

Submission to Draft Clare County Development Plan 2023-2029

Lands at Cahircalla More/Beechpark, Ennis

Killaloe Diocesan Trust

Issue: A

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Killaloe Diocesan Trust
Issue A

File No: 2856

CURRENT ISSUE					
Issue No: A	Date: 27.03 2022	Reason for issue: Submission			
Sign Off	Originator	Checker	Reviewer	Approver	Customer Approval (if required)
Print Name	Mandy Coleman	Paddy Coleman		Mandy Coleman	
Signature	Authorised Electronically				
Date	27.03.22	27.03.22		27.03.22	

PREVIOUS ISSUES							
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1.0 INTRODUCTION

P. Coleman & Associates, Architects, Engineers and Planning Consultants, 5 Bank Place, Ennis, Co. Clare, make this submission on behalf of Killaloe Diocesan Trust (our Client), in respect of lands at Cahircalla More/Beechpark, Ennis (subject lands).

Our Client is seeking to (i) extend the Plan and Settlement Plan Boundary to include subject lands and (ii) zone subject lands for 'Enterprise' use.

We respectfully request that the Planning Authority take account of this submission.

The submission will be outlined as follows:-

Section 2: Subject Site

This section provides a description of the site and its context.

Section 3: Planning Policy Framework

This section outlines the proposed national and regional planning policies guiding the Draft Plan and current zoning for the subject site.

Section 4: Zoning Objective of the Draft Plan

This section outlines the proposed land use zoning for the subject site as defined in the Draft Plan.

Section 5: Requested Amendments

This section sets out the case for the proposed amendments as proposed in this submission.

Section 6: Conclusion

This section summarises the submission request.

2. SUBJECT SITE

2.1 The Site

The landholding lies in the townland of Cahircalla More on the western side of Ennis town parallel to the N85 - See Figures 1 and 2 below.

On its northern side the subject land fronts onto the R474, Ennis-Miltown Malbay Road. On its eastern side it borders the Beechpark traveller accommodation development and the Western Relief Road N85 which links traffic from the M18 to N85 Lahinch Road. Its southern side is bound by agricultural land where there is a right-of-way which provides access to the N68 Ennis to Kilrush Road. To the west it is bound by agricultural land.

The subject land has a total area of 21.291 hectares.

The subject land largely comprises fields bound by stone walls and timber post and rail fencing. There is an old walled garden within the subject land.

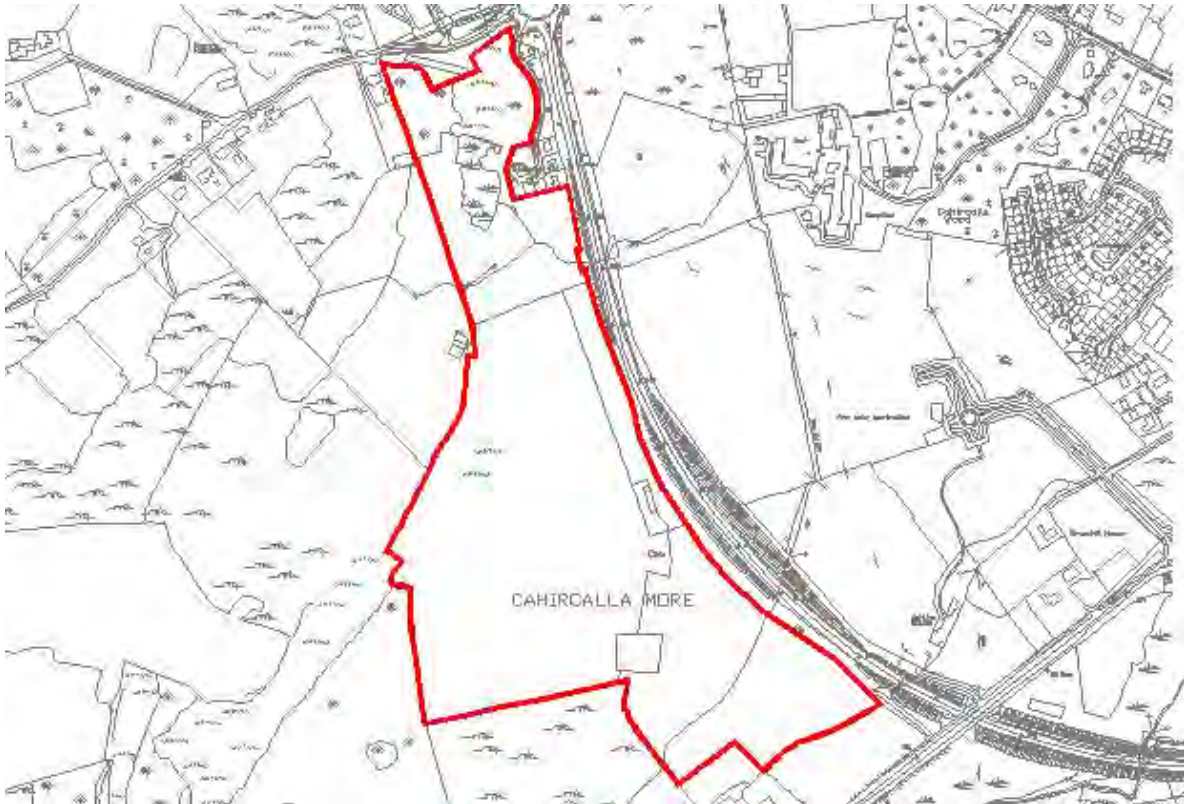


Figure 1 – Site Location Map – Subject Lands outlined in Red



Figure 2 – Aerial Image of Subject Site outlined in Red



2.2 Site Context

The landholding benefits from good access to amenities within easy walking distance such as Cahercalla Community Hospital, Ennis National School, Ennis Golf Club, Ennis Rugby Grounds, Ennis Showgrounds, Mowlam Nursing Home, Westpoint Retail Park, Westgate Business Park.

