

SUBMISSION TO DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

Infill Site at Drumcliff, Ennis

David Queally

Issue: A

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Document Sign Off

SUBMISSION TO DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

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David Queally
Issue A

File No: 6739

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

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



1.0 INTRODUCTION

P. Coleman & Associates, Architects, Engineers and Planners have been appointed by Mr David Queally to prepare a submission to the Draft Clare County Development Plan 2023-2029 (Draft Plan) with specific reference to the land-use zoning proposed for Ennis town. Our Client is seeking to amend an area of proposed 'Agriculture' rezoning to either 'Low Density Residential' or 'Existing Residential' on his lands at Drumcliff, Ennis.

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, current zoning for the subject site and planning history.

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 provision of a residential use on the subject site.

Section 6: Conclusion

This section summarises this submission.

2. SUBJECT SITE

2.1 The Site and Site Context

The subject site, outlined in red in Figures 1 and 2 below is located in Drumcliff. The site measure approximately 0.5 acres and is a greenfield infill site between two existing dwelling houses and is direct opposite the entrance to Lifford Football Club Sports Grounds. The subject site has direct access onto the Drumcliff Road.

The existing pattern of development in the area consists of residential housing on individual sites, agricultural uses, sports facilities and community facilities

The site is presently in agricultural use.

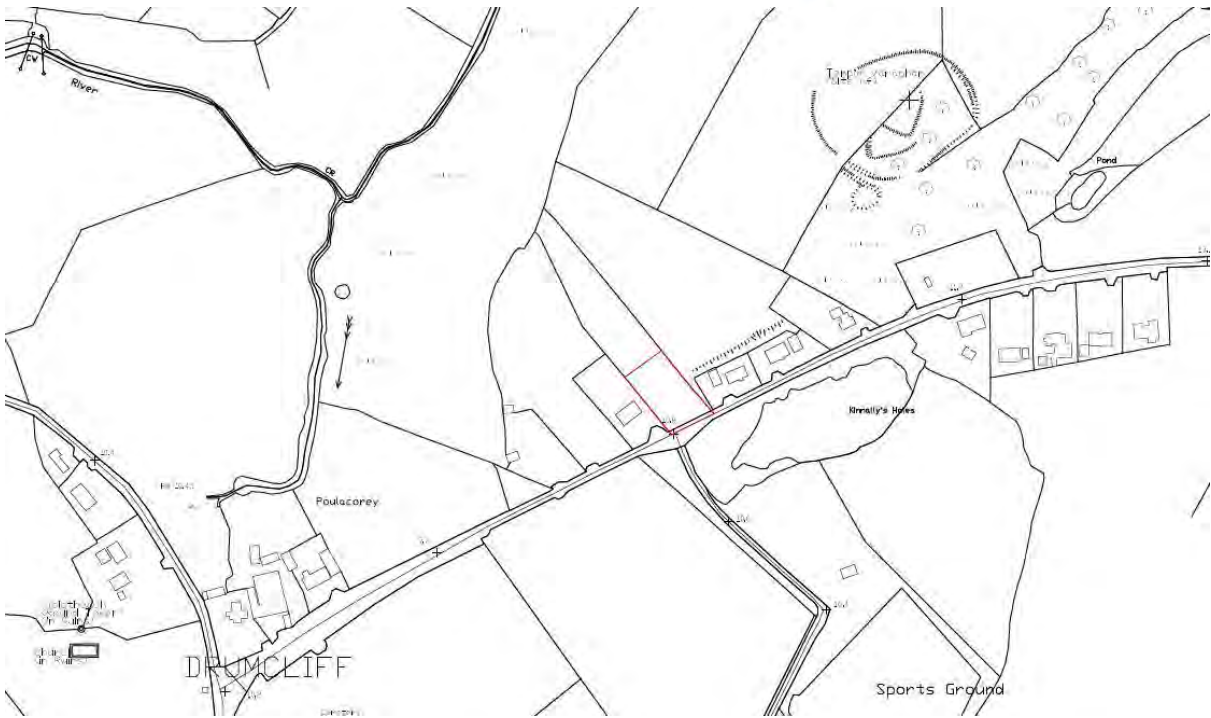


Figure 1 – Site Location Map – Subject Site outlined in Red



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



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) is the Government's high-level strategic plan for shaping the future growth and development of our country up to the year 2040. The framework guides public and private investment to create and promote opportunities for the population and to protect and enhance the environment, including villages to cities and every settlement in between.

