

# Submission to Draft Clare County Development Plan 2023-2029

## Lands at Ashline, Cahircalla More, Ennis

Killaloe Diocesan Trust

Issue: A

Customer Project Number: 2856

Customer Document Number:

## Document Sign Off

### Submission to Draft Clare County Development Plan 2023-2029

#### Lands at Ashline, Cahircalla More, Ennis

Killaloe Diocesan Trust  
Issue A

File No: 2856

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

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



## **1.0 INTRODUCTION**

P. Coleman & Associates, Architects, Engineers and Planning Consultants, 5 Bank Place, Ennis, Co. Clare, make this submission on behalf of Killaloe Diocesan Trust (our Client), in respect of lands at Ashline, Cahircalla More, Ennis (subject land). Our Client welcomes the general zoning objectives proposed on the subject land but is seeking to rearrange and change some of the zoning objectives on some of the land blocks as part of this submission.

Our Client is taking a logical approach towards the planning and development of Ennis. Such an approach is key to ensuring that suitable lands are developed in the most efficient and sustainable manner feasible, to meet known housing shortages, to meet the aims and objectives of national and regional policy and guidance and to meet the residential requirements of a growing population as identified in the Core Strategy for Clare.

This submission focuses on our Client's extensive landholding in Ashline and examines the development objectives for these lands as contained in the Draft Plan and puts forward a rationale as to why a number of amendments should be brought forward to better utilise the significant development potential of these lands.

It is our opinion, notwithstanding the lands current zoning, both individually and taken together these lands have significant potential to assist with meeting Ennis's future housing, employment and recreational needs in a sustainable manner, while contributing significantly to a more compact urban form.

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

The submission will be outlined as follows:-

### **Section 2: Subject Site**

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

### **Section 3: Planning Policy Framework**

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

### **Section 4: Zoning Objective of the Draft Plan**

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

### **Section 5: Requested Amendments**

This section sets out the case for the proposed amendments as proposed by our Client.

### **Section 6: Conclusion**

This section summarises the submission request.

## **2. SUBJECT SITE**

### **2.1 The Site**

The subject land is located in the townland of Cahircalla More on the western side of Ennis town. The subject land has a total area of 27.619 hectares. See figure 1 below

The eastern side of the property is bounded by the rear gardens of residential dwellings on Cahercalla Road, Cuan an Chlair Day Care Centre and Sheltered Housing, Cahercalla Community Hospital and rear gardens of residential dwellings in Woodhaven on the Kilrush Road. The northern side is bounded by the rear gardens of residential dwellings along the Kilmaley/Drumbiggle road (R474) with some frontage from the landholding onto this road. The western side of the property is bounded by the Western Relief Road N85 which links traffic from the M18 to N85 Lahinch Road. The southern side is bounded by agricultural lands with the main access corridor serving the property off the roundabout from the Kilrush Road (N68). This access corridor has a distributor road, footpaths and cycle paths and is fully serviced with sewage, water, electrical and telecom facilities. It presently serves this landholding and Ennis National School and a housing development currently being developed by Clare County Council.

Other than the area occupied by Ennis National School, the remainder of the subject site is currently in agricultural use and largely comprises fields bounded by stone walls and timber post and rail fencing. The aerial image provided in Figure 2 below shows the patchwork of agricultural pastures.



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



**Figure 2 – Aerial Image of Subject Site outlined in Red**

## **2.2 Site Context**

The landholding benefits from good access to amenities within easy walking distance. The subject land 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 land, that parks, shop, proposed neighbourhood centre, primary school, secondary school are all located within 1 and 2km. of the subject site. The subject land is centrally located within the Cahircalla More Neighbourhood as defined in the Development Plan.

Figure 08 - KILLALOE DIOCESAN TRUST PROPERTIES:  
- ASHLINE LANDS

MAP SHOWING CAHERCALLA MORE NEIGHBOURHOOD  
CLARE COUNTY COUNCIL DRAFT DEVELOPMENT PLAN 2022-2029

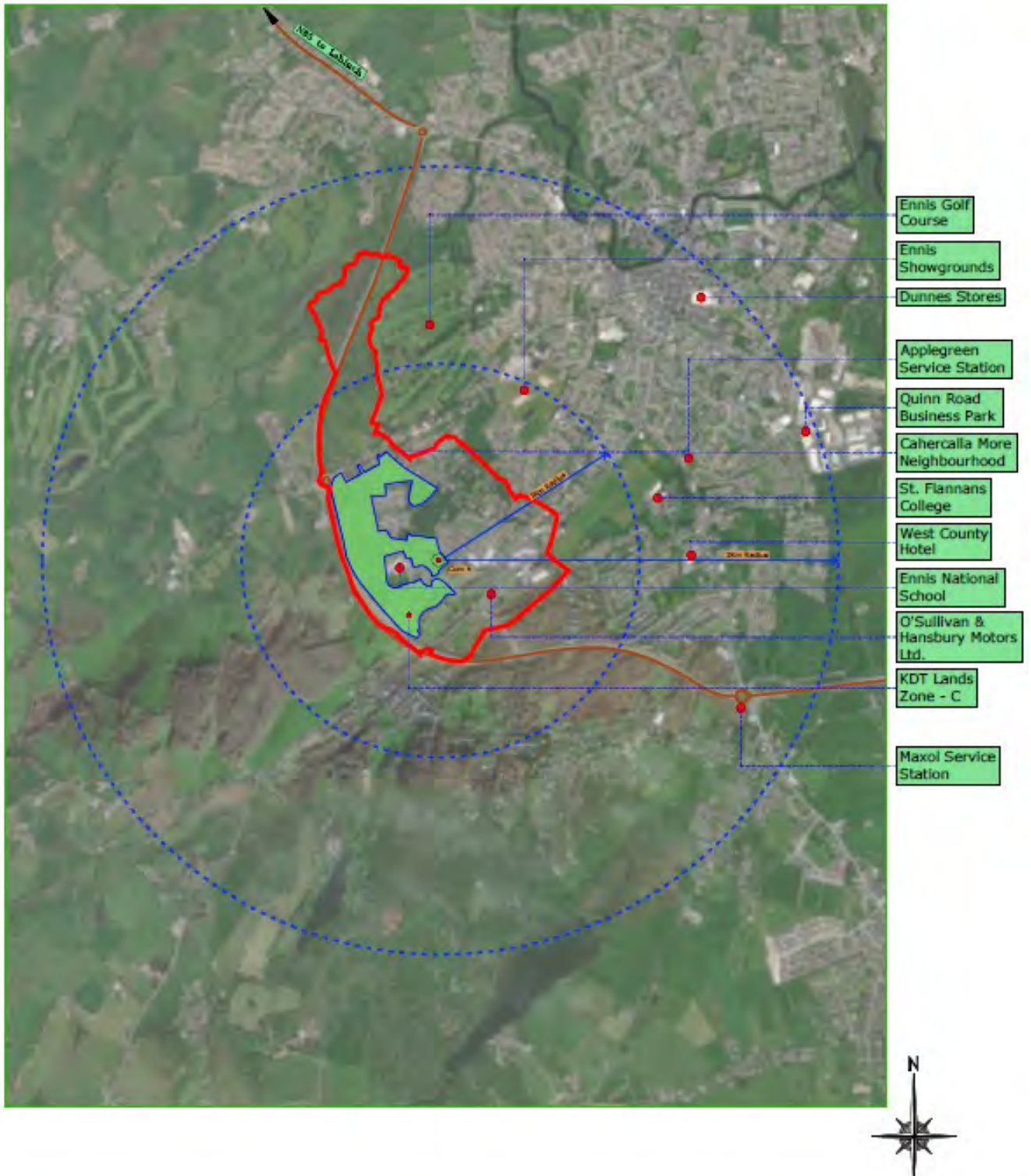


Figure 3 – Map showing amenities and uses with 1km and 2km radius  
Landholding is centrally located within Cahercalla Neighbourhood boundary.

