



20th December 2022

Submission Ref: S3-026

DCDP 2023-2029,
Planning Department,
Clare County Council,
New Road,
Ennis,
Co Clare. V95 DXP2

Dear Forward Planning,

Proposed Amendments to the Draft County Clare Draft Development Plan 2023-2029
Site at Sli an Fearghus Clarecastle.

With reference to my submission S2 – 546 and the consequent proposed amendment to the County Development plan I wish to make the following further observations for the council's due consideration as prescribed under Sections 12(7& 8) of the Planning and Development Act 2000.

The published summary of issues raised in submission S2 – 546 attached, (*and similar submission by Coleman S2 – 895*) clarifies the planning position of this site which:

1. Was previously granted permission for 22 houses within the village boundary.
2. Has been stripped of soil and infrastructure commenced, e.g. drains etc.
3. Does not differ from nearby / adjacent sites already zoned 'mixed use'.
4. Is pivotal to enabling community objectives as a 'front door' to the village.
5. Could stimulate or provide access and tourism initiatives.

The Chief Executive's response agrees the great potential for this site and proposes provision of a 'road infrastructure safeguard' as suggested in my submission for access, however, such proposed inclusion does not address zoning which remains as 'Open Space' incompatible with development of road infrastructure.

'Open space' according to the OPR falls into two categories, either 'public' such as a park or golf course etc, or, 'private', being the lands surrounding a private house, in this case, the site is not public and is without a house so falls into neither category. Therefore, this site is

sterilised for any use whatsoever and the current proposals for road infrastructure safeguard are effectively moot.

I fully support the idea of a road across this site to alleviate traffic issues in the village and provide access to the Quay and the future development of the Roche site some time beyond the term of this County Development plan, I also fully support the several community proposals and initiatives embodied into the draft county plan to which this site could be pivotal in providing or assisting, however, nothing can be done to progress these initiatives under open space zoning.

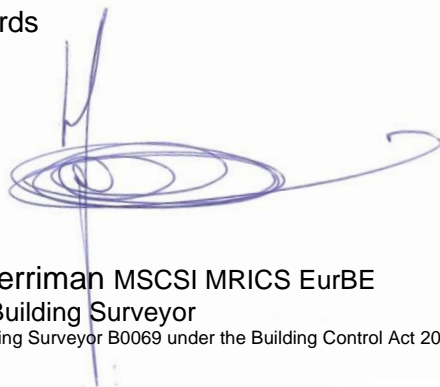
Whilst there remains a housing shortage and indeed a serious shortage of tourist accommodation both locally and nationally it is essential that any serviced site be properly considered for development through the normal democratic due process of a planning application created by effective zoning, such consideration also underwrites the ongoing investments in infrastructure by the council.

Essentially there cannot be sufficient zoned land available for development whilst the community struggles for housing, or, the tourist industry strives for bedspaces.

Therefore, I ask the council members and executive to make the appropriate variation to the County Development Plan as submitted to enable an application for the proper development of this serviced brownfield site within the established village boundary for the future vitality and benefit to the village of Clarecastle.

Should you have any comments or queries on the above, please do not hesitate to contact me.

Kind Regards



Fergus Merriman MSCSI MRICS EurBE
Chartered Building Surveyor
Registered Building Surveyor B0069 under the Building Control Act 2007



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

17th December 2022

RE: POTENTIAL HOTEL DEVELOPMENT IN CLARE

To whom it may concern,

This is to confirm that an accommodation audit for County Clare is currently being undertaken by Fáilte Ireland, in conjunction with Clare County Council. The consultants have been appointed with the audit focussing on, current accommodation supply, capacity issues and opportunities, and areas for potential development to attract investors.

Prior to the war in Ukraine, it was widely recognised that Clare was already lacking available bed nights, considering the level of product available within the County. The development of hotels and other forms of visitor accommodation, therefore, will be a key aspect to be highlighted in the completion of the accommodation audit, which is a strategic priority of the Clare Tourism Strategy 2030.

In this regard and subject to Planning, the proposal for additional accommodation stock in County Clare is most welcome.

Deirdre O'Shea,
Head of Tourism,
Rural Development Directorate,
Clare County Council.



