

# **SUBMISSION TO DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029**

**Lands at Loughville, Lahinch Road, Ennis**

Loughville Property Ltd.

Issue: A

Customer Project Number: 6739

Customer Document Number:

## Document Sign Off

# SUBMISSION TO DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

## Lands at Loughville, Lahinch Road, Ennis

Loughville Property Ltd.  
Issue A

File No: 6739

CURRENT ISSUE					
Issue No: A	Date: 20.03.22	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	Joe Hanrahan		Mandy Coleman	
Signature	<b>Authorised Electronically</b>				
Date	20.03.22	16.03.22		20.03.22	

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

## **1.0 INTRODUCTION**

P. Coleman & Associates have been appointed by Loughville Property Ltd. 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 'Agriculture' and return it to 'Low Density Residential' as per the current development plan. This area 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 the retention 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.





**Figure 2 – Aerial Image of Subject Site outlined in red.**

## **2.2 Site Context**

The subject site benefits from good access to amenities within easy walking distance. The subject site is connected to the town of Ennis by footpath. 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 1.5km walking distance of the subject site.

## **2.3 Planning History**

The following planning history relates to subject site and part of the larger landholding:

<b>Planning Ref</b>	<b>Applicant</b>	<b>Development Description</b>	<b>Decision</b>
<b>06/34 (0621034)</b>	Cronan Nagle Construction Ltd.	<b>Description</b> to construct new residential scheme as follows: (A) 40 No. 3 bed 2 storey terraced housing units; (B) 8 No. semi detached 2 bed bungalows; (C) 70 No. 2 bed apartments in 2 storey block units (D) 4 No. 3 storey apartment blocks consisting of: 24 No. 2 bed apartments and 8 No. 3 bed duplex apartments (E) all associated site development works including on site parking, refuse storage facilities, new site entrance and all associated road development works at Loughville, Ennis	Granted 03/02/07 subject to 56 conditions
<b>15/885</b>	Loughville Property Ltd.	to construct access road, footpaths and associated services to service future housing at Loughville, Ennis	Withdrawn
<b>21/1312</b>	Loughville Property Ltd.	for development of 46 no. residential units comprising of 1 no. five bedroom terrace dwelling, 27 no. four bedroom terrace dwellings, 3 no. three bedroom terrace dwellings, 9 no two-bedroom townhouses, 5 no. two bedroom bungalow, all connections to water supply, public sewer and all ancillary site services and works required to facilitate the proposed development at Loughville, Ennis	Further Information Request issued by CCC on 10/02/22

**Figure 3 – Planning History**

The current layout submitted under Planning Application P21/1312 is show on Figure 4 below.



**Figure 4 – Proposed Site Layout for Residential Development submitted under Planning Application Ref: P21/1312.**

### 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 proposed development 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 31<sup>st</sup>. 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 RESE 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'.*

***'CDP8.8 Development Plan Objective: Design Manual for Urban Roads and Streets (DMURS)***

*To implement the requirements and recommendations contained in DMURS in the assessment of development proposals, the preparation of design schemes and their implementation in the development of streets, roads and public realm improvement schemes in the County'.*

***'CDP8.24 Development Plan Objective: Water Supply***

- A. To ensure that adequate water services will be available to service development prior to the granting of planning permission and to require developers to consult Irish Water regarding available capacity prior to apply for planning permission;*
- B. The ensure that development proposals comply with the standards and requirements of Irish Water in relation to water and wastewater infrastructure for facilitate the proposed development.*

***'CDP8.35 Development Plan Objective: Light Pollution***

- A. To require proposals for development that include the provision of external lighting, to clearly demonstrate that the lighting scheme is the minimum needed for security and working purposes;*
- B. To ensure that external lighting and lighting schemes are designed so that the incidence of light spillage is minimised ensuring that the amenities of adjoining properties, wildlife and the surrounding environment are protected'.*



***'CDP14.2 Development Plan Objective: European Sites***

- A. *To require all planning applications for development that may have (or cannot rule out) likely significant effects on European sites in view of the site's Conservation Objectives either in isolation or in combination with other plans or projects, to submit a Natura Impact Statement in accordance with the requirements of the EU Habitats Directive and the Planning & Development Act, 2000 (as amended)'*

***CDP14.3 Development Plan Objective: Requirement for Appropriate Assessment under the Habitats Directive***

- A. *To implement Article 6(3) and where necessary Article 6(4) of the Habitats Directive and to ensure that Appropriate Assessment is carried out in relation to works, plans and projects likely to impact on European Sites (SACs and SPAs), whether directly or indirectly or in combination with any other plan(s) or project(s). All assessments must be in compliance with the European Communities (Birds and Natural Habitats) Regulations 2011;*
- B. *To have regard to 'Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities 2009' or any updated version'.*

