



Clare County  
Development Plan  
**2023-2029**

## **Draft Clare CDP 2023-2029 - Public Consultation Portal**

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**Submitted Time: March 28, 2022 10:19 AM**

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### **Volume 1**

Core Strategy, Settlement Strategy and Housing, Rural Development and Natural Resources

### **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**

Kilmihil

### **Associated Documents**

None of the above

### **Environmental Reports**

None of the above

### **Your Submission**

Please see attached report.

### **Location Map**



## Upload Files

1441- Stan & Aaron Lineen - Kilmihil Zoning Report - Final Issue.pdf, 1.94MB

1441 Map.pdf, 0.37MB



**DIARMUID KEANE + ASSOCIATES LTD**

Architecture

| Engineering

| Surveying

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

Location: Ennis Road,  
Kilmihil,  
Co. Clare

Applicants: Mr. Stan Lineen  
Mr. Aaron Lineen

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### Document Control Sheet

<b>Applicants</b>	Mr. Stan Lineen, Mr. Aaron Lineen
<b>Project Title</b>	Rezoning of Countryside Use Lands at Ennis Road, Kilmihil, Co. Clare
<b>Document Title</b>	Submission to the Draft Clare County Development Plan (2023-2029)
<b>Job No.</b>	1441

### Issue

Revision	Status	Author	Reviewed	Approved	Date
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## 1.0 GENERAL

Diarmuid Keane & Associates (Agent), on behalf of our Clients Mr. Stan Lineen, & Mr. Aaron Lineen (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 Kilmihil as delineated in the following report, which are currently zoned as Countryside Use as per the Kilmihil Settlement Plan and the Clare County Council Areas of Special Control Map which are 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 Folios CE58068F & CE48413F.

The Applicants seek a change in the zoning of circa 2.95ha of land, from Countryside 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 village over a number of years, the applicable site can be considered as central, having close proximity to the village 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. Furthermore, the opportunity to develop the site as for residential occupancy is prevalent, as similar development on the site was previously granted by the Local Authority in 2007, which is illustrated in ore detail in Section 2.2 of this report below.
2. Currently, there are a significant amount of lands zoned as Existing Residential Use, spanning Westward along the Ennis Road towards the village centre West, with additional smaller portions of land in between designated as Community Use, and Enterprise Use. This haphazard approach and resultant mix of development is not optimal, and 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. According to settlement map as per Figure 2.0 below, the only provision for residential designated lands refers specifically to “Existing Residential Use,” with no proposal for predicted future village growth through the provision of “Low Density Residential Use,” indicated. 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.”* Furthermore, Table 3.2-Transitional Local Authority Population Projections To 2031 of the draft Clare County Development Plan (2023-2029) Written Statement document estimates a natural increase of the local population from 2016 to 2031 of between 15,000-18,000 persons living with the county limits. 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.

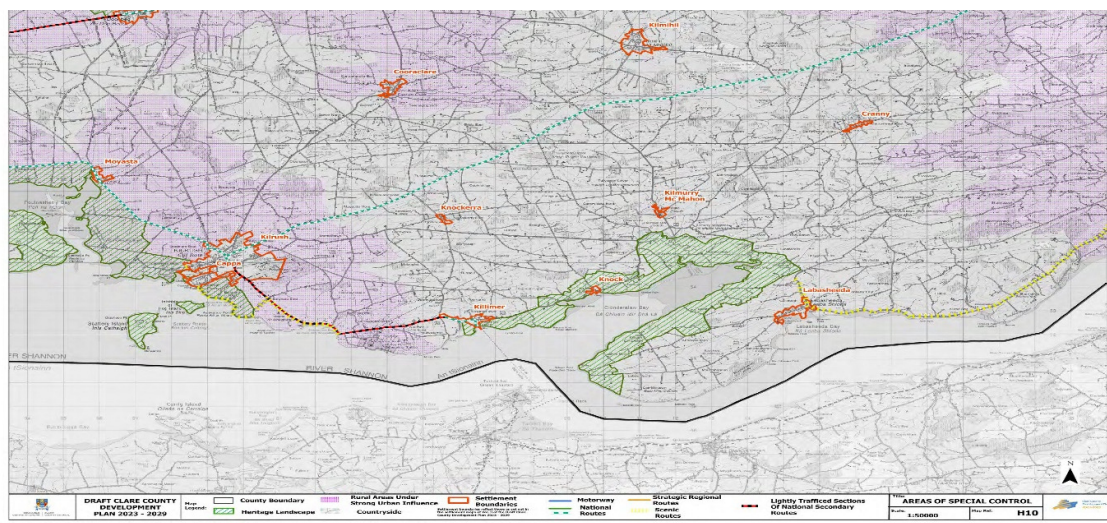
4. The village of Kilmihil is centred on its main crossroads but takes on a linear form, ribboning along the main Ennis Road. This straight spine along the Ennis Road forms creates a strong sense of place, and provides a clear line of sight to the majority of the village. Uniquely situated, the proposed site has significant potential to further contribute to this unique layout, through the inherent location of the site at the Eastern end of this linear layout.
  
