

SUBMISSION TO DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

Land at Shanvough, Ennis

Pat Hegarty

Issue: A

Customer Project Number: 6510

Customer Document Number:

Document Sign Off

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Lands at Shanvough, Ennis

Pat Hegarty
Issue A

File No: 6510

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

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. Pat Hegarty 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 this area of Ennis town. Our Client is seeking to adopt a proposed 'Existing Residential' use to lands at Shanvogh, Ennis.

The submission will be outlined as follows:-

Section 2: Subject Site

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

Section 3: Planning Context

This section outlines the current zoning objectives for the subject site and the 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 accepting the proposed zoning.

Section 6: Conclusion

This section summarises this submission

2. SUBJECT SITE

The subject site, outlined in red in Figure 1 below is located in the townland of Shanvogh on the western side of Ennis town. The subject site comprises two parcels of land. One within the existing Ashling residential estate with the second parcel consisting of an adjoining strip of land within our Clients landholding (shown hatched).

Our Client resides with his family in the dwelling house directly adjacent to south of the Ashling Estate. Our Client's property contains a residential dwelling and associated grounds with farm outbuildings which has direct access onto the Shanaway Road.

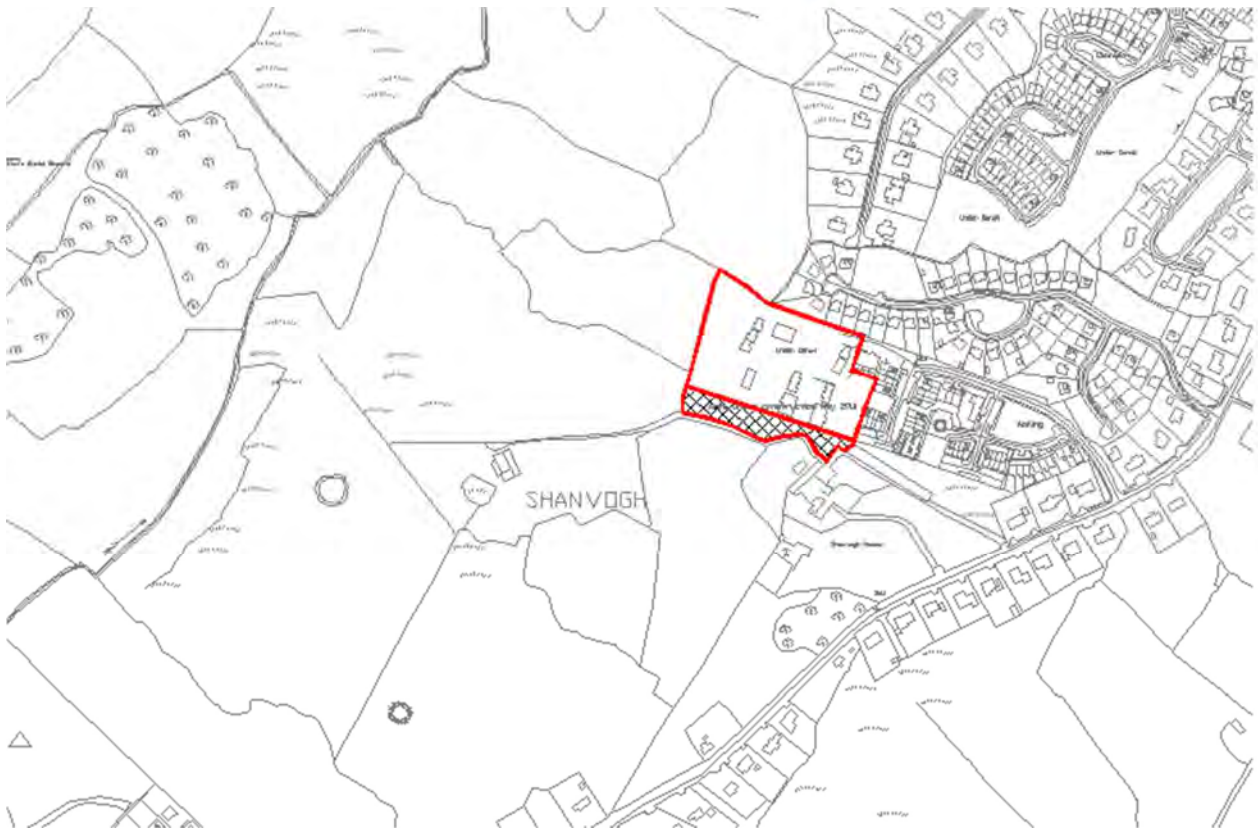


Figure 1 – Site Location Map - Subject Site outlined in Red

3.0 PLANNING CONTEXT

The operative development plan for the subject site is the Clare County Development Plan 2017-2023 (CDP). The subject site is located within the settlement plan for Ennis which is set out in the Ennis Municipal District Plan – Volume 3a.