The framework specifically indicates the need for better use of under-utilised land and buildings *"including 'infill', 'Brownfield' and publicly-owned sites and vacant and underoccupied buildings, with higher housing and job densities, better serviced by existing facilities and public transport"* (extract taken from: Section 2.2 Overview of the NPF Strategy Compact Growth, Project Ireland 2040- National Planning Framework, 2018, p.28).

A key objective of the Framework is to ensure balanced regional growth, the promotion of compact development and the prevention of urban sprawl. It is a target of the NPF that 40% of all new housing is to be delivered within the existing built-up areas of cities, towns and villages on infill and/or brownfield sites with the remaining houses to be delivered at the edge of settlements and in rural areas.

4.5 Achieving Urban Infill/Brownfield Development

The NPF targets a significant proportion of future urban development of infill/brownfield development sites within the built footprint of existing urban areas. This is applicable to all scale of settlement, from the largest city, to the smallest village.

"To enable brownfield development, planning policies and standards need to be flexible, focusing on design led and performance-based outcomes, rather than specifying absolute requirements in all cases. planning standards should be flexibly applied in response to well-designed development proposals that can achieve urban infill and brownfield development objectives in settlements of all sizes. ... general restrictions on building height or general restrictions... should be replaced by performance-based criteria ... e.g. city/town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc"



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 5 seeks to develop cities and towns of sufficient scale and quality to compete internationally and be drivers of national and regional growth, investment and prosperity.

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

National Policy Objective 19 refers to the necessity to demonstrate a functional economic or social requirement for housing need in areas under urban influence, i.e.. the commuter catchment of cities and large towns and centres of employment. This will also be subject to siting and design considerations. In rural areas elsewhere, it refers to the need to facilitate the provision of single housing in the countryside based on siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

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.



3.2 Regional Planning Context

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

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

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

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

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.

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.



3.2.2 Zoning

The subject site is zoned as 'Agriculture' in the Ennis Municipal District Plan - Volume 3a of the CCDP. The 'Agricultural' zoning objective states as follows:-

"This zone is for the use of land for agricultural purposes and farming-related activities and to preserve the amenity of the town or village setting. Individual dwellings for permanent occupancy of established landowners(i.e. within family ownership for the preceding 10 years) and their immediate family members will be open for consideration subject to normal site suitability considerations. Immediate family members would include:

- *Parents*
- *Children*
- *Siblings"*

The Settlement Strategy identifies opportunities for infill development and encourages appropriate levels of consolidation allowing families who do not satisfy Local Housing Need to build a needed home in a rural location

The following Policy objectives are of relevance to this submission

CDP13.13 – New Single Houses on Infill Sites in the Countryside which states as follows:-

It is an objective of the Development Plan:

In the case where there is a grouping of rural houses, the development of a small gap site, sufficient to accommodate only one house within an otherwise substantial and continuously built-up frontage in terms of size, scale, siting, plot size and meets normal site suitability requirements. Dwellings constructed on infill sites of this nature must be for the permanent occupation of the applicant. The siting of new dwellings in the countryside so as to deliberately create a gap site of this nature will not be permitted.

In circumstances where these sites occur in 'Areas of Special Control' the provisions of Objective CDP3.11 (i.e., Local Need requirement) will not apply.