The subject land is connected to the town of Ennis by footpath.

3.0 PLANNING CONTEXT

The following section outlines the key national, regional and local planning policies which support the proposed amendments to the proposed zoning for this landholding.

3.1 National Planning Context

3.1.1 National Planning Framework

The National Planning Framework (NPF) entitled 'Ireland 2040' is a framework to guide public and private development and investment in Ireland, providing a long-term and place-based aspect to public policy and investment, and aiming to coordinate sectoral areas such as housing, jobs, transport, education, health, environment, energy and communications, into an overall coherent strategy.

A key focus of the NPF is the need for compact growth. Under the concept of 'Compact Growth', which underpins much of the Strategy, the NPF is:

'Targeting a greater proportion (40%) of future housing development to happen within and close to existing built-up areas. Making better use of under-utilised land, including 'infill' and 'brownfield' and publicly owned sites together with higher housing and jobs densities, better serviced by existing facilities and public transport.'

More balanced growth also means more concentrated growth. There are five cities in Ireland today in terms of population size (>50,000 people): Dublin, Cork, Limerick, Galway and Waterford. The NPF targets these five cities for 50% of overall national growth between them, with Ireland's large and smaller towns, villages and rural areas accommodating the other 50% of growth.

The following relevant extracts from the NPF support this submission:-

The various policies in the NPF are structured under National Policy Objectives (NPOs). The key NPO's of relevance to this submission are as follows:-

NPO4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.



NPO5: Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.

NPO6 Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, which can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.

NPO11: In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.

NPO27: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrated physical activities for all ages.

NPO28: Plan for a more diverse and socially inclusive society that targets equality of opportunity and a better quality of life for all citizens, through improved integration and greater accessibility in the delivery of sustainable communities and the provision of associated services.

3.1.2 Section 28 Ministerial Guidelines

There are various Ministerial Guidelines in respect of residential development with the most relevant to the proposed development outlined below:-

- Adopted Development Plan Guidelines for Planning Authorities (2007),
- Draft Ministerial Guidelines on Development Plans for Planning Authorities (2021)

3.1.2.1 Adopted Development Plan Guidelines for Planning Authorities (2007)

These Guidelines on Development Plans are the adopted guidelines that are currently in place until such time as the current guidelines which are in draft form are adopted.

The Adopted Guidelines advise that development plans should anticipate future needs on an objective basis (Overview on Page 3) with needs driven assessments of future development requirements including the amount of land that needs to be zoned for particular purposes. It is stated that zoning that is not responsive to or justifiable by reference to reasonable needs, or that substantially exceeds such needs is not consistent with established principles of proper planning and sustainable development.

Part 4.4 refers to the mandatory objective of zoning land. It is stated in Section 10(2)(2) of the 2000 Act, as amended, mandates a development plan to include objectives for:-

‘the zoning of land for the use solely or primarily of particular areas for particular purposes (whether residential, commercial, industrial, agricultural, recreational, as open space or otherwise, or a mixture of these uses) and to such extent as the proper planning and sustainable development of the area, in the opinion of the planning authority, requires to be indicated’.

Section 4.4 also states that development plans perform an important task in setting out the framework within which the development needs of the economy, and society in general, can be responded to while maintaining, and where possible, improving the environment.

It is further stated in section 4.5 that *‘following the approach set out, a development plan should ensure that enough land will be available to meet anticipated development requirements and will be developed in a sequential and co-ordinated manner. This will avoid, for example, a situation where housing estates are built beyond the outer edges of existing built-up areas while intervening lands lie undeveloped resulting in deficiencies in terms of footpaths, lighting, drainage or adequate roads infrastructure’.* The suitability of these lands and the availability of infrastructure is identified and assessed below.

Crucially in the context of this submission, in addition to the above, when considering the suitability of specific land for development, within the process of preparing zoning objectives in making a development plan, the members are restricted to considering the proper planning and sustainable development of the area to which the development plan relates, statutory obligations and Government policy. Matters typically relevant to *‘the proper planning and sustainable development’* of an area, inter alia, include:

1. Need
2. Policy Context
3. Capacity of Water, Drainage and Roads Infrastructure
4. Supporting Infrastructure and Facilities
5. Physical Suitability
6. Sequential Approach
 - Environmental and Heritage policy, including conservation of habitats and other sensitive areas.

3.1.2.2 Draft Ministerial Guidelines on Development Plans for Planning Authorities (2021)

Section 1.5 of the draft Guidelines states that the development plan is now at the heart of a plan-led system whereby public capital investment programmes and priorities are aligned to support the adopted development strategy. The reverse is also set out later in the draft guidelines. This principle has been established through Project Ireland 2040 comprising both the NPF as the State’s national spatial development strategy and the National Development Plan (NDP) as the capital investment is intended to ensure a co-ordinated approach to investment in public infrastructure in a way that ties in with national and local spatial priorities. The development plan must therefore reflect and respond to programmed significant national infrastructural investment by the State.

Section 1.7 identifies Guiding Principles for the production of development plans including the following:-

- A vision for the area;
- Stakeholder engagement;
- A strategic balanced approach;
- The integration of sustainable development and climate change priorities;
- The structured management of change;

3.2 Regional Planning Context

The Southern Regional Assembly published the '*Regional Spatial and Economic Strategy for the Southern Region*' (RSES) on 31st. January, 2020. It is a 12-year, strategy development framework providing for the future physical, economic, and social development of the Southern Region. It includes Metropolitan Area Strategic Plans (MASPs) to guide the future development of the Regions three main cities and metropolitan areas, Cork, Limerick-Shannon and Waterford and strategies for Key Towns including Ennis Town. It seeks to achieve balanced regional development and full implementation of Project Ireland 2040 – NPF.