***'CDP14.11 Development Plan Objective: Habitat Protection***

- A. *To promote the conservation of biodiversity through the protection of sites of biodiversity importance and wildlife corridors, both within and between the designated sites and the wider Plan area;*
- B. *To ensure that there is no net loss of potential Lesser Horseshoe Bat feeding habitats; treelines and hedgerows within 3km. of known roosts.*

***'CDP17.1 Development Plan Objective: Achieving Quality in the Public Realm***

- A. *To require both public and private development to make a positive contribution to the public realm;*
- B. *To require proposals for development in excess of 3 residential units or 300m<sup>2</sup> to be accompanied by a design statement demonstrating how the 12 urban design principles set out in the Urban Design Manual (2009) have been addressed. A design statement may be required for smaller developments in instances where the proposed development is situated in a key location in the town or village'.*

### 3.2.2 Zoning

The subject site is zoned as ‘*Low Density Residential*’ in the Ennis Municipal District Plan Volume 3a of the CCDP. The subject site forms part of the larger block of land which has a specific zoning objective of ‘LDR6’.

‘*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”*

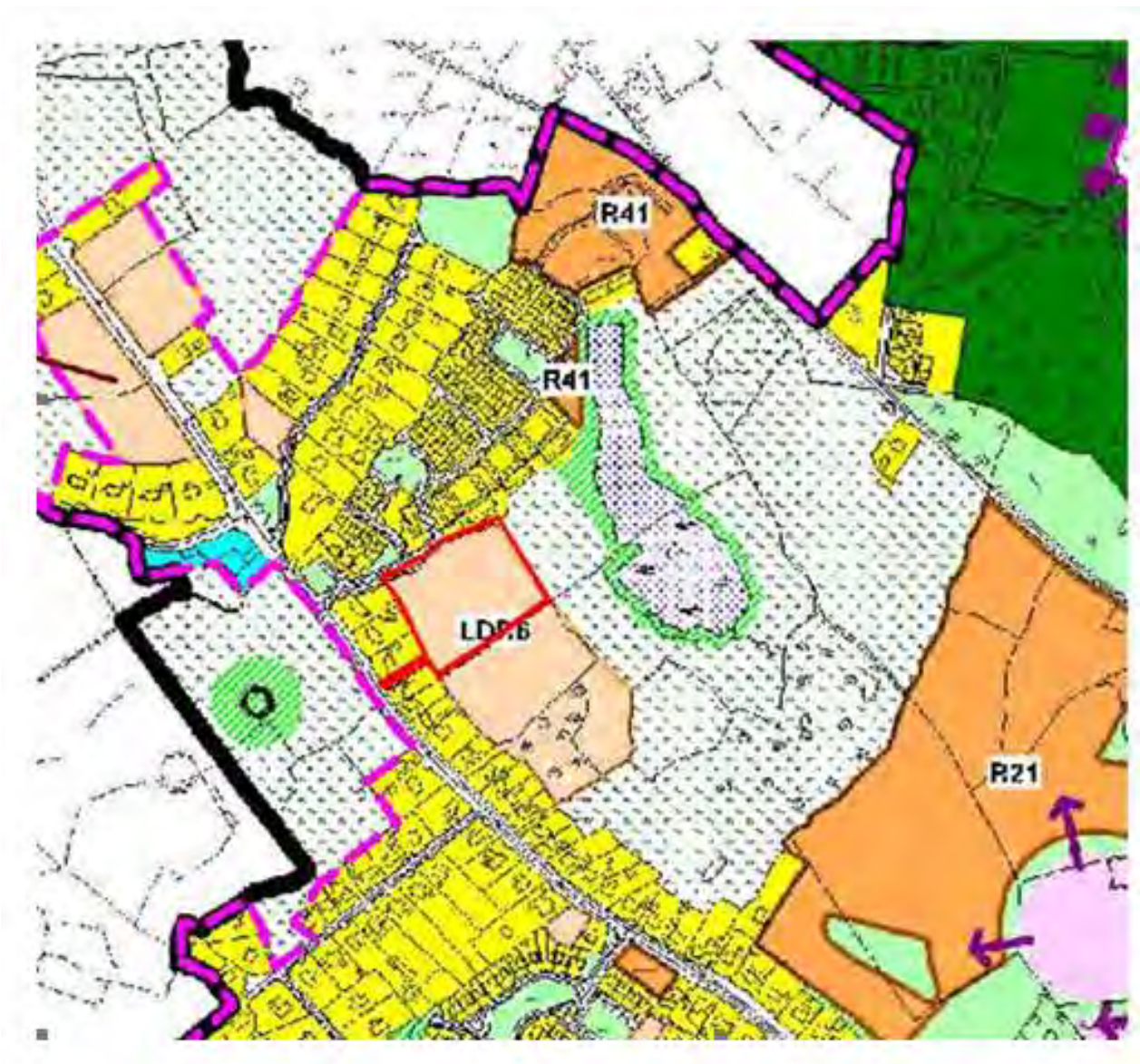


Figure 6 – Land Use Zoning Map Clare County Development Plan 2017-2023.





