

SUBMISSION TO DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

Parcels G & H Lands at Ashline, Kilrush Road, Ennis

Harnett Homes & Estate Developers Limited

Issue: A

Customer Project Number: 4951

Customer Document Number:

Document Sign Off

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Issue A

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CURRENT ISSUE						
Issue No: A	Date: 26.03.22	Reason for issue: Submission to Draft Clare County Development Plan 2023-2029				
Sign Off	Originator	Checker	Reviewer	Approver	Customer Approval (if required)	
Print Name	Mandy Coleman	Paddy Coleman		Mandy Coleman		
Signature	Authorised Electronically					
Date	25.03.22	26.03.22		26.03.22		

PREVIOUS ISSUES							
Issue No	Date	Originator	Checker	Reviewer	Approver	Customer	Reason for issue



1.0 INTRODUCTION

P. Coleman & Associates, Architects, Engineers and Planners have been appointed by Harnett Homes and Estate Developers Limited to prepare a submission to the Draft Clare County Development Plan 2023-2029 (Draft Plan) with specific reference to the land-use zoning proposed for Ennis town. Our Client is seeking to extend the '*Commercial*' zoning on Parcel G into Parcel H.

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 extension of the '*Commercial*' zoning

Section 6: Conclusion

This section provides a summary of this submission.

2. SUBJECT SITE

2.1 The Site

The subject site is outlined in red in Figures 1 and 2 below and identified as two parcels, Parcel G and Parcel H. The subject site is located in the townland of Cahircalla More, Ashline on the western side of Ennis town.

O'Sullivan and Hansbury Petrol Station and ancillary services form Parcel G. Parcel G has full road frontage onto the N68 which forms its north/western boundary. Agricultural lands bound the remaining boundaries. This site is extensively developed and includes a petrol filling station and commercial building which includes a car sales garage, car/crash repair workshop, supermarket shop, butchers with residential units located at first floor level.

Parcel H is presently in agricultural use and it surrounds Parcel G. The land is bound on the south/western boundary by the slip road serving the N68 to N85 Western Relief Road. Parcel H also has road frontage to the N68 along part of its western boundary. The northern boundary is bounded by Clonroadbeg road which provides a link between the N68 and Clonroadbeg/St. Flannan's Drive. The eastern boundary is bounded by agricultural land and existing commercial businesses being Musgraves Cash and Carry and NC Paints. The land is heavily vegetated with woodland scrub.