### 3.0 PLANNING CONTEXT

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

#### 3.1 National Planning Context

##### 3.1.1 National Planning Framework

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

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

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

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

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

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

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

Section 1.4.1 (Strategic Aims for Housing and Sustainable Neighbourhoods)

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

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***

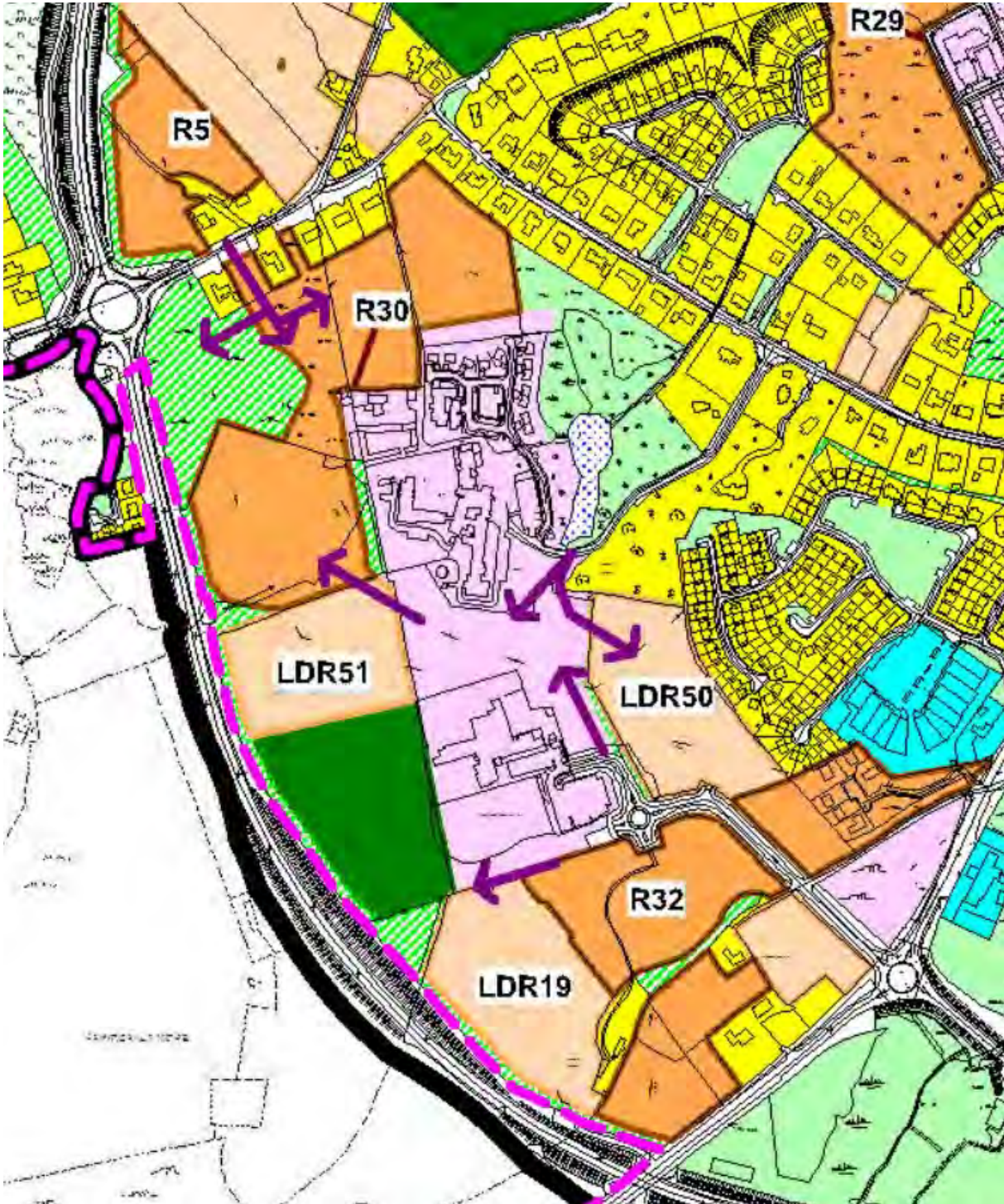
- A. *To promote the conservation of biodiversity through the protection of sites of biodiversity importance and wildlife corridors, both within and between the designated sites and the wider Plan area;*
- B. *To ensure that there is no net loss of potential Lesser Horseshoe Bat feeding habitats; treelines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

As per the Ennis Settlement Plan outlined in Volume 3a of the CCDP - Ennis Municipal District Plan the subject land is sub-divided into individual plots with particular zoning objectives attached to these plots - See figure 6 below.



**Figure 6: Current Zoning of Ashline**

**Source: Volume 3a Ennis Municipal District Plan – Clare County Development Plan 2017-2023**





Details of the zoning blocks and the land use zoning objective for each are outlined below:-

**Blocks LDR50 and LDR51** zoned as **“Low Density Residential”** which 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”.*

The Plan states the following in relation to these two land blocks

**Site LDR50 Ashline**

*The hedgerows and scrub area on this site provide a potential foraging area for Lesser Horseshoe Bats. Future development proposals must be informed by a series of bat surveys to record the known use of the scrub and fields by Lesser Horseshoe Bats and ensure that there is no loss of habitat. The surveys must include light-level surveys. Any habitat loss must be offset by additional landscape planting to ensure connectivity across the landscape. All design proposals, including lighting, must be informed by the results of the bat survey. Proposals to mitigate any negative impacts that the proposed development may have on the bat population, prepared by a qualified ecologist, will be required. Proposals for the on-going monitoring of the bat population, and contingency measures if unforeseen impacts arise, must also be submitted.*

*Access to this site shall be considered within the context of the overall circulation of all modes of transport throughout and between all the zoned lands in and around the school, as indicated on the Ennis Settlement Plan map.*

**Sites LDR51 Ashline**

*These sites are identified for the provision of low-density housing and serviced sites. Any development shall be of a high-quality design and provide a buffer to the N85 to protect residential amenity.*

*Access to this site shall be considered in the context of the overall circulation of all modes of transport throughout and between all the zoned lands in and around the school, as indicated on the Ennis Settlement Plan map*



**Blocks R30 and R32** zoned as **“Residential”** which states as follows:-

*“Residential use shall be taken to primarily include the use of land for domestic dwellings. It may also provide for a range of other uses particularly those that have potential to foster the development of new residential communities e.g. schools, crèches, open space etc.”*

The Plan states the following in relation to these two land blocks

**Site R30 Ashline**

*Residential development on this site will be required to incorporate a buffer of sufficient width between the proposed development and the N85 to protect residential amenity. Access to this site shall be considered within the context of the overall circulation of all modes of transport throughout and between all the zoned lands in and around the school, as indicated on the Ennis Settlement Plan map.*

**Site R32 Ashline**

*Development proposals for this site must maintain the healthy, mature specimen trees currently located on the lands. Access to this site shall be considered within the context of the overall circulation of all modes of transport throughout and between all the zoned lands in and around the school, as indicated on the Ennis Settlement Plan map*

Zonings on other blocks are as follows:

‘Community’ zoning objective states as follows:-

*“The development of lands for community uses shall be taken to include the use of lands for community, civic, health services, public or educational uses including the provision of schools, community halls, healthcare facilities and any other facility that is intended to provide some form of community service. Public or private delivery is not a factor in this case”.*