The site-specific zoning objective 'LDR 6' states as follows-

*"These lands are located to the rear of an existing line of roadside houses and have been zoned to accommodate the development of serviced sites. Future development proposals must be designed to avoid any negative impacts on the residential amenity of the adjoining houses to the southwest and the development directly adjoining these existing houses may be restricted to single storey development only.*

*Development proposals must be accompanied by a Traffic Management Plan setting out how safe access and egress will be achieved in addition to including proposals for junction upgrade/improvement where necessary.*

*The Strategic Flood Risk Assessment contained in Volume 10(c) of this Plan indicates that the site is at risk of flooding from groundwater. Additionally, any development proposals must be accompanied by a hydrogeological assessment definitively indicating whether or not the proposed development will interfere with water quality or hydrology of the Lower River Shannon cSAC and River Shannon and River Fergus Estuaries pSPA.*

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

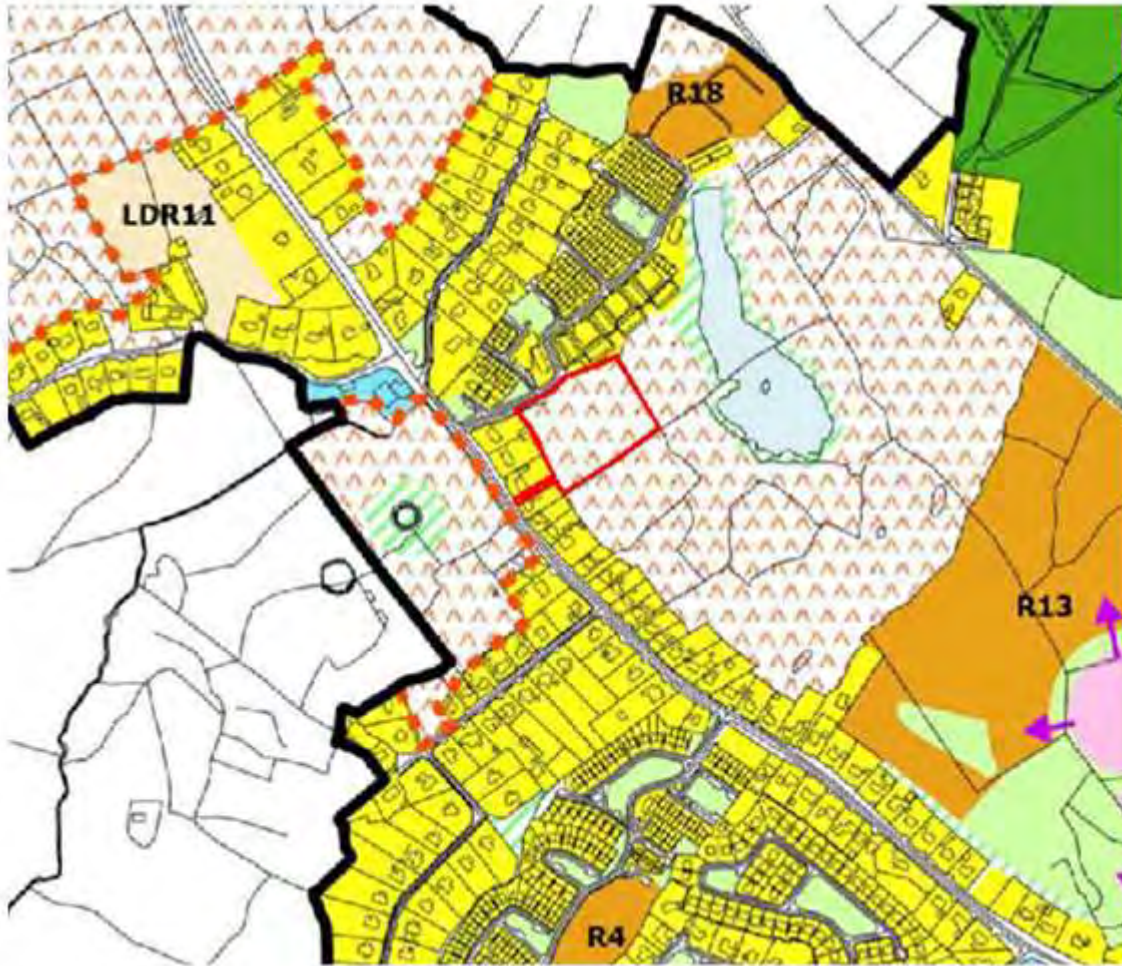
*Any development proposals must be accompanied by a full bat survey, particularly in relation to the Lesser Horseshoe Bats usage of the site, and a full light spill modelling study to demonstrate that the chosen lighting design would not create any increase in ambient light levels beyond the perimeter of the development footprint. Development applications must not propose any removal of woody vegetation around the perimeter of the site and must address how linkages across the landscape can be maintained"*

