

The Secretary,
Planning and Enterprise Development Department,
Clare County Council,
Áras Contae an Chláir,
New Road,
Ennis,
Co. Clare

23rd Mar 2022

“Submission to Draft Clare County Development Plan 2023 - 2029”

Re: Submission by Vincent Rodgers Jnr, against the proposal in The Draft Clare County Council Development Plan 2023-2029 to de-zone portion of his lands at Leadmore West, Pella Road, Kilrush to be included in Proposed Clare County Development Plan 2023 – 2029.

Proposal to Maintain current Residential zoning or allow for SRR (Strategic Residential Reserve Zoning):

This proposal is being submitted by Vincent Rodgers Jnr. of [REDACTED]
[REDACTED]

We would propose that the extent of existing available Land marked “R3” in the current 2017-2023 Development Plan, located at Leadmore West, Kilrush, Co. Clare, be maintained as Residential. The draft 2023-2029 Development Plan (page 37) now shows a section of this land now proposed as agricultural land. We would propose in light of the current Planning Reference P19432 which relates to this land and its connection and requested link to the lands to the west, that the current Residential zoning here be maintained. Should full residential zoning not be deemed suitable, the option of “Strategic Residential Reserve” zoning should be noted for this location.

Introduction:

As per the attached Folio’s CE-50660 and CE-50661, I purchased this land in March 2010 and it was originally zoned under the 2008-2014 Kilrush Town Development Plan as “Other Settlement Land”. Under this zoning and given its location within the Kilrush Settlement Boundary / Kilrush Town and Environs

Development Plan Boundary, and its proximity to the residential areas of Pella Road and Island View, the land outlined as Other Settlement Land was ideally situated to accommodate future residential development. The following Clare County Council Development Plan 2017-2023 (which incorporated the Kilrush Area Plan) would go on to show this land at Leadmore West, Kilrush, zoned residential (R3).

As noted the current Clare County Development Plan 2017 – 2023 covers this area, and under this current plan the lands in question are covered by zoning “R3” Residential. A recent Planning grant was issued on these lands under Planning Ref P19432 and this allowed for development on half of the lands and specifically required two connection links into the plot (also currently residential) directly to the west of the planning site.

Proposal to Maintain Residential Zoning on Lands at Leadmore West, Kilrush:

In light of the current on-going County wide housing crises and the clear lack of suitable ready to develop lands for housing to accommodate those on growing waiting lists, I would request that immediate consideration be given to maintaining the current Residential zoning of “Plot 2” on attached Extract Zoning Map. We would suggest this be done by way of an amendment to the current proposed Draft Clare County Development Plan 2023 – 2029. The current outline of land marked “R3” in the 2017-2023 Plan and identified as residential should be maintained and extended westwards to include the lands marked Plot 2 (see Appendix A) and this would be still within the settlement Boundary of Kilrush given the natural growth of this residential area extending from Pella Road to Island View and into the zone marked R3 as per the 2017/2023 Plan.

The residential area comprising of Island View and Beal an Inbhir is currently not capable of providing the required “mix of dwellings” for the changing population of the Service Town of Kilrush, as is evidenced by the current Clare County Council / Kilrush Housing Waiting List. A specific request of the Planning Reference P19432 was to provide a mix of 2 / 3 bed units, as well as a connection to the lands to the west for future access / development.

Maintaining the current area marked “R3” westwards is the natural progression for residential zoning in this area. The area marked “R3” in the current Clare County Council Plan 2017 – 2023 is to be accessed from the Pella Road side and a link has already been provided as per the Planning Ref P19432 allowing for connecting the land to the west. We would again note here that this was a direct request from Clare Co Co in the Planning Application P19432.

Currently the existing residential zones of Pella Road, Island View, and Beal an Inbhir are serviced via public sewers and services and these existing services can easily be extended west to accommodate the

proposed residential land marked “R3” and ultimately to cater for the land we are seeking to re-zone (Plots 1 & 2 as per attached zoning map in Appendix D).

We would note at this point we have previously engaged in a consultation process with the Housing Department of Clare County Council regarding the availability for sale of my Zoned Land in this location, and following a previous Site Meeting on Sept 3rd 2015 at Leadmore West, Pella Road, Kilrush, County Clare, attended by myself (Mr. Vincent Rodgers), Mr. John Shannon acting as Planning Agent to landowner and Mr. Leonard Cleary on behalf of Clare County Council, we provided details to Clare County Council regarding the availability of Zoned Land in this location. I enquired if the Local Authority would be interested in purchasing the land for its future housing development needs. Discussions consisted of the offer of the existing 4 Bedroom Cottage on approx 0.67 Acres and the zoned “Proposed Residential” land of 1.79 Acres as one parcel to interested parties. This land is currently marked as “R3” in the Clare County Development Plan 2017 – 2023. We also noted the availability of the land to the west of plot “R3”, which as outlined I also own. I would take this opportunity to indicate I am again open to possibility of discussions with Clare County Council / interested Housing Bodies, should they be interested in possibility of acquiring residential land with planning in Kilrush.

The current parcel of land marked “R3” and zoned residential located to the west of Island View has the potential to accommodate between 15 to 18 residential units of a mix of 2- and 3-bedroom dwellings, and the adjacent plots I am seeking to have re-zoned (Plot 2), would have the potential to accommodate a further 15 to 20 units. Access to Plot 2 would be gained through the currently zoned land at “R3” (Planning Ref P19432), and only one exit / entrance onto Pella Road would be required. The option to widen the section of the main road fronting the land is also available.