Fourteen '*Key Town's*, including Ennis, are identified in the RSES. They each play a critical roll in underpinning the RSES and ensuring a consolidated spread of growth beyond the cities of the sub-regional level.

Six of the Key Towns have a very significant population scale, Kilkenny City, Ennis, Carlow, Tralee, Wexford and Clonmel. The RSES states:-

'These Key Towns are self-sustaining regional drivers and have a comparable structure to the five regional growth centres identified in the NPF. Given their considerable scope for growth, it is envisaged that local authorities should plan for population growth of more than 30% by 2040'

Accordingly, *Regional Policy Objective (RPO) 11* refers growth in the Key Towns, including Ennis, as follows:-

'a. Local Authorities are supported in targeting growth of more than 30% for each Key Town subject to capacity analysis and sustainable criteria under Section 3.3 A Tailored Approach, RPO 3 Local Authority Core Strategies and the sustainable requirements under the following sub sections of RPO 11 Key Towns The appropriate level of growth is to be determined by the Core Strategy of Development Plans'.



RPO2 Planning for Diverse Areas:

The RSES recognises the strategic role played by all areas, both urban and rural, in achieving the set regional and national targets and objectives. The RSES supports sustainable enterprise growth, services, physical and social infrastructure investment and sustainable growth of all communities in the Region. The overall strategy builds on cities and their associated metropolitan areas as engines of growth and seeks, in parallel to re-position the Region's strong network of towns, villages and diverse rural areas in an economically resilient, imaginative and smart way to foster sustainable competitive advantage.

RPO10 Compact Growth in Metropolitan Areas:-

- a) Prioritise housing and employment development in locations within and contiguous to existing city footprints where it can be served by public transport, walking and cycling.
- b) Identify strategic initiatives in Local Authority Core Strategies for the MASP areas, which will achieve the compact growth targets on brownfield and infill sites at a minimum and achieve the growth targets identified in each MASP. Such strategic initiatives shall comply with MASP Goals to evolve innovative approaches for all MASPs. Initiatives may include:
 - Support the creation and role of Active Land Management Units with a remit to focus on the metropolitan areas and compact growth targets;
 - Partnerships with the Land Development Agency to progress housing and employment delivery in city and town centres, focusing on co-ordinating and developing large, strategically located, publicly owned land banks, reducing vacancy and increasing regeneration of key sites;
 - Support the role of the local authority as a development agency to kick start regeneration processes;
 - The identification of public realm and site regeneration initiatives which combine, on an area wide basis, opportunities for regeneration of private owned underutilised sites, public owned underutilised sites, private and public buildings and upgrade of parks, streetscapes and public realm areas;
 - Creation of continually updated databases identifying brownfield, infill sites, regeneration areas and infrastructure packages to enable progress towards achieving compact growth targets. Through active land management initiatives, identify strategic locations for residential growth responding to the growth targets and achievement of compact growth and employment growth.

RPO62 Location for Employment Development. It is an objective to:-

- b. Identify future locations for strategic employment development having regard to accessibility by sustainable transport modes and environmental constraints.

3.3 Local Planning Context

The subject land is located within the functional area of Clare County Council and the relevant policy document is the Clare County Development Plan 2017-2023 (CCDP).

According to the Settlement Strategy, the Settlement Plan Policy Objective for Ennis is to ensure that Ennis, designed as a Hub town in the National Spatial Strategy (now superseded) as the county town at the top of the settlement hierarchy;

- a) is a driver of economic and regional prosperity by harnessing its strategic location strong urban structure, retail service and accommodation base as well as its competitive advantages,
- b) a vibrant culturally rich town with a revitalised town centre strong economic growth balanced with enhanced social inclusion sustainable neighbourhoods and a high level of environmental quality ensuring an excellent quality of life is achieved and
- c) a local area plan for Ennis and its Environs during the lifetime of the CCDP.

Section 1.4.1 (Strategic Aims for Housing and Sustainable Neighbourhoods)

The strategic aims Goal 1, (of ten goals to be carried through into the LAP) provides for Housing and Sustainable Neighbourhoods facilitating sustainable and balanced population increases by way of land use zoning, provision for consolidation and range of social and physical infrastructure, encouragement of population growth and community development, and creation of strong vibrant neighbourhoods in the Ennis area with a high quality and mix of housing for all members of the community while achieving sustainable neighbourhoods and improving place making.

The Core Strategy illustrates how the vision for the County will be achieved in a manner that is consistent with the guidance, strategies and policies at national and regional level. The Core Strategy includes a settlement hierarchy (Table 2.1). Ennis town, with a population of approximately 25,000, is the largest settlement in County Clare. It is an important residential, service and commercial centre providing significant levels of employment. It is therefore at the top of the Settlement Hierarchy for the County. See Figure 5 below.



Figure 5 – CCDP Core Strategy Map
Source - CCDP

3.2.2 Zoning

As per the Ennis Settlement Plan outlined in Volume 3a of the CCDP - Ennis Municipal District Plan the subject land lies directly adjacent to the Ennis Plan boundary and Settlement boundary and is not currently zoned for development – See Figure 6 below.

