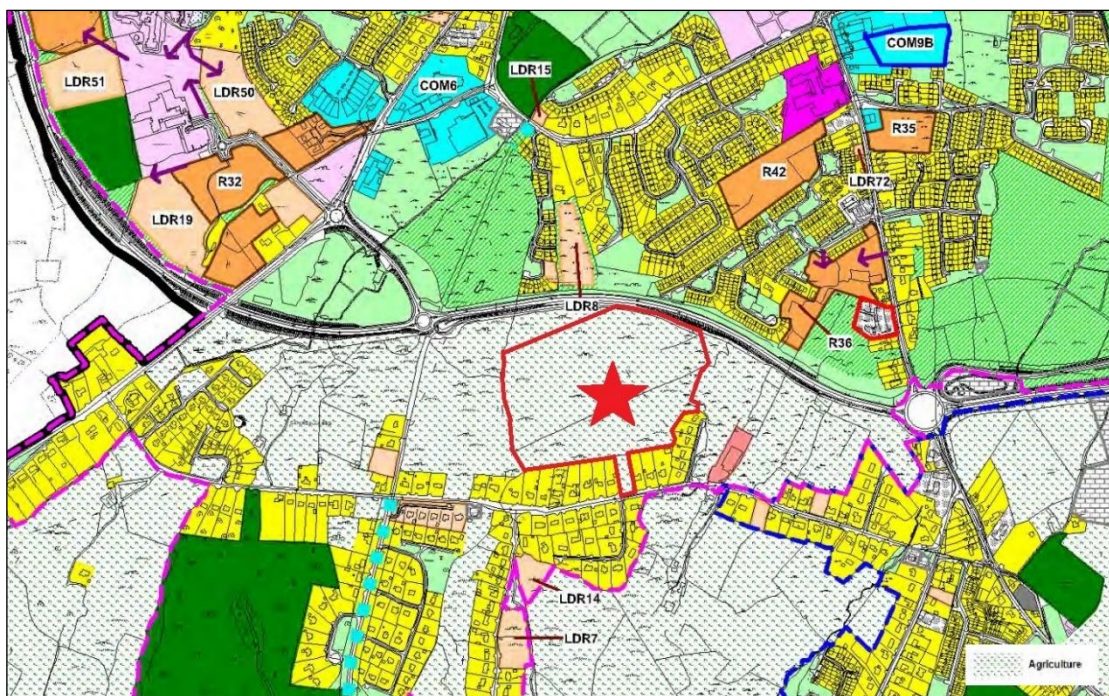


Figure 6 Site Zoning Map (Site outline indicative only, site marked with red star).