Lands Zoned for Future Housing Needs:

While I would acknowledge the Council have indicated other plots of land within the Draft Clare County Council Development Plan 2023 - 2029 as being zoned for “Proposed Residential”, it must be noted not all these plots are suitable for development. The majority of this land is in private ownership and the sections of land in Local Authority ownership are not without problems as regards access, and limited in number of units they can provide, and would require additional infrastructure / services development.

Zone R1: Development of the land at this location could prove problematic given the elevated nature of the ground, proximity to the Marina / Shannon Estuary and also the provision of access to the lands to the west may prove to be an issue given the multiple landowners involved. I would also note the land referred for future access is currently zoned agricultural.

Zone R8 (previously listed R4 in the 2017-2023 plan):

The Section of land zoned in “R8” is in multiple ownership and any proposals here would require a combined master plan approach. To our knowledge this has never been investigated, landowners approached, or an actual planning application ever been lodged in relation to these lands. In the current Clare County Development Plan 2017 – 2023, an extra portion of land was also zoned proposed residential between zones R4 and R5. We would again note that more suitable ready to develop land is available to the west of our site (Planning Ref P19432), with no approach or access issues through multiple owner lands. We are also aware a section of the zoning has been removed in the current R8 lands, but again this could be further reduced as a mitigation measure, and our current residential zoning maintained at Leadmore West.

Zone R4 (previously R5 in the 2017-2023 Plan): Part of the land now listed as “R4” in the 2023-2029 Draft Clare County Council Development Plan is in multiple private ownerships with access to same crossing a number of private folio’s and the inner portion of it owned by Clare County Council. Access here is clearly an issue, with a proposed access to this land coming through multiple folios with a proposed link from the Dooneen Park Access Road.

Zone R9 (Area never previously zoned in any Development Plans/ Area not zoned in the 2017-2023 Plan): In particular we would draw the Council’s attention to the zoning of the plot shown as R9 in the Draft Plan 2023-2029). Following discussions it is apparent that the decision to zone the section R9 was taken at County Council level as part of the preparation of the Draft Development Plan 2023-2029 with no discussion to include any landowners. Why would a decision arise to zone additional lands (R9) when according to the current Plan 2017-2023, there is already land zoned directly to the west of my land (Refer to Planning Ref P19432).

Zone R10: Russell’s Lane: This portion of land as shown in the current draft development plan 2023-2029 is listed as Existing Residential. Only a small portion of this land is actually existing residential. The land zoned in this location is unsuitable for additional development as accessed from Russell’s Lane. Access and egress from the existing laneway by additional multiple vehicles would create additional traffic problems to an already busy junction. The proposed zoning of this land at Russell’s lane could be omitted to allow for maintaining zoning on my lands at Leadmore West, currently zoned “R3”.

Overall our proposal to maintain zoning of the land to the west of the proposed residential “Plot 1” (see Map 1 Appendix A), is a more practical and economically viable solution to providing lands for future

housing needs, and provides for a more logical extension of the current residential area within the Kilrush Settlement Boundary.

In the Context of the Current Clare County Development Plan 2017 - 2023: (Volume 3d West Clare Municipal District):

Sites Facilitating Residential Development: There are a number of plots of land which are zoned to facilitate residential development. The following section provides guidance on a number of the plots identified for 'Residential' and 'Low Density Residential' development.

R3 Pella Road:

This site is accessible from Pella Road. The development of these lands should incorporate a public open space to facilitate both the proposed development and the existing terraces on Pella Road and should be readily accessible to both developments. It must also protect the existing residential amenity of the Pella Road Terrace. Future development must take into account access to further lands to the west of the subject site.

In order to protect water quality in the area, future developments on this site must be connected to a wastewater treatment plant with adequate capacity for foul water during the operation of the proposed development.

A Construction Environmental Management Plan (CEMP) will be required as part of any planning application for further development detailing how surface water run-off, especially in relation to release of silt and other pollutants, will be controlled during construction. Surface water run-off generated by development on this site must be treated via a combination of appropriate SUDS (e.g. green roofs, permeable paving, petrol interceptor, silt trap) prior to discharge to any surface water features.

The Draft Clare County Council Development Plan 2017 – 2023 notes above that the land zoned at "R3" should take into account the future access of the land to the west. The ideal opportunity now presents itself to maintain the zoning of the land marked "Plot 2" on attached zoning map to "Proposed Residential" to allow for linking of future developments.

Conclusions:

1. In light of the current National / County wide housing crises and the clear lack of suitable ready to develop lands for housing to accommodate those on growing waiting lists, I would request that immediate consideration be given to maintaining the current Residential zoning of "Plot 2" on attached Extract Zoning Map. We would suggest this be done by way of an amendment to the current Draft Clare County Development Plan 2023 – 2029. The current outline of land marked "R3" in the 2017-2023 Plan and identified as residential should be maintained and extended westwards to include the lands marked Plot 2 (see Appendix A) and this would be still within the settlement Boundary of Kilrush, given the natural growth of this residential area extending from Pella Road to Island View and into the zone marked R3 as per the 2017/2023 Plan.
2. The availability of Services; Currently the existing residential zones of Pella Road, Island View, and Beal an Inbhir are serviced via public sewers and services and these existing services can be extended west to accommodate the current residential land marked "R3" and ultimately to cater for the land we are seeking to re-zone (Plot 1 as per attached zoning map – see Appendix A).
3. We would note at this point we have previously engaged in a consultation process with the Housing Department of Clare County Council regarding the availability for sale of my Zoned Land in 2015 attended by myself (Mr. Vincent Rodgers), Mr. John Shannon acting as Planning Agent to landowner and Mr. Leonard Cleary on behalf of Clare County Council, we provided details to Clare County Council regarding the availability of Zoned Land in this location. I enquired if the Local Authority would be interested in purchasing the land for its future housing development needs. Discussions consisted of the offer of the existing 4 Bedroom Cottage on approx 0.67 Acres and the zoned "Proposed Residential" land of 1.79 Acres as one parcel to interested parties. This land is currently marked as "R3" in the Clare County Development Plan 2017 – 2023. We also noted the availability of the land to the west of plot "R3", which as outlined I also own.

