

**From:** c mcnamara [REDACTED]  
**Sent:** Friday 30 December 2022 10:40  
**To:** Development Plan  
**Subject:** Request to De-Zone Lands at Woodlawn Kildysart - Proposed Amendment  
**Attachments:** SUBMISSION DOCUMENT 2 DEC 2023.docx

**RE:** Request to De-Zone Lands at Kildysart - Proposed Amendment to Draft Clare Development Plan

Dear Sir/Madam,

Thank you for the opportunity to make a submission with regard to the Draft County Development Plan in relation to lands at Woodlawn, Kildysart, Co. Clare.

I request that this land is de-zoned and outline in detail the rationale for this rezoning request in my attached submission. I also include suggestions/clarifications.

Thank you for your kind attention to this matter.

Yours Sincerely,

Catherine McNamara

**See Attached Submission Below**

**PROPOSED AMENDMENTS TO THE DRAFT CLARE DRAFT DEVELOPMENT PLAN 2023-2029**

**SUBMITTED BY: CATHERINE MCNAMARA,** [REDACTED]

[Email](#)/Public Consultation Portal/ Hard Copy Document

Submitted Time: December 30<sup>th</sup> 2022

Name: Catherine McNamara

Address Email Address: [REDACTED]

Volume 1 Core Strategy, Settlement Strategy and Housing

Volume 3(d) West Clare Municipal District Written Statements and Settlement Maps:

[SUBMISSION: DEZONING OF LANDS AT WOODLAWN, KILDYSART CO. CLARE](#)

Dear Sir/Madam,

Subsequent to recent concerns outlined in local and national media I am aware that almost the entire 14 acre/5.59 hectare farmland (approx) holding which surrounds my property falls within the remit of Clare County Council residential and mixed zoned land development/LDR categorisation.

**INTRODUCTION**

Notwithstanding the potentially personal penal RZLT implications of this unrequested, undesired and personally distressing (on the grounds of multi generational ownership) zoning decision, this impacts on my personal as well as local community enjoyment of the open, tree-lined green space.

I believe that within the scope of what is an admirable Draft Development Plan, there are a number of considerations and scenarios which require deeper analysis and subsequent adaptations of this unrequested Zoning decision. It is my dearest wish that these would prove beneficial for the local community who deserve an approach to development which is sensitively in line with stated goals of the Clare County Development Plan.

Below I will address and request that the zoned land (Ref: attached Ordnance Survey Map- Appendix 1 below) is now de-zoned so as to better reflect the Clare County Councils vision in relation to its core strategy and concomitant elements relating to the vibrancy of settlements, Architectural Conservation Areas, Green Infrastructure in Residential Developments, and Estuary Settlements & Estuary Networks (Ballynacally, Labasheeda, Kildysert).

While it is my intention to clearly outline that the extent of the zoning of my land is unrealistic in terms of potential activation, is excessive and extensive, I also fully understand that at some stage and with the removal of constraints, provision at this or some location within Kildysart may need to be made to provide small and appropriately sympathetic developments toward the good of the community and young people's housing needs.

On a personal level, and this has far wider and national implications, while I understand the Clare County Council's endeavours to make development land available to support and enrich my village of Kildysart, the annual 3% RZLT financial burden - admittedly a Revenue rather than County Council matter - based on each of the zoned acres and potentially based on commercial values, would prove both penal and un-payable, while proving an immovable impediment to purchase by either an agricultural or commercial entity. I am sure you will agree that this unrequested and arbitrary zoning of such an extensive land area at Kildysart is of great concern to someone who wishes the best for this community and their housing and infrastructural needs.

#### **RATIONALE FOR REQUESTING DEZONING LANDS AT WOODLAWN KILDYSART**

**1.**

**a) Zoned land in Kildysart significantly exceeds & bears no relation to the housing need identified in the Draft County Development Plan (CDP).**

Table 3.4 Core Strategy Table page 63 places Kildysart within the Tier 2 Large Village Category, yet the recorded required zoned land in much larger settlements is very significantly less than the zoned land indicated on maps in relation to Kildysart Village i.e. in excess of 30 acres counting other zoned areas within the village. For example, Metropolitan areas e.g. Sixmilebridge/Clonlara, Service Towns e.g. Ennistymon/Lahinch/Kilrush-Cappa, Small Towns e.g. Lisdoonvarna/Killaloe or Tier 1 Villages e.g. Corofin, Mountshannon are all consistently recorded as catering for planned population needs while utilising a small fraction of Kildysart's zoned land with reference to units /hectare etc.