5. The majority lands at of the main village centre are already designated as within an “Architectural Conservation Area,” thereby providing very limited potential to develop low density residential units therein. It is the view of the Applicants that this shortfall to provision of developable lands must be supplemented. Therefore, the proposed site, which lies adjacent to the village, but outside the designated protected zone, is the most practical option to facilitate this site provision discrepancy.

Furthermore, this application seeks to rectify the delineation of the townland boundaries, to reflect what is owned by the Applicants. Currently, the townland boundary runs adjacent to the Western site boundaries. 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 2.95ha lands, located on the Ennis Road, to the East of Kilmihil village centre, at a distance of circa 900 meters, as illustrated in Figures 1.0 – 3.0 below.



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



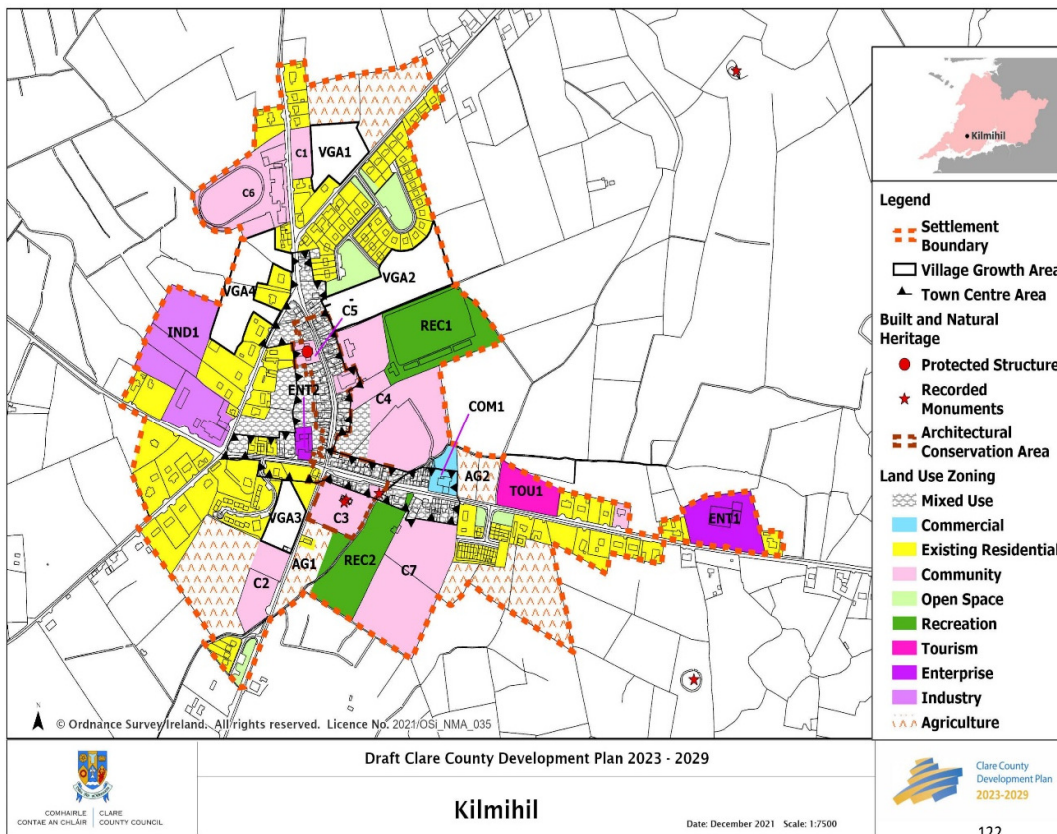


Figure 2.0 Location of the overall site in context of adjacent village settlement area.

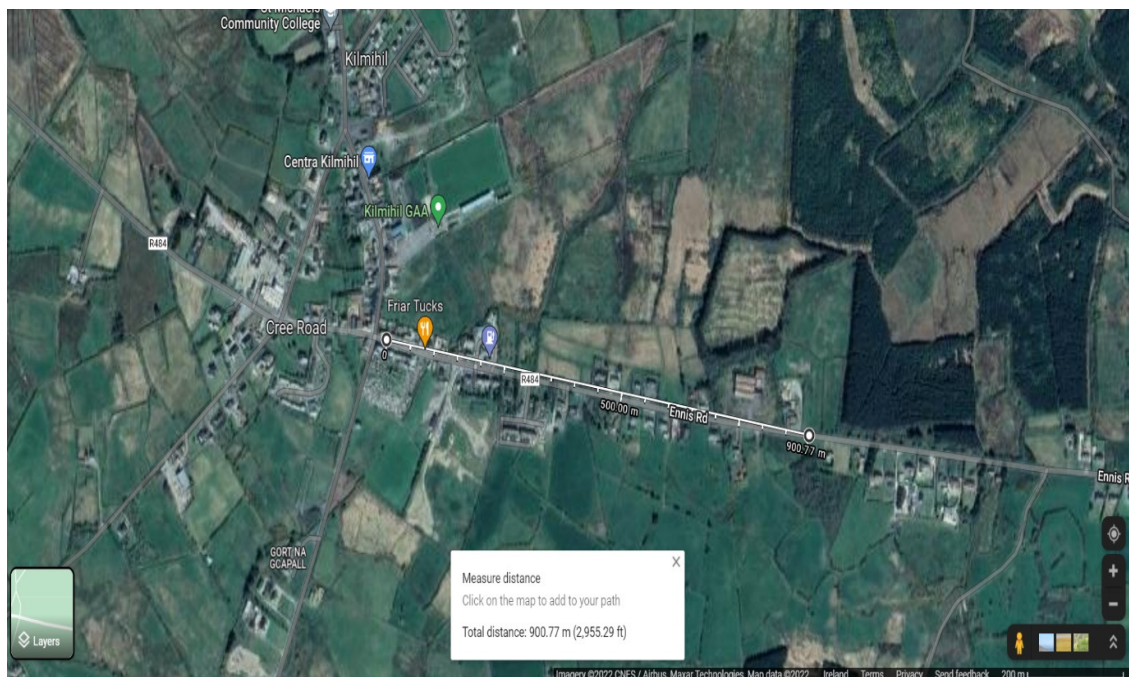


Figure 3.0 Satellite imagery of overall site in context of adjacent townland

The site is well serviced by the 336-bus route, which provides a bus stop (350501) at a distance from the site of approximately 835m, meaning that the site is easily accessible to pedestrians and within acceptable walking distance. Furthermore, a bus between Kilmihil and Ennis is available twice daily, while a bus from Kilmihil to Doonbeg is available three times a day as follows:

- Kilmihil - Ennis Bus Station                   **12:31 PM**
- Kilmihil - Ennis Bus Station                   **15:31 PM**
- Kilmihil – Doonbeg                               **18:32 PM**
- Kilmihil – Doonbeg                               **19:40 PM**
- Kilmihil – Doonbeg                               **22:00 PM**

## 2.2 Planning History

To date, 1no. planning application was put forth, and subsequently granted by the Local Authority in 2007, specifically:

**Planning Reference No: 07/1862** – Construction of 26 No. semi detached dwelling houses and 1 No. detached house, along with the construction of all associated roads, pavements, car parking, street lighting, foul and surface water drainage and all associated site development.