Following these initial consultations with Clare County Council I lodged a Planning Application P19432 in relation to my lands located in plot marked "R3" and this provided for indicative / future access to the lands to the west.

4. While acknowledging the Council have indicated other plots of land within the Draft Clare County Council Development Plan 2017 - 2023 as being zoned for "Proposed Residential", it has to be noted not all these plots are suitable for development. The majority of this land is in private

ownership and the sections of land in Local Authority ownership are not without problems as regards access, and limited in number of units they can provide.

5. The proposal to re-zone this land is being requested based on current discussions the landowner has had with interested parties, and should no proposal be forthcoming the zoning could be revisited again during the next review of the Clare Development Plan. However as we have already noted the preferred solution could present itself by the Local Authority purchasing this land for future expansion of this existing residential area.
6. The Current Clare County Council Development Plan 2017 – 2023 notes that the land zoned at “R3” as “This site is accessible from Pella Road. The development of these lands should incorporate a public open space to facilitate both the proposed development and the existing terraces on Pella Road and should be readily accessible to both developments. It must also protect the existing residential amenity of the Pella Road Terrace. Future development must take into account access to further lands to the west of the subject site.”

This land has been the subject of a previous planning application Planning Ref P16209 and P19432, and as part of this 19432 application it was requested by Clare County Council Planning Department that access was to be provided to the lands to the west. The same land it is now shown as agricultural land in the draft 2023 – 2029 Development Plan. This land should be re-zoned to its current status as Residential or as an option be zoned as Strategic Residential Reserve in order to consolidate the residential settlement in this area.

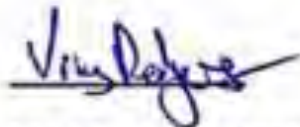
7. The proposal to re-zone the lands west of “Plot 1” as per attached zoning map in Appendix A, conforms to the following considerations which are crucial when considering re-zoning amendments.
 - Availability of Services and Infrastructure
 - County Council Policy to Develop Economic and Social Inclusion in Area
 - To consolidate settlement / promote growth
 - Planning History / Infill or Consolidation of Existing Development in particular Area
 - Access to lands zoned Residential and marked “Plot 1” on Map 1 (see Appendix A) which would provide the link to land proposed for re-zoning are within the 50km speed zone.
 - Flood Risk Assessment – no issues for the land in question.
8. We would also outline to the Council that as the lands to the west of Plot 1 shown on Map 1 Appendix A, including the existing dwelling, sheds and barn are in my ownership, the widening on

the road frontage along this route would also be open for discussion should we be able to facilitate the Council at some point.

9. In regard to the enclosed submission, we would also note we have had discussions with a number of the elected Councillors and have received an encouraging level of support for the proposal to re-zone Plot hatched green on Map 1 (Appendix A) to the west of the site noted Plot 1 which is existing residential land shaded yellow.

We respectfully await a response from Clare County Council and would ask that all contact be made in writing by way of Agents Address / E-mail.

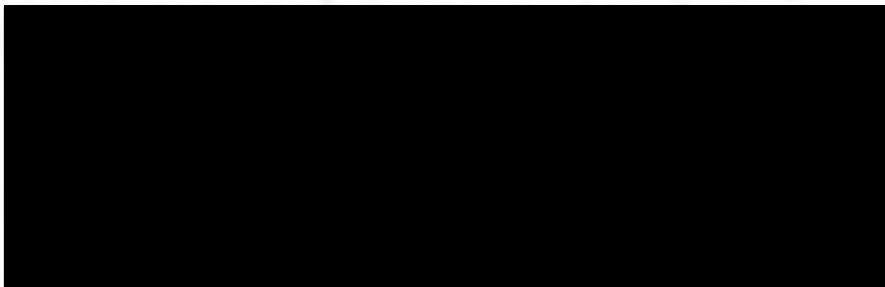
Regards,



Mr. Vincent Rodgers.

Leadmore West, Kilrush, Co. Clare.

Contact details for Planning Consultant are :



Appendix A – Map 1

PLOT PROPOSED TO BE
REZONED
(PLOT 2)



Appendix B – Folio Ownership Map

Land Registry

County Clare



Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

No.	For parts transferred see Part 1(B) Description	Official Notes
1	<p>The property shown coloured Red as plan(s) 6537 on the Registry Map, situate in the Parish of KILRUSH, in the Townland of LEADMORE WEST, in the Barony of MOYARTA, in the Electoral Division of KILRUSH URBAN.</p> <p>The Registration does not extend to the mines and minerals</p>	

1

There is appurtenant to the lands no. 1 a right of entry on foot and with donkeys, horses and carts along the passage coloured yellow on the Registry Map (OS 57/6, 10) from the point lettered G on other part of the lands of Moanmore South aforesaid.