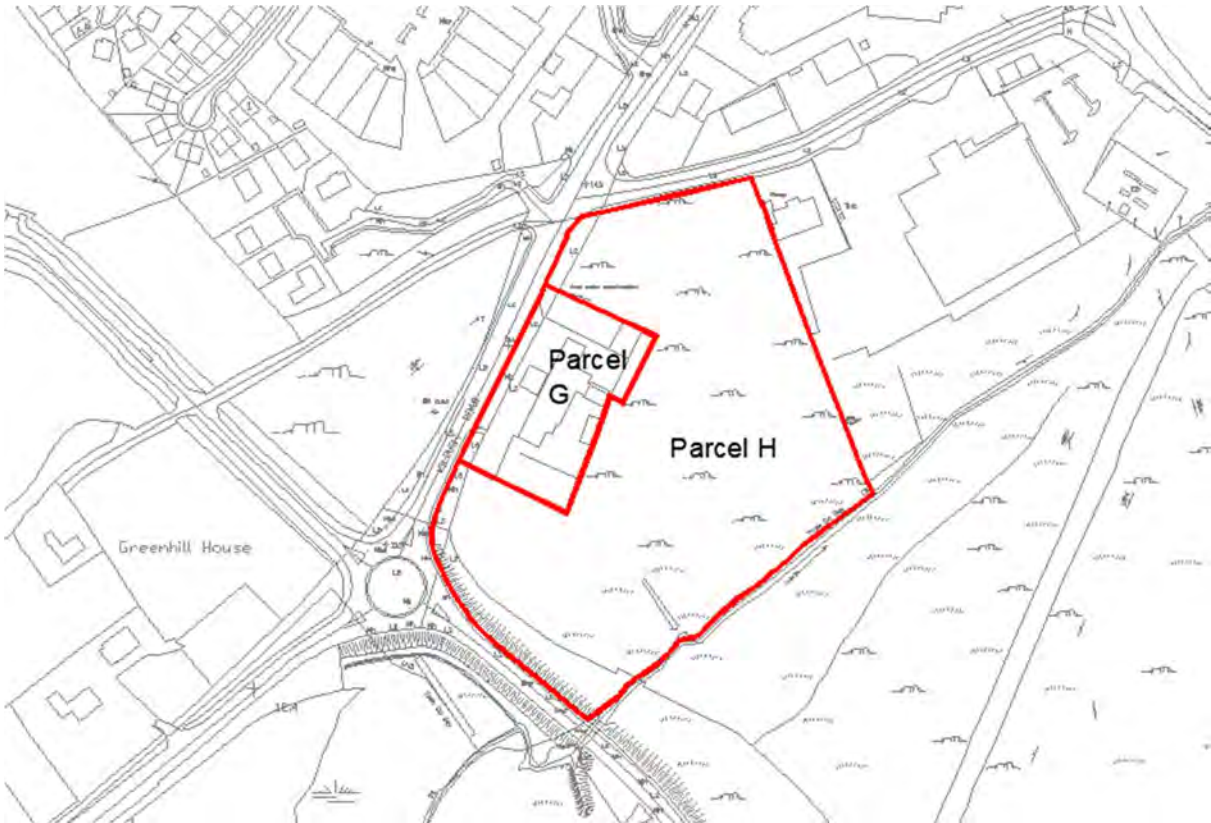


Figure 1 – Site Location Map – Subject Site outlined in Red - identified as Parcels G and H



Figure 2 – Aerial Image of Subject Site outlined in red - identified as Parcels G and H

2.2 Site Context

The subject site benefits from good access to national and secondary schools and amenities all of which are within easy walking distance. The subject site is connected to the town of Ennis by footpath.

There are a number of commercial businesses sites adjacent to the subject site including Westpoint Retail Park, Westgate business Park, NC Paint & Décor, Dermot Cleary Motors, Franks Car Wash & Valet and O'Sullivan and Hansbury commercial development. The Outpatients department for Ennis General Hospital operates from Westpoint Retail Park.

3.0 PLANNING CONTEXT

The following section outlines the key national and regional planning policies which support the proposed amendment to the proposed zoning for the site and the current local level planning polices for the commercial zoning of the subject site.

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. National Strategic Outcome 1 Compact Growth states

"From an urban development perspective, we will need to deliver a greater proportion of residential development within existing built-up areas of our cities, towns and villages and ensuring that, when it comes to choosing a home, there are viable attractive alternatives available to people. Combined with a focus on infill development, integrated transport and promoting regeneration and revitalisation of urban areas, pursuing a compact growth policy at national, regional and local level will secure a more sustainable future for our settlements and for our communities.....".

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

NPO3a seeks to deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

NPO3c is to deliver at least 30% of all new homes that are targeted in settlements other than the five cities and their suburbs, within their existing built-up footprints;



NPO6 Regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that 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.

NPO35 relating to increased residential density in settlements, through a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

Other relevant sections include Section 2.6 Securing Compact and Sustainable Growth which states

“An increase in the proportion of more compact forms of growth in the development of settlements of all sizes, from the largest city to the smallest village, has the potential to make a transformational difference. It can bring new life and footfall, contribute to the viability of services, shops and public transport, increase housing supply and enable more people to be closer to employment and recreational opportunities, as well as to walk or cycle more and use the car less”.

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 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'.

3.3 Local Planning Context

The subject site 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.

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 3 – CCDP Core Strategy Map
Source - CCDP

Table 2.4 of the CCDP refers to the Core Strategy Population Targets. It identifies that Ennis has a target population increase over the plan period of 8,137 people and a target increase in the number of households of 3,166. 137.2ha is the total area of residentially zoned land required to 2023 based on a density of 30 units/ha. for residentially zoned land in Ennis.

3.3.1 Zoning

Parcels G is currently zoned as ‘Commercial’ in the Ennis Municipal District Plan - Volume 3a of the CCDP.

The ‘Commercial’ use zoning objective states as follows:-

“The use of land zoned for commercial uses shall be taken to include the use of lands for commercial and business uses including office, service industry, warehousing and the facilitation of enterprise/retail park/office type use as appropriate. Retailing is open for consideration in this area, provided that a sequential test is carried out and the lands are demonstrably the optimum location for the nature and quantum of retail development proposed”.

