

Annette Ryan

From: Alison O'Donoghue <[REDACTED]>
Sent: Monday 12 December 2022 13:41
To: Development Plan
Subject: Proposed Amendments to the Draft Clare County Development Plan 2023-2029
Attachments: Proposed Amendments to the Draft Clare County Development Plan 2023-2029.pdf

Dear Sirs,

We attach our submission pertaining to the above. We would greatly appreciate confirmation on receipt of this submission. Thanking you,

With Kind regards,

Alison O'Donoghue.
Noreen Honan.



O'DONOGHUE ASSOCIATES
CHARTERED ARCHITECTS



12th December 2022.

Proposed Amendments to the Draft Clare County Development Plan 2023-2029,
Planning Department,
Clare County Council,
Aras Contae an Clair,
New Road,
Ennis,
Co. Clare. V95 DXP2.

Re: "Proposed Amendments to the Draft Clare County Development Plan 2023-2029."

Dear Sirs,

We set out hereunder our grounds for submission pertaining to Proposed Amendments to the Clare County Development Plan 2023-2029 as follows:

We, as the owners of the lands at the western side of Doonbeg village presently zoned **TOU1 "Tourism"** in the current Clare County Development Plan 2017-2023, request that the "Agriculture" zoning use proposed in the Draft Clare County Development Plan 2023-2029 be amended and that the Clare County Council Planning Department and Chief Executive officer re-evaluate the retention of the zoning of the above lands as "Tourism" as outlined in the Chief Executive Officer's report and recommendations prior to the display of the Draft Clare County Development Plan 2023-2029 for the reasons outlined hereunder.

The land has not been used productively as an agricultural site for over two decades and has enjoyed the benefit of zoning for residential development since planning permission P00/1597 was first granted in 2000.

There have been many planning permissions granted on the land: P05/2257, P08/958, P12/520 for residential development.

From 2000 to 2017 these lands were zoned "Residential".

From 2017 - Present these lands were zoned for "Tourism" TOU1. Current Clare County Development Plan 2017-2023

We suggest to the Clare County Council Planning Department and Chief Executive officer that an alternative zoning use previously held by the lands could also be evaluated and considered.

TOU1 - Chief Executive Response & Recommendations.

There were a number of submissions generally in the report for the Doonbeg Local Area Plan, some pertaining specifically to the lands zoned TOU1. The response and recommendation from the Chief Executive pertaining to items raised to each submission relating to TOU1 as follows:

Irish Water:

Irish water have made a submission regarding the Draft Clare County Development Plan 2023-2029. Submission Reference Number: S2/013, with following comments.

Water supply - Available

Water treatment plant upgrade recently commenced. It is envisaged that with the proposed works, sufficient spare capacity will be available to cater for the core strategy population.

Waste Water - Available:

I consider that the above information demonstrates that any constraints to the development of the lands the subject of this submission regarding water supply or waste disposal are likely to be resolved during the period of the Development Plan (2023-2029)

Flooding – No - Flood Risk Zone C:

As part of the Strategic Flood Risk Assessment of the draft CDP, Doonbeg has been subject to a settlement-Based Flood Risk Assessment. The lands subject of this submission (TOU1) are located within Flood Risk Zone C, in which waster-compatible development, less vulnerable development and highly- vulnerable development are all deemed "Appropriate" in the "Planning System and Flood Risk Management: Guidelines for Planning Authorities." Therefore, the principal of development of the lands in question is not affected by flood risk.

The Chief Executive clarifies in the report that insufficient wastewater capacity did not form part of the Planning refusal P21/807.

Zoning TOU1. (Chief Executive Recommendations)

It is an objective of the Doonbeg Settlement Plan, contained in Volume 3D (West Clare Municipal District) of the Draft County Development Plan 2023 – 2029:

"To support the development of a diverse tourism product which offers the potential to expand the tourism season to provide year-round employment and economic activity."

I therefore consider it necessary to identify lands in Doonbeg Village for tourism uses and to zone those lands accordingly. The zoning of land for tourism facilitates a range of potential uses in line with the objective above.