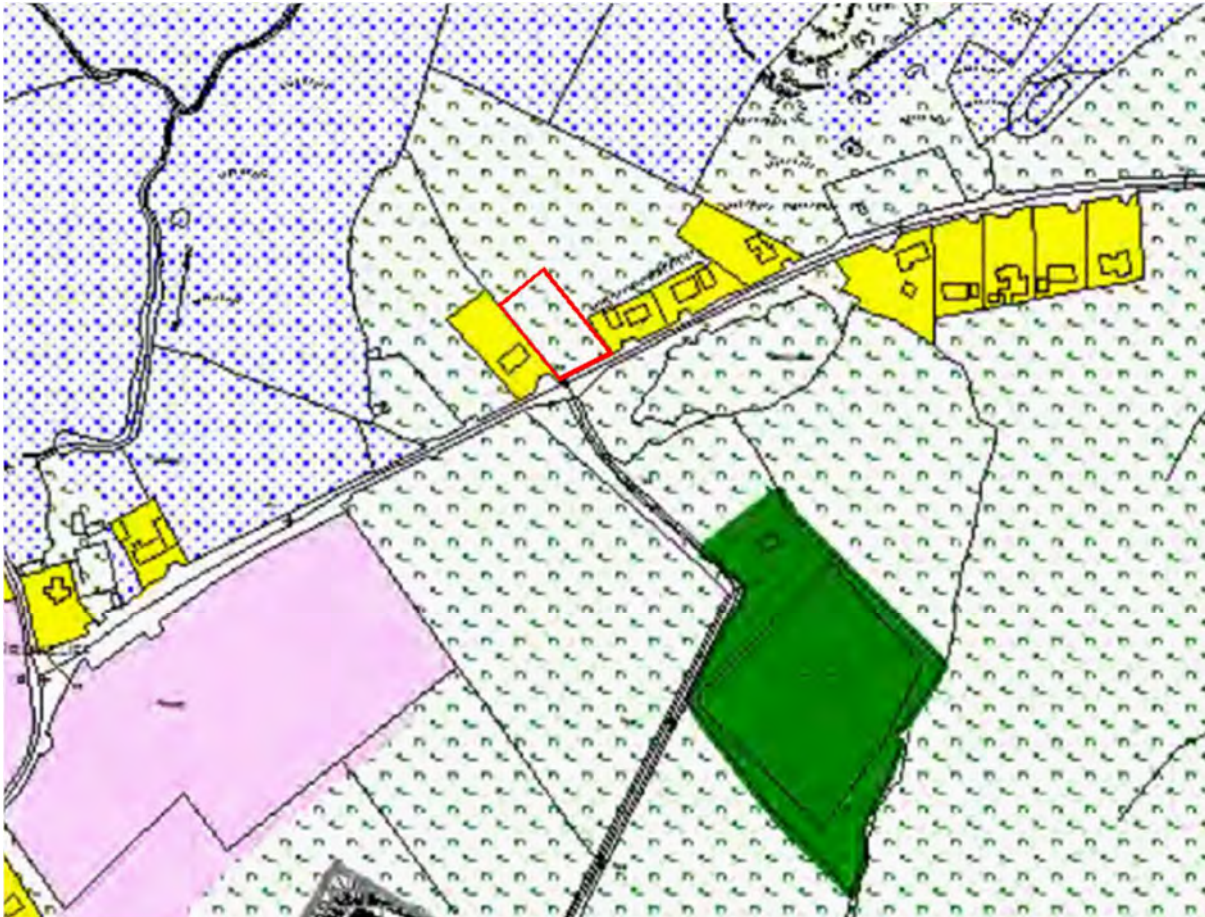


Figure 6 – Land Use Zoning Map Clare County Development Plan 2017-2023.

The subject site is located within a “*Working Landscape*” and as per the provisions of the CCDP, policy objective CDP13.3 applies which states the following:-

- A. *To permit development in these areas that will sustain economic activity, and enhance social well-being and quality of life - subject to conformity with all other relevant provisions of the Plan and the availability and protection of resources;*
- B. *That selection of appropriate sites in the first instance within this landscape, together with consideration of the details of siting and design, are directed towards minimising visual impact;*
- C. *That particular regard should be given to avoiding intrusions on scenic routes and on ridges or shorelines. Developments in these areas will be required to demonstrate:*
 - i. *That the site has been selected to avoid visually prominent locations*
 - ii. *That site layouts avail of existing topography and vegetation to reduce visibility from scenic routes, walking trails, public amenities and roads;*
 - iii. *That design for buildings and structures reduce visual impact through careful choice of form, finishes and colours and that any site works seek to reduce visual impact of the development*

3.4 Planning History

We found no evidence of any Planning applications or permissions associated with the subject site.

Our Client carried out a Pre-Planning Inquiry on the site in December, 2021. The basis of the enquiry was to determine if the Planning Authority viewed the site as an 'Infill Site' in accordance with Policy CDP13.13 of the CCDP.

The Planning Authority determined that the 'Agricultural' zoning objective would override the fact that the subject site may be considered an infill site. Essentially the agriculture zoning is aimed primarily for agricultural related development. Secondary uses, for housing, may be considered however they must demonstrate that same is for permanent occupancy (i.e., full time residency) of established landowners (must have owned land since 1999) and subject to the criteria as set out in the rural housing policy section of the development plan.