3.1 Zoning

The subject site is zoned as ‘Residential’ – See Figure 2 below. The ‘Residential’ zoning objective 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 the potential to foster the development of new residential communities e.g., school, creches, open spaces etc.

There is a specific zoning objective on the subject site ‘R24 Ashling’ which states as follows:-

The site is zoned for residential development to enable the completion of the Ashling Estate, and to support site resolution, proper planning and orderly development. Any development on this site shall be of a high-quality design and layout incorporating a green area to serve future residents.

The site is located less than 1km from a known bat roost. Vegetation on the perimeter of the site shall be retained and a buffer zoned identified to ensure its protection. Development proposals must demonstrate, via a light spill modelling study, that lighting design will not increase ambient light levels beyond the perimeter of the development footprint.

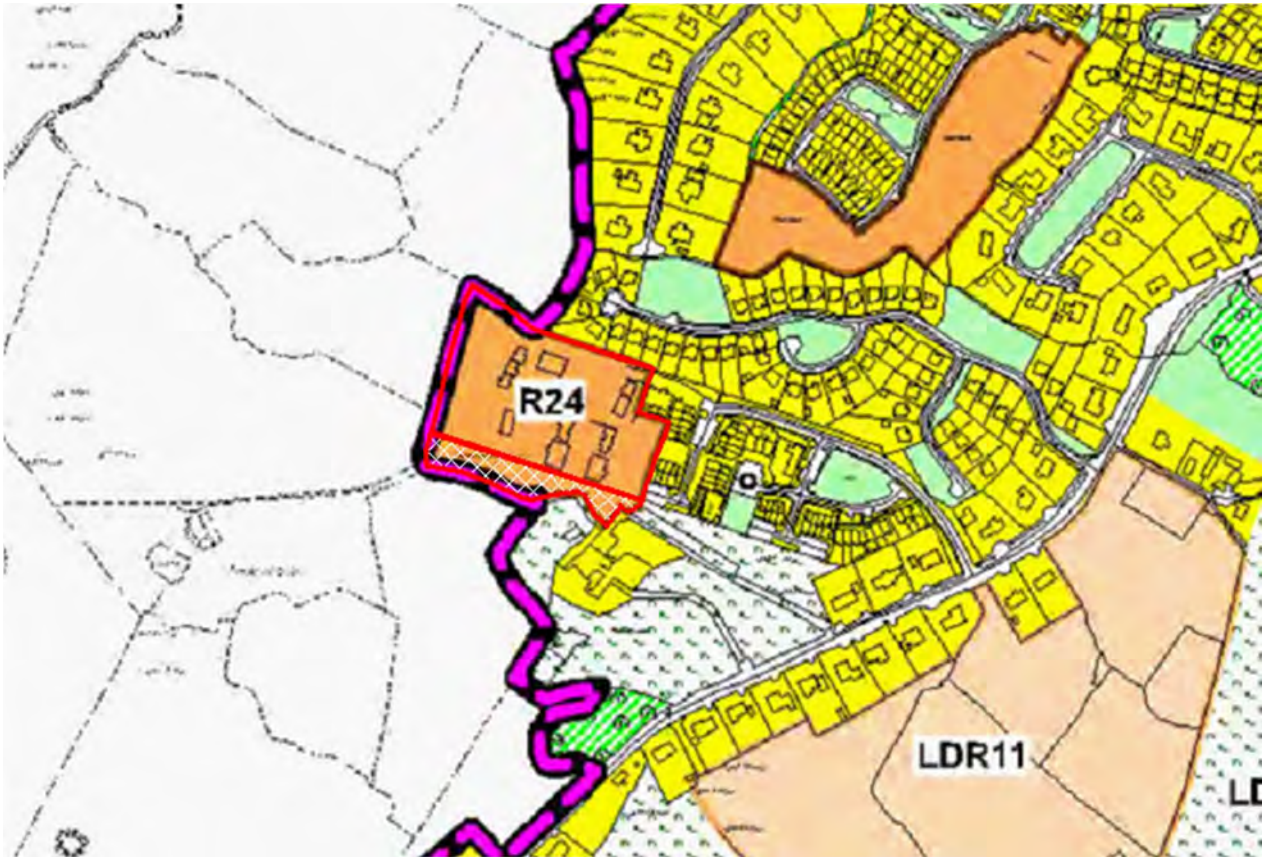


Figure 2 – Current Zoning as per CCDP - Subject site outline in red

3.2 Settlement Plan

The subject site is located within the Woodstock Neighbourhood. Section 2.11.1 states as follows:-