The exact nature of any proposed vehicular access to a zoned site is dependent on the development that is ultimately proposed for the site and all proposals would be carefully evaluated at planning application stage.

"Having regard to the location of the lands in question within the settlement boundary of Doonbeg, the linkages that can be provided to the village centre and the identified need for tourist facilities within Doonbeg and throughout the county, I do not consider it appropriate to change the zoning objective of the lands of this submission from "Tourism" to "Agriculture."

The Chief Executive's Recommendation is repeated and states the following – to all submissions pertaining to TOU1:

"I recommend that no amendments are made to the Draft Clare County Development Plan 2023 – 2029 on the basis of this submission."

Draft Clare County Development Plan 2023-2029.

The Draft Development Plan was made public on the 28th November 2022. We observe the Irregularity & Inconsistency between the Chief Executive's Recommendation – on all submissions relating to the lands zoned TOU1 and the Draft Clare County Development Plan.

The Chief Executive has considered that the TOU1 lands are clearly suitable for the zoning recommended in the report for reasons outlined above.

In particular because of the location of the lands and proximity to the village centre together with pedestrian permeability that can be provided.

The Draft Clare County Development Plan refers to the Lands zoned TOU1 in the written text, however, on the draft amended map it outlines the lands as being rezoned to "Agriculture."

On the second draft amended zoning map the edge of the lands zoned TOU1 appear on the top left hand corner and can be clearly identified as still zoned "Tourism."

We consider to re-zone these lands to "Agriculture" is a regressive and injurious approach to the continued development of the western side of the village directly along the Wild Atlantic Way. We do not consider it appropriate to change the zoning objective of the lands from "Tourism" to "Agriculture".

The Land was purchased because it was zoned "Tourism", with an indicative access. It was conceived that a new business be created in Doonbeg Village that would provide a diverse tourism product that would meet with all the criteria set down in the County Development Plan 2023-2029 (As varied) and with the Local Area Plan.

Traffic Management:

The Chief Executive clarifies in the report that the planning application (P21/ 807) was refused for two reasons relating to traffic safety.

Also stated in the report:

" The exact nature for the provision of a vehicular access to a zoned site is dependent on the development that is ultimately proposed for the site and the issue of access arrangements would be carefully evaluated at Planning Application Stage."

Since the refusal we submitted an appeal to the Clare County Council, General Design Office, New Road, Ennis, Co. Clare have the speed limit reduced along this stretch of road.

The appeal was successful in reducing the current speed limit from 100km/ to 80km/h.

This is yet to be agreed and voted on by elected members. **Reference No: SLA0002**, see copy of response attached.

Following the above, at the end of July 2022, the Senior Executive Engineer, Roads Department, West Clare Municipal District Office, held a meeting regarding a fresh proposal for the long awaited traffic calming measures for Doonbeg Village. The Senior Executive Engineer explained the village was on the N67 National Secondary Road with Transport Infrastructure Ireland TII acting as it's road authority.

The Senior Executive Engineer, Roads Department, West Clare Municipal District Office also suggests that the speed limit signs should be relocated to the west – away from the village on road traffic/ pedestrian safety grounds.

It was discussed that Doonbeg was a long village that may require traffic calming measures at either entrance. The feasibility of various options are currently being discussed between the Local Authority Road Design Office and the TII. The consultations are ongoing at present.

We refer to 21/8002, Planning was granted on 14th June 2021 under section VIII to the Clare County Council for construction of a new housing estate development for 8 residential units and 13 ancillary car parking spaces and a public footpath along the N67 for the entire length of the site.

It should be noted that this housing scheme and pedestrian footpath abuts our lands currently zoned TOU1.

We are advised by the Senior Executive Engineer responsible for the construction of the scheme that the Judicial Review has completed and the Clare County Council is awaiting the Order from the High Court in order to proceed with the Project.

The Senior Executive Engineer has further advised that works are to commence as soon as possible on the construction of this housing scheme.

The construction of a pedestrian footway at the above location will require the traffic speed limits to reduce further to 50km/h -60 km/h in the interest of traffic calming/ management and public safety.

The Local Authority proposed completion date for this development is quoted Q4 2023.

