

SUBMISSION TO DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

Lands at Drehidnagower, Lifford, Ennis

McGann Family

Issue: A

Customer Project Number: 4994

Customer Document Number:

Document Sign Off

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Lands at Drehidnagower, Lifford, Ennis

McGann Family
Issue A

File No: 6739

CURRENT ISSUE					
Issue No: A	Date: 21.03.22	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	21.03.22	21.03.22		21.03.22	

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

1.0 INTRODUCTION

P. Coleman & Associates have been appointed by the McGann Family 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. We are seeking to amend an area of proposed 'Open Space' and 'Existing Residential' and zone it as 'Low Density Residential'. Part of the subject site currently benefits from 'Low Density Residential' zoning in the Clare County Development Plan 2017-2023 (as amended) (CCDP). 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, its context, and the relevant planning history.

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 provision of the 'Low Density Residential' zoning on the subject site.

Section 6: Conclusion

This section summarises our case for the retention of the current residential zoning allocation and its extension to include the full subject site.

2. SUBJECT SITE

2.1 The Site

The subject site, outlined in red in Figure 1 below, is located on Drehidnagower Road, in the townland of Lifford, within the north/western sector of the Ennis town. The subject site is located approx. 1km west along Drehidnagower Road from its junction with the N18 /Gort national route.

The subject site is rectangular with a land area approximately 0.426 hectares in total. At the western corner of the subject site is our Clients existing residential property. The subject site is relatively flat and is well screened along the west, eastern and southern boundaries.

The subject site has substantial road frontage onto Drehidnagower Road which forms its northern boundary. On the northern side of the Drehidnagower Road there are six number individual house plots. The western, southern and eastern boundaries are bound by agricultural lands.

Three public road approaches facilitate access to the site – easterly approach along Drehidnagower Road from the N18; southerly approach along Watery Road from the N18 out of the Ennis town centre; and westerly approach along Drehidnagower Road from the N85 and Drumcliff Road over the Drehidnagower Bridge.



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



Figure 2 – Aerial Image – Subject Site outlined in Red

2.2 Site Context

The location of the subject site may be categorised as suburban, with the surrounding contextual pattern of development reflecting this location (low to medium density 2-storey semi-detached residential estates to the east and south, low density single housing to the north, and the River Fergus and open countryside to the west).

The subject site benefits from good access to amenities within easy walking distance. Figure 3 below shows at 1km and 2km. radius centres from the centre of the subject site, that parks, shop, proposed neighbourhood centre, primary school, secondary school are all located within 1 and 2km. of the subject site.

A large block of land at Clareen is currently designated as a neighbourhood centre. This centre will be within 0.5km walking distance of the subject site.