‘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”.*

‘Buffer Space’ zoning objective states as follows:-

*“Buffer spaces are intended to provide a buffer of undeveloped land for conservation of biodiversity, visual amenity or green space. Buffer spaces may include natural features such as floodplains, riparian zones, turloughs, valuable biodiversity areas including designated sites, amenity areas, woodlands, hedgerows, green spaces and archaeological features”.*

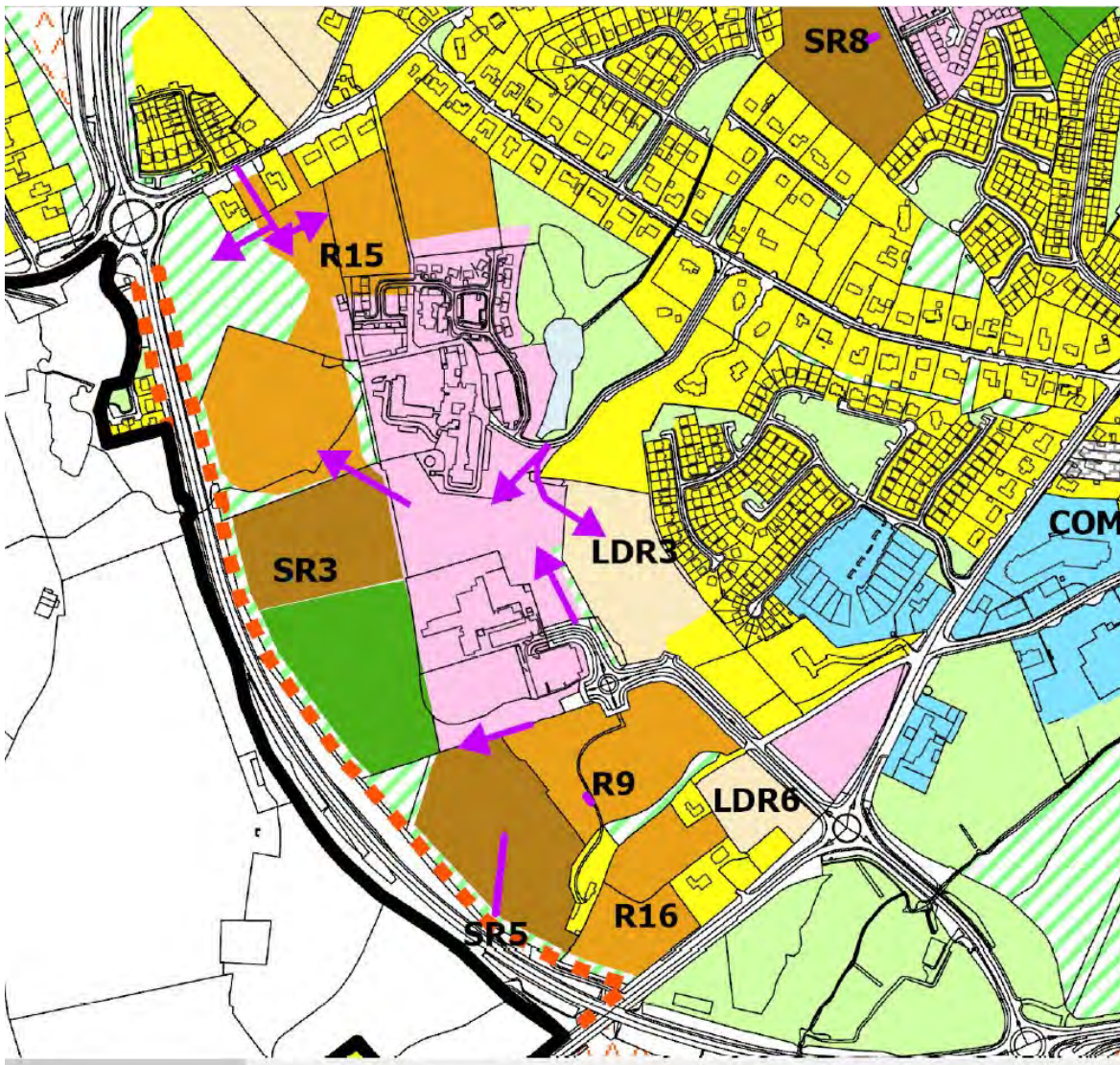
'Recreation' zoning objective states as follows:-

*"This category of zoning provides for the use of land for the provision of sports grounds/playing pitches, golf courses, tennis courts and other active indoor and outdoor recreational facilities that contribute to meeting the leisure, recreation and amenity needs of the immediate community and/or the wider area".*

The lands are centrally located within the boundary of the Cahircalla More Neighbourhood which is identified as a neighbourhood for significant growth (See figure 3 above)

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

The Draft Plan proposes to change some of the land use zoning objectives on the subject land – see Figures 7 and 8 below.



**Figure 7: Proposed Zoning of Ashline Landholding**

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

Figure 8 below shows a comparison of the zoning objectives for the individual blocks as per the CCDP and Draft Plan.

CCDP 2017-2023 (Current Plan)	CCDP 2023-2029 (Draft Plan)	Proposed Change	Comment
R30	R15	No change	
R32	R9	No change	
LDR19	SR5	Zoning reclassified from Low Density Residential to Strategic Reserve. No specific zoning objective.	Development of lands restricted until 2017 or until other Residential zoned lands development first.
LDR50	LDR3 & Existing Residential	Part of the lands are currently being developed and reclassified as 'Existing Residential'	
LDR51	SR3	Zoning reclassified from Low Density Residential to Strategic Reserve. No specific zoning objective.	Development of lands restricted until 2017 or until other Residential zoned lands development first.
Buffer Space	Buffer Space	No change	
Open Space	Open Space	No change	
Recreation	Recreation	No change	
Community	Community	No change	