According to the Land Use Zoning Matrix, multiple residential units are 'Open to Consideration' on the subject site which means that the proposed development will be assessed on its own merits which will include compliance with relevant policies, objectives, standards and requirements as set out in the CCDP, and by other government bodies/sections, in accordance with the proper planning and sustainable development of the area.

The subject site is located within the boundary of the Clareen Neighbourhood which is identified as a neighbourhood for significant growth in the Current Plan.

#### 4.0 DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

The Draft Plan proposes to change the existing 'Low Density Residential' zoning objective on the subject site to 'Agriculture'. The full block of the existing 'LDR6' is to be rezoned to 'Agriculture'.



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

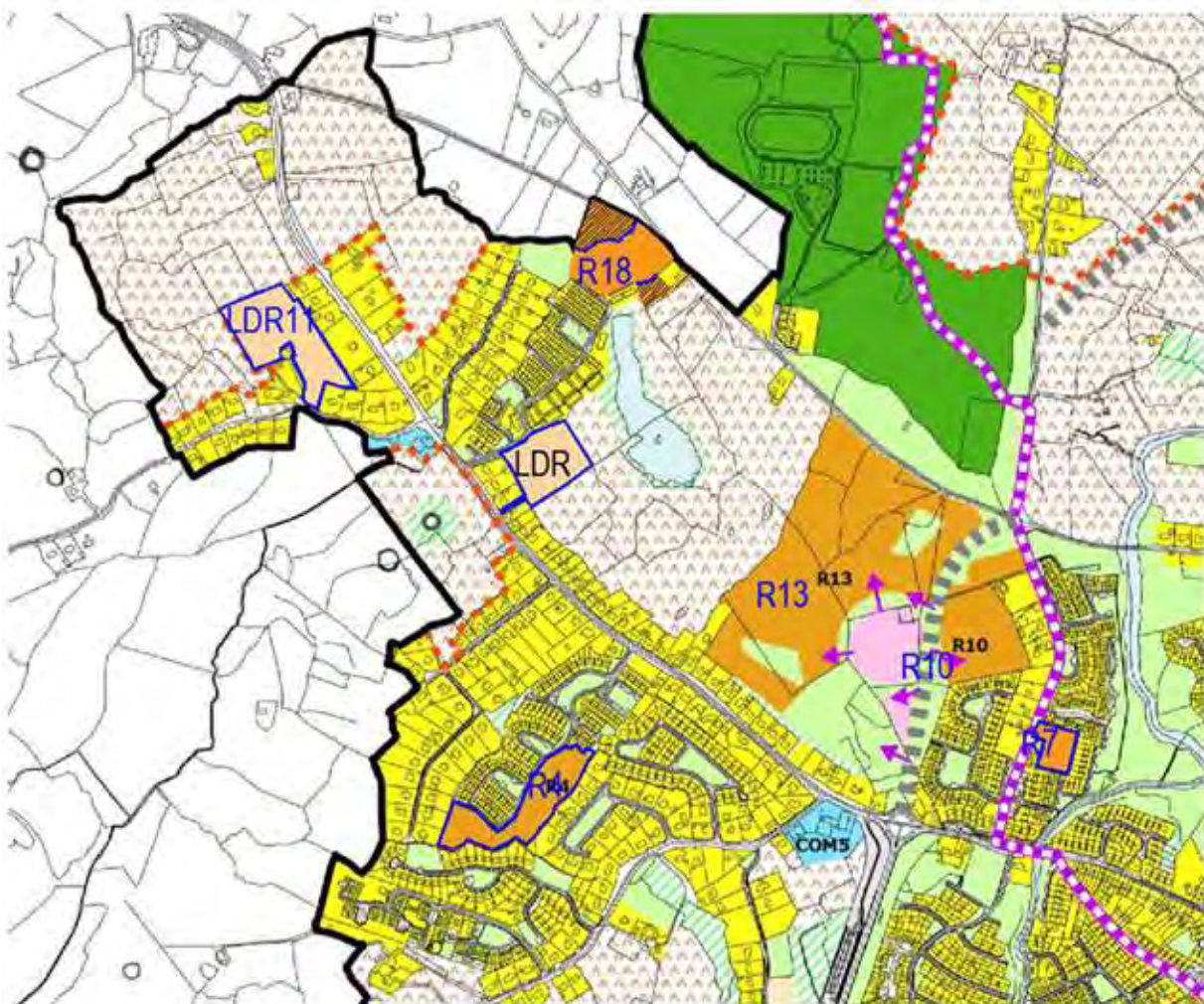
The rationale for retaining the existing residential zoning within the subject site is set out in Section 5 below.