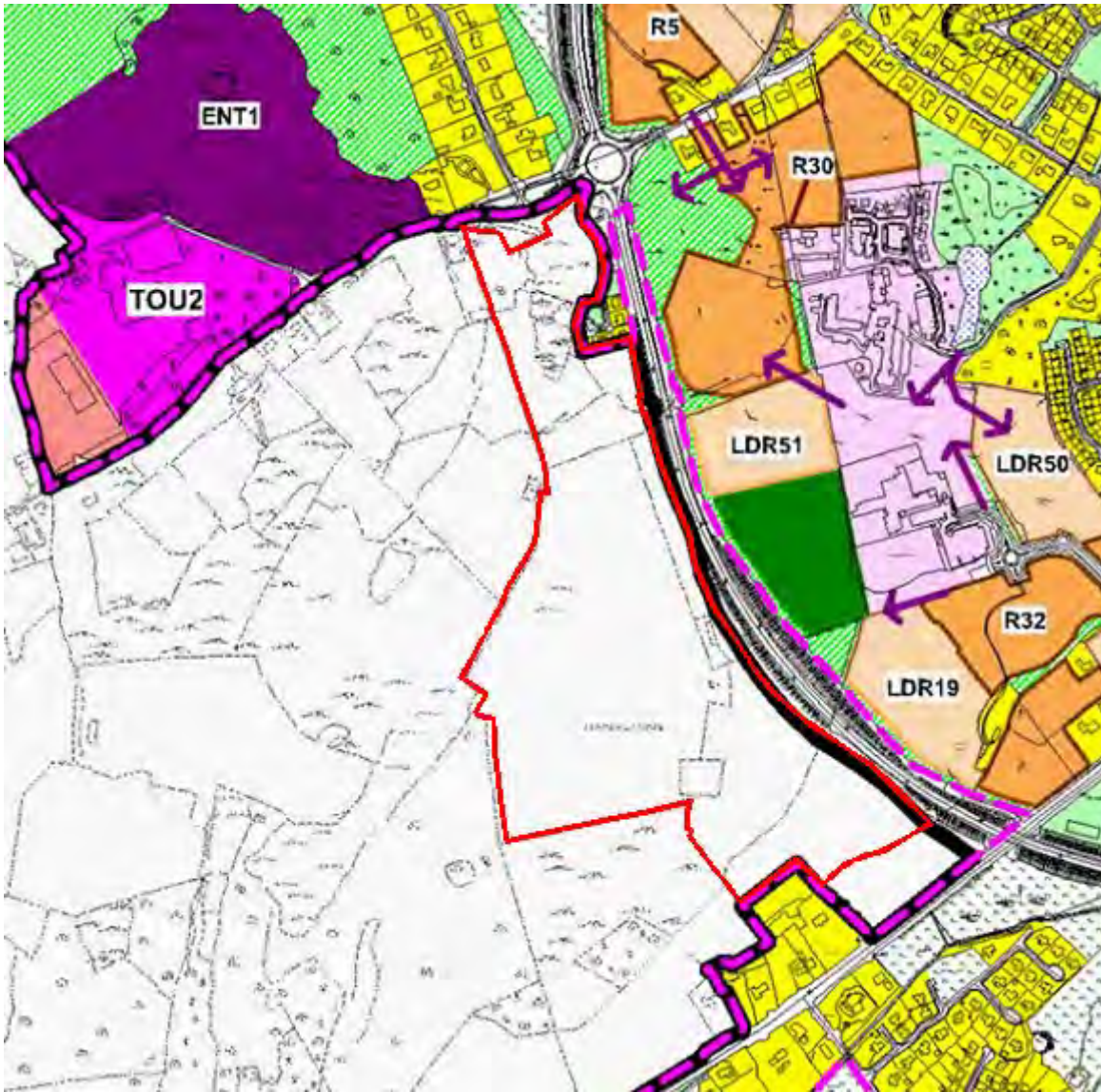


Figure 6: Lands at Beechpark – Not zoned for Development
Source: Volume 3a Ennis Municipal District Plan – Clare County Development Plan 2017-2023

4.0 DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

The Draft Plan proposes no change to the Beechpark lands – See figure 7 below.