It is envisaged that the various design options for transition zones/ gateways and reduced speed limits currently under consideration (since July 2022) between the W.C.M.D. Roads Department and the TII should be agreed and should come into force during the life time of the plan 2023-2029 (within 7 years) and that a safe access from TOU1 could be achieved onto the N67 National secondary route with unlimited sightlines at this location and at the appropriate speed.

We suggest that it should be considered that the above information demonstrates that any constraints to the development of this site regarding slower speed limits and traffic access from the site are likely to be resolved during the plan period of the CDP (2023-2029) and the retention of the zoning is therefore appropriate.

It is prejudicial and imbalanced to alter the zoning to Agriculture when it has been made clear by the Chief Executive in the Report that the lands are suitable for Tourism and that the only issue relating to traffic safety can be addressed within the lifetime of the Draft Development plan 2023-2029.

The TOU1 site is located within the settlement boundary, with linkages to the village centre is ideal for tourist facility as has been identified by the Chief Executive.

Water supply and waste water disposal are available.

There is no risk of flooding (Flood zone C).

The proposed traffic calming measures, gateways/ transition zones together with the construction of a pedestrian footpath to the west will extend the 50km/h speed limit along the

N67 at the front boundary to the lands. It is envisaged that the relocation of the speed limit will be completed within the lifetime of the new Development Plan 2023-2029.

We suggest that the proposed "Agriculture" zoning is not proper planning and development for the lands for the lifetime of this Development Plan 2023-2029.

1. The report of the Chief Executive prepared for the elected members summarises and outlines the recommendations and the manner in which they should be addressed.
2. The Review and draft amendments do not comply with the Chief Executive report, which makes the plan in such a manner as to be inconsistent with the recommendations of the Chief Executive.

It is unclear how such a vast variation occurred between when the Chief Executive Report was published, when the Draft Development Plan was displayed.

Traffic Management to Lands zoned TOU2:

We note that the only access to lands to lands zoned TOU2 Tourism Lands (west and east sections) in the Local Area Plan appear to be through the existing Holiday Park facility which has one access point that is both entrance and exit from the N67.

There is a section of the lands identified as TOU2 (east section) that extend to the L2030 Kilrush/ Moyasta Road at the location where required sightlines are not available because of the curvature of the road and a speed limit of 80 Km/h.

An access at this location would not be achievable or permitted.

The only option for an access to and an exit from lands zoned TOU2 is through the existing entrance from the main N67 and access to the existing Holiday Park.

The existing entrance does not have adequate sight distances to the west or the east.

The sight distance to the east is curtailed by a high wall surrounding the old graveyard, while the sight distances to the east are obstructed by on-road car parking.

As a result, the exiting traffic is substantially out on the main road in order to obtain vision of the oncoming traffic from both west and east.

There is no possibility of alteration or modification the existing entrance/ exit or access situation.

It would appear that the Lands zoned TOU2 Tourism Lands will experience a similar issue to the Lands at TOU1 in relation to traffic safety for the following reasons:

- (a) **A new access cannot be provided.**
- (b) **The existing access cannot be modified or altered.**

Further to this we suggest that TOU1 is a more suitable site for Tourism lands based on the aforesaid, on the location and that a suitable safe vehicular access from TOU1 will be attainable over time onto the N67 together with safe pedestrian linkages and permeability from the site which is within 100m walking distance to the village centre.

The consultation between the WCMD Senior Roads Engineer's design office to introduce traffic calming and traffic/ pedestrian safety along this route and the TII are on-going since July 2022.

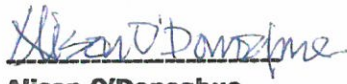
From the aforementioned date to the lifetime of the Draft County Development Plan 2022 -2029 is a period of 7 years. Seven years is more than adequate time in which to assess and introduce the appropriate speed limiting measures.

In conclusion.

On the basis of the above, we kindly request that and the Clare County Council Planning Department and Chief Executive officer retain the zoning of the TOU1 Tourism lands as outlined in the Chief Executive Officer's report and recommendations.