## 3.0 DEVELOPMENT INTENT

The draft Clare County Development Plan (2023-2029) Plan delineation of proposed land zones is detailed above in Figures 1.0 & 2.0.

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

- To promote sustainable and compact growth to address issues of vacancy and dereliction including the reuse or redevelopment of vacant, underutilised sites and buildings for alternative retail and commercial uses will be particularly encouraged.
- To ensure that future growth is balanced and sustainable and is relative and appropriate to the scale, size and character of the existing village.
- To support the necessary infrastructure to allow for future growth in the village.

Proximity is a key factor, and it is only through the fortunate location of the site relative to the existing village centre, which offers significant potential as a low-density residential development site. Furthermore, according to the draft Clare County Development Plan (2023-2029), the strategy for the sustainable growth of the village and its community is through *“consolidation and regeneration that promotes compact*

*sequential growth and supports and strengthens a sustainable village community and its rural hinterland. This will be achieved by encouraging small scale growth in areas which make a positive contribution to the overall enhancement of the village and sustains it into the future. In line with this approach and to promote vibrant rural villages, village growth areas have been identified which provide opportunities and choice for development, including small scale commercial, enterprise, community, services/facilities as well as small scale cluster housing, all of which offer a viable and attractive option for rural living within a village community and setting.”*

It is the intent of the Applicants to adapt the above prescribed approach of development, to utilise the existing network of public infrastructure, specifically public footpaths and roads, to develop a small number of low-density housing units. It should be noted that the Applicants are lifelong local residents, and are aware of the fact that currently Kilmihil is serviced by its own wastewater treatment plant which is currently at capacity. Additionally, the draft Clare County Development Plan (2023-2029) Plan states, “any future development will require private wastewater treatment subject to suitable site-specific conditions and must comply with the EPA Code of Practice for ‘On Site Wastewater Treatment Systems’.” Therefore, the Applicants are prepared to incorporate individual site-specific waste water management services on site, should the provision of capacity of the public system remain insufficient at the time of construction. Furthermore, subsequent to discussing the issue with the local council engineer, the Applicants are willing to scale down the size of any potential development, thereby reducing the number of proposed residential units, in order to provide adequate site services.

Additionally, consideration with regard to visibility has been a part of the general design philosophy for all future proposals, and therefore it is the intent of the Applicants to deliver multiple residential units which are sensitively located and effectively screened from the adjacent roadside contiguous elevation as much as possible. Furthermore, the development and necessary visual improvements from an undeveloped, rural 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. Furthermore, it is the intent of the Applicants to carry out all works on site personally with an experienced, local construction team, with an aim of completing the entire proposed development works before the next Local Development Plan cycle in 2029.