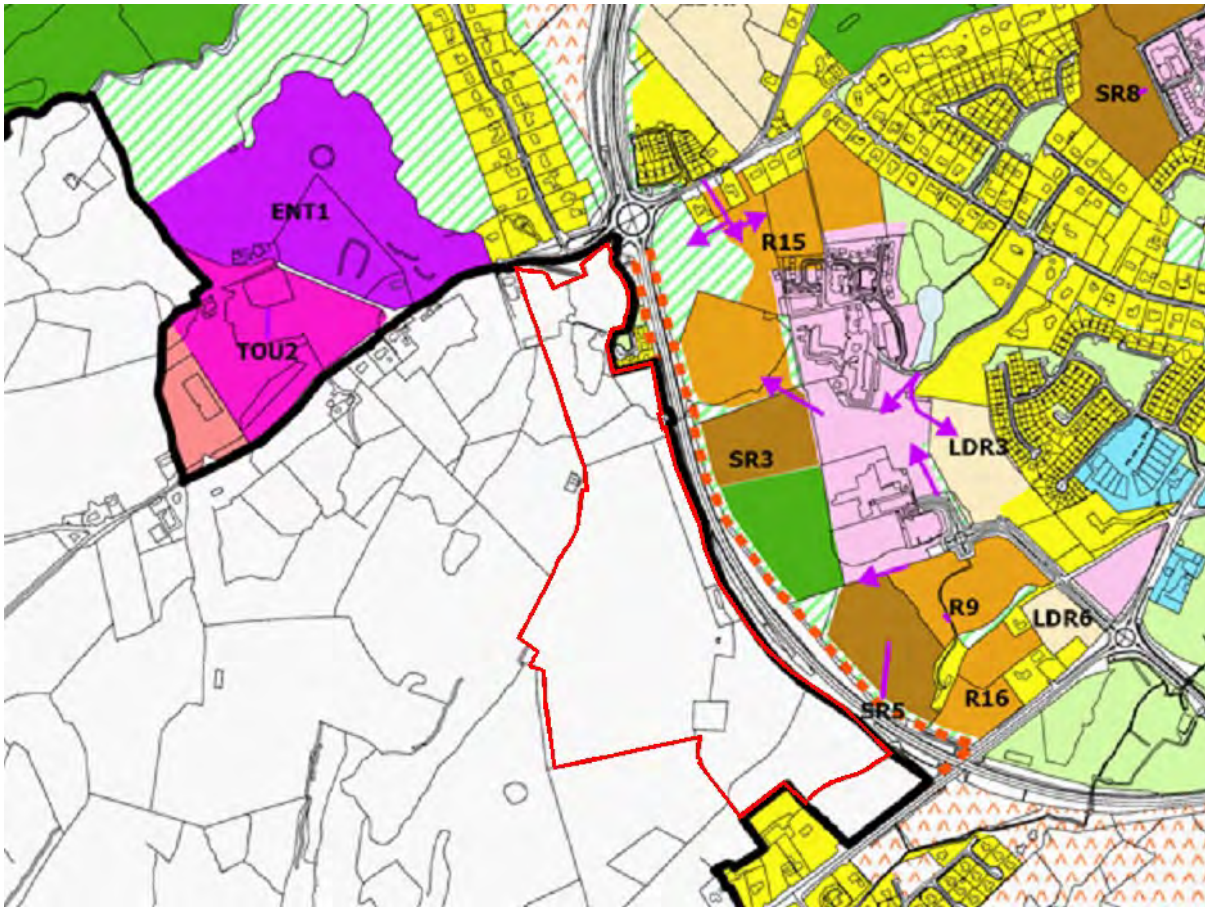


Figure 7: Lands at Beechpark

Source: Volume 3a Ennis Municipal District Plan – Draft Clare County Development Plan 2023-2029

5.0 REQUESTED AMENDMENT

Our Client is seeking to (1) Extend the Ennis Plan and Settlement boundary to include the subject land and (2) Zone subject land for ‘Enterprise’ use as shown in Figure 8 below.

The subject lands are adjoining the proposed draft settlement boundary for the town of Ennis. The subject lands formed part of a larger landholding owned by the Killaloe Diocesan Trust which was split by the development of the Western Relief Road. There is a traveller accommodation site at the northern boundary of the subject lands which is included in the proposed Plan and Settlement Plan boundary and both boundaries extend west at the Beechpark roundabout as far as the Clare County Council yard at Beechpark and include residential housing, lands in agricultural use proposed to be zoned ‘Tourism – TOU2’ and lands proposed to be zoned ‘Enterprise – ENT1’. There is residential development to the south end of the landholding and the plan boundary again extends to include these houses.