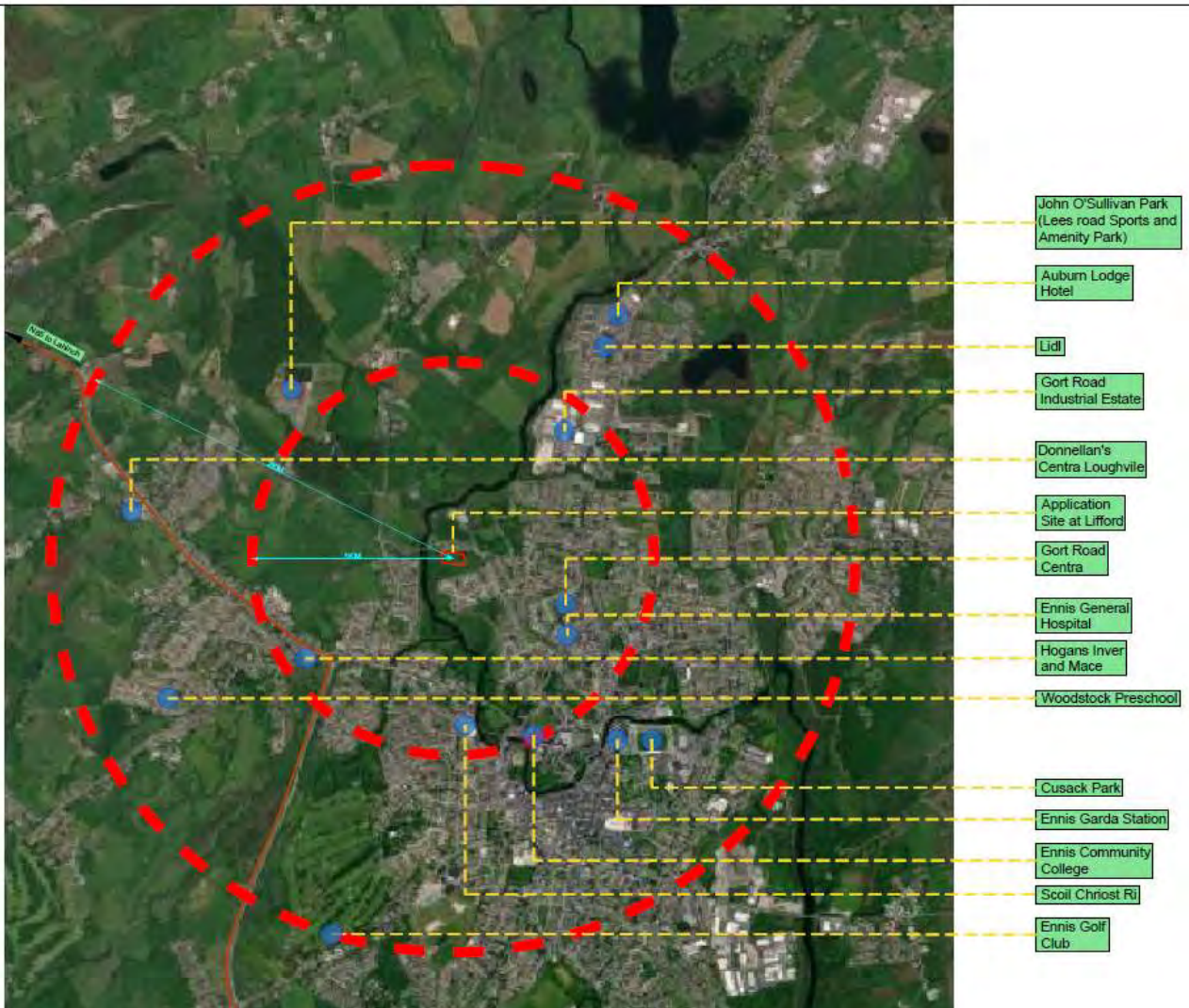


Figure 3 – Amenities map 1km and 2km from subject site

2.3 Planning History

The following planning history relates to subject site:-

Planning Ref	Applicant	Description	Decision
P8/9257	Mr. Hugh Gilmore	Permission for construction of a hall, back kitchen, bathroom, toilet and septic tank and installation of water and sewerage facilities in dwellinghouse at Lifford, Ennis.	Granted on 18/09/1975 subject to 2 conditions
P8/20582	Mr. Hugh Gilmore	Outline Permission for the construction of two dwellinghouses and septic tanks at Lifford, Ennis	Granted 16/04/1984 subject to 14 conditions

Figure 4 – Planning History of Subject Site

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 policies for the residential 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. 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 NPF also supports making better use of under-utilised land and buildings, including *'infill'*, *'brownfield'* and publicly owned sites and vacant and under-occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport. This *'compact growth'* strategy is designed to counter the prevailing situation whereby the fastest growing areas are at the edges of and outside the cities and towns. This results in:

- A constant process of infrastructure and services catch-up in building new roads, new schools, services and amenities and a struggle to bring jobs and homes together, meaning that there are remarkably high levels of car dependence and that it is difficult to provide good public transport;
- A gradual process of run-down of city and town centre and established suburban areas as jobs, retail and housing move out, leaving behind declining school enrolments, empty buildings and a lack of sufficient people to create strong and vibrant places, both day and night;



- Most development takes the form of greenfield sprawl that extends the physical footprint of urban areas, and when it is the principal form of development, this works against the creation of attractive, liveable, high quality urban places in which people are increasingly wishing to live, work and invest.

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:-

National Policy Objective 3a seeks to deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

National Policy Objective 3c 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;

National Policy Objective 6 relating to increased residential population and employment in urban areas;

National Policy Objective 11 which favours development that can encourage more people to live and work in existing settlements;

National Policy Objective 27 which prioritises walking and cycling accessibility to existing and proposed development;

National Policy Objective 33 relating to provision of new homes at locations that can support sustainable development;

National Policy Objective 35 relating to increased residential density in settlements.

3.1.2 Section 28 Ministerial Guidelines

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

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (May 2009),
- Adopted Development Plan Guidelines for Planning Authorities (2007),
- Draft Ministerial Guidelines on Development Plans for Planning Authorities (2021)



3.1.2.1 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (May 2009),

The role of the Guidelines for Planning Authorities on Sustainable Development in Urban Areas is to ensure the sustainable delivery of new development throughout the country. The Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:-

- Prioritise walking, cycling and public transport, and minimise the need to use cars;
- Are easy to access for all users and to find one's way around;
- Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;
- Provide a mix of land uses to minimise transport demand.

3.1.2.2 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:

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

3.1.2.3 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 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.

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.

Proposals for new residential development must be in accordance with Section 28 Guidelines and be accompanied by a Design Statement. (Section 2.2) Development management standards for urban residential development are set out in Appendix 1.

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

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.

Other relevant policy objectives from the CCDP are outlined as follows:-

‘CDP4.2 Development Plan Objective: Facilitating the Housing, Needs of the Population

A. To facilitate the housing needs of the existing and future population of County Clare through the management of housing development throughout the County in accordance with the Settlement Strategy’



'CDP4.4 Development Plan Objective: Social and Affordable Housing

- A. *In accordance with the requirements of Section 94(4)(c) of the Planning and Development Act, 2000 (as amended), to reserve 10% of land zoned for residential use, or for a mixture of residential and other uses, including 'low density residential' for the purpose of meeting social and affordable housing need arising within the County'*

'CDP4.7 Development Plan Objective: Housing Mix

- A. *To secure the development of a mix of house types and sizes throughout the County to meet the needs of the likely future population in accordance with the guidance set out in the Housing Strategy and the Guidelines on Sustainable Residential Development in Urban Areas;*
- B. *To require new housing developments to incorporate a variety of plot sizes to meet the current and future needs of residents;*
- C. *To require the submission of a Statement of Housing Mix with all applications for multiunit residential development in order to facilitate the proper evaluation of the proposal relative to this objective'.*

3.2.2 Zoning

The subject site has two zoning designations under the current CCDP.