The description of the land affected by the above right is as set out on the Registry Map. In the event that the above entry includes lettering or other alpha numeric references as part of the description of the subject lands, where such lettering or alpha numeric references are not now shown on the Registry Map, the description on the Registry Map prevails and is deemed to be the description of the affected property for the purposes of the Registration of Deeds and Title Acts 1964 and 2006.





Land Registry

County Clare



Part 1(B) - Property

Parts Transferred

No.	Prop No:	Instrument:	Date:	Area(Hectares):	Plan:	Folio No:
1	1					


Land Registry

County Clare



Part 2 - Ownership

Title ABSOLUTE

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965
1	 The content of this table row is almost entirely redacted with black bars. Only the number '1' is visible in the first column. The second column contains several black bars of varying lengths, obscuring the text that would describe the property's devolution.

Land Registry

County Clare



Part 3 - Burdens and Notices of Burdens

No.	Particulars

Land Registry



County Clare



Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

No.	For parts transferred see Part 1(B) Description	Official Notes
1		

1 There is appurtenant to the lands no. 1 a right of entry on foot and with donkeys, horses and carts along the passage coloured yellow on the Registry Map (OS 57/6, 10) from the point lettered G on other part of the lands of Moanmore South aforesaid.

The description of the land affected by the above right is as set out on the Registry Map. In the event that the above entry includes lettering or other alpha numeric references as part of the description of the subject lands, where such lettering or alpha numeric references are not now shown on the Registry Map, the description on the Registry Map prevails and is deemed to be the description of the affected property for the purposes of the Registration of Deeds and Title Acts 1964 and 2006.

Land Registry

County Clare



Part 1(B) - Property

Parts Transferred

No.	Prop No:	Instrument:	Date:	Area(Hectares):	Plan:	Folio No:


Land Registry

County Clare

Folio 50661F

Part 2 - Ownership

Title ABSOLUTE

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965
1	 The content of this table row is redacted with black boxes.

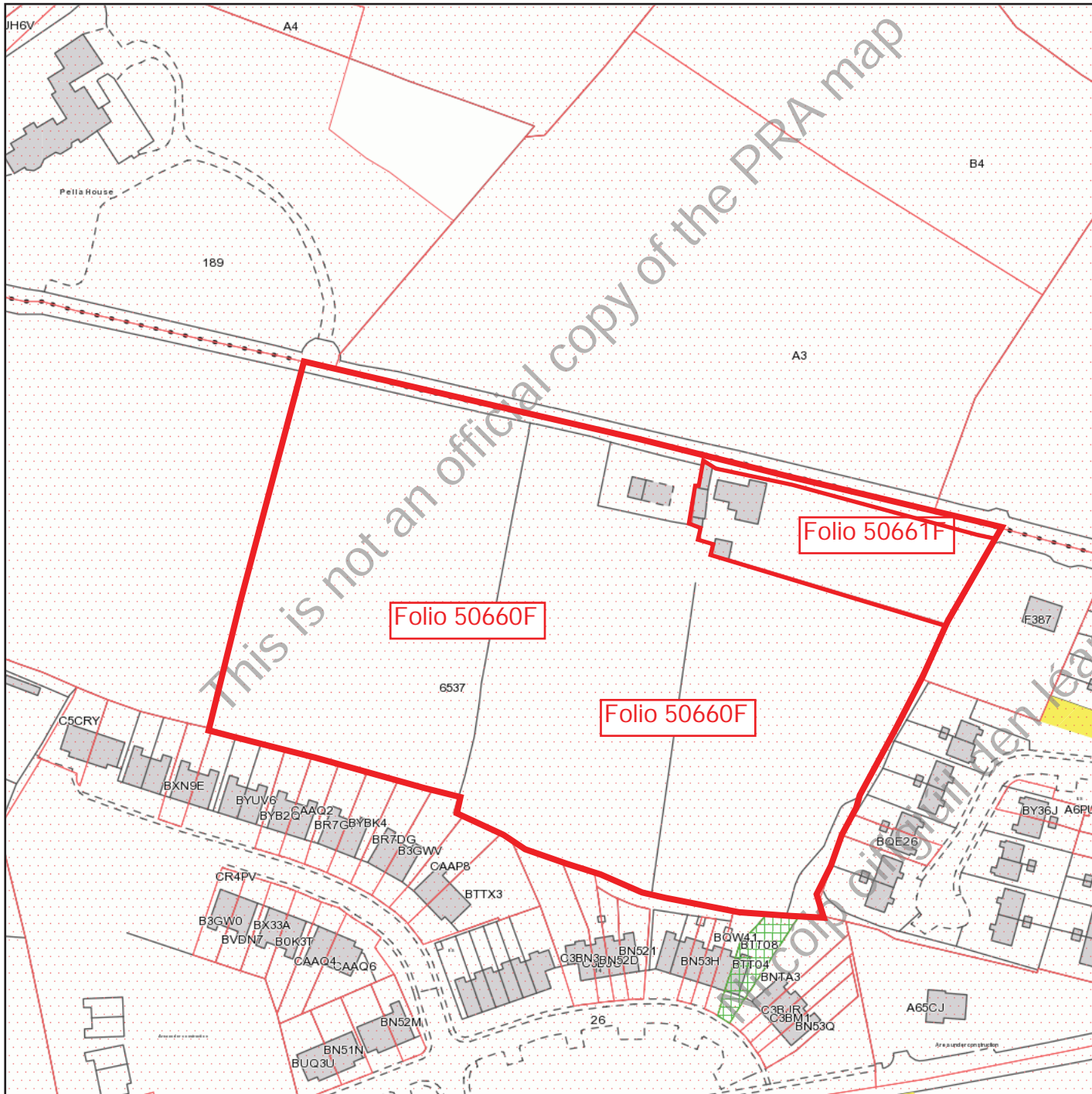
Land Registry

County Clare

Folio 50661F

Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	<p>[REDACTED]</p> <p>[REDACTED]</p>