Parcels H is currently zoned as ‘Open Space’ in the Ennis Municipal District Plan - Volume 3a of the CCDP.

The 'Open Space' use zoning objective states as follows:-

"The use of land zoned 'Open Space' will be retained as undeveloped open space, mainly for passive open space related activities. The open space/park areas could contain active play facilities such as children's play areas but these should only be a small component of the overall areas involved".

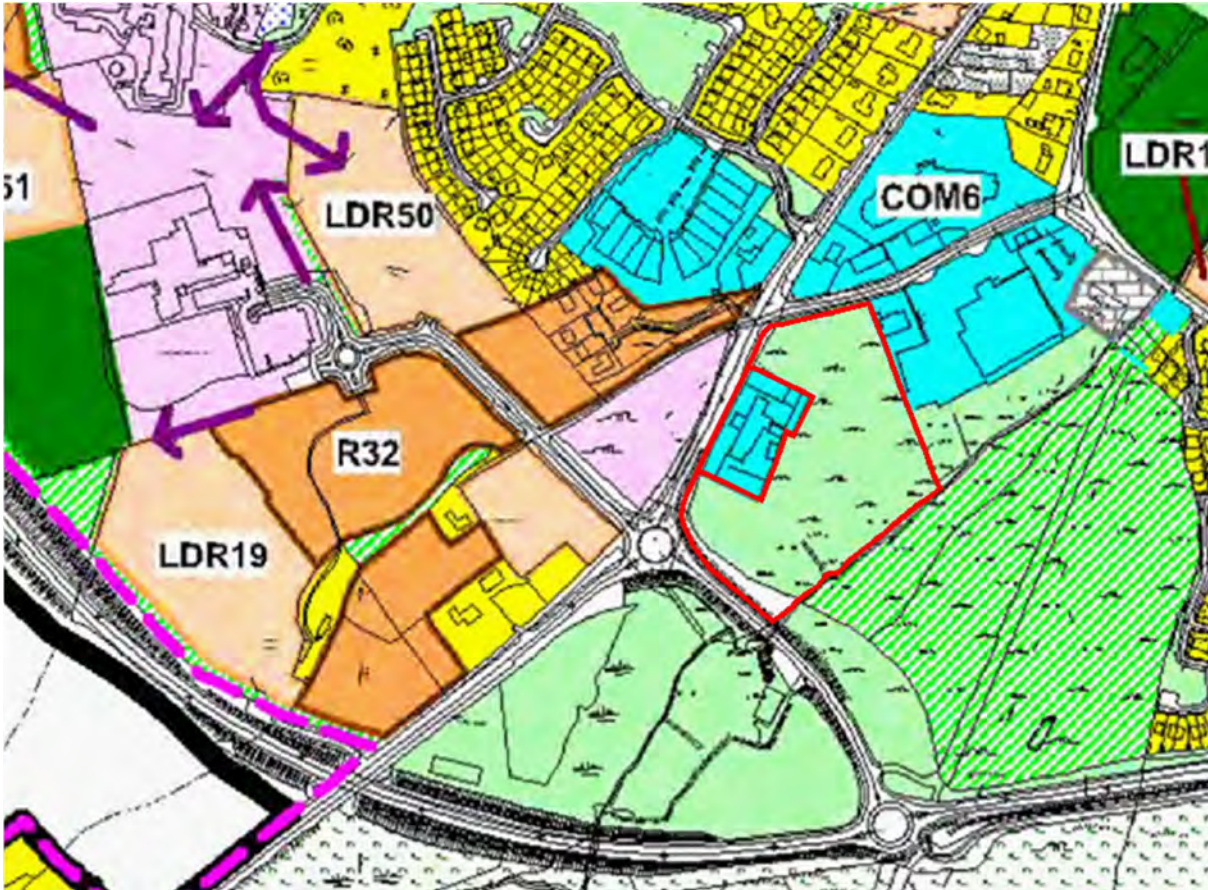


Figure 4 – Land Use Zoning Map - Clare County Development Plan 2017-2023.

4.0 DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

The Draft Plan proposes to no change the existing 'Commercial' zoning objective on Parcel G and no change to the existing 'Open Space' zoning objective on Parcel H – See Figure 5 below.

The rationale for changing the zoning to 'Commercial' within the subject site is set out in Section 5 below.