## 5.0 REQUESTED AMENDMENT

### 5.1 Retain 'Low Density Residential' Zoning from Current Clare County Development Plan 2017-2023.

It is requested that the 'Low Density Residential' zoning objective of the subject site be retained. The area for continued 'Low Density Residential' zoning is identified in Figure 8 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 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 8 – Draft Zoning Map showing 'Low Density Residential' zoning objective to be retained on subject site.**

The retention of the existing zoning 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, 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.

Planning Permission was previously granted on the subject site as part of a larger block for land for a residential development consisting of 138 housing units under Planning Ref: 06/34 (0621034). The principle of residential use has been deemed acceptable on the subject site. Due to the economic downturn the Developer at the time was unable to carry out this development.

A planning application is currently being assessed by the Planning Authority for the development of 46 no. residential units comprising of 1 no. five bedroom terrace dwelling, 27 no. four bedroom terrace dwellings, 3 no. three bedroom terrace dwellings, 9 no two-bedroom townhouses, 5 no. two bedroom bungalow, all connections to water supply, public sewer and all ancillary site services and works required to facilitate the proposed development. This application for a mixed tenure housing development is being proposed in response to need.

It is very clear from the objectives of the existing zoning on the land and its permissible use that there is an established and permitted residential use on the site. The proposals put forward in the Draft Plan now seek to undermine the residential status of the site.

In the midst of a serious housing crisis, it would be more appropriate to retain the existing residential land use 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 where there was a previous planning permission and where there is an existing planning application for housing under consideration is considered consistent with proper planning and sustainable development of the area.

## **5.3 Delivery of Residential Development.**

The recently published Draft Development Plan Guidelines clearly state that the *"planning authorities should approach the development plan with a clear focus on the delivery of expected development outcomes"*.

The Draft Plan has proposed tracts of zoned residential land which cannot be developed in the short term due to infrastructure deficiencies in the area. Whilst it is important that such lands may form part of a long-term strategic land reserve, it is noted that they cannot be immediately developed for the provision of much needed housing. This is in stark contrast to the subject site and its ability to accommodate housing in the immediate short term. Our Client commits to developing the subject site within the lifetime of the Development Plan and subject to market demand. This commitment is demonstrated by the fact there is currently a planning application being assessed on the subject site. Accordingly, it is submitted to the planning authority that the subject site should be prioritised for development and zoned for residential use in the short term.

There is no planning and development rationale consistent for the proposed zoning of the subject site under the Draft Plan. If the Draft Plan is not amended, Ennis will lose the potential for approximately 40 new homes, which are capable of delivery in the short term. The 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.

#### 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 9 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. The subject site can also connect onto the Acha bhile housing estate thus ensuring no additional entrance onto the National Route. 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	Available
Broadband (Wired & Wireless)	Yes	Available
Electricity	Yes	Available
Water	Yes	Available
Public Lighting	Yes	Available
Footpath	Yes	Available

**Figure 9 – 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.

Zoning the full extent of the subject site for residential purposes will ensure that a portion of new development reflects the compact growth and town centre first agenda, which is also a key dynamic in addressing climate change, through reducing dependence on car-based transport, the extent of green-field land consumption and costly and inefficient infrastructure provision and use. In this instance, the development plan is provided with an opportunity to deliver a framework for development, which ensures a close correlation between facilitating housing on land with infrastructural capacity whilst also ensuring that a substantial element of future growth contributes to the regeneration of Ennis town centre.