Part of the site is zoned as 'Low Density Residential' and forms part for a larger site with the specific zoning objective of 'LDR67'

'Low Residential Density' zoning objective states as follows-

'This zoning refers to the use of lands to accommodate a low-density pattern of residential development, primarily detached family dwellings. The underlying priority shall be to ensure that the character of the settlement/area is maintained and further reinforced by a high standard of design. Proposed developments must also be appropriate in scale and nature to the areas in which they are located'.



Figure 6 – Land Use Zoning Map Clare County Development Plan 2017-2023.

The site-specific zoning objective states as follows-

‘LDR67 – East of Drehidnagower Bridge

The subject site is suitable for limited scale, low density, high quality residential development. Any development proposals must be accompanied by a Flood Risk Assessment to consider surface water management and discharge, whether this is to the River Fergus directly or into the surface water system, particularly during (but not limited to) flood events. A small area on the eastern side of the site is within Flood Zone A. No vulnerable uses shall be allowed on this area and any hard surfaces must be permeable in nature. The finished floor level of any proposed development must be set above the 1-in-100 level (of 6.3mOD) plus freeboard of 600mm with an additional allowance for the potential impacts of climate change.

The ‘Open Space’ zoning objective states as follows-

‘It is intended that lands 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 would only be a small component of the overall areas involved’

4.0 DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029 (DRAFT PLAN)

The Draft Plan proposes to change the existing ‘*Low Density Residential*’ zoning objective on the subject site to ‘*Existing Residential*’ with the remainder of the site to retain the ‘*Open Space*’ zoning objective – See Figure 7 below.

‘*Existing Residential*’ zoning objective states as follows-

“The objective for land zoned ‘existing residential’ is to conserve and enhance the quality and character of the areas, to protect residential amenities and to allow for small scale infill development which is appropriate to the character and pattern of development in the immediate area and for uses that enhance existing residential communities. Existing residential zoned land may also provide for small-scale home-based employment uses where the primary residential use will be maintained”



Figure 7 – Proposed zoning map Draft Clare County Development Plan 2023-2029.

The subject site is also located within the boundary of the Lifford Neighbourhood – See Figure 8 below.

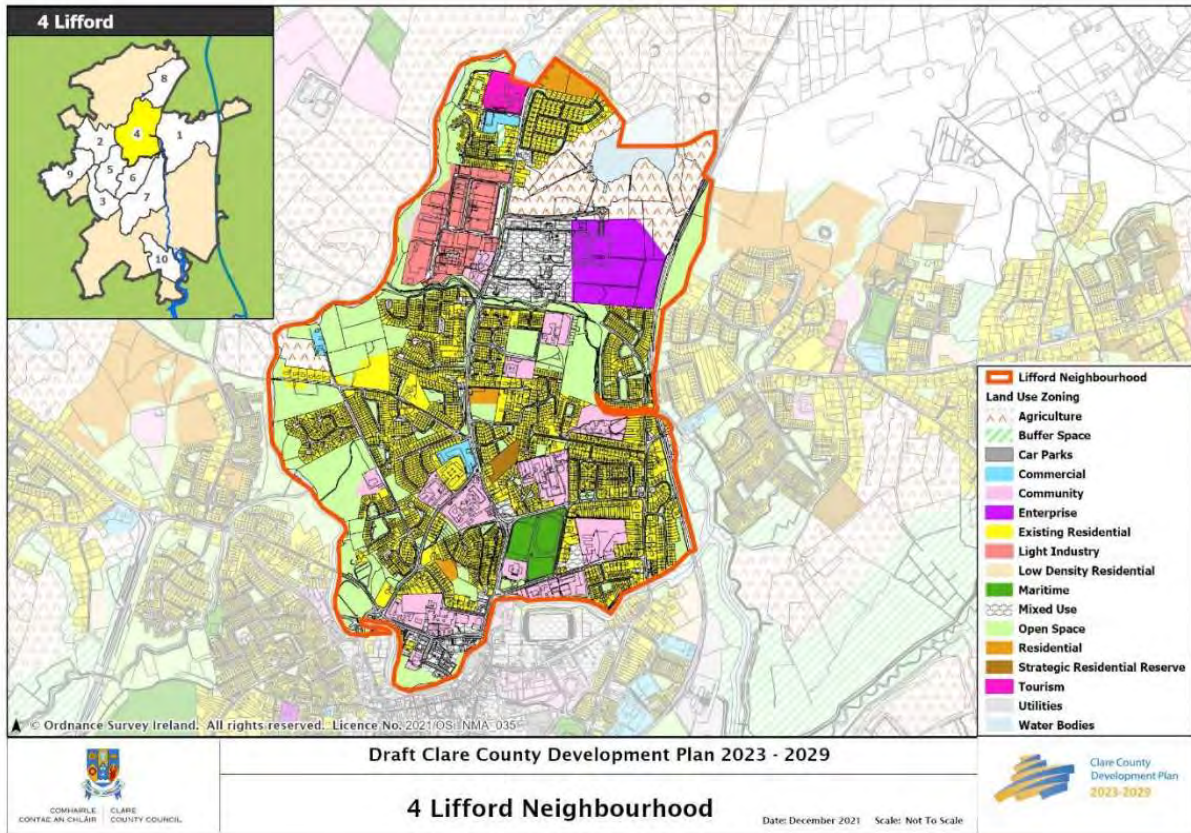


Figure 8 – Lifford Neighbourhood

The rationale for retaining the existing ‘*Low Density Residential*’ and to extend it to include the full site is outlined in Section 5 below.