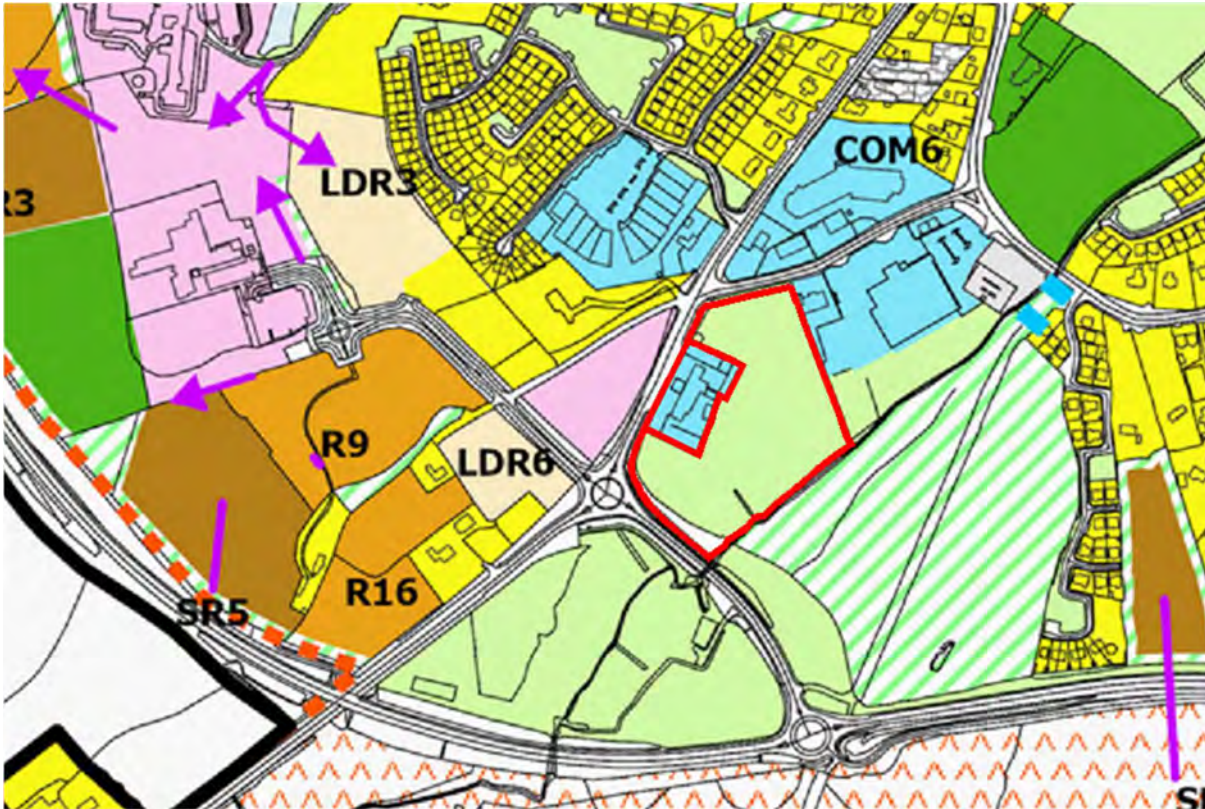


Figure 5 – Proposed Land Use Zoning Map - Draft Clare County Development Plan 2023-2029.

5.0 REQUESTED AMENDMENT

5.1 Extend ‘Commercial’ zoning on Parcel G into part of Parcel H

It is requested that the ‘Commercial’ zoning objective on Parcel G be extended into part of Parcel H as identified in Figure 6 below.

There are a number of material considerations put forward for consideration by our Client which, it is submitted, will need to be considered by the Planning Authority, including the pattern of development in the area; the need for compact and sustainable growth; sequential approach to development and environmental considerations the existence of infrastructure such as water supply, sewers, electricity, fibre cable, roads and amenities and the need to provide for the future expansion of existing business in the O’Sullivan and Hansbury mixed use complex.