2. KILLALOE DIOCESAN TRUST -- LANDS AT CAHERCALLA MORE/BEECHPARK -- PLOT A

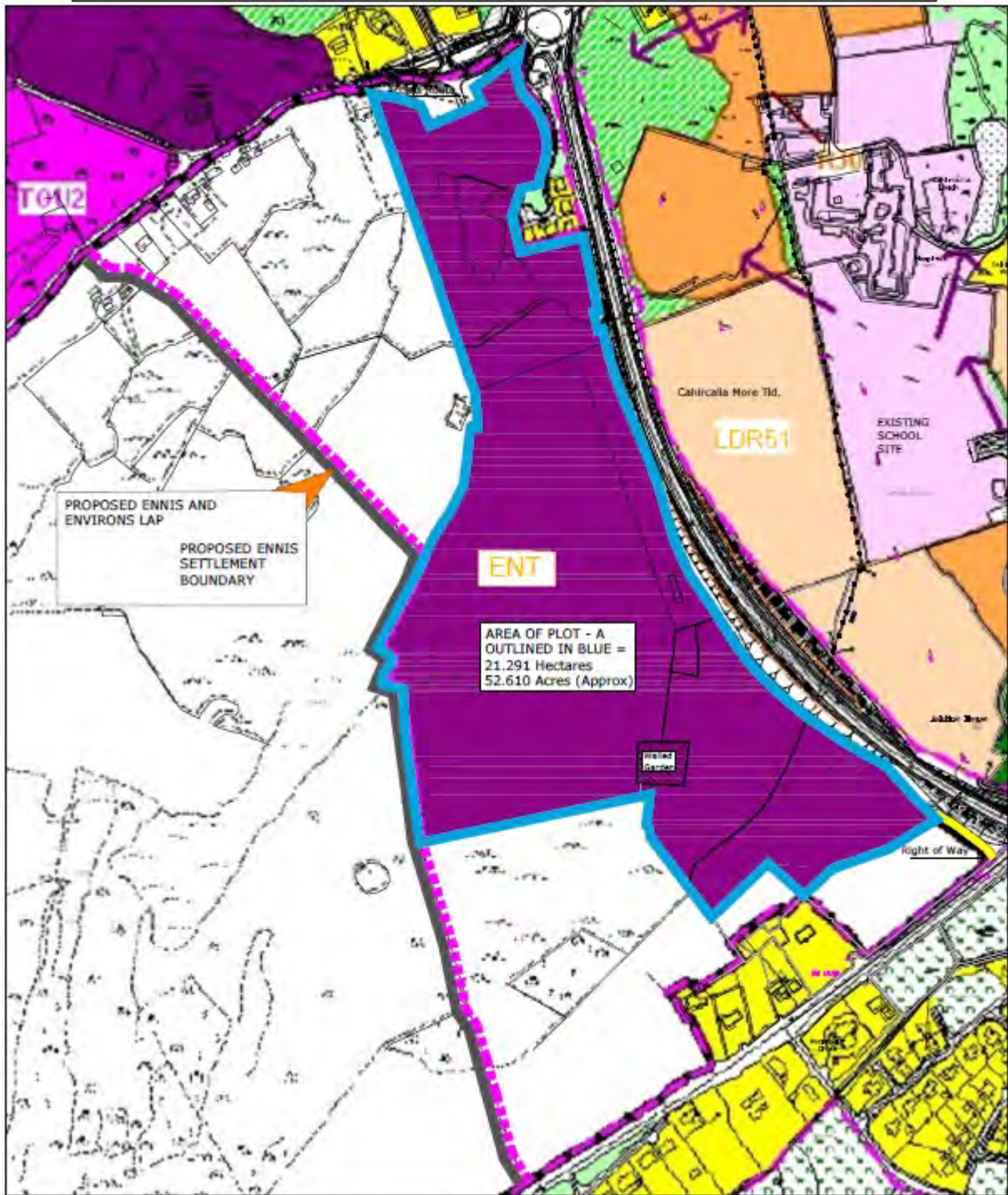


Figure 8 – Requested Amendments to Draft Plan

Our Client is also seeking to have this landholding zoned for development purposes.

5.1 Suitability of Subject Lands

It is our Client's opinion that lands the subject of this submission at Cahircalla More/Beechpark would be suitable to accommodate enterprise use for following reasons:-

1. The location of our Clients landholding at Beechpark is strategic for this business relocation in relation to its immediate access to the Western Relief Road (N85) which would have a significant beneficial effect on the local road network in and around the town of Ennis. Lands north/west of the subject lands have proposed zonings of *"Enterprise"* and *"Tourism"*. Guidance on these sites in the draft plan both state that they are strategically located to the east of the junction of the N85 with the R474.
2. Services such as public water supply, ESB, Gas and public lighting are located within very close proximity to the subject lands.
3. The location of the subject lands to the west of the Ennis Western Relief road will result in a natural separation between the proposed enterprise use and proposed residential communities to the east of the Ennis Western Relief Road. The subject lands are therefore located in an appropriate location for enterprise businesses in that it will not impact adversely on surrounding land uses or proposed land uses.
4. The site area of our Clients landholding is substantial and an adequate buffer area can therefore be incorporated into the proposed development to provide appropriate screening.
5. Due to the size of our Clients landholding at this location, a longer lead in access road from the R474 can be provided which will ensure that traffic serving the development is not being held up at the entrance to the subject site or on the N85 Roundabout at Beechpark during peak times.
6. A substantial portion of the landholding has a high capacity to absorb development without causing any negative impact on the area.
7. The subject site is readily available.

5.2 Other Proposed ‘Enterprise’ zoned lands

We note from the Draft Plan that there is very little land proposed for ‘Enterprise’ use within the Ennis Plan boundary – See Figure 9 below showing the locations of proposed ‘Enterprise’ lands within the Plan boundary.

The largest of these Enterprise blocks, ‘ENT3’, is specifically earmarked for a Data Centre with a planning application for this use presently being assessed by Clare County Council.

The only proposed ‘Enterprise’ zoned lands which are fully undeveloped for this use are identified as ‘ENT1’ at Beechpark, and ‘ENT2’ at Ballaghfadda, Clarecastle.