5.0 REQUESTED AMENDMENT

5.1 Retain ‘*Low Density Residential*’ Zoning from Current Clare County Development Plan 2017-2023 and extend it to include full site

It is requested that the ‘*Low Density Residential*’ zoning objective on part of the subject site be retained and that it be extended to include the full extent of the subject site as per Figure 9 below.

There are a number of material considerations put forward for consideration by our Clients which, it is submitted, will need to be considered by the Planning Authority, including the historic zoning and pattern of development in the area; the subject site's planning history, the unsuitability of the subject site for agricultural purposes, 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.

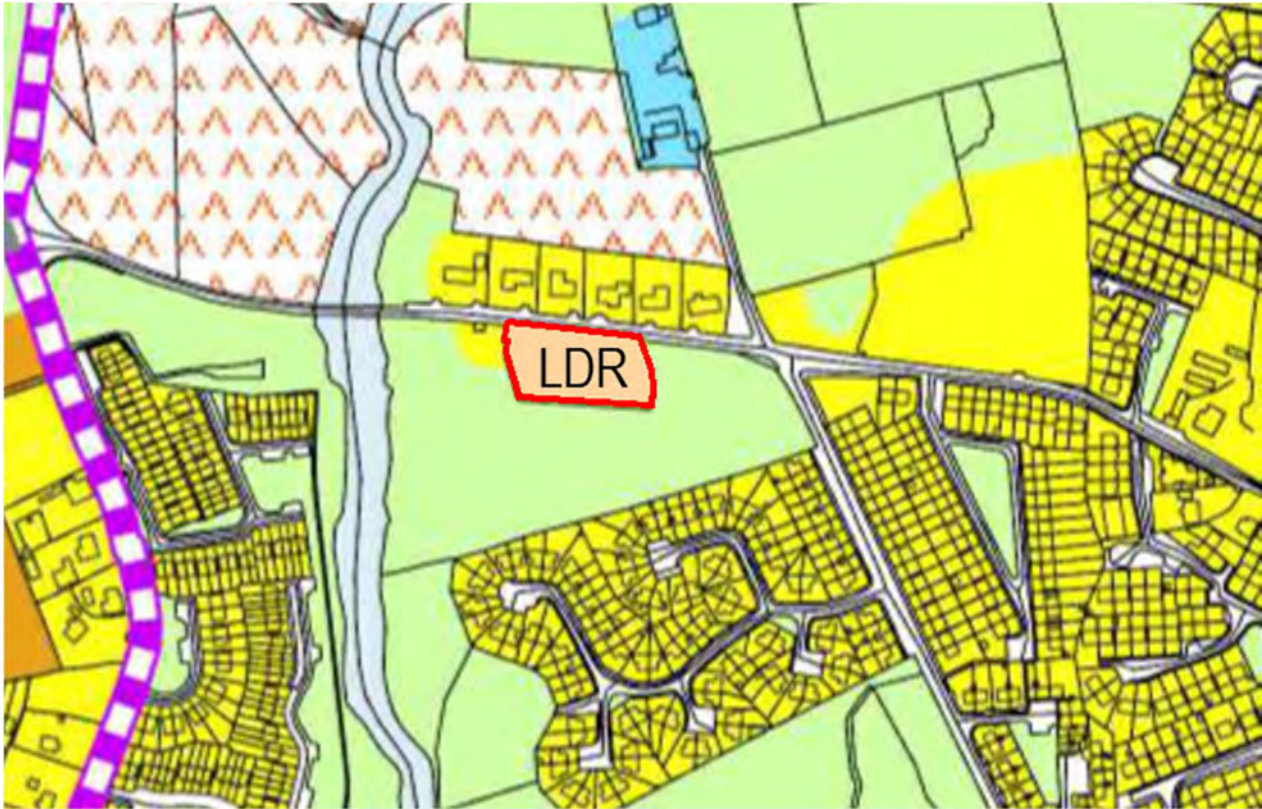


Figure 9 – Draft Zoning Map showing ‘Low Density Residential’ zoning objective to be applied to subject site in Clare County Development Plan 2023-2029.

The provision of the ‘Low Density Residential’ zoning on the full site is consistent with the proper planning and sustainable development of the area for the following reasons:-

5.2 Principle of Residential Development.

As identified under Section 3.3 of this submission, part of the subject site is zoned ‘Low Density Residential’ development in the CCDP. Its allocation was considered through the plan making process and determined to be consistent with the proper planning and sustainable development of Ennis town.

The subject site was previously zoned as ‘Other Settlement Land’ in the Ennis & Environs Development Plan 2008-2014 where the objective was as follows:-

Policy SS7 – Other Settlement Land

“It is the policy of the Development plan to conserve and enhance the quality and character of the area, to protect residential amenity and allow for development that is appropriate to the sustainable growth of the settlement. Multiple units of houses or apartments will not be permitted on O.S.L. Exceptions to this include;

(a) O.S.L. which has phase 1 status.

(b) O.S.L. within Barefield (phase1) and Toonagh where small scale low density residential development may be considered in line with policies SS2 and SS3”.

The subject site received the benefit of outline planning permission for 2 no. sites a under Planning Permission Ref: P8/20582, The principle of residential development on the subject site has been established through the planning history on the lands and the zoning history. The proposals put forward in the Draft Plan now seeks to undermine the residential status of the site.