We further kindly request that the Clare County Council and the Chief Executive Officer re-evaluate and overturn the decision to alter the zoning of the lands TOU1 "Tourism" in the current Clare County Development Plan 2017-2023 and we request that the "Agriculture" zoning use proposed in the Draft Clare County Development Plan 2023-2029 be amended to retain one of the former land zoning uses.

Yours Sincerely,



Alison O'Donoghue.



Noreen Honan

O'Donoghue Assoc. MRAI, CMRIBA.



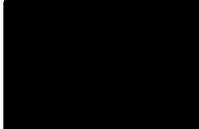


COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

Our Ref: JM/2022-1003/OUT00240/SLA0002

9th February 2022

Alison O'Donoghue & Noreen Boland Honan



REGISTERED POST & EMAIL



Re : **Speed Limit Appeals Procedure – SLA0002 - Items Raised 1 to 4
Local Authority Panel Decision**

Dear Ms O'Donoghue/Ms Boland Honan,

In respect of **Item 1 Raised** I wish to confirm that the Local Authority Panel has completed its review of the 100km/h speed limit on the N67 from Doonbeg to Bealaha referred by you on 12th January 2022 and has determined that this speed limit should be reduced from 100km/h to 80km/h. This review has been carried out in the context of the Guidelines for Setting and Managing Speed Limits in Ireland (March 2015 edition). This speed limit has been reviewed in consultation with Transport Infrastructure Ireland (TII).

Rectification Item 1

In accordance with the established Speed Limit Appeals Procedure, within 12 months of the date of this decision, Clare County Council will be recommending, to its Elected Members for adoption, that this speed limit is reduced from 100km/h to 80km/h. This recommendation is subject to consent from Transport Infrastructure Ireland. As such, no further action is required from you.

In respect of **Items 2,3 and 4 Raised** I wish to confirm that the Local Authority Panel has completed its review of the speed limit(s) on the N67 between Doonbeg and Bealaha referred by you on 12th January 2022 and has determined that this speed limit(s) has been set in accordance with the Guidelines for Setting and Managing Speed Limits in Ireland (March 2015 edition). This speed limit(s) has been reviewed in consultation with Transport Infrastructure Ireland. I attach, for your convenience, a copy of the relevant section from these Guidelines supporting the setting of this speed limit (Section 7.3.1).

Escalation Items 2,3 & 4

In accordance with the established Speed Limit Appeals Procedure, you may now choose to escalate this matter to the Regional Panel for their assessment. This Panel covers County Clare in the Southern Region and meets quarterly to assess speed limit appeals. Should you wish to escalate this matter to them please indicate so by ticking the relevant box below.

Oifig Deartha Ghinearálta
An Stiúirthóireacht Forbairt Fhisiceach

Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V95 DXP2

General Design Office
Physical Development Directorate

Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2



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A fee of €125, payable to Clare County Council, applies. This fee is refundable should the appeal be upheld by the Regional Panel. If the appeal is not upheld, the fee will not be refunded. A receipt from Clare County Council indicating that this fee has been paid **must** be enclosed with this form in order for the appeal to be escalated.

If you intend to **escalate** this matter to the Regional Panel for their assessment you must notify Clare County Council within 1 calendar month from the date of receipt of this correspondence by ticking the box below and returning this form to Clare County Council along with the receipt of payment.

If you choose not to **escalate** this appeal and indicate so by ticking the box below this will end the process relating to this speed limit. An acknowledgement of same will be issued to you.

If no correspondence in respect of this matter is received from you within 1 month from the date of receipt of this correspondence, then the decision of the Local Authority Panel will be deemed to be accepted by you and this will end the process relating to this speed limit appeal.