**The Property
Registration Authority
An tÚdarás
Clárúcháin Maoine**



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The Property
Registration Authority
An tÚdarás
Clárúcháin Maoine



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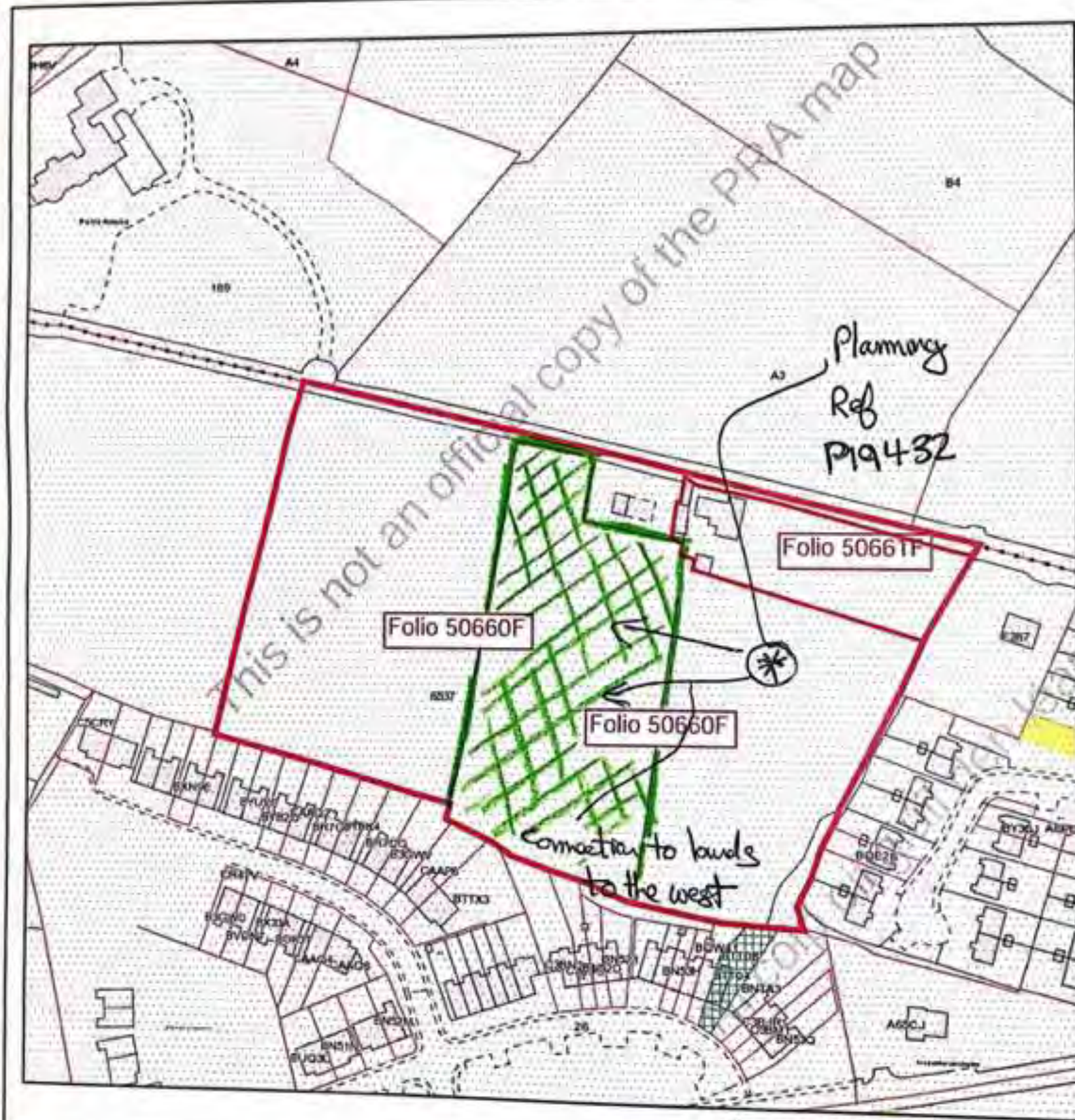