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The Draft Plan proposes no change the existing 'Agriculture' zoning objective on the subject site – See Figure 7 below.

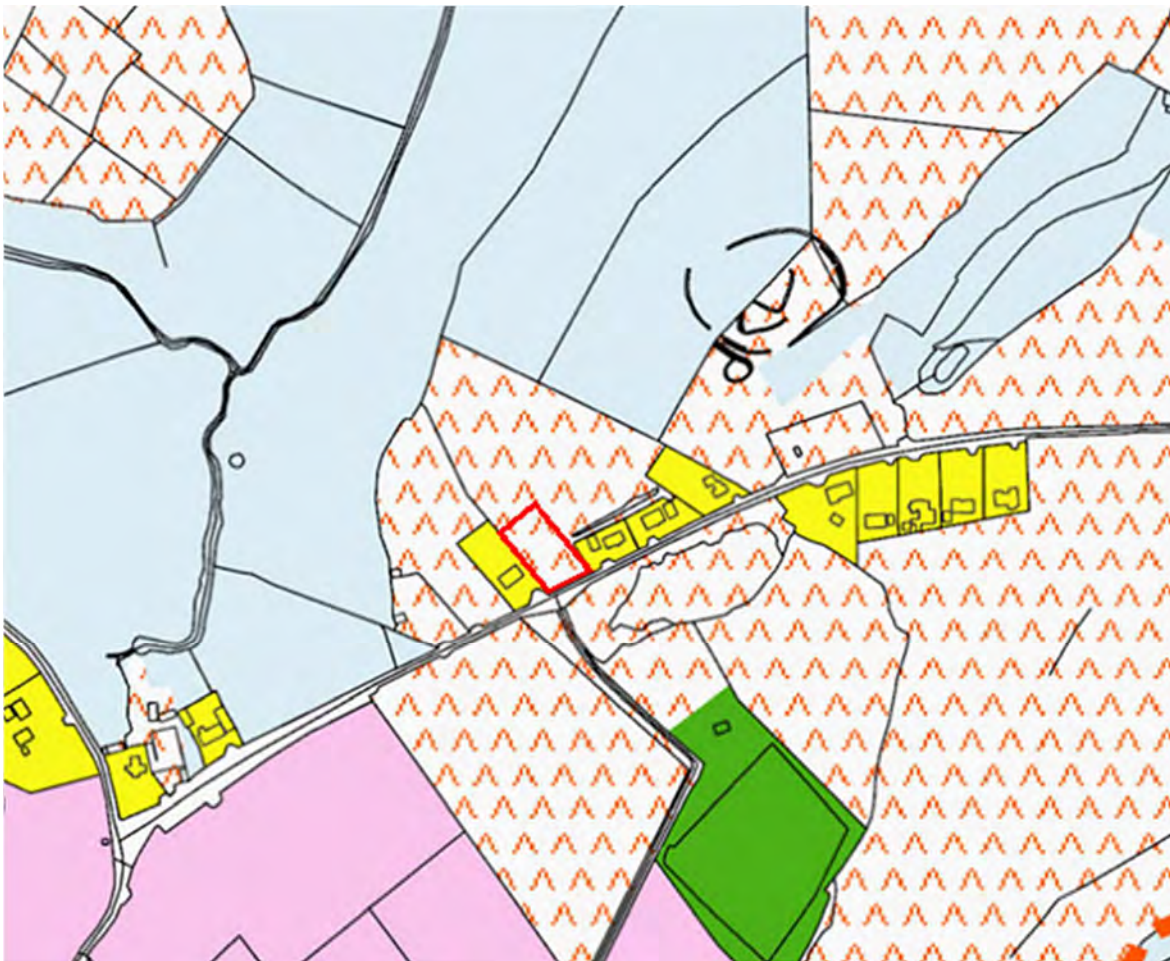


Figure 7 – Proposed zoning map Draft Clare County Development Plan 2023-2029.



Infill site policy has also been revised as follows:-

CDP4.15 – New Single Rural Houses on Infill Sites in the countryside.

“It is an objective of Clare County Council: In the case where there is a grouping of rural houses, the development of a small gap site, sufficient to accommodate only one house, within an otherwise substantial and continuously built-up frontage, will be permitted provided it respects the existing development pattern along the frontage in terms of size, scale, siting, plot size and meets normal site suitability requirements.