3.2 Former Zoning

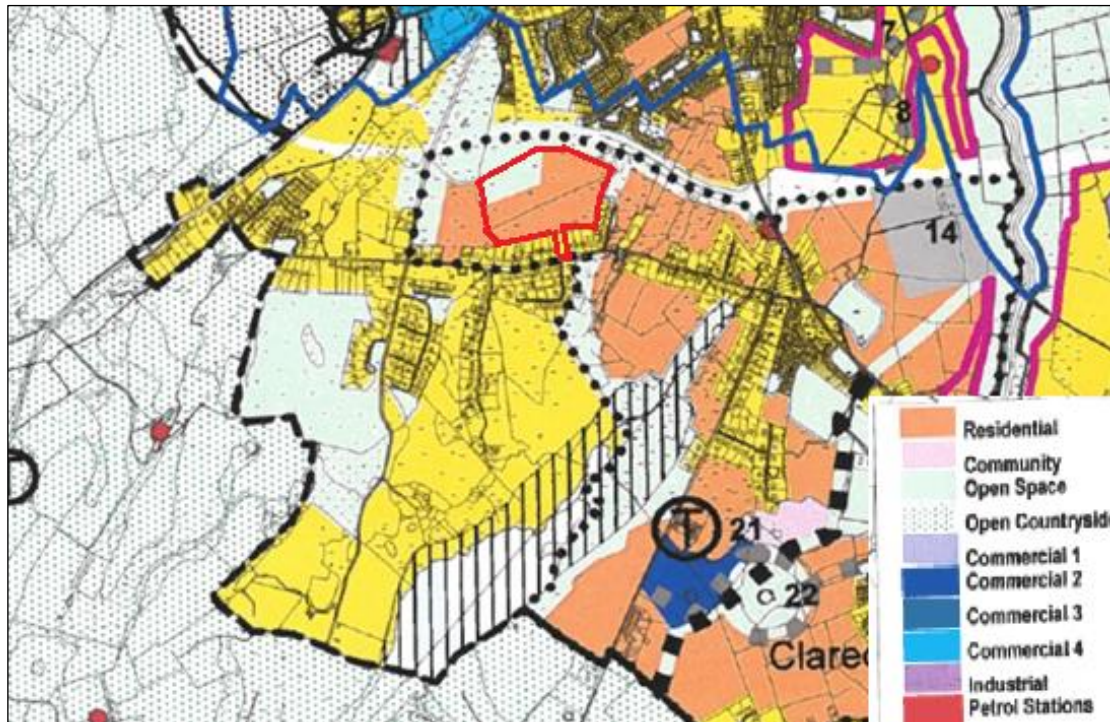


Figure 7 Ennis and Environs Development Plan 2008 - Zoning Map (Subject site outlined in Red).

Prior to the current ‘Agriculture’ zoning the lands were identified to be zoned for ‘Residential’ use as seen in Ennis and Environs Development Plan 2008 had the subject lands zoned for Residential Use (see Figure 7).

Ennis and Environs Development Plan 2008 outlined the general objective for ‘Residential’ zoning ‘to reserve land for the development of new residential areas’.

It is important to note that most of the land northeast to the subject site, which was also zoned to be residential in the Ennis and Environs Development Plan 2008, has since been developed to residential dwellings. The other sites, which were also zoned residential remain to be zoned residential in the current and Draft Clare Development Plan 2023-2029.

3.3 Development Constraints

A desktop review indicates that the subject site is not the subject of any ecological or national heritage designations. A review of relevant flood mappings has also been undertaken and indicates that there is no potential for flood risk on the subject lands (See figure 8). Additionally, the desktop study did not show any evidence of National Monuments listed by the National Monuments Service or National Inventory of Architectural Heritage.