**Figure 8 – CCDP and Draft Plan comparison for Ashline Lands.**

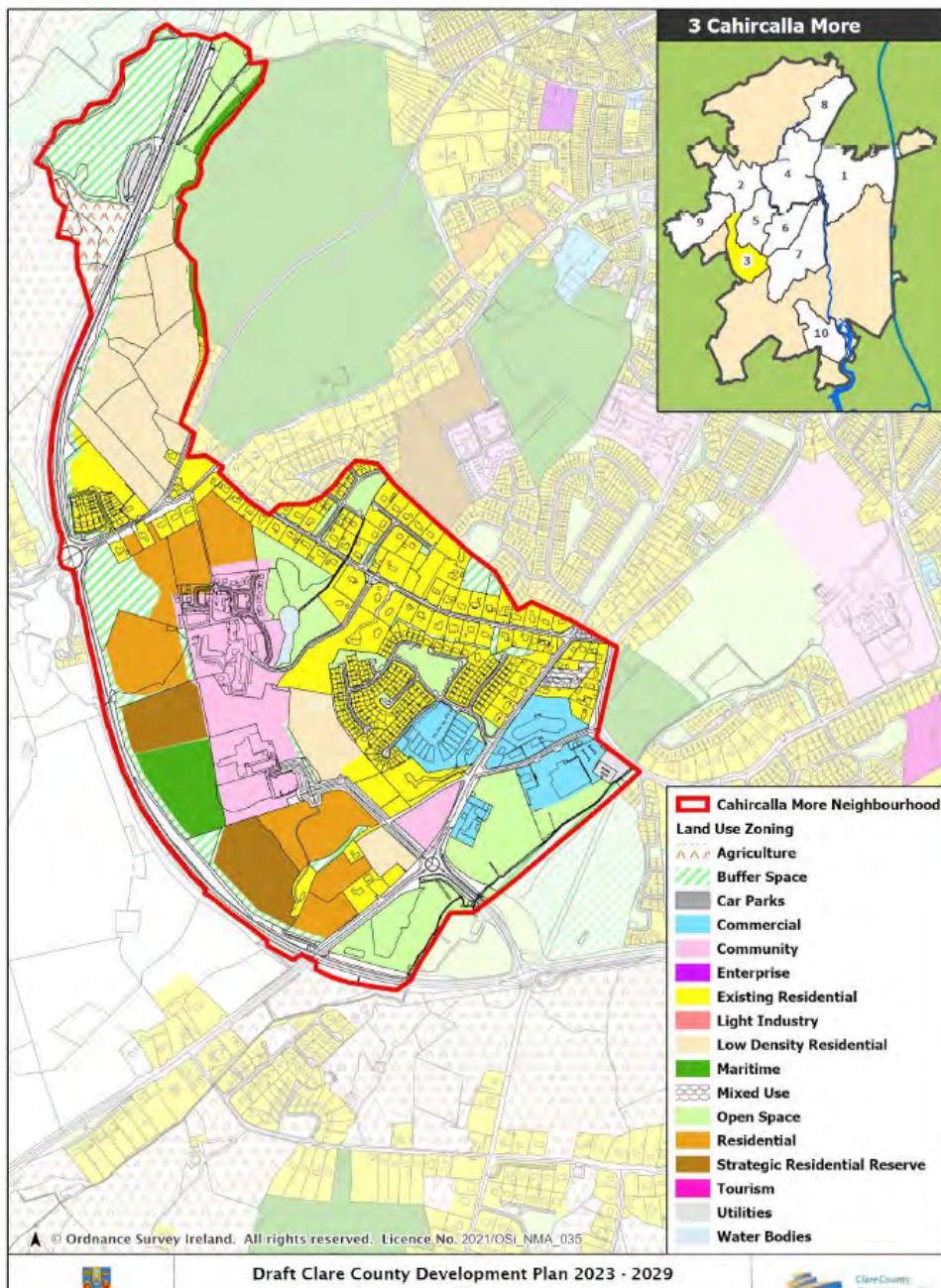
The details of the specific zoning objectives for the individual blocks have not changed from those in the current CCDP. The only new landuse zoning introduced to the subject site is 'Strategic Residential Reserve' which states as follows:-

*"It is acknowledged that not all lands within the settlement boundaries of the serviced settlements will be required to 2029. In these cases, some lands have been included as a strategic residential reserve, where they comprise infill or contiguous sites or have a planning history of residential use and can form part of the long-term sequential expansion of the settlement were considered appropriate.*

*In addition to protecting these lands for the long-term expansion of these settlements, consideration may be given to the development of some of the strategic residential reserve before the end of the current plan period where the Planning Authority is satisfied that the development of zoned land is progressing faster than expected and a shortage of available lands may arise or residential zoned land may not be delivered as expected and a shortage may arise during the plan period.*

*The development of such lands will only be considered from the beginning of year four of the Plan (April 2027) in order to give an opportunity for zoned land to be brought forward for development, and where it can be clearly demonstrated to the satisfaction of the planning authority that a zoned parcel of land will not be brought forward for development due to infrastructural or other demonstrable constraints during the remaining period of the Plan. It will also be a requirement that the proposed strategic residential reserve lands can be serviced and offer a reasonable substitute in terms of being delivered within the lifetime of the plan and are sequential development with good connectivity and access to services and amenity”*

The subject land is included in the Cahircalla More Neighbour hood as shown in Figure 9 below.



**Figure 9: Cahircalla More Neighbourhood**

**Source: Volume 10b(i) Strategic Environmental Assessment – Environmental Report Appendices Draft Clare County Development Plan 2023-2029**

### 5.0 REQUESTED AMENDMENT

Our Client welcomes the zoning of the subject lands but is seeking some variations/modifications to the zoning objectives on some of the individual blocks. Figure 10 below outlines our Clients request for the zoning objectives on the various individual plots. The variations/modification requests are based on our the realistic availability of some of the plots for development purposes during the Draft Plan period and our Clients understanding of the subject lands.

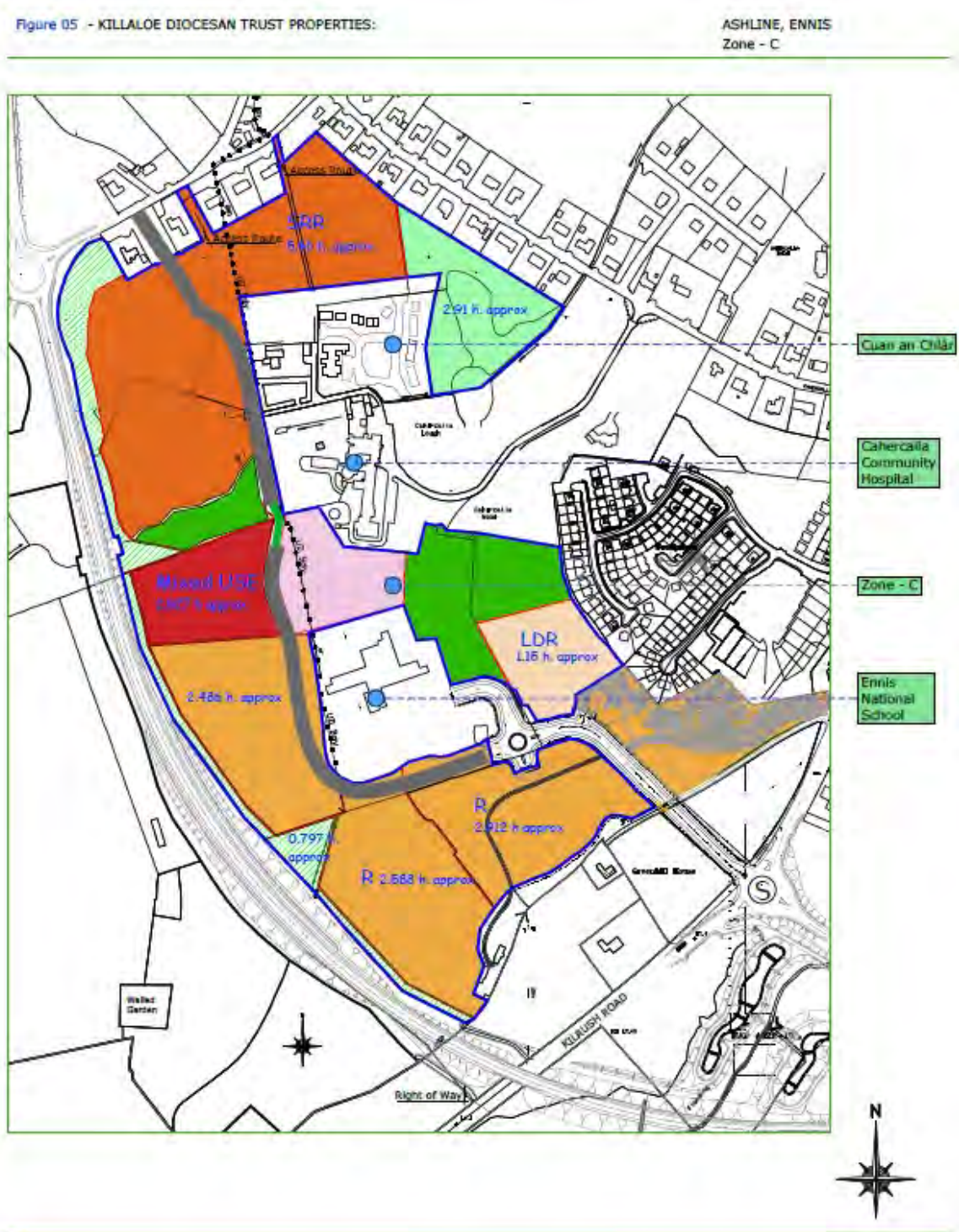


Figure 10 Requested Amendments to zoning objectives.