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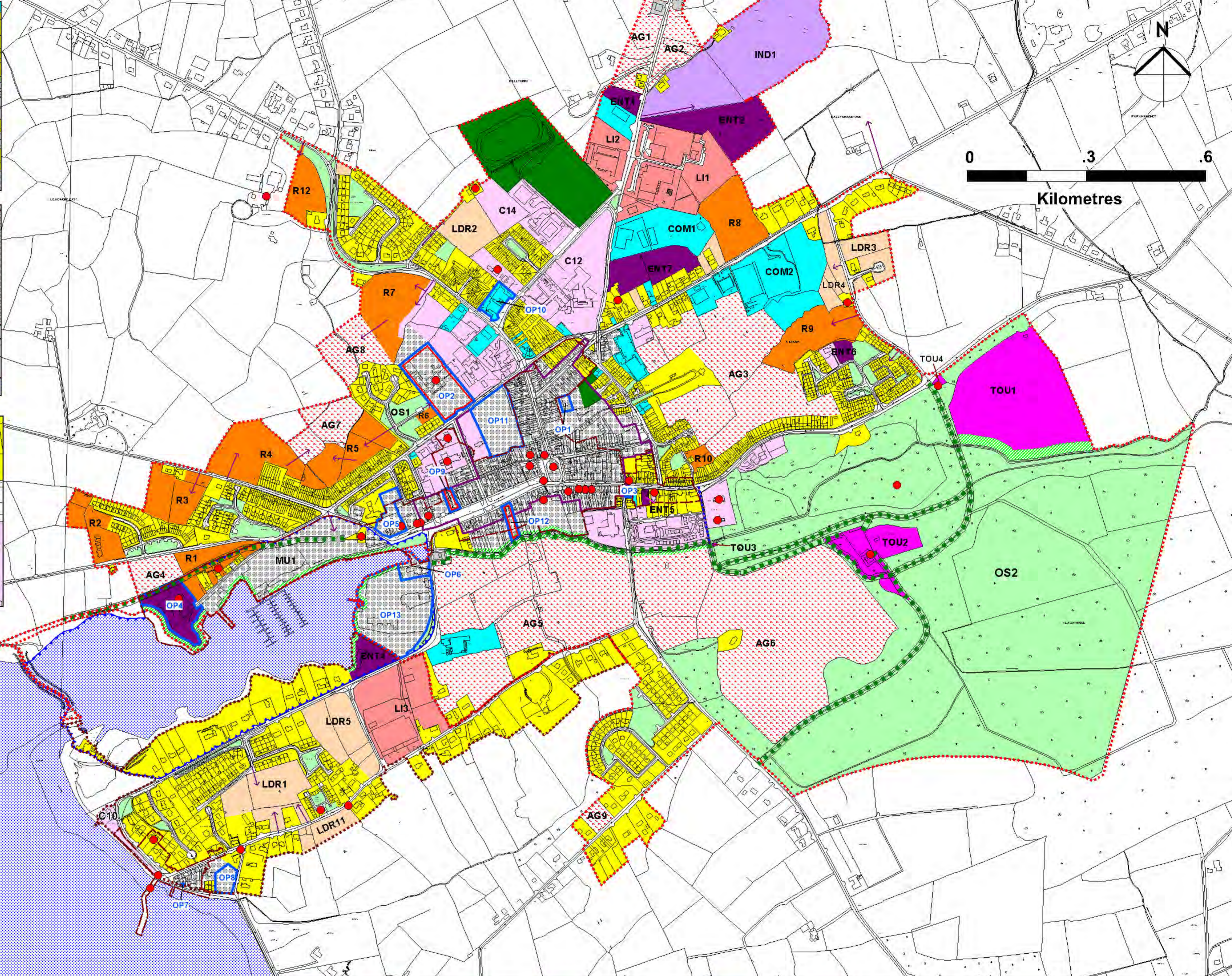
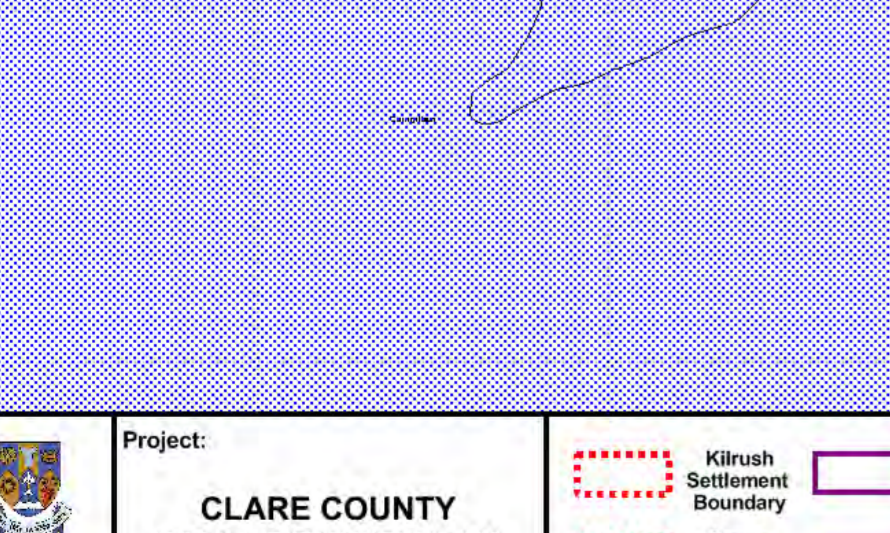
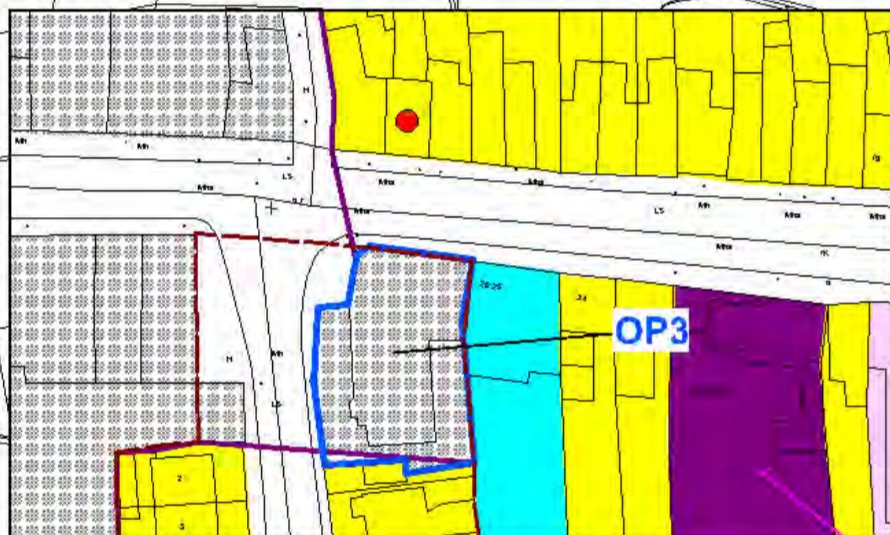
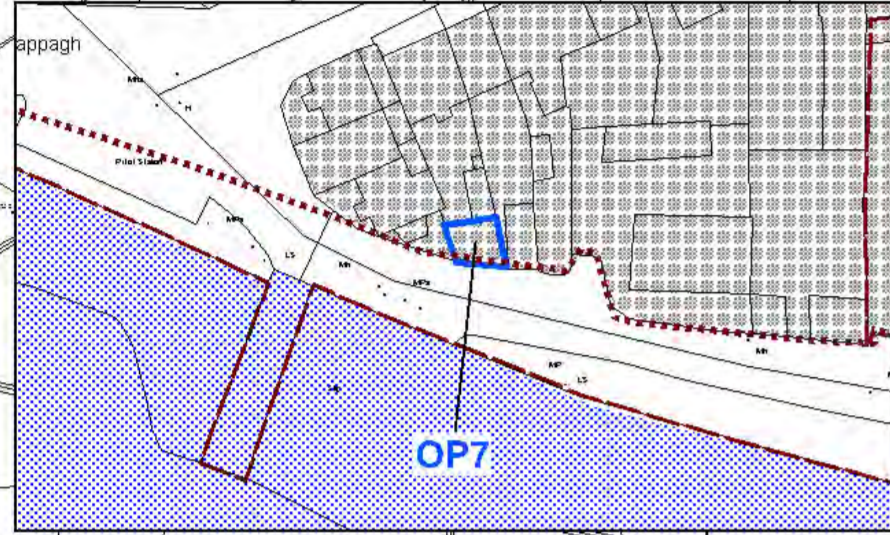
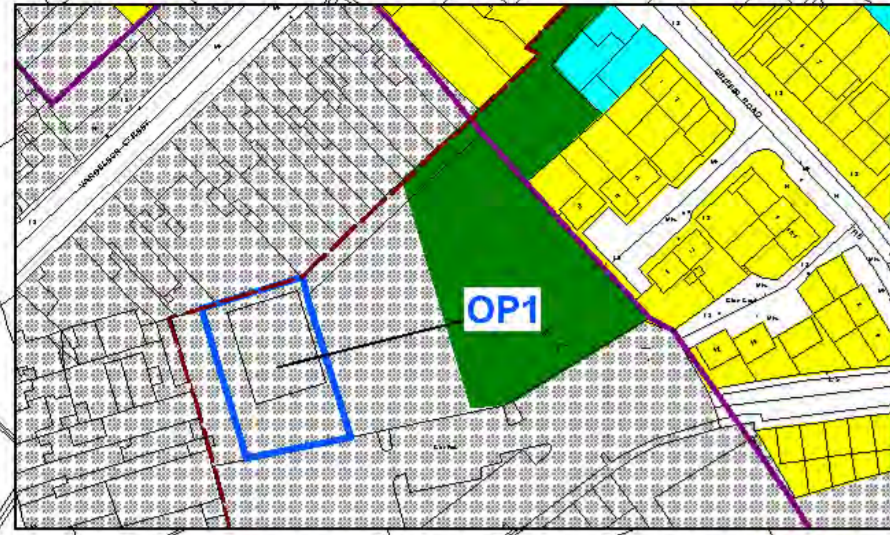
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Appendix C – Development Plan Maps