“A number of areas have been identified for residential development in the Woodstock area. Any future residential development in this neighbourhood that would significantly increase the number of vehicle movements in the area must be accompanied by an assessment of the capacity of the Shanaway Road/Lahinch Road junction to accommodate additional traffic”.



3.3 Planning History

The following planning history relates to the overall Ashling Estate site:-

- Planning Permission Ref: **P03/1760** was permission granted to McCarthy Bros Contractors (Ennis) Ltd. by An Bord Pleanala (ABP) (ABP Ref: PL 03.210534) on 02/06/2005 for construction of 155 residential units which consist of 90 apartments and 65 houses together with an ESB sub station and 1 no. commercial unit and associated site works at Shanvogh, Ennis, Co. Clare. Permission was granted subject to 17 no. conditions.
- Planning Permission Ref: **P05/2070** – Permission granted to McCarthy Bros. (Contractors) Ennis Ltd for permission to construct creche facility together with ancillaries and all associated site Work. Granted on 29/01/2006 subject to 10 no. conditions.
- Planning Application Ref: **P08/1359** – Application by McCarthy Bros. (Contractors) Ennis Ltd. to alter existing planning permission (Ref P03/1760 and An Bord Pleanala 03-210534) for development at Shanvogh, Ennis. The alterations will consist of conversion of 1 no. four bed apartment to 1 no. 2 bed and 1 no. 1 bed apartment, conversion of 1 no. three bed apartment to 1 no. 2 bed apartment, and 1 no. 1 bed apartment and conversion of 1 no. three bed apartment to 2 no. 1 bed apartments, in each of apartment blocks 10, 11 and 16. The overall heights of the buildings will not be altered. Application deemed withdrawn as no reply received within statutory time frame to further information request issued by Clare County Council.
- Planning Application Ref: **P21/338** - Permission to develop 2 portions of land at the Aisling Estate, Shanvogh, Ennis, Co. Clare. The extent of the development will consist of 14 no. apartments in 2 blocks of 4 stories and 2 no. houses at Aisling Estate, Shanvogh, Ennis. Permission refused by An Bord Pleanala for 3 reasons on 31st. January, 2022.

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

The Draft Plan proposes to change the existing 'Residential' zoning on the subject site and rezone it as 'Existing Residential' – See Figure 3 below.

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”.