Yours faithfully

Kieran O'Callaghan
Clare County Council

Speed Limit Appeals Procedure – SLA0002

I WISH TO ESCALATE THIS APPEAL

I DO NOT WISH TO ESCALATE THIS APPEAL

Print Name: _____

Signed: _____
Appellant Signature

Dated: _____

Oifig Deartha Ghinearálta
An Stiúirthoireacht Forbairt Fhisiceach
Áras Contae an Chláir, Bóthar Nua, Inis, Co. an Chláir, V85 DXP2

General Design Office
Physical Development Directorate
Áras Contae an Chláir, New Road, Ennis, Co. Clare, V85 DXP2

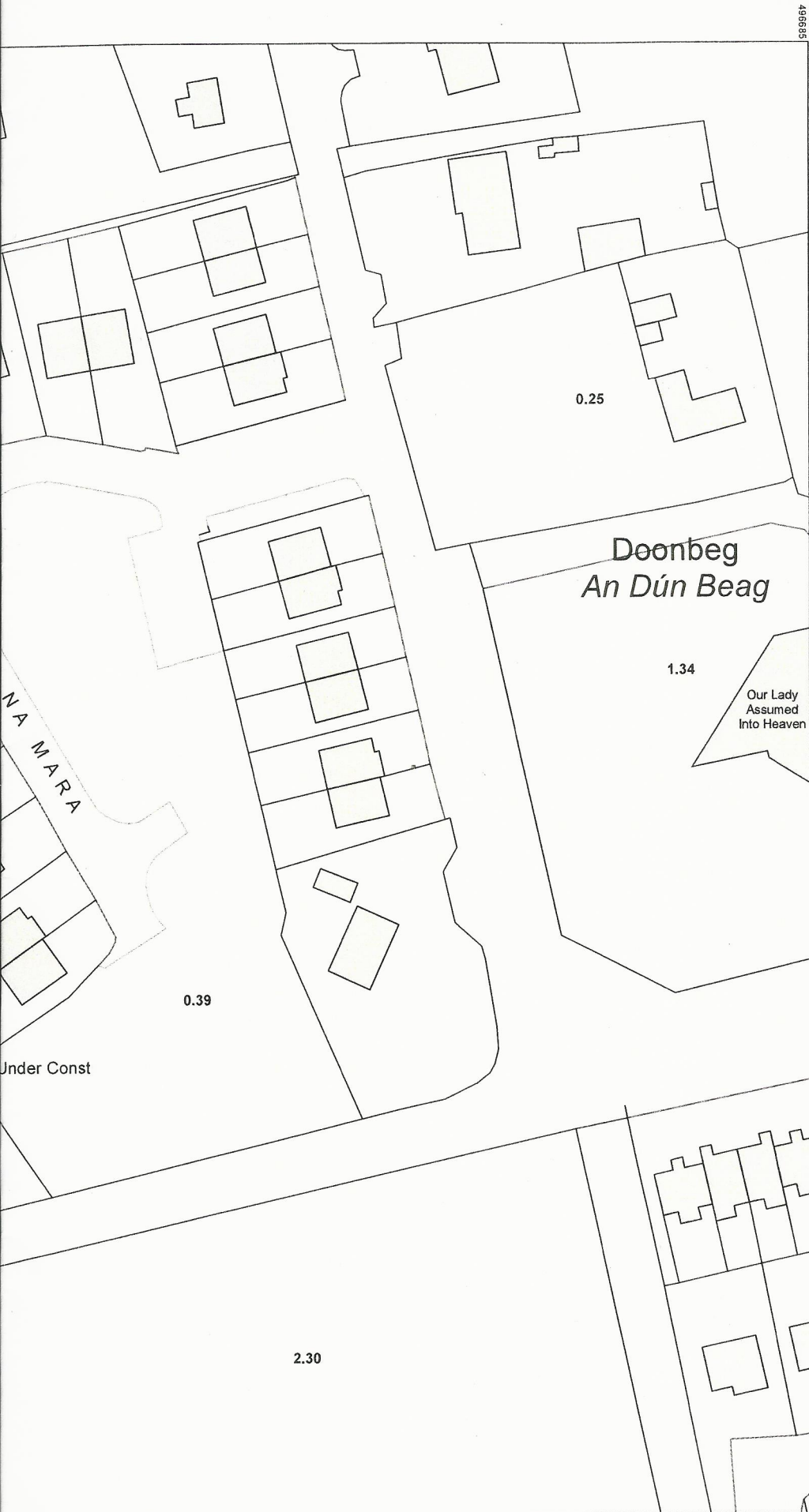
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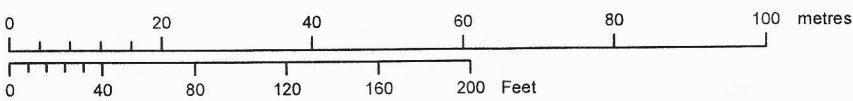
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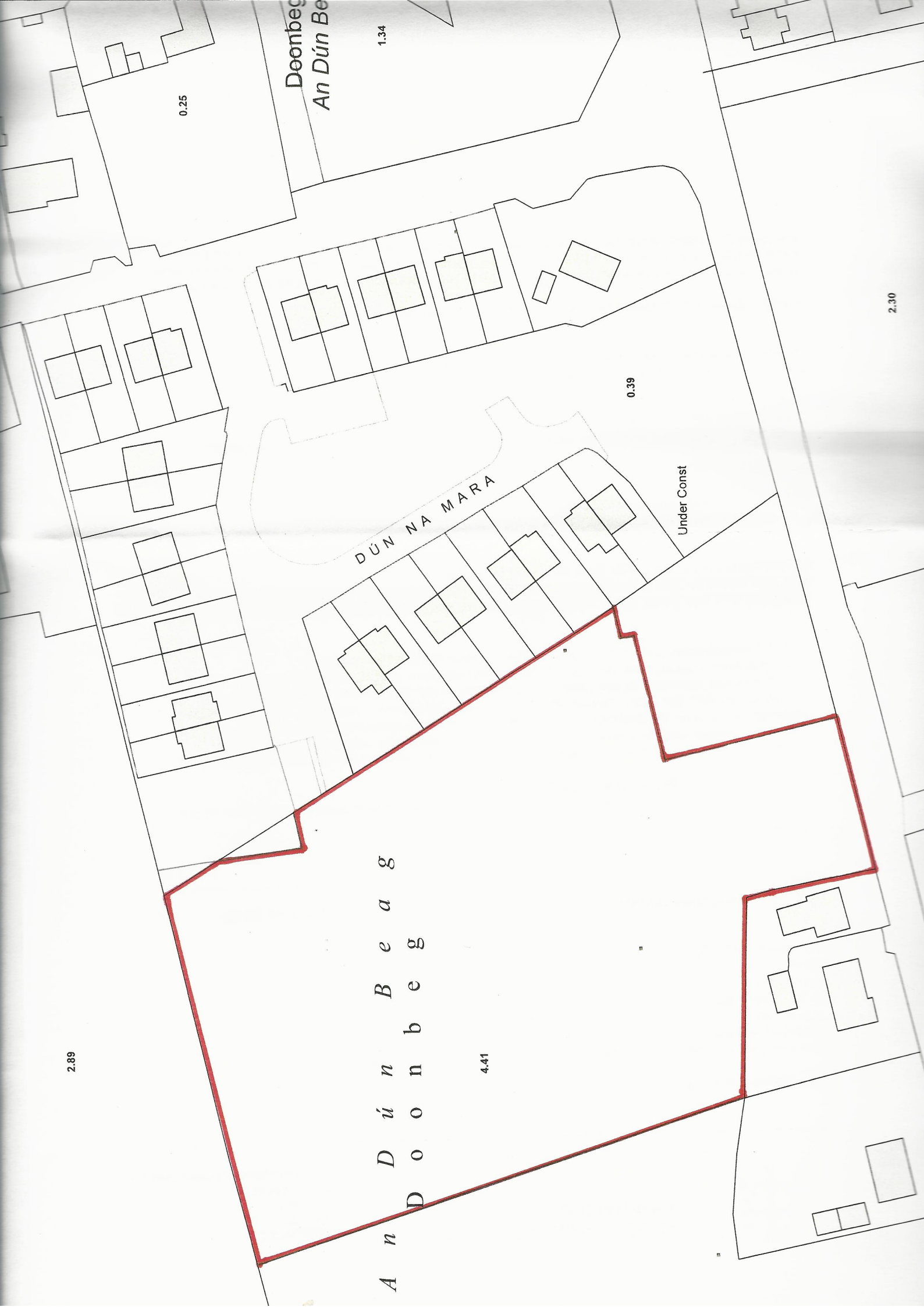
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