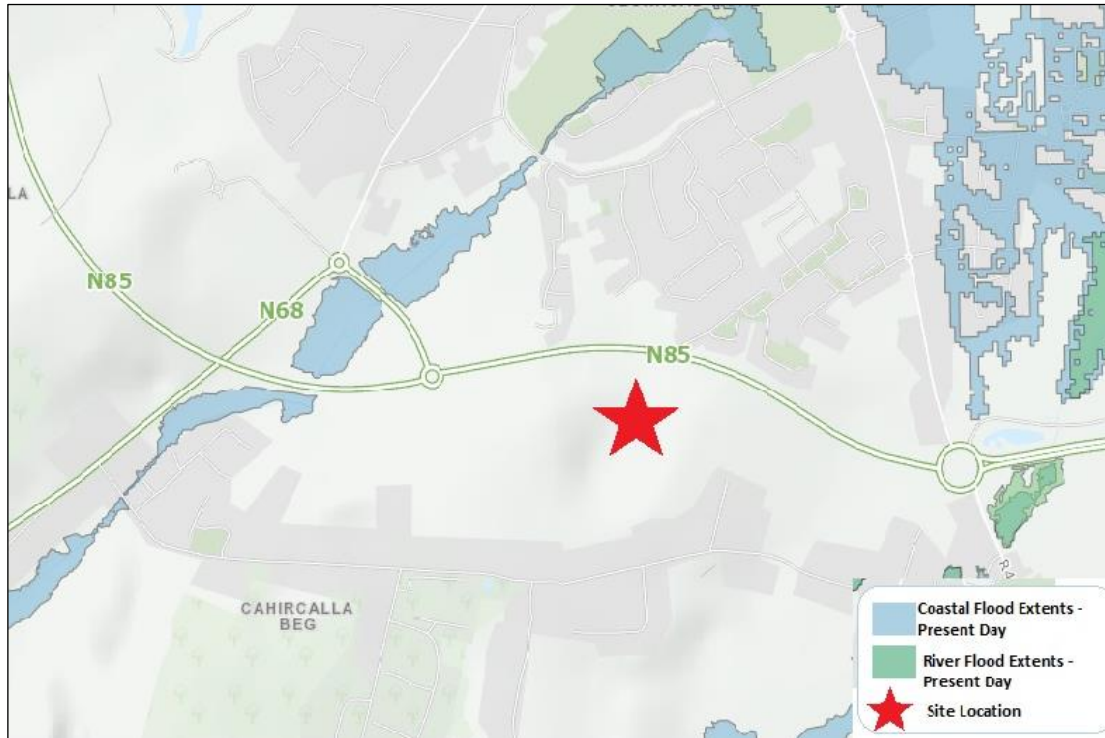


Figure 8 Showing the present day coastal and river flood extents

4.

PLANNING HISTORY

According to the Clare County Council online planning portal there have been a number of applications on the subject and surrounding lands. These are outlined below in **Table 1**.

Planning Ref.	Date Received	Decision	Decision Date	Description
042702	22/12/2004	Granted (Conditional)	25/05/2006	To construct 120 residential units which consists of 28 apartments and 92 houses together with ESB substation, creche and associated site works.
041980	23/09/2004	Granted (Conditional)	22/09/2005	A) Revised house design with 2 No. car parking spaces, b) Revised site layout showing: 1Reduction of No. of houses from 11 no. detached to 8 No semi-detached and 1 No. detached; (2) Increased public open space; (3) Details of water mains, foul sewer and storm/surface water networks (4) Turning bays in accordance with section 2.6 of ;recommendations for site development work for housing areas: (5) Existing contour levels relative to finished floor levels of proposed houses; (6) Relocation of existing high tension power lines; (7) Detailed landscaping proposals.
051791	19/09/2005	Granted (Conditional)	10/11/2005	To construct slatted house, roofed structure covering existing open slurry pit, dairy wash tank, waste collection yard, and associated site works
071433	31/05/2007	Refused	24/07/2007	To demolish existing office and storage building and to construct 94 houses and creche facility together with associated site works
071779	02/07/2007	Granted (Conditional)	20/12/2007	to construct 82 houses together with creche and ESB substation facility and associated site works
08730	07/05/2008	Refused	25/06/2008	For outline permission for 16 houses
16678	05/09/2016	Granted (Conditional)	26/01/2017	For development which will consist of the construction of a dwelling house, ancillary site works and connection to public services (note part foundations and rising walls previously constructed under Pl. Ref. 04-1980)

17818	20/12/2017	Refused	19/12/2017	For development which will consist of the construction of a new dwelling house and freestanding garage with site works and connections to services
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The planning history demonstrates that the principle of residential development has been well established on the subject site under Pl. Ref. 071779 granting permission for a proposal for 82 dwellings and Pl. Ref. 042702 granting permission for a proposal for 120 residential dwellings. It is therefore considered that the subject lands are suitable to be zoned as 'residential', subject to planning and sustainable development of the area.

5.

PROPOSED DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

The Development Plan Review for Clare County Council is currently in Stage 2. Draft Clare County Development Plan 2023-2029, published on 10th December 2021, will be on public display and open for consultation up until Monday 28th March 2022. Once published, it will replace the current Clare County Development Plan 2017-2023.

1.4.1 Strategic Aims for Housing and Sustainable Neighbourhoods in The Draft Clare County Development Plan 2023-2029 states that "In Ennis, the aim is for each neighbourhood to be a high-quality place to live, with essential services provided in close proximity to residential areas."

Another aim for Ennis settlement areas is "to promote the development of residential serviced lands to provide afor a high quality urban development to create sustainable residential communities with an appropriate mix of housing types and densities, together with complementary land uses such as community facilities and public transport facilities, to serve the current and future residential population of Ennis;"

The subject lands are fully serviced by schools and commercial buildings, and are strategically located in Ennis, surrounded by existing residential dwellings, see Figure 5.