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

**Roinn Turasóireachta
Stiúirthóireacht Forbairt Pobail**

**Tourism Department
Rural Development Directorate**

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

Submission No: S2/546 –Fergus Merriman	
Relevant Chapters / Topics	<ul style="list-style-type: none"> • Clarecastle - Sli an Fearghus • Zoning • Access
Summary of Issues Raised in Submission	
<p>The site the subject of this submission lies within the established village boundaries of Clarecastle and has a history of a variety of industrial uses including stillage for the adjacent Port of Clare and a log storage for the nearby sawmill, it can therefore be classified as ‘brownfield’.</p> <p>The site was granted planning permission in 1999 reference P99-1008 for 44 residential units, this was revised under P07/372 to 42 units, these permissions expired on 27th February 2010 at which point 20 out of the 42 units granted had been completed (Sli an Fearghus), the balance of the site had been reduced to formation level and below ground infrastructure had been installed, in other words the development had been partially enacted.</p> <p>The site is currently zoned as Open Space Under the 2000 Planning and Development Act the term ‘open space’ is not defined, rather is preceded by the words ‘Private’ or ‘Public’ as an area either utilised as part of a private residence, or is publicly open for a variety of uses such as parks, recreation areas etc. There is also the suggestion that open space may include areas of sustainable ecological value or visual aesthetic such as established woodlands or moors where the public might have a degree of access, such areas are generally outside of established development boundaries. Another quoted definition is: All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.’ Open Space as noted in several places in the current CDP says that “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.” And infers that such designation allows for interaction with the space either for ecological reasons or by the public actively or passively.</p> <p>It is submitted that the subject site is well located to provide infrastructure such as a hotel and supporting tourist facilities that can substantially address these objectives with appropriate development and provide ease of access to the adjoining historical scheduled buildings known as Scott’s grain store RPS# 903 built in 1846 which, with adequate access direct from the main road via the subject site has great potential to provide a tourism hub subject to the relevant approvals and which can secure its long term preservation.</p> <p>Site MU4 Cois Fearghas, Clarecastle.</p> <p>This site is zoned Mixed Use to allow for a broad range of potential uses. The partially constructed development on the right bank, immediately upstream of the R456 bridge, is located within Flood Zone A within the tidal and fluvial flood zone and is behind earthen embankments.</p> <p>In essence, this site is no different from the subject site which is located immediately South across the R456 road on the Western bank of the river Fergus. Like Site MU4, development of the subject site had commenced, is within flood zone A and behind an earthen embankment, in addition its lower level is a considerably lower elevation than the subject site and more prone to flooding, in fact, it is constantly under water.</p>	

But unlike MU4 the subject site has been erroneously zoned as 'Open space' and yet is capable of adding considerable vitality and sustainability to Clarecastle for a number of Development plan objectives and has no history of flooding

Clarecastle Quayside

Access to the quay via Quay Road has long been a moot point of restriction and which essentially stalled the commercial viability of the quay leading to its current lack of use and the long-term support of many of the CDP ideals. The subject site has huge potential to alleviate access issues down Quay Road and provide meaningful supporting infrastructure in support of this and the wider important initiatives.

It is concluded that the proposal to continue to zone the subject site as 'open space' provides a substantial impediment to the proper and sustainable development of Clarecastle and many of the critical objectives and core goals outlined in the Draft County Development Plan for Clarecastle. Such potential includes: river walkway, tourism infrastructure, access to Quay and Roche sites, greenway, access to historical warehouses, support hub for the Estuary way and the list goes on. It is urged that the Chief Executive supports a change to the zoning of the subject lands for 'Mixed use' development in order that appropriate applications can be made to develop this important site.

Chief Executive's Response

I wish to thank Fergus Merriman for his submission and agree that the land at this location has potential in terms of access to the Quay and the Roche site and to provide a new 'front door' to the town and also a new 'front room' to the River Fergus and can provide linkages into and around Clarecastle and along the River Fergus. Therefore I believe it appropriate that an amendment be made to the Draft Plan to provide access from the Main Street the R458 to Quay Road, in the form of a road infrastructure safeguard.

Having regard to the proximity of the subject lands to the significant brownfield site of Roche it is not deemed appropriate at this point in time to zone additional lands for Mixed use, in close proximity to a substantial brownfield site seeking redevelopment and currently undergoing remediation that is already zoned for Mixed Use purpose in the Draft Plan. Additional Mixed Use zoning in this vicinity could lead to a cluster of such development, and detract from the village centre and compromise the redevelopment of the brownfield Roche site and would be disproportionate to the scale of the surrounding neighbourhood. Therefore, to change the zoning from Open Space to Mixed Use would be contrary to the proper planning and sustainable development, not only of the Clarecastle neighbourhood, but also of the wider Plan area. I am not therefore in favour of the requested change to the zoning objective on this land.

Chief Executive's Recommendation

I recommend that an infrastructural safeguard for access from Main Street to Quay Road be included.