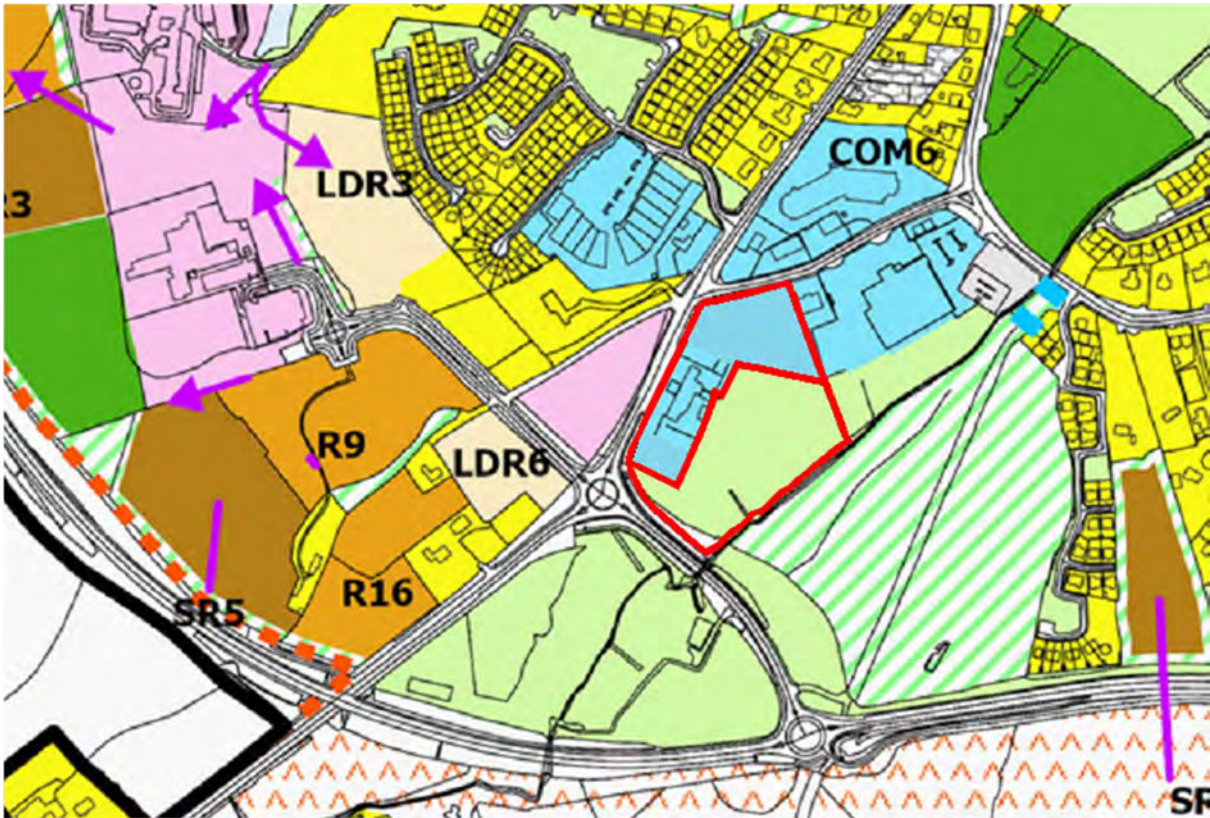


Figure 6 – Request for zoning amendment – Proposed extended ‘Commercial’ zoning.

5.2 Principle of Commercial Development.

As part of the current CCDP process, our Client made a similar zoning request to the Draft CCDP 2017-2023. The proposed amendments to the Draft CCDP 2017-2023 accepted our Clients request and proposed to extend the ‘Commercial’ zoning into Parcel H. The proposed zoning extension included the proposed ‘Commercial’ area within the ‘COM6’ site - See Figure 7 below.

The proposed amendment proposed the following addition to the ‘COM6’ zoning objective -

Site COM6 Commercial Lands at Cahircalla More

Development proposals for these sites must be accompanied by a transport and traffic assessment undertaken in accordance with NRA/TII Traffic and Transport Assessment Guidelines (2014). This must also include an assessment of the cumulative impact of traffic/transport generated by planned development in the area on significant junctions in the vicinity.