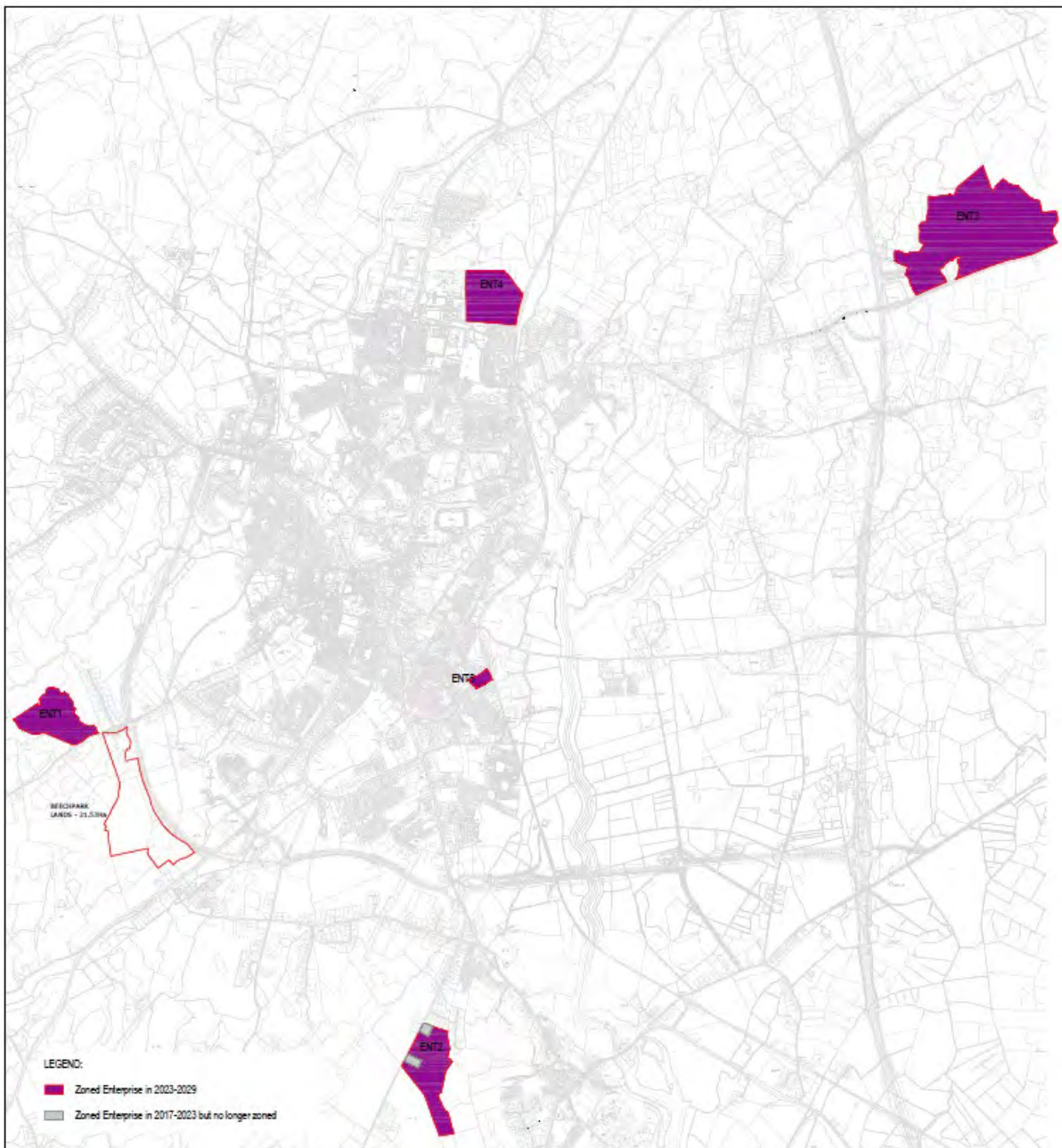


Figure 9 – Lands proposed for Enterprise use



5.2.1 – ‘ENT1’ lands at Beechpark, Ennis.

According to our Client the subject lands at Beechpark are more suitable for ‘Enterprise’ use than the lands identified as ‘ENT1’ at Beechpark. The following reasons support the view that our Clients lands at Beechpark are more suitable than the “ENT1” lands at Beechpark.

1. The proposed ‘ENT1’ lands at Beechpark are located on a busy and narrow regional road with no public footpath or public lighting to serve the lands. The subject land at Beechpark is strategically located to the west of the junction of the N85 with the R474. The subject land is fully served by the public sewer, public water supply, ESB, Gas and public footpath and public lighting are all readily available.
2. Given the narrow nature of the public road which is subject to a maximum speed limit of 80 kph it is our Client’s view that the zoning of the ‘ENT1’ lands will interfere with the safety and free flow of traffic along the regional road and would therefore endanger public safety.
3. The ‘ENT1’ lands are remote for other existing uses and from the town centre.
4. The sequential test does not seem to have been applied to the decision to zone the ‘ENT1’ lands at Beechpark. The subject land would offer an advantage over the proposed lands at Beechpark in terms of sequential development.
5. There are two national monuments on the ‘ENT1’ lands - CL033-114001 and CL033-114002. This could have a significant effect on the proposed use. There are no recorded monuments on the subject lands at Beechpark.
6. The ‘ENT1’ land is also identified as being a habitat for Lesser Horseshoe Bats. The Strategic Environmental Assessment – Environmental Report (Vol. 10b(i)) prepared for the Draft Plan recommends and an Ecological survey of the hedgerows and wildlife corridors on the site be undertaken on the ‘ENT1 – Enterprise’ land and these should be protected and incorporated into any development proposals to ensure no net loss in order to protect habitat and commuting routes for Lesser Horseshoe bats.
7. The ‘ENT1’ land is quite elevated with long range views available.
8. The specific ‘ENT1’ zoning objective requires the following studies prior to any development taking place on these lands:-
 - Landscape Impact Assessment
 - Ecological Assessment
 - Landscape Management Plan
 - Light Spill Modelling Study
 - Surface Water Management
 - Transport and Traffic Assessment



9. The land is currently in agricultural use for grazing of sheep and cattle with an Abattoir on the lands which is used by the owners of the lands who operate a Butcher's business in the town of Ennis. The availability of the lands for development is unknown.

5.2.2 – 'ENT2' lands at Ballaghfadda, Clarecastle

According to our Client the subject lands at Beechpark are also more suitable for 'Enterprise' use than the lands identified as 'ENT2' at Ballaghfadda, Clarecastle. The following reasons support the view that the subject lands at Beechpark are more suitable than the "ENT2" lands at Ballaghfadda, Clarecastle:-

1. The proposed 'ENT2' lands at Ballaghfadda are located on a busy and narrow regional road with no public footpath or public lighting to serve the lands. The subject land at Beechpark is strategically located to the west of the junction of the N85 with the R474. The subject land at Beechpark is fully served by the public sewer, public water supply, ESB, Gas and public footpath and public lighting are all readily available.
2. Given the narrow nature of the public road which is subject to a maximum speed limit of 80 kph it is our Clients view that the zoning of the 'ENT2' lands will interfere with the safety and free flow of traffic along the regional road and would therefore endanger public safety.
3. The 'ENT2' lands are remote for other existing uses and from the town centre.
4. The sequential test does not seem to have been applied to the decision to zone the 'ENT2' lands at Ballaghfadda. The subject land at Beechpark would offer an advantage over the proposed lands at Ballaghfadda in terms of sequential development.
5. There are a number of recorded monuments in close proximity to the 'ENT2' lands which include earthwork complex, ringforts, an ancient field system megalithic burial tombs, caves/souterains and an ancient roadway (Bealach Fada) connecting six ringforts. This could have a significant effect on the proposed use. There are no recorded monuments on the subject lands at Beechpark.
6. The scale of the proposed use will have a significant impact on the rural character of the area. Extensive screening will be required along the R473. The development will undoubtedly have an effect (visual, traffic impact, lighting, pollution) on this rural character. The subject land at Beechpark, while currently in a semi-rural area is directly adjacent to the N85 Western Relief Road with public lighting and footpaths serving the lands. The development of the subject lands for 'Enterprise' use will have less of an impact on the rural character of the area than the lands at Ballaghfadda.