The subject site is located within the dedicated lands for Clonroad More neighbourhood, see figure 9. Volume 3a Ennis Municipal District Settlement Plans of the Draft Clare County Development Plan 2023-2029 outlines the following Clonroad More neighbourhood-

2.9.1 New Housing in Clonroad More *Opportunities for consolidation occur mostly in the southern half of this neighbourhood. The strategy, therefore, is to provide residentially zoned land at a number of locations in Clonroad closer to existing housing which will assist in the consolidation of the neighbourhood.*

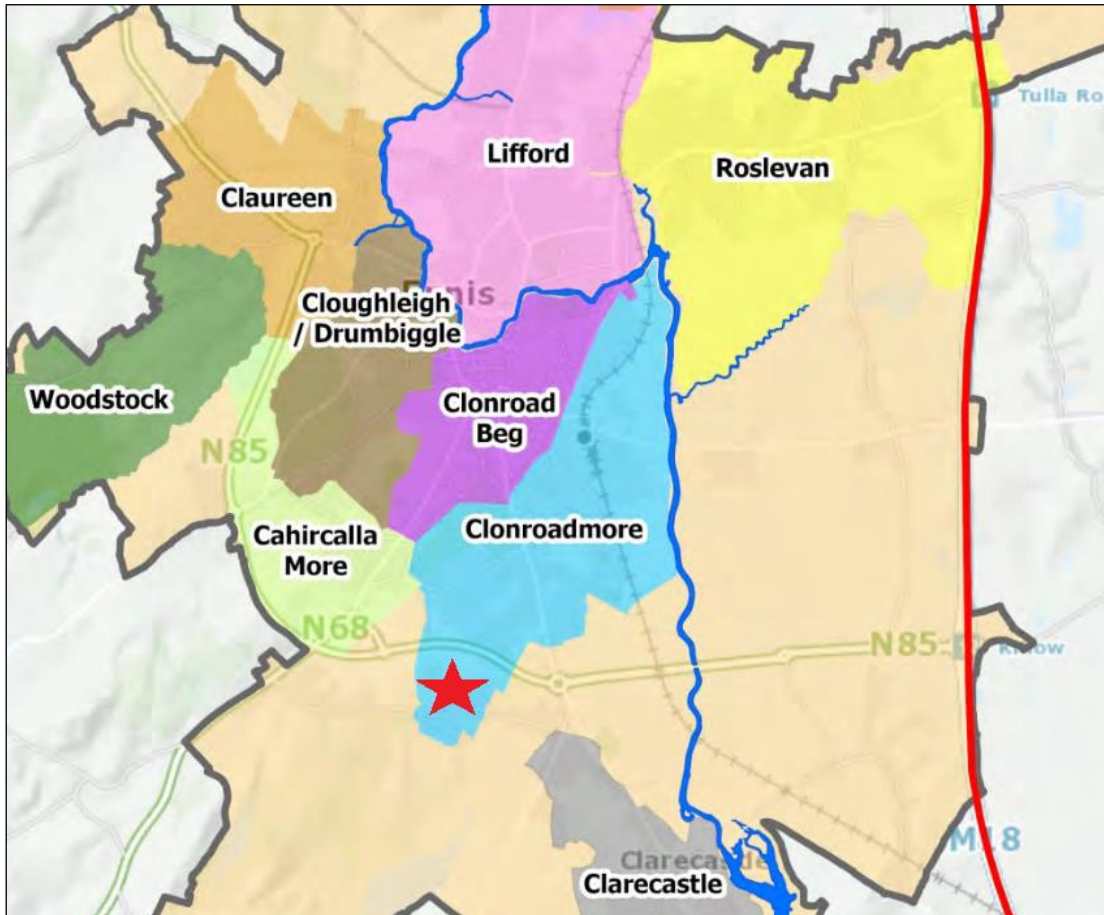


Figure 9 Map showing the neighbourhoods in Ennis (Subject site marked with red star)

The Ennis Municipal District Settlement Plan presents an overall strategy which states that to achieve population growth, ‘it is a requirement that at least 30% of all new homes are targeted for Ennis are delivered within the existing built-up footprint.’