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 for the requested changes as outlined in Figure 10.

The rationale for the changes to some of the zoning blocks are follows:-

### 5.1 Buffer Space Zoning Objective

Our Client is seeking to have a large block of 'Buffer Space' zoning adjacent to the Beechpark Roundabout reduced in area and included in lands requested to be zoned as 'Strategic Residential Reserve'.

#### 5.1.2 Insufficient Evidence to Support 'Buffer Space' Zoning Objective

According to our Client, there is no evidence to support the zoning of this large portion of their land (approx. 2Ha.) as 'Buffer Space', particularly given the zoning objective which states as follows:-

*'Buffer spaces are intended to provide a buffer of undeveloped land for conservation of biodiversity, visual amenity or green space. Buffer spaces may include natural features such as floodplains, riparian zones, turloughs, valuable biodiversity areas including designated sites, amenity areas, woodlands, hedgerows, green spaces and archaeological features.'*

This proposed zoning objective is effectively sterilizing our Client's lands from development.

We refer to the Chief Executive's response to this 'Buffer Space' block in relation to a previous request our Client made to the Proposed Amendments to the Draft Clare County Development Plan 2017-2023 where it was stated:-

*"The habitat type located here is comprised of the Fossitt classification WS1 Scrub which **has links** to the Annex I habitat "Juniperus communis formations on heaths or calcareous grasslands" (5130). The removal of scrub in this area **could** potentially impact on the foraging/community/roosting habitat of the Lesser Horseshoe Bat which is designated as qualifying interest of a number of surrounding SACs and primarily the Pouladatig Cave". (emphasis added)*

The Chief Executive recommended

*".....in the absence of site-specific assessments, I recommend this zoning stays the same".*



Our Client commissioned a Bat Survey of this proposed “Buffer Space” in 2016. This Bat Survey was carried out by Howard Williams of Inis Environmental Consultants Ltd. a well-known reputable Ecologist with extensive knowledge of Bats. A copy of this Bat Survey Report is enclosed in the Appendix of this Submission. This Bat Survey concluded the following:-

- **No Lesser Horseshoe bats were recorded using the subject site;**
- **Other species of bats are using the subject site but numbers were very low;**
- **There are no buildings/structures/trees associated with the subject site that would constitute a viable roost for any bat species;**
- **There is significant light spillage from the N85 and nearby housing over the subject site which will deter light intolerant Lesser Horseshoe Bats from entering and feeding here.**

The Report on the Bat Survey states as follows:-

*“Due to recent significant adjacent development (N85 and local housing) the Beechpark site is now an ‘island’ of vegetation that has no linear connection with any other Lesser Horseshoe bat habitats in the area – this, in effect, will stop all Lesser Horseshoe bats from entering the Beechpark site from any SAC, as bats follow linear features when feeding – these linear connections are not present at the Beechpark site. Furthermore, the area is completely polluted from light spillage which will deter light intolerant Lesser Horseshoe Bats from entering and feeding here”.*

The Report also states that:-

*“the proposed rezoning of the Beechpark site would **not** give rise to significant impacts affecting the integrity of any designated site, or its special conservation interests/qualifying interests (i.e., Lesser Horseshoe Bats), within the Natura 2000 network due to the fact that there are no Lesser horseshoe Bats using the Beechpark site due to site specific factors affecting their entering the site (Light spillage and lack of linear connection with surrounding foraging areas”.*  
*(emphasis added)*

The results of this Report are of significant importance to this submission. This Bat Survey Report totally eliminates any previous concerns the Council have had in relation to the possibility that *“The removal of scrub in this area **could** potentially impact on the foraging/community/roosting habitat of the Lessor Horseshoe Bat which is designated as qualifying interest of a number of surrounding SACs and primarily the Pouladatig Cave”.* This Report has concluded that as there are **no Lessor Horseshoe Bats in this area**, there is therefore no impact on the foraging/commuting/roosting habitat.

The ecology of this ‘Buffer Space’ area is limited and of only low localised value commensurate to the fact that it is simply ‘undeveloped’. It does not contain or support any habitat or feature whose preservation is necessary consequent to some form of National or European value or obligation.





There is little logic to the proposed '*Buffer Space*' landuse zoning including on the subject land to provide an '*ecological*' function. The subject site does not offer any ecological corridor or function or natural amenity.

In the context of proper planning, it is not considered necessary or of value, to zone this large plot as '*Buffer Space*'. The site and locational circumstances have demonstrated that a significant portion of the site is suitable for development.

The zoning objective for '*Buffer Space*' is quoted under Section 3.3 above of this submission, however, its application to the subject lands is entirely unjustified. The subject lands are not located in a flood plain or within a riparian zone and are not designated or of a particular specific amenity value. There are also no National Monuments on the subject land. The site does not contribute to the function or purpose of a '*Buffer Space*' zoning objective.

Our Client is aware that a certain amount of a buffer area will be required between the subject lands and the N85 for noise attenuation and to protect residential amenity. A narrow strip of buffer similar to what is proposed between the N85 and the housing development under construction at Beechpark roundabout and the LDR7 lands to the east of the N85 should be replicated on our Clients landholding. There are other '*Buffer Space*' areas also proposed within this landholding as well as the fact that the Site-Specific zoning objective for the '*R15*' requires a buffer of sufficient width between the proposed development and the N85 to protect residential amenity. It is our Clients view that the size of the '*Buffer Space*' as currently proposed in the draft plan is excessive given that there is no evidence to support its use. We have scaled back some of the proposed '*Buffer Space*' area proposed and included it within the '*Strategic Residential Reserve*' block as outlined in Figure 10 above.

Over the past 12 months the ESB have been working within this proposed '*Buffer Space*' block as part of the diversion of the 38KV line associated with the new housing development to the north. This work has resulted in the removal of some of the scrub from within this block. In addition, farm animals such as horses, cattle and sheep graze this area on a continuous basis.

We found no evidence of any Reports or Studies carried out on the subject lands provided as part of the preparation of the Draft Plan to justify why a substantial portion of our Client's land is being effectively sterilised for development purposes.

The landholding provides for a large area of '*Open Space*' and a large area of '*Recreational*' zoned land proposed on this landholding. In total we estimate approximately circa. 7 hectares of our Client's land on this landholding will be restricted or sterilized from development purposes by these zoning classifications proposed in the Draft Plan.

Our Client is a non-profit organisation who is interested in providing community housing on this landholding. Our Client has been approached by developers of community housing to acquire some of the proposed residentially zoned lands within this landholding. It is therefore imperative that a sufficient amount of residential zoned lands are made available to meet this demand. The original Masterplan for this landholding provided for most of this landholding to be developed as a residential neighbourhood to meet the demands of the greater Ennis area and to support the relocation of the Ennis National School.



We submit to the Planning Authority that there is no restrictive environmental factors which would or could prohibit or restrict zoning on the subject land.

#### *5.1.2 Inconsistent with Other Proposed Zonings*

We refer to two other parcels of land at Beechpark which are within close proximity to the subject land and which are proposed to be zoned for development purpose and which have been identified as being valuable habitats for Lesser Horseshoe Bats.

The first such parcel of land is identified as 'TOU2 Tourism' and is located at Beechpark. The Strategic Environmental Assessment Environmental Report (Vol. 10b(i)) identifies this "TOU2 Tourism" land as being a "**Valuable habitat for Lesser Horseshoe Bats which roost in the nearby Pouldatig Cave (SAC)**". While this land has been identified as being a valuable habitat for Lesser Horseshoe Bats, the land continues to remain zoned for development purposes with the Site-Specific zoning objective requiring that *"all future planning applications be accompanied by a full bat survey of trees, detailed tree surveys to demonstrate that only unsafe trees are being removed and being replaced with understorey planting to enhance bat habitats. All development of existing buildings on the site and tree conservation works will require a bat, red squirrels and barn owl survey in advance to ensure that they do not contain important sites for bats, other mammal or birds"*.