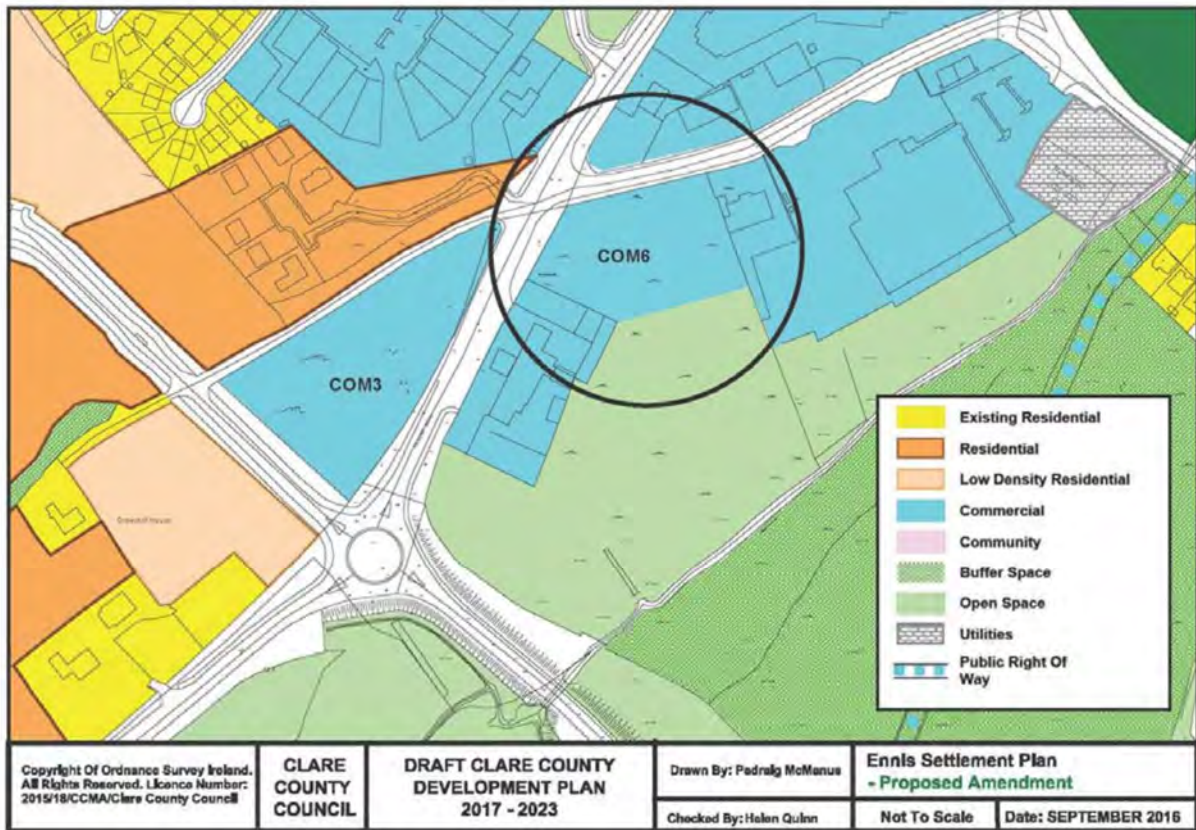


Figure 7 Proposed 'COM6 Commercial'

Source: Draft Clare County Development Plan 2017-2023 Proposed Amendments September, 2016)

Our Client accepted this zoning and sought for it to be adopted through a written submission on the Proposed Amendments to the CCDP 2013-2017. Unfortunately, this zoning change was not carried forward to the Adopted CCDP and the final zoning adopted on Parcel H was 'Open Space'. Our Client is not aware as to why the proposed 'Commercial' zoning extension proposed was not adopted in the CCDP.

In addition, all of Parcel H was previously zoned as 'Commercial' in the Ennis & Environs Development Plan, 2008-2014 (as varied) and therefore the principle of 'Commercial' use has been established on the site.

5.4 Planning for Compact Growth

The NPF seeks to achieve more compact and sustainable growth through consolidation, 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 in settlements (30%) to support the regeneration of existing urban areas. NPF compact growth objectives together with Town Centres first principals 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.

In accordance with at ‘Methodology for a Tiered Approach to Landuse Zoning’ as set out in the Draft Plan, the subject site can be classified as potential Tier 1 Zoned Land. This means that the site has all the infrastructure necessary to ensure that residential development can be applied for and constructed in the short term. Refer to Figure 8 below which shows the subject site well served in terms of infrastructure including road and footpath access, lighting, drainage connectivity and water supply all available and all of which have capacity to accommodate development thus facilitating utilization of serviced land within the existing settlement boundary without the need for settlement expansion.

Utility	Availability	Distance from Site
Surface Water	Yes	Onsite Disposal
Wastewater	Yes	Abutting Site
Broadband (Wired & Wireless)	Yes	Available
Electricity	Yes	Abutting Site
Water	Yes	Abutting Site
Public Lighting	Yes	Abutting Site
Footpath	Yes	Abutting Site

Figure 8 – Existing Infrastructure at the subject site.