<p>CLARE COUNTY DEVELOPMENT PLAN 2017 - 2023</p>	<p>Project: CLARE COUNTY DEVELOPMENT PLAN 2017 - 2023</p>	<p>Kilrush Settlement Boundary (Red dashed line)</p> <p>Cappa Settlement Boundary (Red dotted line)</p>	<p>Core Shopping Area (Retail Strategy For The Mid West Region 2010 - 2016) (Pink hatched)</p> <p>Existing Residential (Yellow)</p>	<p>Residential (Orange)</p> <p>Low Density Residential (Light Orange)</p>	<p>Mixed Use (Grey grid)</p> <p>Commercial (Cyan)</p>	<p>Enterprise (Purple)</p> <p>Industry (Light Purple)</p>	<p>Light Industrial (Light Red)</p> <p>Community (Pink)</p>	<p>Open Space (Light Green)</p> <p>Buffer Space (Green hatched)</p>	<p>Recreation (Dark Green)</p> <p>Tourism (Magenta)</p>	<p>Agriculture (Red hatched)</p> <p>Utilities (Grey)</p>	<p>Opportunity Sites (Blue outline)</p> <p>Area on which the Vacant Site Levy can apply (Red outline)</p>	<p>Architectural Conservation Area (Red dashed line)</p> <p>Harbour Area (Blue wavy)</p>	<p>Walkway, Cycle Way, Greenway (Green dashed line)</p> <p>Public Rights Of Way (Blue dotted line)</p>	<p>Indicative Access (Red arrow)</p> <p>Protected Structure (Red dot)</p>
	<p>CLARE COUNTY COUNCIL</p>	<p>CLARE COUNTY DEVELOPMENT PLAN 2017 - 2023</p>	<p>Core Shopping Area (Retail Strategy For The Mid West Region 2010 - 2016)</p> <p>Existing Residential</p>	<p>Residential</p> <p>Low Density Residential</p>	<p>Mixed Use</p> <p>Commercial</p>	<p>Enterprise</p> <p>Industry</p>	<p>Light Industrial</p> <p>Community</p>	<p>Open Space</p> <p>Buffer Space</p>	<p>Recreation</p> <p>Tourism</p>	<p>Agriculture</p> <p>Utilities</p>	<p>Opportunity Sites</p> <p>Area on which the Vacant Site Levy can apply</p>	<p>Architectural Conservation Area</p> <p>Harbour Area</p>	<p>Walkway, Cycle Way, Greenway</p> <p>Public Rights Of Way</p>	<p>Indicative Access</p> <p>Protected Structure</p>