Dwellings constructed on infill sites of this nature must be for the permanent occupation of the applicant. The applicant must not already own or have owned a house in the surrounding rural area (except in the exceptional circumstances as set out in subcategory iii under the Social Need criteria) and needs the dwelling for their own permanent occupation.

The siting of new dwellings in the countryside so as to deliberately create a gap site of this nature will not be permitted. In circumstances where these sites occur in the ‘Areas of Special Control’, unless otherwise specified in this objective the provisions of Objective CDP4.14 (i.e., Economic or Social Need requirement) will not apply. The assessment of an application for a rural house on an infill site shall have regard to environmental considerations, the viability of smaller towns and rural settlements, siting and design issues and the Clare Rural House Design Guide”

The rationale for changing the from ‘Agriculture’ to ‘Low Density Residential’ or ‘Existing Residential’ within the subject site is set out in Section 5 below.

5.0 REQUESTED AMENDMENT

5.1 Rezone from ‘Agriculture’ to ‘Low Density Residential’ or ‘Existing Residential’

It is requested that the ‘Agriculture’ zoning objective of the subject site be changed to ‘Low Density Residential’ or ‘Existing Residential’ to allow for a residential use on the subject site which is not restricted to the established landowner and or family.

The ‘Low Density Residential’ use 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”.