It is our opinion that our Clients lands at Cahircalla More/Beechpark are much more suitable to accommodate a 'Enterprise' use than the lands at 'ENT1' Beechpark and 'ENT2' Ballaghfadda for the reasons as outlined in this submission.

5.3 Proposed Development

Our Client has prepared sketch layout showing proposed layout to accommodate a low-carbon, campus-style Enterprise Park – See Figures 10 and 11 below.



Figure 10 – Proposed Enterprise Campus Images at Beechpark

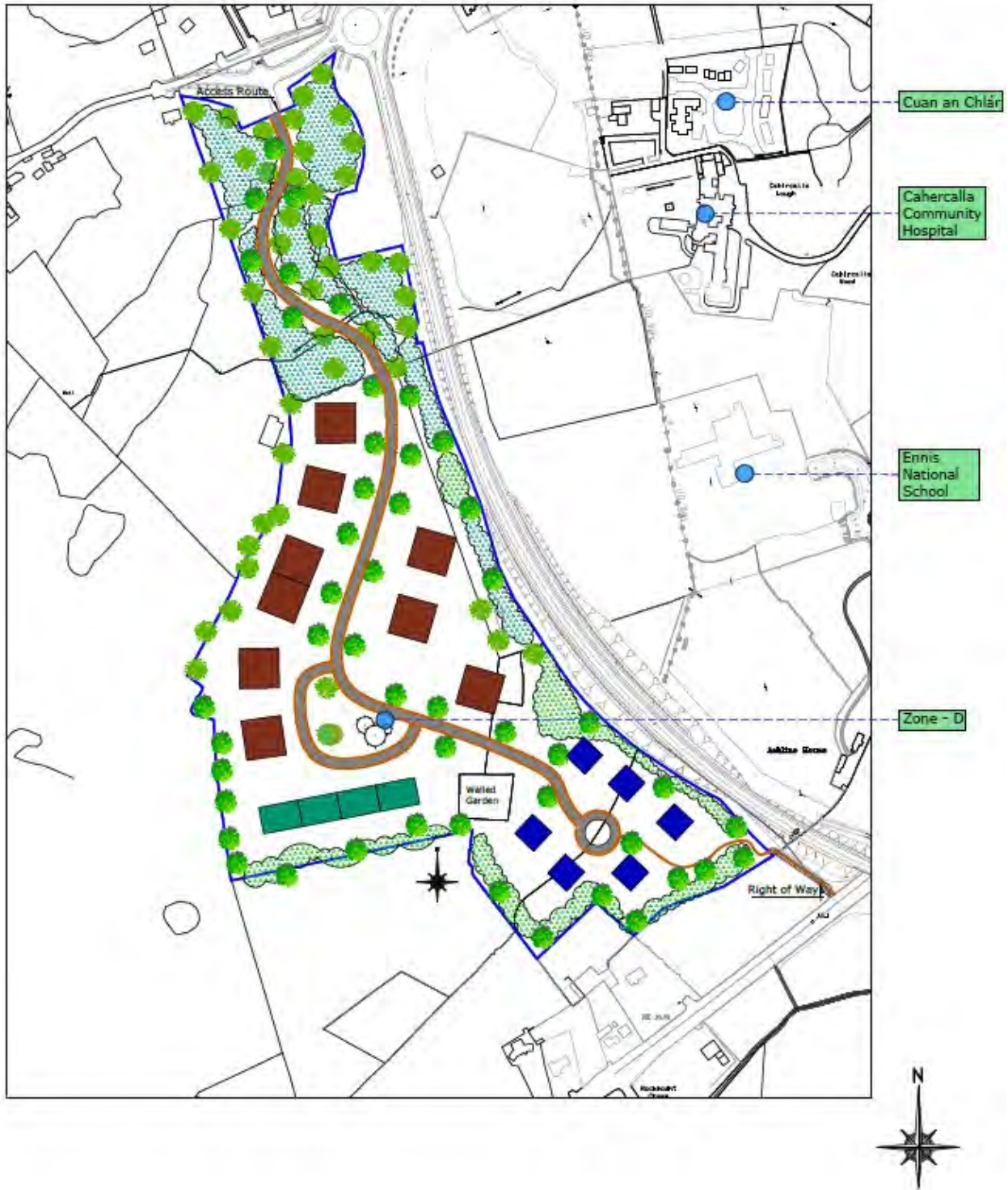


Figure 11 – Proposed Enterprise Campus Layout at Beechpark

Our Client has been approached by the Developer to develop part of the subject lands for a Solar photovoltaic Farm. The use of part of this landholding for a Solar Farm with ‘Enterprise’ on the remainder of the land would be considered to be complementary uses. In addition, the electricity generated by the solar farm could be used to serve the ‘Enterprise’ uses on the site.



6.0 CONCLUSION

It is respectfully submitted that the subject land is ideally suited to accommodate '*Enterprise*' use. In addition, the subject land would offer an advantage over the proposed site '*ENT1*' lands at Beechpark and '*ENT2*' lands at Ballaghfadda, Clarecastle in terms of sequential development and adequate infrastructure. In addition, the subject land is not reliant on the provision of major new infrastructure and, being in single ownership, is free from complex legal ownership arrangements involving multiple parties that will delay other sites being progressed for development.

This submission requests that the Ennis Plan and Settlement Plan boundaries be extended to include the subject land and for the subject land zoned as '*Enterprise*'.

Our Clients request that you kindly consider the above submission in the preparation of the Clare County Development Plan 2023-2029.