The second parcel of land is the land adjoining the 'TOU2 Tourism' lands which is proposed to be zoned as 'ENT1 – Enterprise'. This land has also been identified as being a habitat for Lesser Horseshoe Bats. The Strategic Environmental Assessment – Environmental Report (Vol. 10b(i)) recommends and an Ecological survey of the hedgerows and wildlife corridors on the site be undertaken on the 'ENT1 – Enterprise' land and these should be protected and incorporated into any development proposals to ensure no net loss in order to protect habitat and commuting routes for Lesser Horseshoe bats.

Both the 'TOU2' and 'ENT1' lands have been identified as being habitats for Lesser Horseshoe Bats in the Strategic Environmental Assessment – Environmental Report (Vol. 10b(i)). The block proposed as 'Buffer Space' has no evidence of Lesser Horseshoe Bat presence.

Our Client will accept a Site-Specific zoning objective similar to those attached to the 'TOU2' and 'ENT1' lands stating that an Ecological Assessment be provided to ensure protection and enhancement of existing hedgerows and other wildlife features which provide important habitat and feeding areas and connection corridors, potentially used by Lesser Horseshoe Bats. This will ensure a consistent approach to the zoning of lands in this area.

Our Client is frustrated at the lack of consistency with the zoning objectives for the 'TOU2' and 'ENT1' lands versus their lands. It should also be noted that neither the 'TOU2' nor the 'ENT1' lands are serviced lands whereas the subject lands are fully serviced.



Our Client submits that there is no part of this buffer space which is of environmental significance. In the interest of promoting compact growth, it is considered that a more balanced approach between land preservation and facilitating development must be considered. Urban Land is a scarce resource. Rather than preserving large inaccessible tracts of land, it is submitted that consideration must be given to the limited development of certain tracts.

Our Client requests that the Planning Authority recognise the need for zoned residential land in the area, in proximity to services, school, and acknowledge that under-utilizations of valuable urban land, located in proximity to existing services and facilities and which can function as a natural extension to a planned future residential development.

### **5.2 Change 'R15' to 'Strategic Residential Reserve'**

Our Client is requesting that the block of land proposed as 'R15' to the north of the subject land be rezoned to 'Strategic Residential Reserve'. Access to this block of land is currently an issue. Our Client has two access points to this land from the R474 which may not be suitable. The most suitable access is via a site which is not within the ownership of KDT.

Our Client is aware that zoning of land/properties requires careful consideration by the Planning Authority in order to comply with the requirements of the Core Strategy. Our Client does not wish the Planning Authority to be reliant on the provision of the R15 block of land being available for a residential development in the short-term period. One of the important factors of bringing land/properties forward for development through the Development Plan process is the availability of that land/property for development within the period of the Plan. Our Client is therefore requesting that this block be deferred for residential development in the medium to long term by zoning it as 'Strategic Residential Reserve'.

### **5.3 Residential Blocks to south and south western portion of Landholding**

It is our Client's view that the lands to the south and south west of the subject land, as shown in Figure 10, above are more suited to for residential use during the short term. These lands are fully serviced with the only infrastructure required being an extension of the existing access road.

There are no known capacity issues with either the local foul drainage network or water supply network serving the lands to the south that would impact on the residential land use zoning proposed. In terms of surface water drainage, any development of the site will discharge to the existing percolation/attenuation area utilising sustainable management principles. Having regard to the criteria in respect of services zoned lands, the subject land can therefore be deemed serviceable Tier 1 land, suitable to accommodate residential development over the lifetime of the new Development Plan.

The inclusion of a significant Residential component in the development of the land's accords in full with the 'compact city' model of development, which underpins the NPF and includes the key objective that 50% of future housing during the lifetime of the Strategy will occur within the existing built footprint of urban areas (as opposed to greenfield or locations at a remove from urban centres, which are often car dependent and reliant on new infrastructure). Unlike other

sites identified in the Draft Plan, Ashline is not constrained by the absence of any services and can deliver housing within the lifetime of the Development Plan

This compact city strategy is replicated in the RSES and in the Draft Plan. The subject site clearly represents a far superior and sustainable alternative to other Residential zoned lands identified in the Draft Plan, which are located at a significant remove from the town centre. Significant strategic sites such as Ashline, as opposed to lands located in peripheral locations of the town, must be prioritised to comply with current planning guidance.

The landholding meets all relevant criteria as an appropriate location to support Residential land use zoning when assessed against the provisions of Development Plans - Guidelines for Planning Authorities 2007 and the recently published Development Plan - Guidelines for Planning Authorities Draft for Consultation August 2021. The lands are contiguous to the N85, and surround the Ennis National School, Cahercalla Community Hospital and Cuan an Chair Retirement Village. The lands are also close to employment zones at Westgate Business Park and Westpoint Retail Park. The zoning of these lands for Residential purposes is in accordance with the sequential approach to the zoning of land noted in the above Guidelines, given the location of the lands relative to Ennis town centre.

The construction of the primary school in advance of the proposed housing is an added advantage in the successful establishment of the new proposed neighbourhood and residential community at this location. The establishment of a new community at this location will support Ennis National School, which in time will become increasingly supported by pupils living locally thereby ensuring the sustainability and vitality of the school into the future.

#### **5.4 Recreational Area**

Our Client view is that the '*Recreational*' zoning would be better placed within the centre of the landholding to provide for a network of public spaces including a central park in the heart of the neighbourhood accessible to all residents of the neighbourhood. This could facilitate a network of safe walking and cycling routes through the neighbourhood and to surrounding areas.

#### **5.5 Mixed Use/Neighbourhood Centre**

It is our Clients opinion that a small neighbourhood centre should be provided within the centre of the subject site which could include for small retail provision, community facilities such as health provider, meeting and club rooms all within walking distance of the Ennis National School, Cahercalla Community Hospital, Cuan and Chair and the proposed new residential developments to be provided on this landholding. The provision of an area for '*Mixed Use*' development could facilitate these uses.

We note the Draft Plan has proposed that the Cahircalla More Neighbourhood centre be provided on the '*COM6*' site at Westpoint Retail Park, however, it is our Clients opinion that the '*COM6*' site totally unsuitable for the Cahircalla More Neighbourhood centre. If the proposed neighbourhood centre is to serve the surrounding catchment area then accessibility is critical.



Neighbourhood centres should be centrally located within the neighbourhood they are designed to cater for. The 'COM6' site is not centrally located within the Cahircalla neighbourhood and the site suffers from severance. The R475 Ennis to Kilrush road directly bounds the northern boundary of the 'COM6' site and Clonroadmore Beg road bounds part of the southern boundary both of which represent significant barriers to pedestrian movement to and from the 'COM6' site. For the large majority of pedestrians seeking to access the 'COM6' proposed Neighbourhood Centre, the busy R475 and Clonroadmore Beg road will be significant obstacles and are hazardous. The subject site is not easily or safely accessible by foot, bicycle or public transport from the residential areas it proposes to serve. A new pedestrian crossing has been provided on the Kilrush Road serving the subject site. However, it is our Clients' opinion that one crossing on this road will not be adequate to ensure pedestrian safety to the subject site. The location and layout of the 'COM6' site does not lend itself to be a suitable neighbourhood centre which is contrary to Objective V3(2)(8)(b) of the CCDP which seeks to ensure that all residential areas have easy access to local/neighbourhood facilities and services

Figure 11 below which shows the outline of the Cahircalla More Neighbourhood boundary, the subject land and the location of the 'COM6' site proposed as the Neighbourhood centre. The 'COM6' site is cut off from the majority of the residential areas and future residential zoned lands it is supposed to be serving. Also, the majority of residential units within the 1km and 2km radius from the 'COM6' site are not within the Cahircalla More Neighbourhood Centre boundary.