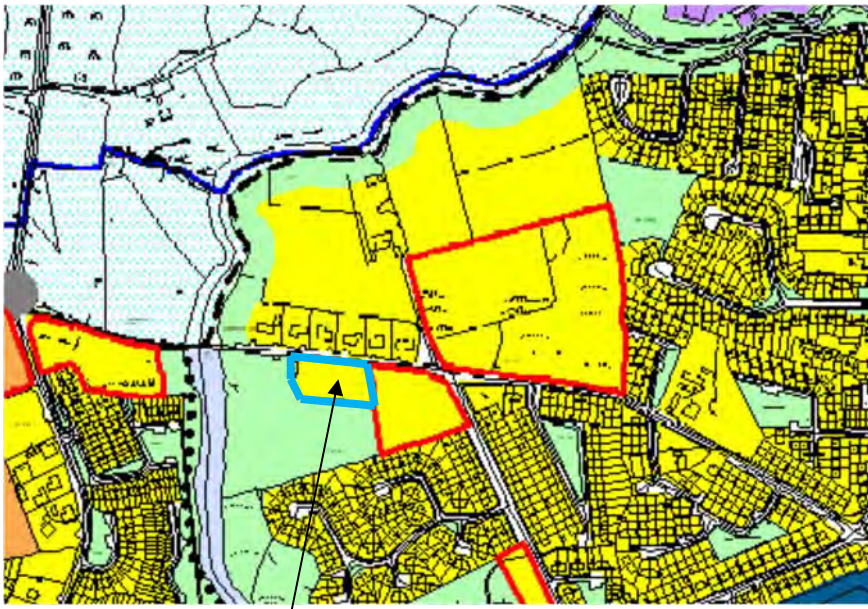


Figure 10 – ‘Other Land Settlement’ zoning as per Ennis & Environs Development Plan 2008-2014 (as varied)

Source: Ennis & Environs Development Plan 2008-2014

In the midst of a serious housing crisis, it would be more appropriate to retain the existing ‘Low Density Residential’ zoning on the subject site which could significantly contribute to providing much needed homes within the existing footprint of Ennis and its Environs.

Maintaining the existing zoning and extending it to include the full subject site is considered consistent with proper planning and sustainable development of the area.

5.3 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 11 below which shows the subject site well served in terms of infrastructure including road and footpath access (adjacent), lighting, drainage connectivity and water supply all available and all of which have capacity to accommodate development. Maintaining the existing zoning objective would facilitate 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	Adjacent

Figure 11 – Existing Infrastructure at the subject site.

The development plan process has a strategic role to play in facilitating new development and investment in settlements so that it can support the provision of new homes in areas of greatest housing demand as well as people living closer to employment, recreational opportunities and other services. The proposed development will deliver on the strategic role of the plan, providing housing within the settlement boundary of Ennis in proximity to employment, recreational opportunities and other services.



The subject site is extremely suitable for low density housing and/or for serviced sites being located within an established centrally located residential area and close to an established local retail and community services such as Lynch's Centra and wider neighbourhood centre uses including a butcher, pharmacy, off-licence, betting office, petrol station, hair and beauty salon and McDonalds restaurant, the Ennis General Hospital, Ennis Leisure Centre and Clare Family resource centre located on the Watery Road. The subject site is also within cycling and walking distance of main town of Ennis and within close proximity to a proposed town centre at Claireen. The subject site is also adjacent to existing residentially developed land and the John O'Sullivan Amenity Park and within close proximity to the future arterial service road to the north and west. The land also has good road access to other areas of the town. Low density luxury homes would sit well with the existing developments in the area. Given National Policy in relation to one-off rural housing in the open countryside, there is a growing shortage of good quality, low density luxury homes within the Ennis area.

We note from the Draft Plan there appears to be very little lands zoned proposed for 'Residential' use within the Lifford Neighbourhood boundary (See Figure 8 above) despite it being an area with high employment generating uses. The only proposed 'Residentially' zoned lands are the lands identified as 'R1' (2ha. approx.) and 'R11' (0.68ha. approx.). It is our view that the amount of proposed residentially zoned land in this area is deficient for the lifetime of the plan i.e. up to 2029.

5.4 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".

We refer to land proposed to be zoned as 'LDR11' at Drumcarranmore in the Draft Plan. See Figure 12 showing these lands which are proposed to be rezoned from 'Agriculture' to 'Low Density Residential' in the Draft Plan and Figure 13 showing the existing 'Agriculture' zoning on these lands. Note the rezoning of these lands also requires the extension of the 'Ennis Settlement Plan' boundary.

The sequential approach as set out in the DoEHLG Development Plan Guidelines specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities, and that areas to be zoned shall be contiguous to existing zoned development lands and that any exception must be clearly justified in the written statement of the development plan. The “LDR11” land is not currently serviced by public sewer and is currently not connected in terms of safe pedestrian/cycle routes and there is no public lighting serving the lands. Pedestrian and cycle linkages are of critical importance for the sequential planning approach in order for new development to successfully integrate with existing development in a sustainable and appropriate manner. The proposal to up-zone the ‘LDR11’ lands is clearly in breach of the sequential approach as advocated above. The up-zoning of the ‘LDR11’ lands is also a clear breach of National Planning Guidance documents which seek to encourage the development of serviced sites in favour of greenfield development. Suitably located serviced sites should be prioritised in advance of proposing any development on greenfield lands as is currently proposed. The up-zoning of these lands is definitely indicative of development led planning which the planning framework of national, regional and local plans is designed to prevent. There is no zoning or policy justification for the proposed up-zoning and extension of the Ennis Settlement Plan boundary to facilitate the upzoning of the ‘LDR11’ lands.