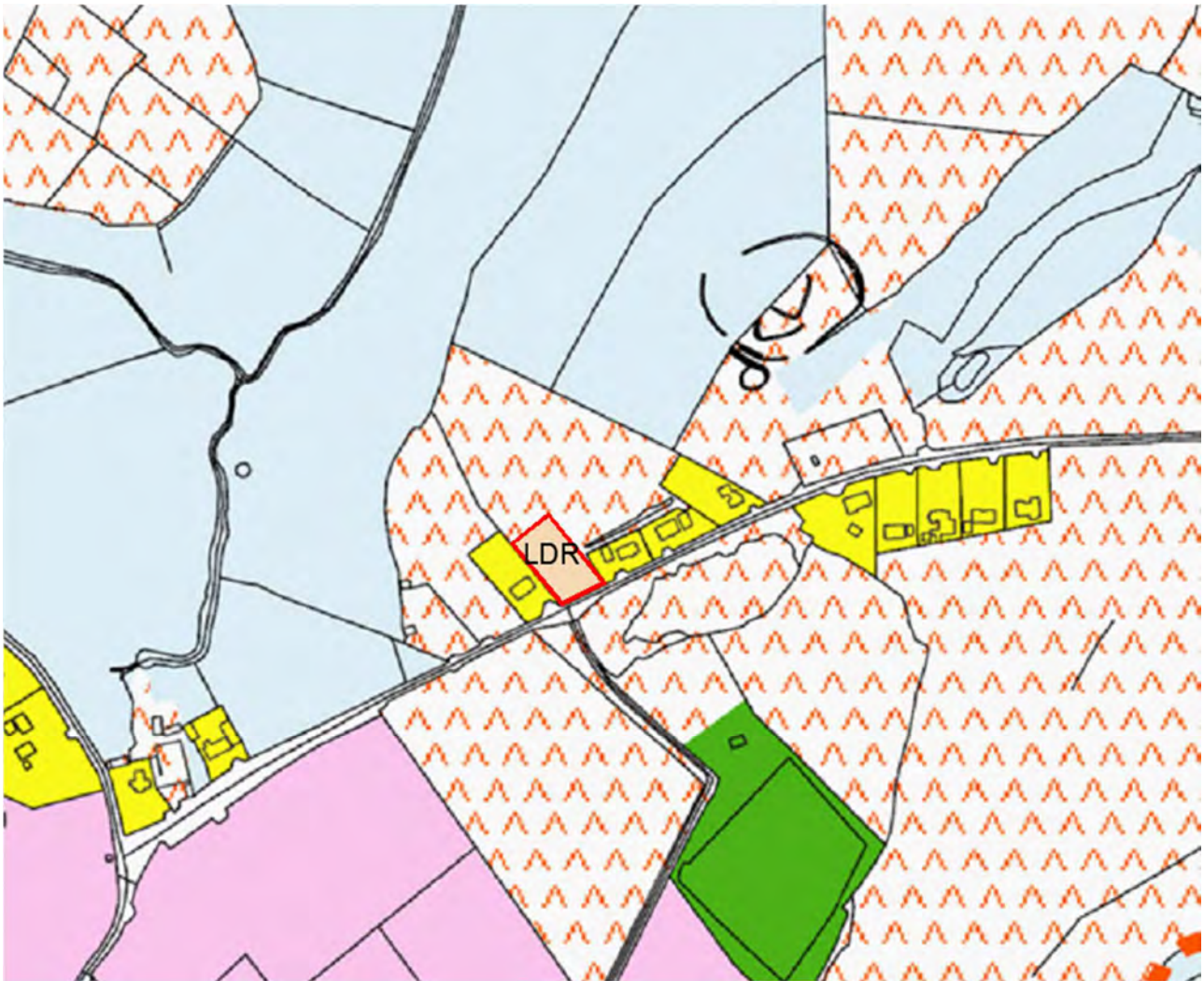


Figure 8 – Request for zoning amendment – Proposed ‘Low Residential Density’ zoning

The ‘Existing Residential’ zoning objective states as follows:-

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

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 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.

The subject site is located within the Ennis Plan Boundary. The proposed rezoning of the subject site from 'Agriculture' to 'Low Density Residential' or 'Existing Residential' would allow for the principle of no more than one additional house. The proposed re-zoning of this site would not in anyway detract from the immediate environs and would be in accordance with the existing pattern and reflect the existing form of low-density residential development in the area.