The proposed area to be zoned Residential is situated within a cluster of existing residential dwellings as evident from the Zoning Map in the Draft Plan (see figure 6). Residential Development on the proposed site will be promoting compact and sequential growth as suggested in the overall strategy for Ennis.

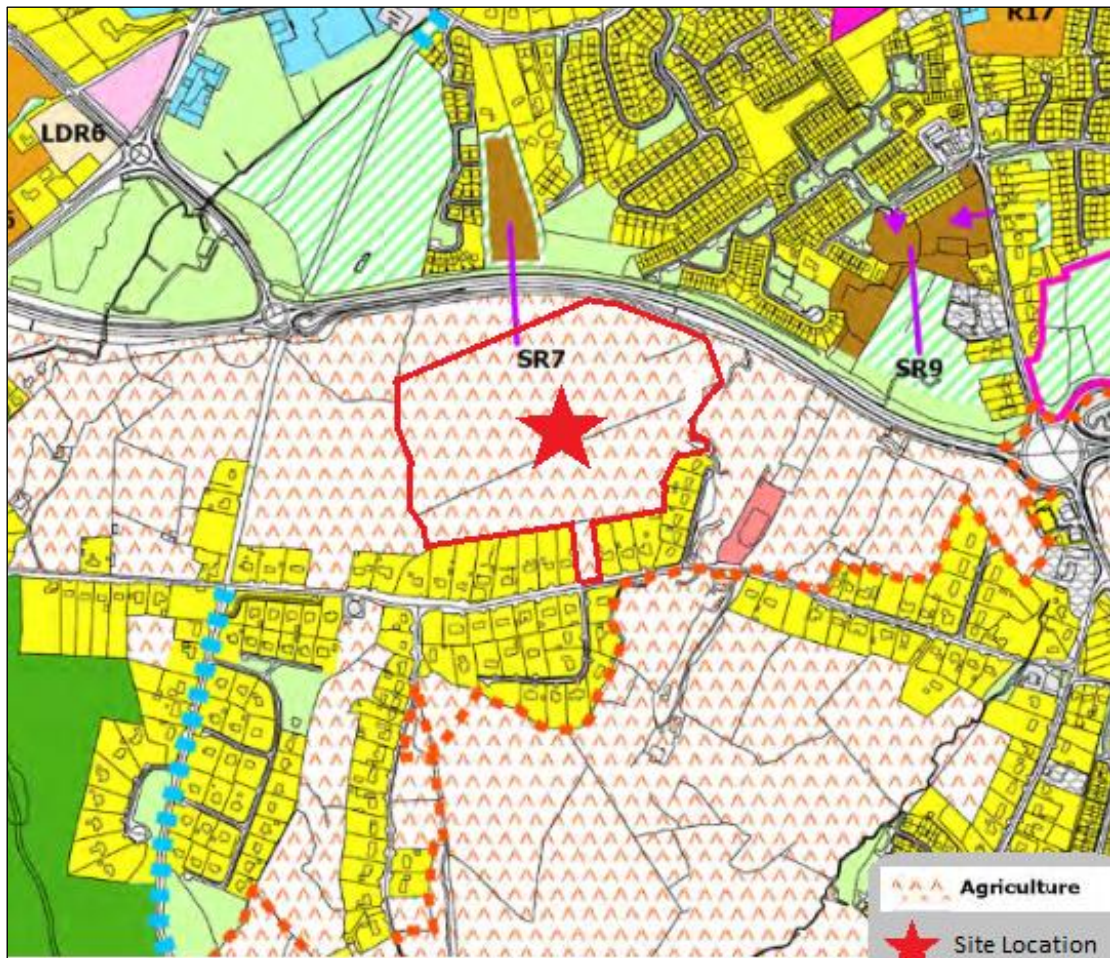


Figure 10 Land use of subject site (Red line indicative only) Source: Draft Clare Council Development Plan 2023-2029