5.5 Sequential Approach to Development

The NPF strategy incorporates National Strategic Objectives which seek to tackle the damaging and inefficient pattern of urban sprawl through favouring compact forms of development that focus on consolidating the footprint of our existing settlements with new development. The location of zoned lands and sites within the settlement must be consistent with sequential development patterns, town centre first principles, proximity to services and facilities and the need to reduce carbon emissions.

SPPR DPG 7 of the Draft Development Plan Guidelines state that,

“Planning authorities shall adopt a sequential approach when zoning lands for development, whereby the most spatially centrally located development sites in settlements are prioritized for development first, with more spatially peripherally located development sites being zoned subsequently”.

The subject site is strategically located with direct access to N68, Ennis to Kilrush Road, and in immediate proximity to the Western Relief Road (N85) and the adjoining distributor road, footpaths and cycle paths to the Ennis National School. The subject site is an available piece of land which fulfils the sequential approach as outlined in the NPF.



5.6 Need for new *'Commercial'* zoned lands

The subject site is located within the neighbourhood of Cahircalla More which is a neighbourhood which has been identified for expansion and large tracks of lands have been zoned for residential use in this area. Westgate Business Park, Westpoint Retail Park, NC Paints site, Musgraves Cash and Carry site and O'Sullivan & Hansbury site are all proposed to be zoned *'Commercial'* in the Draft Plan. However, these zonings are all attached to existing commercial businesses. We note that despite a need for better local services in this area such as a large supermarket, there is no new commercially zoned land proposed in this area. Taking into account the proposed new residentially zoned lands around the newly constructed Ennis National School, it is our Clients view that there is a serious deficiency in the amount of commercially zoned lands to cater for new commercial developments in this area which will be required to support the existing and proposed new community. The provision of additional land for *'Commercial'* use would support the development of a sustainable community at this location.

This area is very badly served by local services such as restaurant, food shopping outlets and local services. Existing shops are mainly either ancillary to petrol stations or of a limited size with limited food offer and totally unsuitable for family shopping. The closest supermarket, which is not ancillary to a petrol station, is Ryan's Centra supermarket located approximately 2km away requiring the need to travel by car. The mixed-use activities on Parcel G are extensive in terms of site coverage and the site is extremely cramped with very little car-parking for customers. In addition, cars for sale are parked outside the site boundary and are therefore being placed within Parcel H. The proposed zoning of the full Parcel H lands as *'Open Space'* will restrict any future expansion of this existing cramped mixed-use development in the future. The existing supermarket, which is ancillary to the petrol station, on this parcel could be redeveloped and expanded to cater for the need in this area. Given Parcel G's restrictive site boundaries, part of Parcel H needs to be reclassified to cater for any future proposed expansion.

The rezoning part of Parcel H for *'Commercial'* use (which was accepted *'Commercial'* in the Ennis & Environs Development Plan, 2008-2014 (as varied) and in the Proposed Amendments to the CCDP 2013-2017) would consolidate the existing commercial uses in this area. It would also connect the two commercial businesses operated by NC Paint and O'Sullivan Hansbury thus generating one larger commercial zoning rather than having two small segregated commercial zonings.

5.7 Flood Risk

The additional area of the subject site proposed to be zoned as ‘Commercial’ lies outside a Flood Risk areas. We refer to OPW Flood Map shown in Figure 9 below showing the High Probability Map for flooding in this area.



Figure 9 – OPW High Probability Flood Risk map.

6.0 CONCLUSION

We request that the current zoning ‘Commercial’ zoning on Parcel G be extended into part of Parcel H. The subject site 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.

The development of the subject site for ‘Commercial’ use inherently complies with the overarching policies and NPOs of the NPF to encourage ‘compact growth’ and ‘sequential development’.

In principle, commercial use on the subject site has previously been considered acceptable and its reinstatement would be encouraged in view of the strategic policy for Ennis as the County town at the top of the county’s settlement hierarchy and a “Key Town” which is within the Limerick-Shannon-Ennis triangle, the economic engine of the Mid West.

It is submitted that the provision of a ‘Commercial’ zoning objective on the subject site is therefore in accordance with the requirements of national, regional and local Policy.

On behalf of our Client, we request that this zoning request be adopted in the Clare County Development Plan 2023-2029.