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CUNNANE STRATTON REYNOLDS

Planning Department,
Clare County Council,
New Road,
Ennis,
Co Clare.
V95 DXP2

28th March 2022

Online Submission

Re: Clare Draft County Council Development Plan 2023-2029 Submission on Access to Lands Zoned TOU 2

Dear Sir / Madam

We make this submission on behalf of Mr. Michael McHale, Killaloe, Co. Clare on the Clare Draft County Development Plan 2023 - 2029 in respect of access to lands zoned TOU2 in the Killaloe zoning map contained within Volume 3 of the emerging County Plan.

This submission relates to the matter of vehicular access across unzoned lands outlined in the specific objectives for the TOU2 zoning.

Our client fully supports the TOU2 zoning as it is our client's intention to develop a large portion of his land as a tourism amenity. The overall objective for the site is outlined in Volume 3 of the Clare Draft County Development Plan as:

This site has been identified for tourism development having regard to its strategic location adjoining the town of Killaloe and its proximity to the River Shannon and Lough Derg. The zoning recognises the potential of these lands to accommodate development that will significantly contribute to the tourism industry at both a local and regional scale. Part of the site is identified as being within Flood Zone A/B.

Development within Flood Zone A/B shall be retained for open space or other water compatible uses. A site specific Flood Risk Assessment will be required as part of development proposals for the site. The development of holiday homes / short stay accommodation will not be permitted on

COPLEY HALL, COTTERS STREET, CORK
TEL: 021 496 9224 FAX: 021 496 9012
EMAIL: corkinfo@csrlandplan.ie

OFFICES ALSO AT:
3 MOLESWORTH PLACE, DUBLIN 2
TEL: 01 661 0419 FAX: 01 661 0431
EMAIL: info@csrlandplan.ie

DIRECTORS

Joe Cunnane BA (Hons) Dip TP MRTPI MIPI: Eamonn Prenter BA (Hons) Dip TP MSc MRTPI MIPI: COPLEY HALL, COTTERS STREET, CORK
Declan O'Leary BAgr Sc (Land-Hort) Dip LA MILI MLI: Jim Kelly BAgr Sc (Landscape-Hort) Dip LA MILI CMLI: TEL: 021 496 9224 FAX: 021 496 9012
Keith Mitchell MA (Hons) LA Dip EIA Dip Arb MILI CMLI: EMAIL: corkinfo@csrlandplan.ie

WWW.CSRLANDPLAN.IE

the areas identified as being within Flood Zone A/B. Proposals for development on the site must meet the following criteria:

- *Development proposals for lands at TOU2 must include a masterplan for the entire site showing linkages to neighbouring developments and the surrounding area, proposed service provision and access routes to the site. The masterplan shall incorporate a habitat and species survey and an ecological assessment. These will inform the screening for appropriate assessment together with the Natura Impact Statement, should it be determined that an appropriate assessment is required;*
- ***Development proposals must make provision for safe vehicular and pedestrian access to the site. Permanent or temporary access shall be addressed as part of a masterplan for the overall TOU2 site. Temporary access to TOU2 via unzoned lands may be considered in advance of the Killaloe bypass;***
- *The lands zoned TOU2 are adjacent to the Lower River Shannon SAC (Site Code 2165). Given the extent of the area zoned for 'Tourism' at Killestry, it is imperative that there are no significant impacts on the adjacent ecologically sensitive shoreline. adjoining Lower River Shannon SAC (Site Code 2165);*
- *Nutrient loading, siltation or any negative impacts on water quality must be avoided as these can have potential negative impacts on the aquatic ecosystems, e.g. fish habitat;*
- *A sufficient buffer zone shall be put in place between any proposed development on TOU2 and the European site;*
- *Trees and hedgerows must be retained and maintained throughout the site where possible as these act as wildlife corridors;*
- *The hydrology of the site and subsequent potential impact on the adjacent SAC must be taken into account at all times and this must be demonstrated as part of any planning application;*
- *Ground disturbance to the adjacent SAC must be avoided;*
- *Due regard must be had to the flight paths of bats in relation to the retention of trees. The migration paths and habitats of mammals, birds and fish along the Lower River Shannon must not be disrupted. Any future developments must not lead to the further spread of invasive species (Rhododendron and Japanese Knotweed) at this site;*
- *Proposals for development on the site must demonstrate that suitable services and infrastructure, particularly relating to water supply and wastewater infrastructure, can be provided to serve the proposed development.*

Our client strongly supports the retention of the access objective in bold above, with some suggested modification below, and in particular relating to the construction of temporary or permanent access via unzoned land which will be outlined in the preparation of a masterplan for the area.

Our client requests that access be gained to this site through currently un-zoned land to the west before and after the construction of the Killaloe bypass. The new bridge is part of the Killaloe Bypass and

Shannon River Crossing project which will involve providing a western bypass of Killaloe, a new bridge crossing of the River Shannon and an upgrade of the existing R494 regional road from Ballina to the N7 at Birdhill. The scheme is approximately 6.2km in length and will cross the River Shannon around 1km south of the existing Killaloe Bridge.

Regarding the policy outlined in the Clare County Draft Development Plan for the zoning TOU2, subsection 2, we request the insertion of the word **permanent** in relation to an access via unzoned lands and the omission of the words ***in advance of the Killaloe bypass***. We request this section of the emerging plan be amended to read as follows:

Development proposals must make provision for safe vehicular and pedestrian access to the site. Permanent or temporary access shall be addressed as part of a masterplan for the overall TOU2 site. Temporary and Permanent access to TOU2 via unzoned lands may be considered ~~in advance of the Killaloe bypass~~; in advance and after construction of the Killaloe bypass.

We believe this is a positive, flexible, and facilitating response to the development of TOU 2 and a more sustainable solution and will not negatively or detrimentally affect the sustainable development of the area subject to normal development management standards and technical compliance.

We ask that we are included on any mailing list that is created to provide updated on the plan making process (ccostello@csrlandplan.ie).

We trust the above will be taken into account in your further deliberations on the emerging County Draft Development Plan.

If further elaboration is required, please do not hesitate to contact us.

Yours sincerely,

Cathal Costello

CUNNANE STRATTON REYNOLDS

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