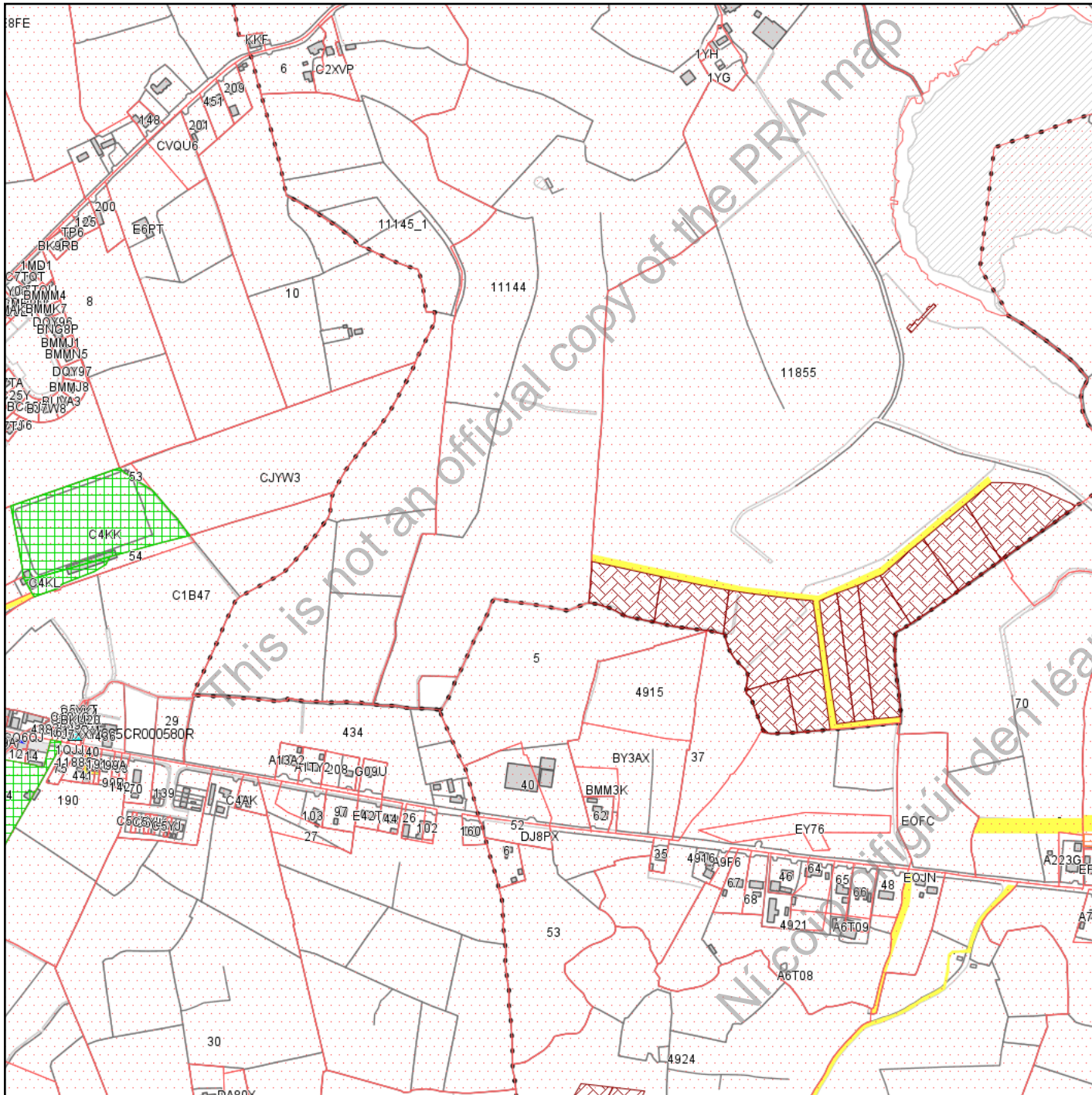
## **6.0 THE REQUEST**

It is requested that the Local Authority changes the land use zoning in respect of 2.95ha of land from Countryside 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 include the adjacent lands which are 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.

For details of the terms of use, and limitations as to scale, accuracy and other conditions relating to Land Registry Maps, see [www.prai.ie](http://www.prai.ie).

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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](http://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.