### **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,

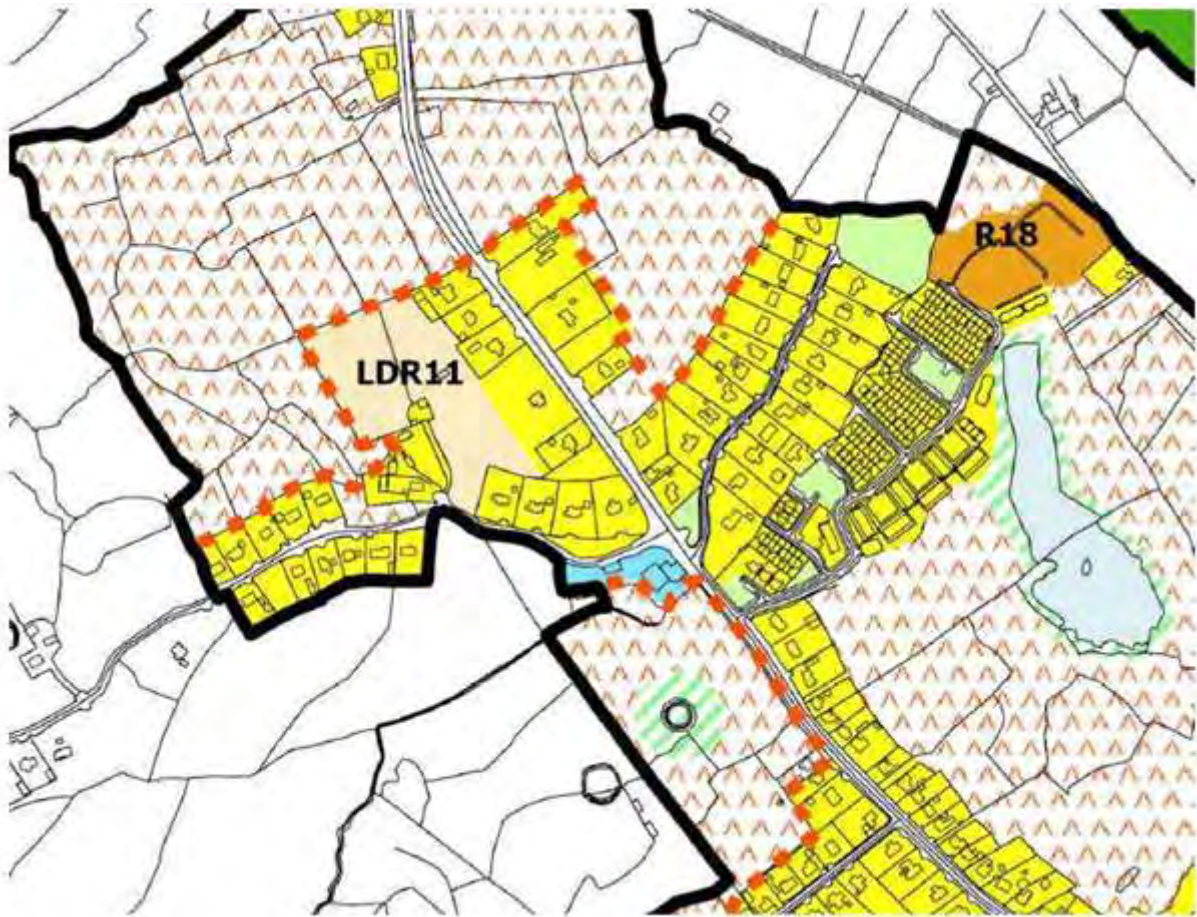
*“Planning authorities shall adopt a sequential approach when zoning lands for development, whereby the most spatially centrally located development sites in settlements are prioritized for development first, with more spatially peripherally located development sites being zoned subsequently”.*

We refer to land proposed to be zoned as ‘LDR11’ at Drumcarranmore in the Draft Plan. See Figure 10 showing these lands which are proposed to be rezoned from ‘Agriculture’ to ‘Low Density Residential’ in the Draft Plan and Figure 11 showing the existing ‘Agriculture’ zoning on these lands. Note the rezoning of these lands also requires the extension of the ‘Ennis Settlement Plan’ boundary

