

**SUBMISSION TO PROPOSED AMENDMENT TO
DRAFT CLARE COUNTY DEVELOPMENT PLAN
2023-2029**

Lands at Knockanoura, Tulla Road, Ennis

Submission Ref: S2.908

Mr. Pat Burke

Issue: A

Customer Project Number: 2167

Customer Document Number:

Document Sign Off

SUBMISSION TO PROPOSED AMENDMENTS TO DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

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Submission Ref: S2.908

Mr. Pat Burke
Issue A

File No: 6624

CURRENT ISSUE					
Issue No: A	Date: 31.12.22	Reason for issue: Submission to Proposed Amendments 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	31.12.22	31.12.22		31.12.22	

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 Burke to lodge a submission to the Proposed Amendments to the Draft Clare County Development Plan 2023-2029 (the Draft Plan).

Our Client lodged a submission to the Draft Plan, Submission Ref: S2.908, which requested that the subject site which was proposed to be fully zoned as *'Buffer Space'* in the Draft Plan would be rezoned to *'Residential'* with the retention of a portion of the *'Buffer Space'* zoning along by the riverbank as shown in Figure 1 below.

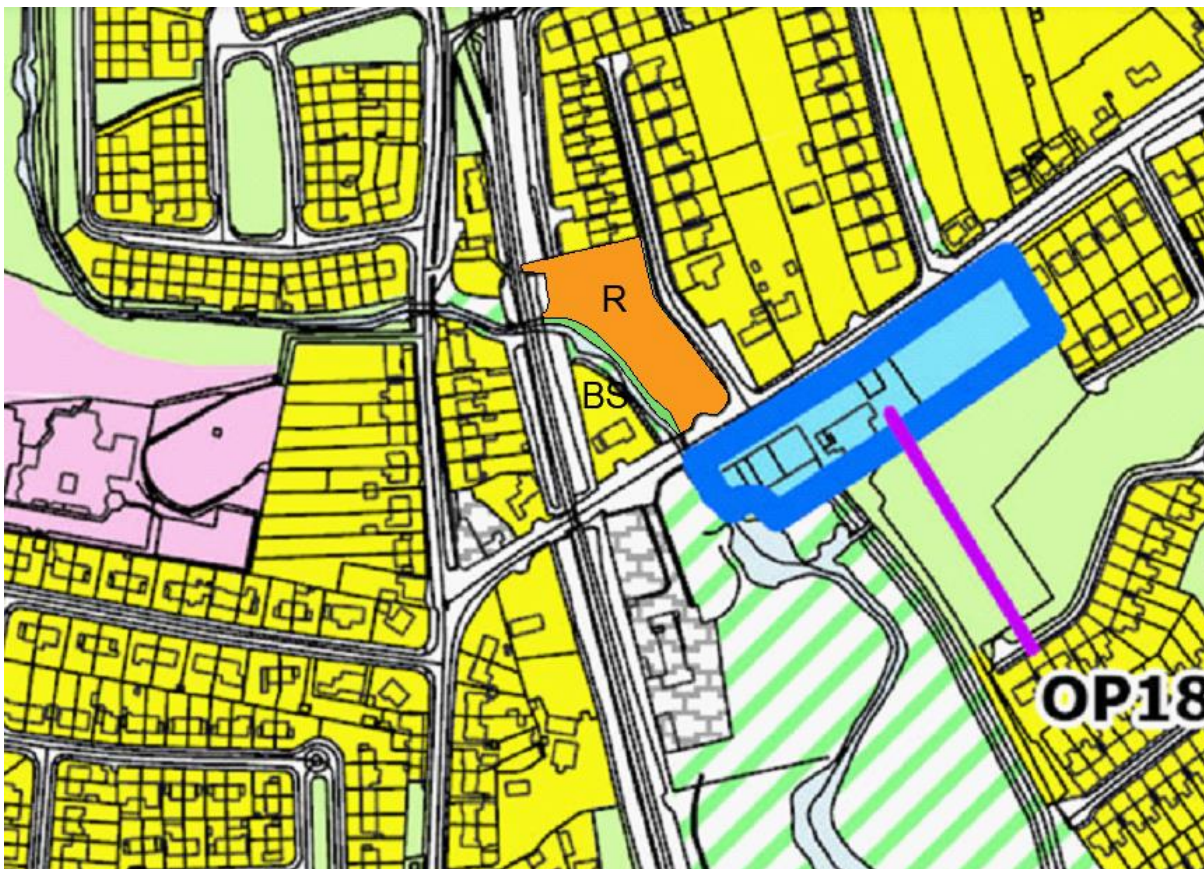


Figure 1 – Requested Amendment to Draft Clare County Development Plan 2023-2029 showing *'Residential'* zoning objective to be applied to the majority of the subject site