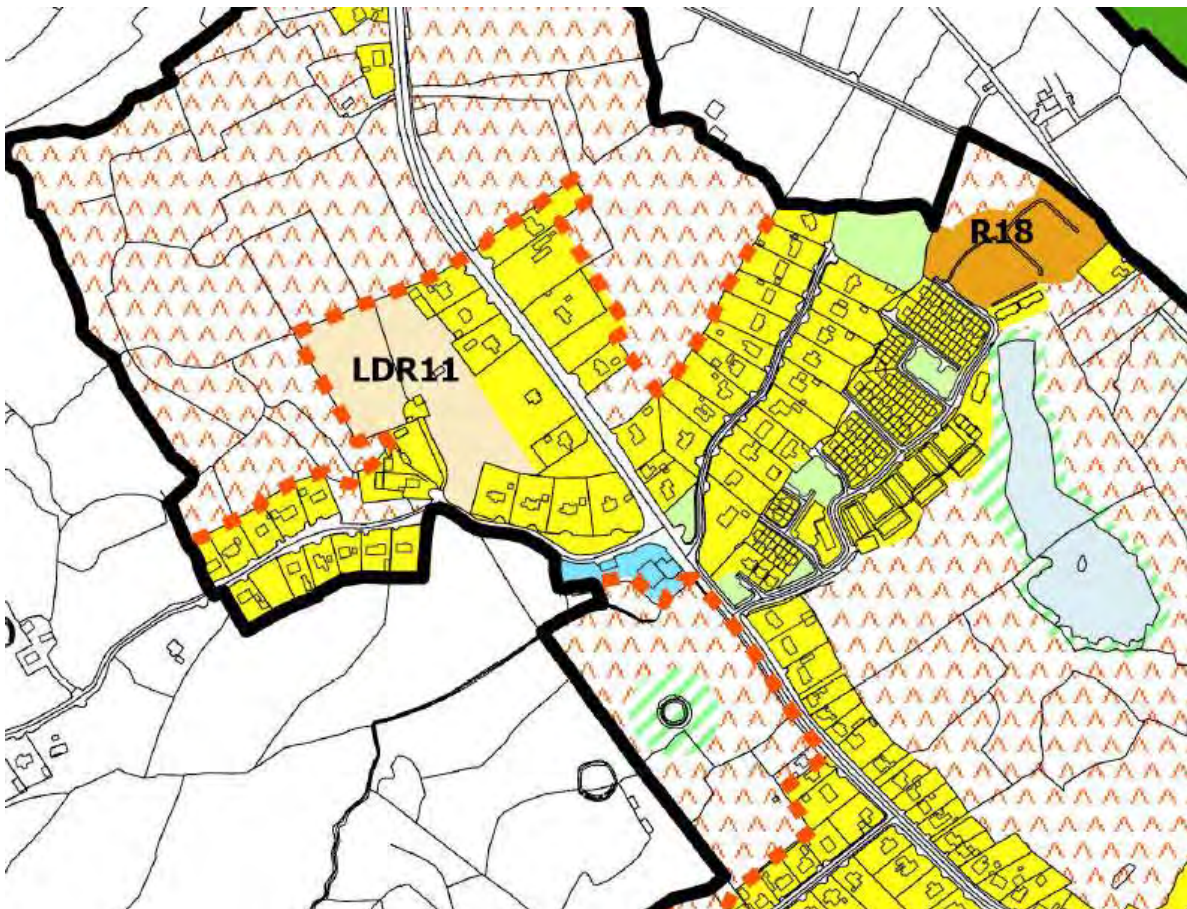


Figure 12 – LDR11 lands proposed to be rezoned from ‘Agriculture’ to ‘Low Density Residential’ in Draft Plan.