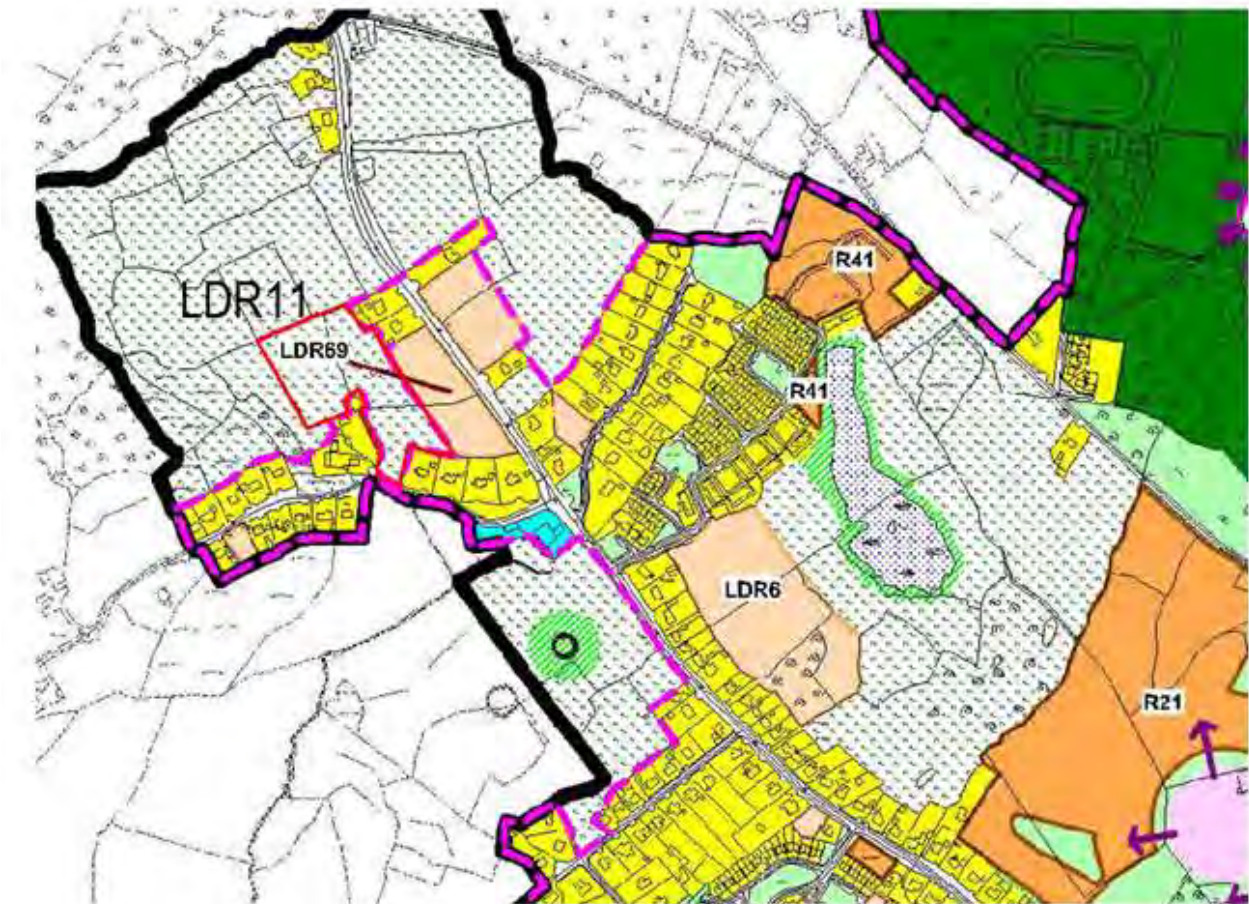
The sequential approach as set out in the DoEHLG Development Plan Guidelines specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities, and that areas to 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 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 infill serviced sites in favour of greenfield development. Suitably located infill 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.

It is submitted to the planning authority that our Clients site could be considered *'infill and backland'* in nature having regard to its location surrounded by housing to the west and north with access only possible through existing permitted residential development.

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.