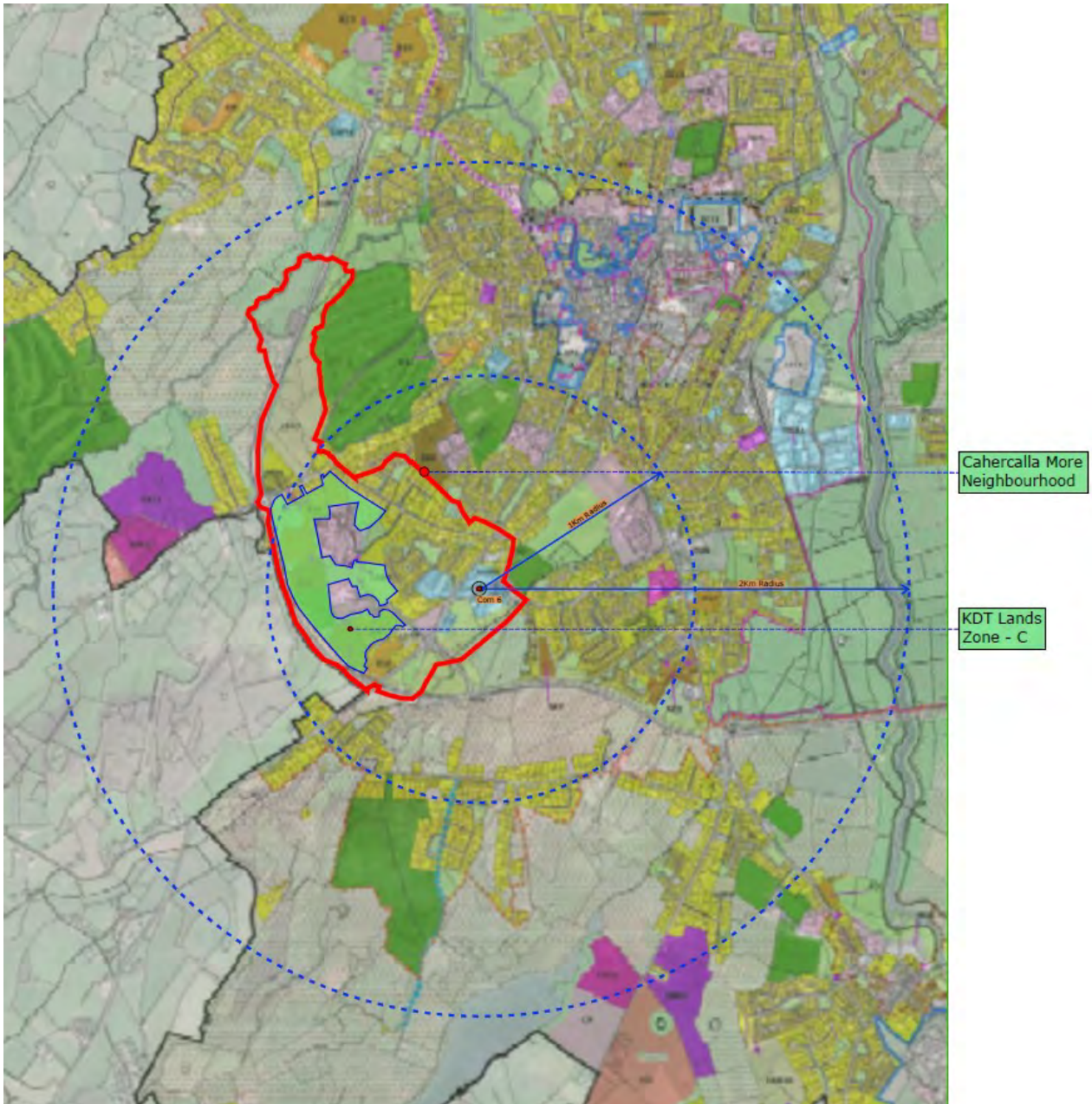
It is our Clients opinion that the proposed Cahircalla More Neighbourhood Centre would be more suitable on the proposed 'Mixed Use' lands proposed within the subject land. This would provide easy, walking access to/from Cahircalla Community Hospital, Cuan an Chlair, Ennis National School and all the proposed new residential units to be provided on the subject land once it is fully developed. The 'COM6' site is not within easy walking distance for all of these developments.

The proposal to develop a neighbourhood/community on the subject lands and around the existing Ennis National School also would ensure compliance with the proposed Policy CDP10.16 *Primary & Secondary Education* of the Draft Plan which states as follows:-

*"It is an objective of Clare County Council:-*

- a. To facilitate the provision of schools by zoning suitable lands in settlement plans and local area plans capable of meeting the demands of the projected populations and in line with the 2008 Code of Practice, The Provision of Schools and the Planning System;*
- b. To ensure that land developed for educational purposes is located as close as possible to the area experiencing population growth that it is intended to serve, are along public transport where available and in close proximity to complementary services/facilities to allow for shared use;*
- c. To assess and ensure the adequacy of school capacity when dealing with planning applications for large residential development; and*
- d. To require the provision of cycle lanes, pedestrian footpaths and crossings and to promote the idea of a 'walking school bus' serving primary and secondary school facilities to support safe and convenient active travel".*

While it is Clare County Council’s role to ensure that adequate lands are available at appropriate locations to facilitate the development of schools, it is also imperative that where a school has been relocated to a greenfield site that the Council seek to ensure the sustainability and vitality of this school is promoted through the building up of a new population catchment through new residential development.



**Figure 11 – Location of COM6 site within context of Cahircalla More Neighbourhood.**

Our Client seeks to have the proposed zoning objectives with the minor amendments as outlined above adopted in the Draft Plan. Whilst the plan is to deliver much needed housing for Ennis, the vision is about more than housing. The plan must create a vibrant neighbourhood that accommodates and facilitates a variety of uses and that nurtures a strong sense of community. A place that is safe, with people friendly spaces and that relates well both to its surroundings and with the adjoining lands uses.

A vision for Ashline is expressed through the following principles

1

To deliver an **exemplar new neighbourhood** with clear identity and character that responds to natural environment and provides a **great place to live**.





2

To deliver a **green neighbourhood** that encourages **healthy lifestyles**, offering easy and safe access to amenities and opportunity to play, recreation and learning.





3

To embrace the wider landscape and **create a green framework** across the site that retains the sites green assets and enhances biodiversity.

4

To create a **walkable and cycle friendly neighbourhood** that provides easy access to schools and amenities through a safe and attractive network of streets and paths.



5

To provide a **mix of high-quality homes** that give the opportunity to up or downsize within the neighbourhood. Promoting a mix of property types and tenures informed by need as well as an understanding of the current market. This is reflective of both local and national policy which seeks to deliver mixed neighbourhoods.



## 6.0 CONCLUSION

In summary our Client seeks to ensure, through this submission, that the zoning status proposed for the various parcels of lands as outlined in this submission be adopted in the Draft Plan. As the relocation of the Ennis National school and the construction of the distributor road and services to serve these lands have been completed with the new Clare County Council housing development nearing completion, it is imperative that these lands are given priority development status so as to ensure the long-term sustainability and vitality of Ennis National School.