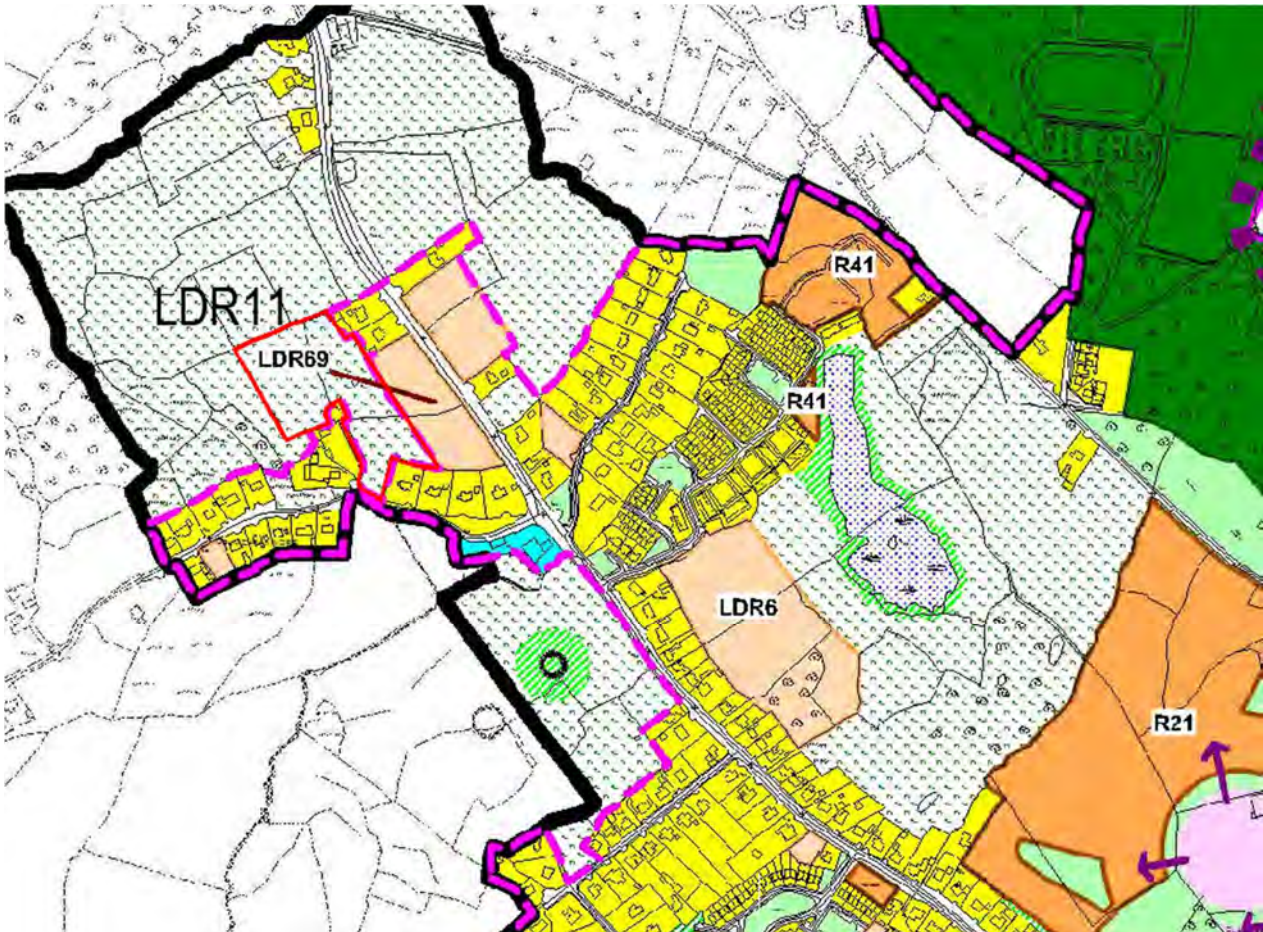


Figure 13 Existing Settlement Zoning Map – LDR11 lands outlined in red currently zoned ‘Agriculture’ and outside the Ennis Settlement Boundary in the CCDP 2017-2023

We note that under the CCDP the ‘LDR69’ lands as shown in Figure 13 above, which formed part of the ‘LDR11’ landholding were also upzoned from ‘Agriculture’ to ‘Low Density Residential’.

The Strategic Environmental Assessment (SEA) carried out as part of the Draft Plan recommends that the ‘LDR11’ site is only suitable for water compatible uses such as open space or agriculture and yet it is proposed to be upzoned to ‘Low Density Residential’.

The ‘LDR11’ lands are not located within any Neighbourhood settlement. However, as previously noted, our Clients site is located within the Lifford Neighbourhood boundary. See Figure 8 above.

Our Clients site is sequentially preferable to the lands proposed to be zoned at ‘LDR11’. It is submitted to the Planning Authority that zoning the subject site for residential use would inherently comply with the sequential approach to development and ensure compliance with SPPR DPG 8 of the Draft Development Plan Guidelines.



In addition to achieving compact growth it is a further important planning principle to adopt the so-called '*sequential principle*' in the choice of development lands. This means that the '*leap-frogging*' of land should be avoided, and that normally new residentially zoned land should be adjacent to existing developed lands. The upzoning of the '*LDR11*' lands and the dezoning of our Client's site is a clear example of '*leap frogging*' which should be avoided.

Maintaining the Residential zoning objective on the subject site would represent a sequential approach to development which would form a natural continuation of development under the sequential development principle in accordance with the proper planning and sustainable development of the area and the provisions of the recently published Draft Development Plan Guidelines for Planning Authorities (SPPR DPG 7).

5.6 Open Space Zoning

We submit that the '*Open Space*' zoning is not a viable zoning for part of the subject site. There are only two permitted uses identified in the Zoning Matrix on this zoning objective which are '*Golf Course/Pitch and Putt Course*' and '*Open Space*'. It is submitted that these uses are all non-viable uses for our Clients and the subject site.

It is our Clients opinion that there is already an exceptionally large provision of land proposed to be zoned as '*Open Space*' in this general location, where it is reasonable to assume, could address more than sufficiently, any land requirement necessary to provide for open space and active/passive recreational amenities, without the necessity to include the full extent of the subject site as an additional provision.

5.7 Flooding

We refer to the High Probability Flood Map in Figure 14 below which shows any risk of flooding to the subject site is very minor.

We note from the existing zoning objective for part of the subject site '*LDR67*' that '*Any development proposals must be accompanied by a Flood Risk Assessment to consider surface water management and discharge, whether this is to the River Fergus directly or into the surface water system, particularly during (but not limited to) flood events. A small area on the eastern side of the site is within Flood Zone A*'

Our Clients have no issue with a similar worded zoning objective as outlined for '*LDR67*' to be included as part of a '*Low Residential Density*' zoning objective under the Draft Plan. Any planning application for housing on the subject site would be assessed on its own merits and on site suitability.