**Figure 10 – LDR11 lands proposed to be rezoned from *'Agriculture'* to *'Low Density Residential'* in Draft Plan.**



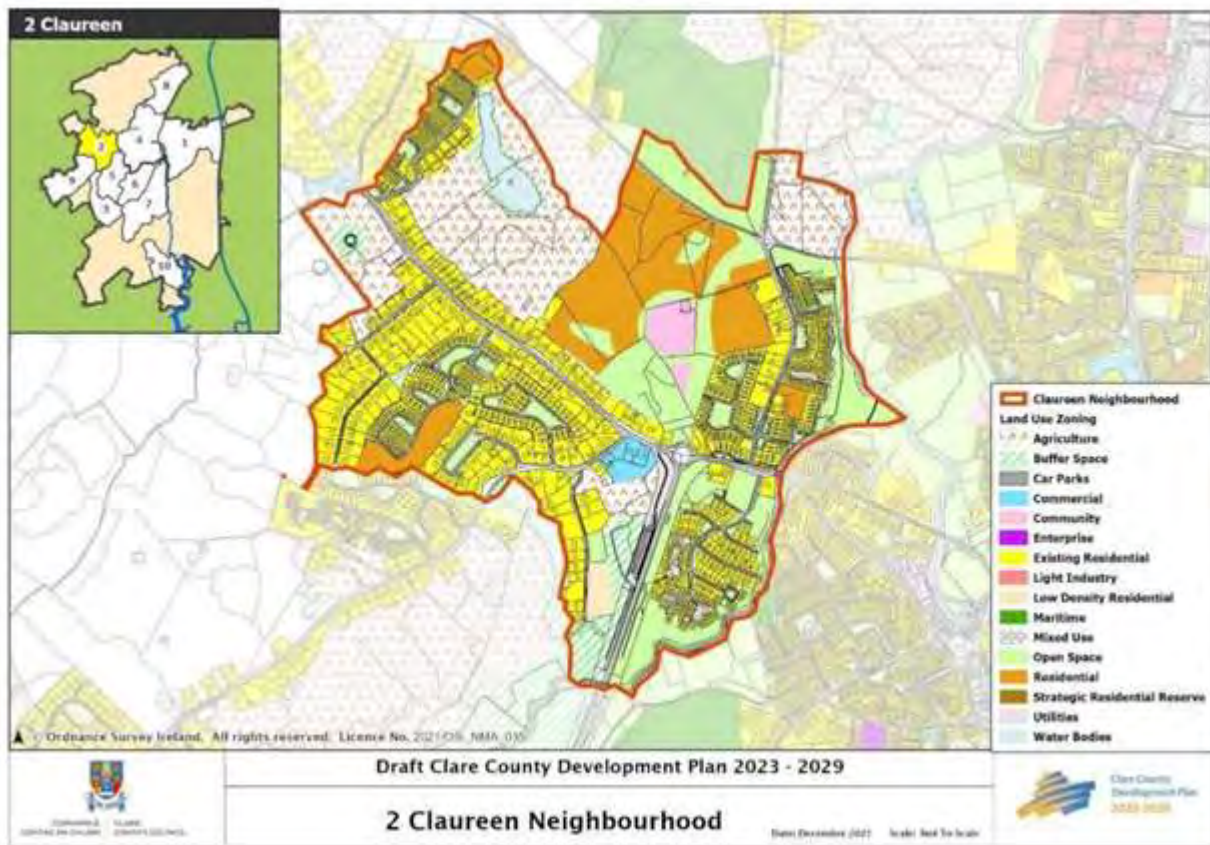
**Figure 11 Existing Settlement Zoning Map – LDR11 lands outlined in red currently zoned ‘Agriculture’ and outside the Ennis Settlement Boundary in the CCDP 2017-2023**

We note that under the CCDP the ‘LDR69’ lands as shown in Figure 11 above, which formed part of the ‘LRD11’ 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, our Client’s site is located within the Claureen Neighbourhood boundary. See Figure 12 below.





**Figure 12 Claureen Neighbourhood – Draft Plan**

Our Client’s site at Loughville is sequentially preferable to the lands proposed to be zoned at ‘LDR11’. It is submitted to the Planning Authority that zoning the subject land 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 achieve 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 ‘*leapfrogging*’ 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 Proposed Agricultural Zoning

We found no evidence in the Draft Plan outlining the reasons for the change in zoning on this site. The proposed *'Agricultural'* zoning objective on the subject site is totally unreasonable and unwarranted. The subject site could be regarded as *'brownfield'* as the site had an interim use as the main builder's compound for the construction of the Acha Bhile Housing Estate. The site is not suitable for any form of agricultural use (see photos below).

The proposed *'Agricultural'* zoning at the subject site will result in a redundant and negligible piece of land where all services are readily available to accommodate much needed housing.



**Photo No. 1 of  
subject land**



**Photo No. 2 of  
subject land**



**Photo No. 3 of  
subject land**



**Photo No. 4 of  
subject land**

The proposed agricultural zoning on the subject site is clearly not appropriate, nor is it in the interests of proper planning and sustainable development. We refer again to the up-zoning of the land identified as 'LDR11' at Drumcarranmore. These lands are presently in agricultural use (See Figure 13) and the up-zoning proposal will lead to the loss of these prime agricultural lands. It makes absolutely no planning sense to up-zone these lands currently in agricultural use and currently located outside the Ennis Settlement Plan Boundary while de-zoning the subject site which is within the Ennis Settlement Plan Boundary and the Clareen Neighbourhood boundary.



**Figure 13 Google Image of LDR11 lands showing lands in agricultural use.**



## 6.0 CONCLUSION

We request that the current zoning be maintained on the Loughville lands as per the CCDP zoning arrangements. If the Draft Plan is not amended, Ennis will lose the potential for 40 new homes, which are capable of delivery in the short term. 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 subject land as ‘*Agricultural*’ is irrational and presents an underutilisation of the carrying capacity of the infrastructural setting of the site and is contrary to the proper planning and sustainable development of the area. The subject site is not viable for agricultural use as proposed to be zoned.

The development of the subject site 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 in close proximity to 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 Loughville lands 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 at the edge of 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 the retention of the existing zoning objective is therefore in accordance with the requirements of national, regional and local Policy.