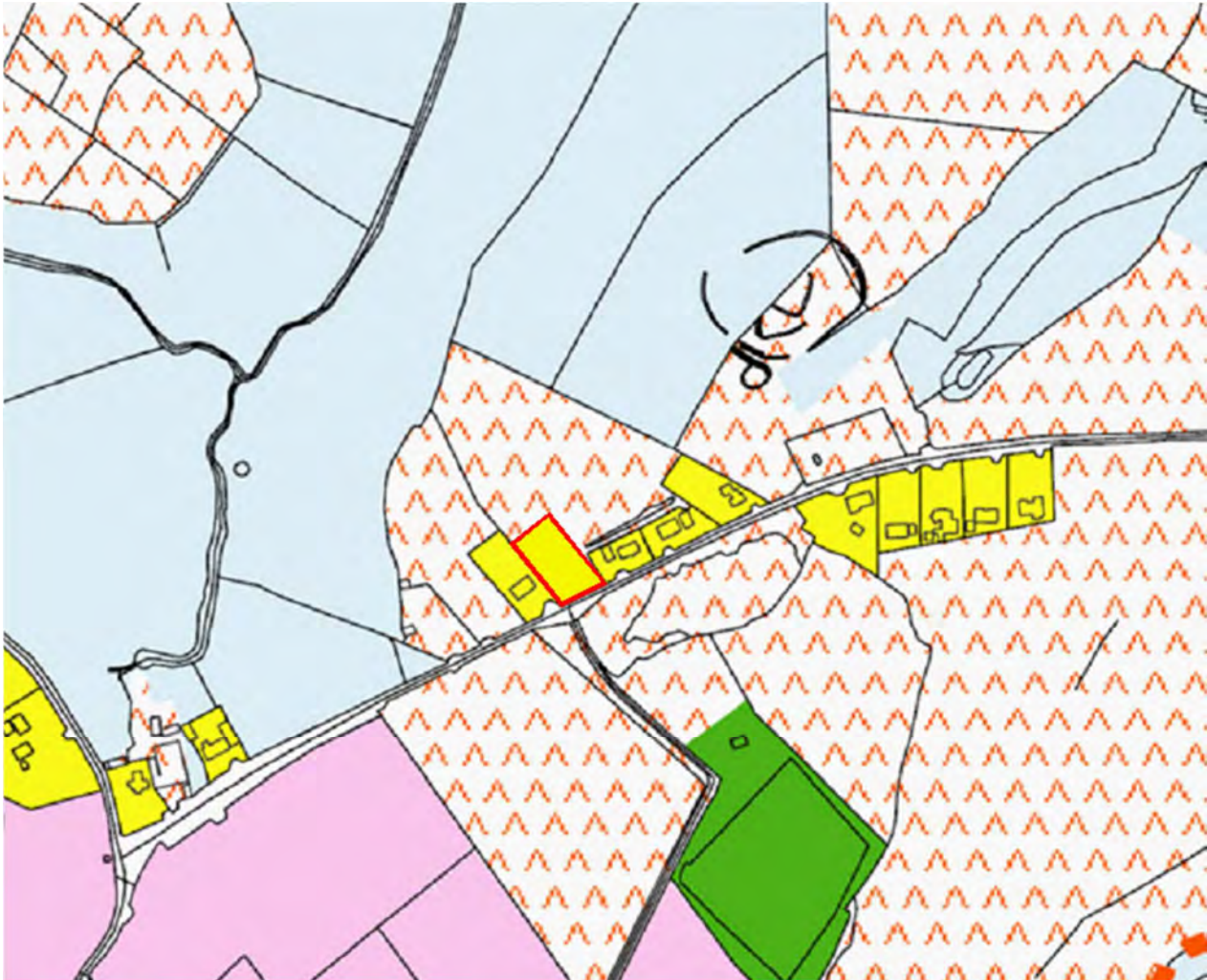


Figure 9 – Request for zoning amendment – Proposed 'Existing Residential' zoning

The current 'Agriculture' zoning objective is restrictive and requires the Applicant to be the established Landowner or an immediate family member. A 'Low Density Residential' zoning or 'Existing Residential' zoning would not restrict the Applicant in this regard.

The proposed rezoning would reduce the demand for one off housing in the countryside by providing a more sustainable alternative though the infilling of a site within the urban margin.

We note there are other infill sites within the Ennis Settlement boundary which are proposed to be zoned as 'Existing Residential' which would allow for the principle of a residential use on the sites without an occupancy restriction. Figure 10 below identifies a few of these infill sites.