Draft Clare County Development Plan 2023-2029 defines Agriculture zoning as follows -

Agriculture – *This zone is for the use of land for agricultural purposes and farming-related activities and to preserve the amenity of the town or village setting. Individual dwellings for permanent occupancy of established landowners (i.e within family ownership for the preceding 10 years) and their immediate family members will be open for consideration subject to normal site suitability considerations.*

Currently, the lands are not being used for agricultural purposes or farming related activities. The proposed residential zoning would be more suitable for the subject site as residential is a well-established use within the surrounding lands of the site.

6. THE PLANNING CASE

The extent of our client's landholding is pictured in Map 01 attached. This submission seeks one main outcome- for the lands currently owned by our client which are zoned for 'Agriculture' use, in the current Development and are proposed to remain zoned for 'Agriculture' use in the Draft Clare Development Plan 2023-2029, to be changed to Residential zoning.

As part of the planning case to provide a residential zoning on the client's lands, it is requested the Planning Authority note the following:

- This part of landholding is not identified within a flood risk zone as per a desktop study via OPW Flood Risk Management Map and Flood Maps, therefore is suitable for residential use.
- The subject site is surrounded by clusters of residential development directly south and north of the subject lands.
- The lands are located in a strategic location, 2.5km from Ennis Town Centre
- A precedent for residential development is set and well established in the area, with residential dwellings developed on the lands immediately north, south and southeast to the subject site. Additionally, planning permission to develop the subject lands was previously granted under Pl. Ref. 071779, for the construction of 82 houses, a creche and an ESB substation facility and associated site works and Pl. Ref. 042702 granting permission for the construction of 120 residential units, a creche and an ESB substation
- The lands were previously zoned as 'Residential' before they were de-zoned to 'Agriculture'. Similarly, lands to the north of the subject sites that were also zoned 'Residential' have now either been developed remain to be zoned for residential use.
- The Council do not appear to have demonstrated adequate justification as to whether or not there is a need to provide agricultural lands at this location. Lands which are not used for agricultural purposes, are suitable for residential development and are located within the urban development boundary should be considered to be zoned accordingly.
- The subject site is located within the dedicated lands for Clonroad More neighbourhood (see Figure 9), which outlines the residential opportunities in the southern part of the neighbourhood which is where the subject lands are located.
- The subject site is connected to Ennis via an established vehicle, cycling and pedestrian infrastructure. The subject lands are directly linked to services in Ennis via an existing footpath along all the roads connecting the site, including Clare Rd, N85 and the L4176. (see Figure 4).
- The site is located just a 10-minute walk to Spraoi Early Learning Centre, Ennis National School, Realta Draiochta Preschool and Woodhaven Montessori & Childcare Academy with an existing pedestrian route (see Figure 5)
- A number of amenities are located within walking distance of the site e.g., Maxol Service station, Super Netto, Hotels, Bars and Restaurants (see Figure 5)
- The site is serviced by 2 bus stops within a 10-minute walk from the site by busses 343, 343X and 51.

7.

CONCLUSIONS AND OUTCOMES SOUGHT

This submission has been prepared regarding the Draft Clare County Development Plan 2023-2029. This submission requests that the Planning Authority give consideration to the potential of our client's lands at Clonroad More, Ennis, Co. Clare, and to change the lands zoned 'Agriculture' to 'Residential'. It is considered that the proposed zoning of the entire site for agricultural use is unwarranted and excessive: The outcome sought is set out below:

Outcome Sought

- Residential Zoning on the subject lands.

It is considered the above scenario acknowledges the current zonings and specific characteristics of the subject lands. The lands are serviceable and accessible, and if appropriately zoned for Residential development will serve to assist in the delivery of addressing the existing and future housing requirements of Ennis and County Clare.

We respectfully request that the Planning Authority give due consideration to these matters in the preparation of the forthcoming plan.



Map 1 Site Location of the Subject Site (Red Line Indicative Only)