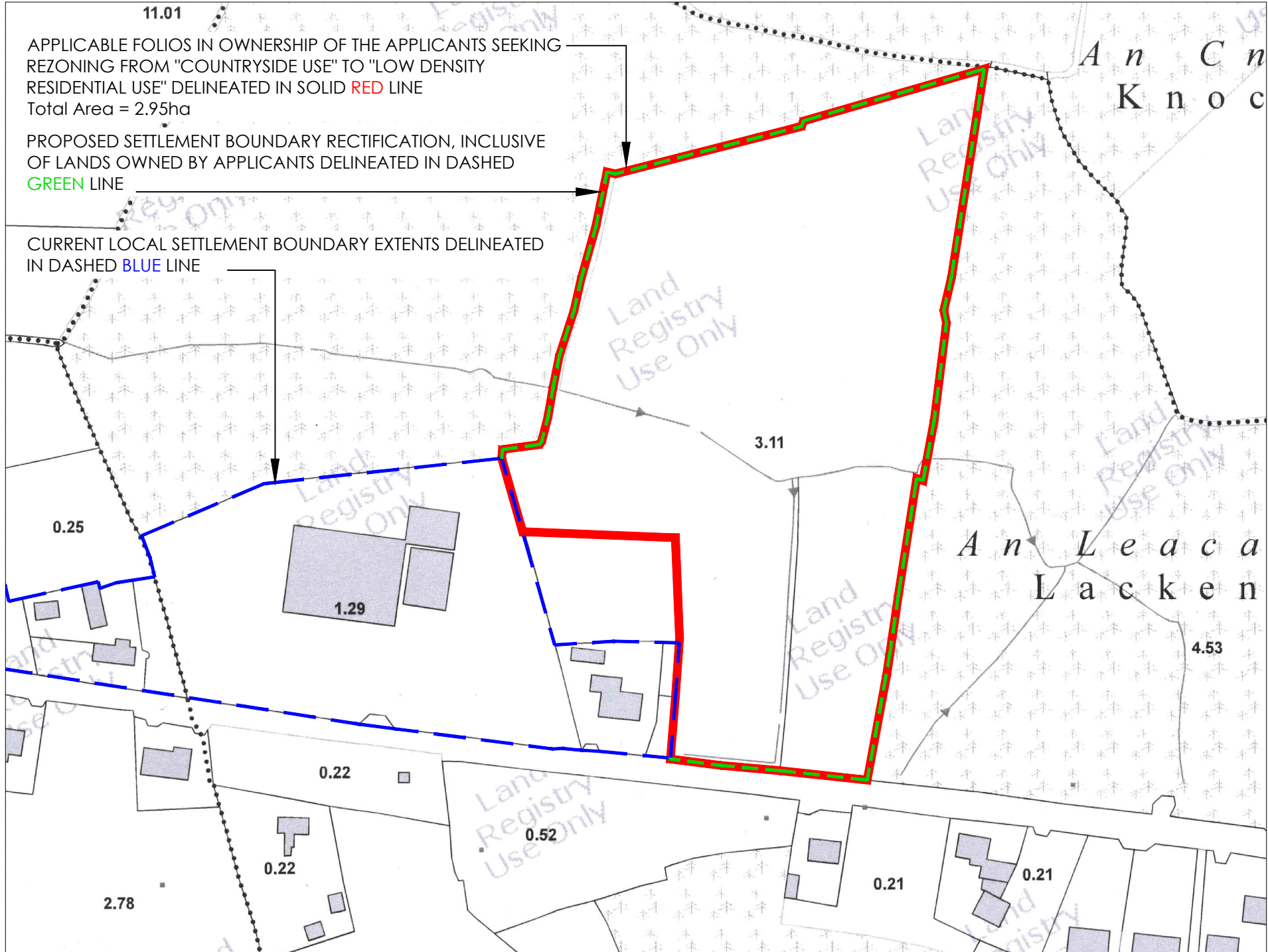
11.01

APPLICABLE FOLIOS IN OWNERSHIP OF THE APPLICANTS SEEKING REZONING FROM "COUNTRYSIDE USE" TO "LOW DENSITY RESIDENTIAL USE" DELINEATED IN SOLID RED LINE

Total Area = 2.95ha

PROPOSED SETTLEMENT BOUNDARY RECTIFICATION, INCLUSIVE OF LANDS OWNED BY APPLICANTS DELINEATED IN DASHED GREEN LINE

CURRENT LOCAL SETTLEMENT BOUNDARY EXTENTS DELINEATED IN DASHED BLUE LINE



11.01

APPLICABLE FOLIOS IN OWNERSHIP OF THE APPLICANTS SEEKING REZONING FROM "COUNTRYSIDE USE" TO "LOW DENSITY RESIDENTIAL USE" DELINEATED IN SOLID RED LINE

Total Area = 2.95ha

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