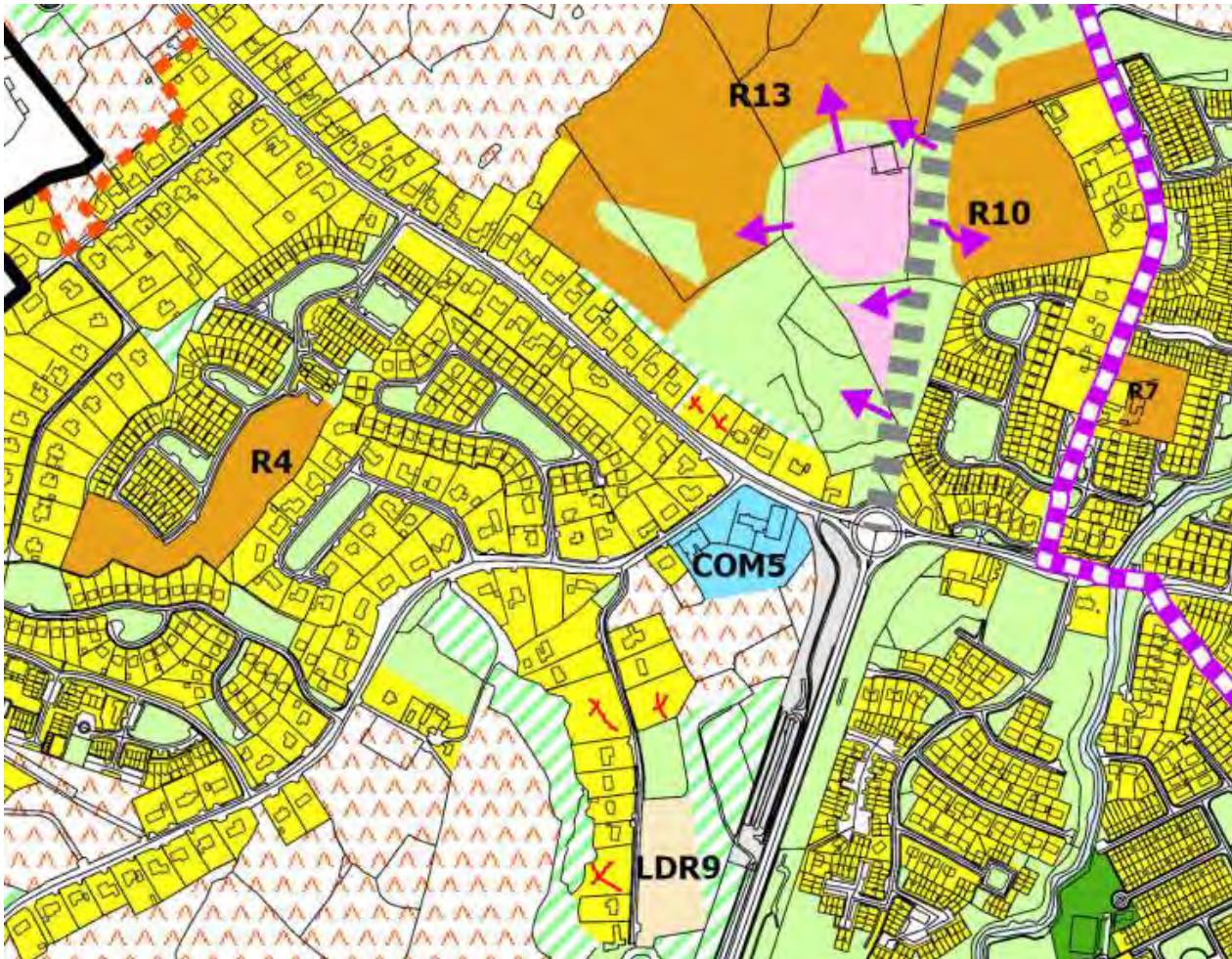


Figure 10 – Proposed Zoning Map – Ennis Settlement Plan – Draft Plan – not infill sites proposed to be zoned as ‘Existing Residential’

If the proposed ‘Low Density Residential’ zoning on the subject site is not adopted, our Client requests that his site be afforded the same ‘Existing Residential’ zoning as the infill sites identified in Figure 10 above.

5.2 Alternative Request

Should the Council not be in favour of the above zoning request, our Client requests that the ‘Agriculture’ zoning objective be revised to provide that Applicants for ‘Infill Sites’ on ‘Agriculture lands’ which are within built up environments, but in places which are more rural in context, would not be restricted to occupancy by the Landowner and/or immediate family. This would allow for a number of similar sites within the Ennis Plan boundary to be developed without this restriction thereby reducing the demand for one off housing in rural areas.

Given the current restrictive occupancy of these sites, many will be left undeveloped and become overgrown thus negatively impacting on the visual amenities of the area and on the amenities of adjoining residential properties. Restricting these sites which are within Plan and Settlement boundaries is not in accordance with the proper planning and sustainable development of the area.



In addition, the 'Agriculture' zoning objective on many of these sites may not be suitable in many cases given the size and location of these sites between existing residential dwellings in semi-urban areas.

Infill sites within Settlements and Town Plan boundaries, such as the subject site, should not have a restriction on the occupancy of the site. These sites should permit the principle of a residential use on the site subject to site suitability and not be restrictive on occupancy conditions. Our Client is seeking the development of a policy which would permit infill development on 'Agriculture' zoned land which would not restrict occupancy.

Very often, those looking to develop their own homes are those from a rural background, but not from the local area in which they work. For example, a person born and reared on a farm in rural Galway that is headhunted for their essential specialist skills by a major employer in Cork City, may turn down the opportunity of employment if their only housing option is to reside in an urban or sub urban housing estate in the city due to lack of rural connections in Cork to allow them to build their own house on a larger site. These people with a rural background often find it difficult to adapt to the lifestyle of the denser town and city urban living and the serviced site would provide the alternative. In the interests of proper and sustainable planning, this demand needs to be met at source in or on the edge of larger towns and cities to avoid unnecessary travelling back and forth from more rural towns and villages.

This would satisfy the sequential approach as outlined in NPF allowing infill sites within built up areas to be developed as an alternative to urban sprawl and one-off housing in rural areas.

6.0 CONCLUSION

On behalf of our Client we request that the subject site be rezoned to either 'Low Density Residential' or 'Existing Residential' to provide for a residential use which is not restrictive in terms of occupancy.

If this zoning request is not adopted, our Client requires that the 'Agriculture' zoning objective provide for infill sites to be developed in semi-urban areas with no occupancy restrictions.

It is national rural housing policy to manage pressure for overspill development from urban areas in the rural areas closest to the main cities and towns such as the gateways, hubs, and other large towns. This management can be achieved if an alternative to unserviced one-off houses can be provided through infill sites adjoining larger towns, in the same way as serviced sites are currently promoted under the NPF for smaller towns and villages.

The Planning Authority should be proactive and allow for low density sites and the development of infill sites within the Ennis Plan boundary where the demand for such housing as a substitute to one off housing can be at its greatest.

The Planning Authority is requested to take this submission into account in the Draft CCDP review.