In addition, both our Client and Clare County Council have invested significantly in relation to the overall landholding. Firstly, our Client financed a large portion of the construction costs of the distributor road network which provides access to the Ennis National School. Secondly our Client provided the site for the Ennis National School and finally our Client also provided Cúan an Chláir the site for the sheltered housing/day care scheme. Our Client has incurred substantial cost to-date in getting the development to where it is today.

Our Client welcomes the opportunity to contribute to the Draft Plan. The Plan is a valuable opportunity for Clare County Council to realise and plan for, in an appropriate manner, the sustainable development of Clare as a whole. We trust that you will give due consideration to the above submission.



## **APPENDIX**

### **INIS ENVIRONMENTAL REPORT**



# Inis

INIS ENVIRONMENTAL CONSULTANTS LTD.  
EDENVALE ENNIS  
COUNTY CLARE, IRELAND  
T: +353 65 6892491  
M: +353 87 2831725  
E: info@inisenvironmental.com  
W: www.inisenvironmental.com

Mandy Coleman  
Paddy Coleman & Associates  
5 Bank Place,  
Ennis,  
Co. Clare



Date: 02/08/16

RE: Killaloe Diocesan Trust Lands at Ashline/Beechpark

Dear Mandy,

Thank you for asking Inis Environmental to complete the bat assessment at the Killaloe Diocesan Trust Lands at Ashline/Beechpark. There is a proposal to decrease the extent of "Buffer Area" at N85 Beechpark Roundabout. We have completed the bat assessment and have the following comments re same.

Inis ecologists are experts in assessing bat populations. We have assessed bats in every county in Ireland for a wide range of projects from small one-off housing to larger infrastructural projects such as road projects; I personally designed (in collaboration with Beauchamps) the Ennis Bypass Bat House for Lesser Horseshoe Bats in 2006a and have held National Parks and Wildlife Service license to handle Lesser Horseshoe Bats.

Attached is our July 2016 bat survey report for the lands at Beechpark, the results of which are as follows:

- No Lesser Horseshoe bats were recorded using the site;
- Other species of bats are using the site but numbers were very low;
- There are no buildings/structures/trees associated with the Beechpark site that would constitute a viable roost for any bat species;
- There is significant light spillage from the N85 and nearby housing over the site.

Inis Ecologists completed a bat survey of the Beechpark site in 2009 for the Cuain an Chair development. Our findings were exactly the same as the 2016 surveys results – no Lesser Horseshoe Bats present. Due to recent significant adjacent development (N85 and local housing) the Beechpark site is now an 'island' of vegetation that has no linear connection with any other lesser horseshoe bat habitats in the area – this, in effect, will stop all lesser horseshoe bats from entering the Beechpark site from any SAC, as bats follow linear features when feeding – these linear connections are not present at the Beechpark site. Furthermore the area is completely polluted from light spillage which will deter light intolerant Lesser horseshoe Bats from entering and feeding here.



We contend that the Beechpark site is not suitable for Lesser Horseshoe Bats at present due to multiple factors and will never form an important part of any foraging range for any bats using SACs in the wider general area and indeed within 6km of the Beechpark site.

The pertinent points we glean from the Chief Executives report are:

1. Article 6(3) of the Habitats Directive is the key piece of legislation in relation to undertaking AA which is transposed into Irish legislation through the Birds and Natural Habitats Regulations 2011.
2. The key criteria used to assess the Beechpark site is its proximity to a Natura 2000 site for bats, namely Pouladatig Cave SAC. Furthermore the Chief Executive states that *'it is no longer sufficient to say that protective policies or objectives included in parts of the plan will counteract potential significant or adverse effects of development or redevelopment of sites within the plan area.'*
3. Clare County Council as the competent authority must have sufficient information to screen out the potential for significant effects or otherwise zoning which leads to this significant effect cannot be accommodated.

The provisions of Article 6 of the 'Habitats' Directive 92/43/EC (2000) defines integrity as the *'coherence of the sites ecological structure and function, across its whole area, or the habitats, complex of habitats and/or population of species for which the site is classified'*.

It is clear that the proposed rezoning of the Beechpark site would not give rise to significant impacts affecting the integrity of any designated site, or its special conservation interests/qualifying interests (i.e. Lesser horseshoe Bats), within the Natura 2000 network due to the fact that there are no Lesser horseshoe Bats using the Beechpark site due to site specific factors affecting their entering the site (Light spillage and lack of linear connection with surrounding foraging areas).

As part of any future development of the Beechpark site, an assessment of bats will further enforce our findings. The results of future bat surveys can be used to inform the Appropriate Assessment process and allow Clare County Council, as the competent authority, to have sufficient information to screen out the potential for significant effects on all designated sites and their special conservation interests/qualifying interests within the Natura 2000 network.

Accordingly we would state that the rezoning of the lands at Beechpark will have absolutely no impact on the local population of Lesser horseshoe Bats or any of the Lesser horseshoe Bats SACs within 6km.

Kind regards

**Howard Williams** BSc (hons) CEnv MCIEEM CBiol MRSB MIFM

Chartered Environmentalist  
Chartered Biologist



## Bat Survey

**Client:** Paddy Coleman & Associates

**Site:** Beechpark site adjacent Ennis By-Pass

### **Methodology:**

The bat survey was undertaken on the 21st July 2016. A site walkover was undertaken in daylight at 21:00 for health and safety to identify any potential hazards, assess the habitats within the site and to identify any important features with respect to bats.

An active survey was undertaken consisting of walked transects around the site, sampling all habitats within the site. Bat activity was recorded using a heterodyne Batbox Duet detector and an Anabat SD1 bat detector which allows all bat calls to be recorded for later analysis in the office.

The survey consisting of two transects following a similar route through the site began at 21:40 with the first transect completed at 23:00. The second transect commenced at 23:01 and was completed at 23:50. The start and end point for both transects was the access gate at the northern end of the site. The weather during the survey was overcast with F2 wind from the southwest. The air temperature at the beginning of the survey was 19 °C and 16 °C at the end of the survey. The wind had slightly increased at the end of the survey with gusts of F3. The majority of the survey was undertaken in dry weather but light rain was recorded towards the end of the second transect (rain started at 23:45). Sunset for the date of the survey was 21:47.

### **Results:**

A total of three species were recorded on the site; Common Pipistrelle (*Pipistrellus pipistrellus*), Soprano Pipistrelle (*Pipistrellus pygmaeus*) and a *Myotis* bat species.

#### **Transect 1**

Eight contacts with Common Pipistrelle were recorded with the Batbox Duet. Two contacts with Soprano Pipistrelle were recorded with the Batbox Duet. In addition, a *Myotis* bat species which had the characteristics of Whiskered bat (*Myotis mystacinus*) based on a comparison with known call sequences and attributes of the species, was recorded on two occasions on the Anabat bat detector.

#### **Transect 2**

Two contacts with Common Pipistrelle were recorded with the Batbox Duet. Two contacts with Soprano Pipistrelle were recorded with the Batbox Duet. In addition, one contact with a *Myotis* bat species was recorded with the Batbox Duet. No further information about the species of this bat was available from the Anabat dataset.

### **Additional observations**

Bats were observed to fly and forage along the mature treeline at the southern boundary of the site with grassland habitat adjacent. Bats were also observed to fly and forage in small openings of grassland or lower growing bramble scrub habitats within the taller blackthorn dominated scrub throughout the site. An individual Common Pipistrelle was observed flying from the direction of the bungalow north east of the site 24 minutes after sunset. This timing is consistent with known emergence times of Common pipistrelle (20 mins; BCT, 2008) and indicates that this property may be a roost for Common pipistrelle. Light spill from sodium lamps along the By-Pass, Beechpark Roundabout and the R474 was observed along the northern and north western boundaries of the site.