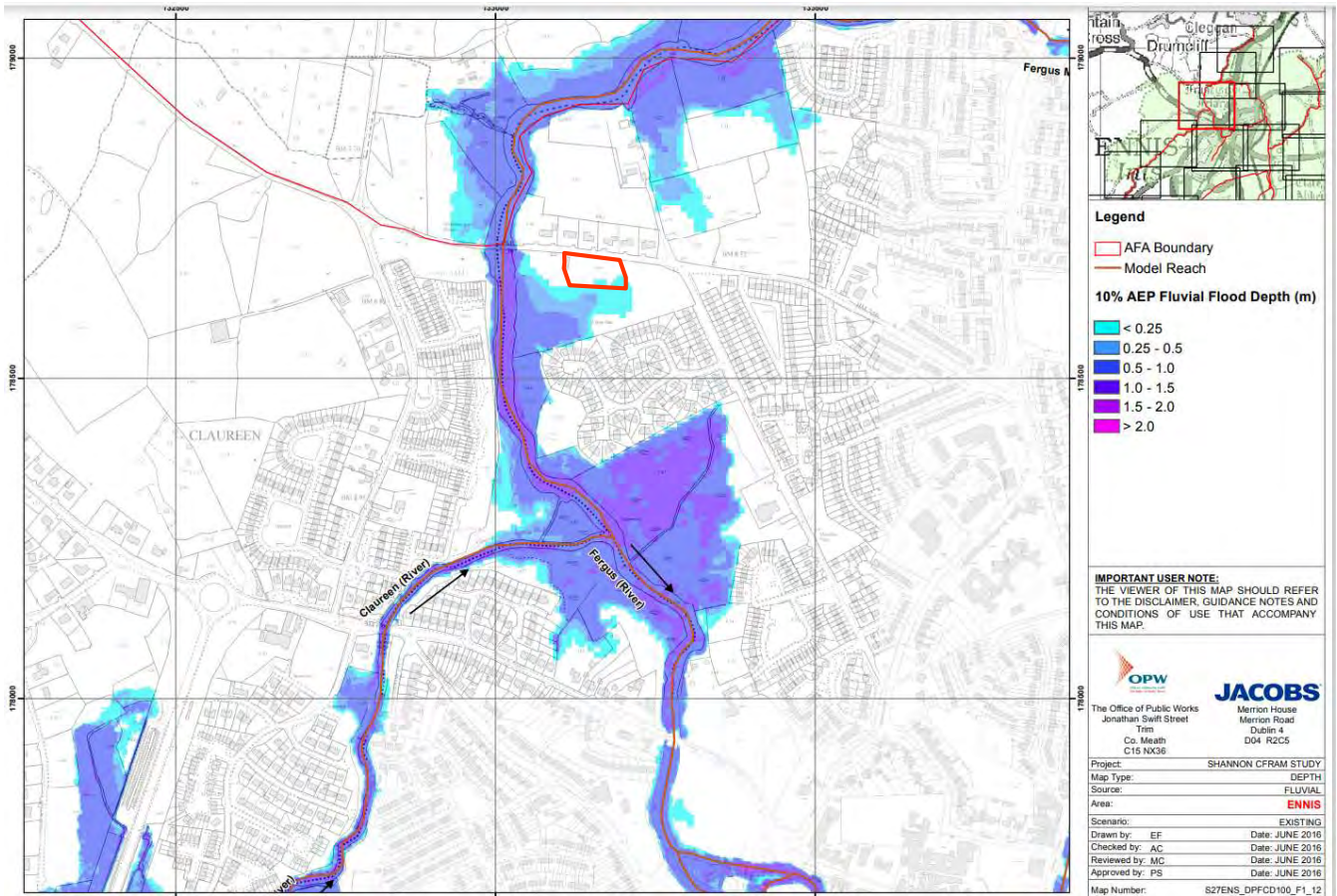


Figure 14 OPW High Probability Flood Risk Map

6.0 ALTERNATIVE OPTION

If the Council are not favourably disposed to adopting this submission request to provide for 'Low Density Residential' zoning on the subject lands, our Clients request that the subject site be fully zoned as 'Existing Residential' as this zoning will fully recognise the existing use of the subject site. Note while part of the subject site is temporarily fenced off from the existing residential dwelling house, this is only for maintenance purposes. The subject property in full forms part of our Clients existing residential property.

7.0 CONCLUSION

We request that the current zoning of 'Low Density Residential (LDR67)' be maintained and extended to include the full extent of the subject site. 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.



It is submitted that the use of the majority of the subject site as '*Open Space*' is irrational and presents an underutilisation of the carrying capacity of the infrastructural setting of the site which is fully suited to providing serviced sites as an alternative to '*One-off rural housing*'.

The development of the subject site for residential use inherently complies with the overarching policies and NPOs of the NPF to encourage '*compact growth*' and to accommodate part of the population increase projected for Ennis in appropriate locations. The subject site is ideally situated within walking distance Ennis town centre. The subject site is serviced and close to the established urban social infrastructure of the town and provide a far superior sustainable alternative to lands located in peripheral greenfield locations that are reliant on new infrastructure to become developable i.e., LDR11 lands. The principal zoning of the subject site for Residential use will contribute to the realisation of NPF objectives in relation to population growth. The removal of the Residential zoning runs counter to the policy objectives of the NPF.

In principle, new residential development on the subject site within the town is acceptable and to be encouraged in view of the land use zoning, and 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 this submission request is therefore in accordance with the requirements of national, regional and local Policy.