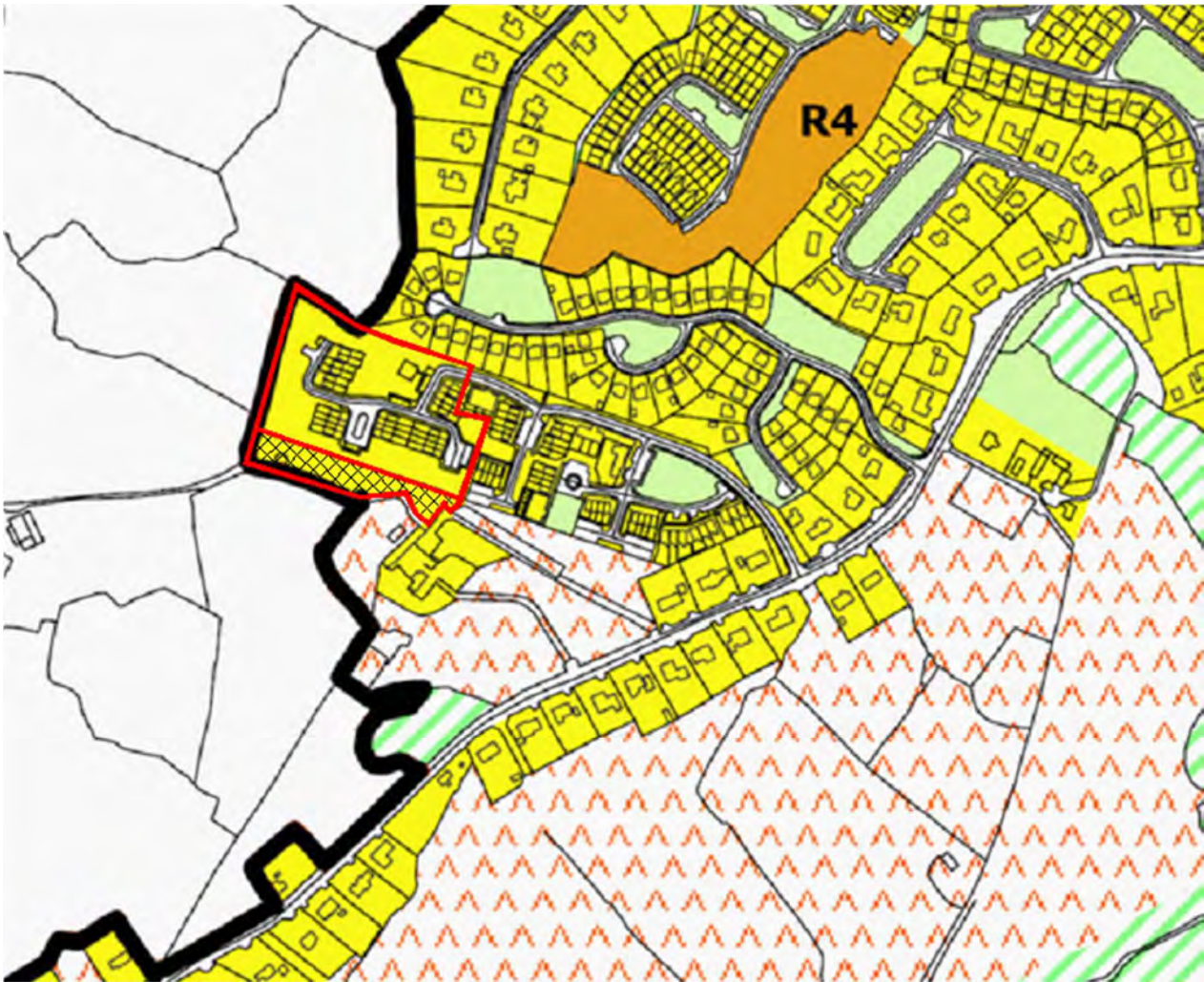


Figure 3 – Proposed Zoning as per Draft Clare County Development Plan 2023-2029

5.0 REQUEST

Our Client is seeking to adopt the proposed ‘*Existing Residential*’ zoning objective proposed on the subject site which includes a change from the existing ‘R24’ zoning objective on part of the Ashling housing estate lands and a change of the existing ‘R24’ zoning objective on part our Clients landholding.

Our Client welcomes the revised zoning objective and seeks for it to be adopted in the Draft Plan.

The reason our Client is seeking to adopt the proposed ‘*Existing Residential*’ zoning on the subject site is based on a recent planning application for permission to develop 2 portions of land at the Ashling Estate – Planning Ref: P21/338. The development proposed was for the provision of 14 no. apartments in 2 blocks of 4 stories and 2 no. houses at Ashling Estate, Shanvogh, Ennis. This application was recently refused An Bord Pleanala following a first party appeal. The application in our Clients opinion was contrary to Condition No. 2 of the original permission for the Ashling Estate granted under P03/1760 which required the removal of 11 blocks of apartment/duplex units originally proposed around the perimeter the site. The blocks originally proposed on the southern application site in the area were Blocks 13 and Block 14 and



these were specifically conditioned to be omitted under Planning Condition 2(a) of P03/1760 along with 9 other blocks from the original site layout. The land from the omission of these blocks was to be set out as a linear park. However, Planning Application P21-338 sought the provision of apartment blocks on part of this linear park which in our Clients opinion was contrary to Planning Condition 2(a) of P03/1760.

In relation to the portion of our Client landholding included in the subject site currently zoned as 'R24', our Client wishes to state that he has no intention of developing the subject site for residential purposes in the short term and therefore welcomes the reclassification of the '*Residential*' zoning' on this portion of his landholding to '*Existing Residential*' as part of his residential property.

6.0 CONCLUSION

On behalf of our Client we request that the proposed amendments to the 'R24' site within the Ashling housing estate and within part of our Clients property, from '*Residential*' to '*Existing Residential*' be adopted in the Draft Plan.

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