**b) While acknowledging some positive attributes underpinning development, this land is totally unsuited to residential development until well documented and highly complex deficits in the development, provision and management of sewerage facilities are addressed in the coming years, as major problems plague the current less demanding systems, particularly in light of the County Council's commitment to the sensitive management of this ecological estuary environment and area of tourist attraction at the head of an identified scenic route toward Labasheeda. Indeed, while probably a minor point, it is evident that the zoned area currently hosts a number of seabirds from the nearby estuary and the current County Development Plan notes that "mature tree lines and hedges associated with the site should be retained as part of any future development proposal in order to maintain foraging and commuting routes for bats and retain their function as wildlife corridors."**

**c) These almost 14 acres of good quality farmland are currently rented and comprise an essential element of a progressive, hard-working and environmentally sensitive farmer's enterprise, which will be unnecessarily disturbed and burdened with uncertainty at a time when neither a housing need or commercial interest exist.**

d) The EPA Code of Practice for Wastewater Treatment Systems associated with all future residential development must be strictly adhered to in order to ensure that there are no significant long-term effects on the River Shannon and the surrounding SCA/SPA designations. This potential constraint may significantly impact any planned development.

2.

a) I, the landowner have neither requested nor desire to financially gain disproportionately from ownership of the land which has been in my family since 1855, thus attracting both sentimental and personally satisfying visual and emotional pleasure and attachment, which one hopes also similarly benefits the village community.

b) If and when an identified housing need emerges and the previously outlined constraints on the site have been rectified, I have no objection to rezoning the proportionate area, which no doubt would be a fraction of the current zoned area which is wholly overreaching.

c) Further to point (b) above, and having read the goals and vision expressed within the County Development Draft Plan, I retain confidence in the Council's intent and would in the future seek to support either on this or any village site, reasonably small-scale developments which respect and are sensitive to the unique heritage of Kildysart and the expectations of my neighbours and community, sentiments echoed in and coherent with the County Council Draft Plan

3.

Any development close to the house on the zoned land would impact on the adjacent Architectural Conservation Area, whereby "the town centre has retained much of its character as an agricultural and estuary market town," as the house presents a pleasing and historically significant entry point, seamlessly connected to the town centre.

My house, [REDACTED] and the immediate farmland area adjacent to my house herald entry to Kildysart Village, providing a landmark visual amenity, having in the context of extensive internal renovations, retained the historical character of both the original house and out houses. The extensive history of the house, stretching back to 1755, is outlined in Hugh Weir's "Great Houses of Clare" publication. Furthermore, within another area of the site, stands a very well constructed stone building, full of character and situated in a visually pleasing setting and is of more recent historical significance having acted as a cinema in the 1920s.

#### **SUMMARY/CONCLUSION**

In conclusion, I am requesting that my land at Woodlawn, Folio number CE25276 freehold, be de-zoned at this time.

Further to the many points outlined above and emphasising my understanding of the need for housing during the current housing crisis, there are three particular reasons why I believe my land should be de-zoned at this time.

- a) The proposed RZLT tax is both arbitrary and unrealistic in that it is un-payable, not only by me, but by a majority of people as it bears no resemblance to any income which can be generated or expectation of sale, even if I so wished, which I don't.
- b) Large amounts of land, including practically all of my property has been zoned, and is completely out of scale to the proposed housing requirements of Kildysart village. This impacts me in an unfair and unnecessary manner, as I neither requested nor desired that this land be zoned.
- c) The zoning contains a number of environmental, architectural/historical and community well- being considerations which require further consideration with respect to the Vision outlined within the Draft County development plan.

Thank you for your consideration of all aspects of the above and with understanding of the complexity of the issues involved.

Kind Regards,

Catherine McNamara

Appendix 1 – Land Registry

**County Clare**

**Land Registry**

**Part 2 - Ownership**



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**Appendix 2**

**NOTE: THE ORDNANCE SURVEY MAP ( BELOW) INCLUDES RESIDENCE/ GROUNDS AND also approx .7 acres to the rear of residence which are not subject to the Zoning outlined in the Draft County Plan i.e. map- page 74.**



**conclusive** See [Section 62\(2\)](#) of  
[Registration of Title Act 2006](#) and [Rule 8\(3\)](#)  
of the [Land Registration Rules 2012](#).