Title: **KILRUSH SETTLEMENT PLAN**

Scale: Refer To Scalebar	Map Ref:	Date: JANUARY 2017
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Appendix D - Photos



Access to Land Parcel R3 within the 50Km speed zone. The adjacent parcel Plot 2 would be linked to the west through R3.



Land Parcel R3



Land Parcel R3





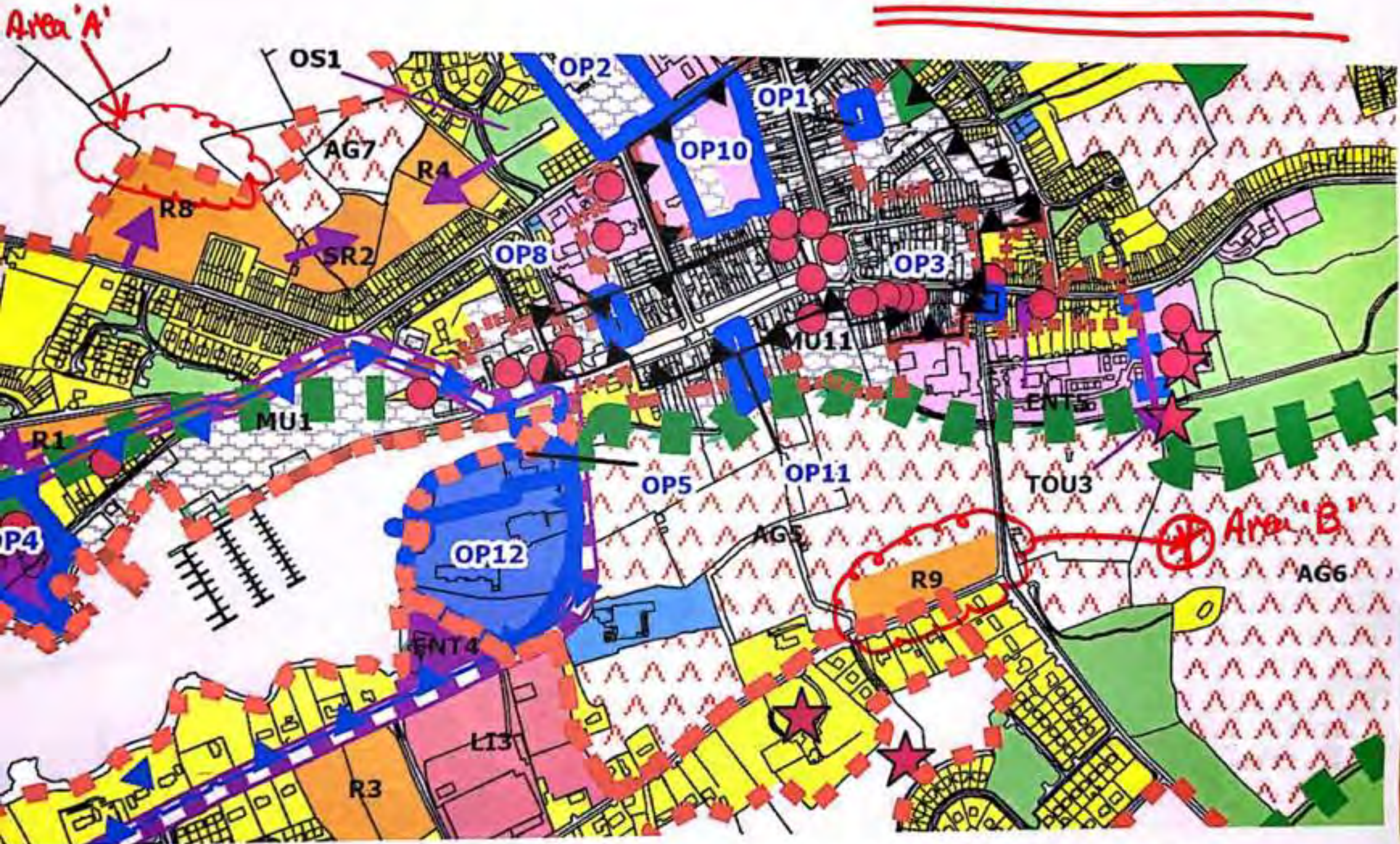
Plot 2 to the west of Land Parcel R3



Plot 2 to the west of Land Parcel R3

Appendix E – Map 2

APPENDIX 'E' MAP 2



DRAFT DEV PLAN 2023-2029