2.0 PROPOSED AMENDMENTS TO THE DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

We note this zoning request has not been accepted and there is no change to the *'Buffer Space'* zoning being applied to the full extent of the subject site in the Proposed Amendments to the Draft Plan.



3.0 SUBMISSION TO PROPOSED AMENDMENTS TO DRAFT PLAN

While there has been no change to the proposed zoning on the subject site from that proposed in the Draft Plan, our Client has instructed us to lodge this submission to express his extreme disappointment and frustration at the proposed zoning of this full site as 'Buffer Space' which has effectively sterilised this land for development

Our Client notes from the Chief Executive's (CE) response to his original submission, Submission Ref: S2.908, that it is stated the subject site is not suitable for residential development having regard to the steep gradient and topography of the site. According to our Client this site was originally part of the land now developed as the Cloverhill housing development. The subject site is just the remaining portion of this landholding. The Cloverhill housing development has been developed to a very high standard and the issue of the topography of the site was never an issue when this housing development was being constructed.

The subject site can provide a highly desirable Riverside walkway with a reduced buffer zone area to service a stepped housing development on the east side which is ideally suited for the sloping topography of this site. This would provide a unique opportunity to provide a highly attractive architecturally designed stepped development within the upper levels of the site.

It has always been our Client's intention to develop this site for Residential use through an extension of the existing Cloverhill Housing Development. As part of the development of the Cloverhill Housing Development the services were installed right up to the boundary of the subject site to provide for an extension of this estate into the subject site at some stage in the future.

Our Client notes the CE's response stating that the provision of a Buffer space on the subject site is required in the interests of the residential amenities of the existing dwellings in the area. Our Client wishes to state that he should not have to provide for a Buffer Space to serve preserve existing residential amenities in the area. These existing residential dwellings were all developed at a time when the subject site was zoned for development purposes in previous Development Plans. There was no requirement for the existing residential dwellings to have a buffer space to protect their residential amenities and certainly there should be no requirement on our Client to provide this at the expense of sterilizing his land for development.

We refer to the 'Buffer Space' zoning objective which states that:-

"buffer spaces are intended to provide a buffer of undeveloped land for the conservation of biodiversity, visual amenity or green space. Buffer spaces may include natural features such as floodplains, riparian zones, turloughs, valuable biodiversity areas included designated sites, amenity areas, woodlands, hedgerows, green spaces and archaeological features".



There is no mention in this zoning objective that it should be provided in the interest of existing residential amenities. This reasoning is totally contrary to this zoning objective and in our Clients opinion the application of this zoning objective to the subject lands is entirely unwarranted and unjustified.

The subject site is not located in a flood plain or within a riparian zone and is not designated a particular specific amenity value. Our Client is not aware of any biodiversity aspects associated with the subject site. The level of flooding predicted on this site is minor and would not affect a stepped type housing development. There are also no archaeological features on the subject site. Our Client is aware that a certain amount of a buffer space will be required along the riverbank to allow for the proposed indicative green route along the riverbank and his original submission request allowed for this *'Buffer Space'* along the riverbank. Development on the remaining portion of the land will not interfere with any proposed pedestrian access to possible future riverside walkways in the area. It is our Clients opinion that the reasons provided by the CE to zone the full extent of this site are totally unwarranted and unjustified and have not been based on any site unsuitability issues.

Our Client notes the CE's comments in relation to the quantum of land zoned in the Draft Development Plan. Our Client would like to reiterate the value of the subject site from the point of view of a) being fully serviced, b) being strategically located, c) being readily available and d) being sequentially preferable to other lands zoned for residential use within the draft plan.

The rezoning of this site to *'Buffer Space'* will result it being left undeveloped and unmaintained which will become unsightly overtime impacting on the visual amenities of the surrounding area. It is not in anybody's interest to leave the site undeveloped in this well-established residential area.

4.0 CONCLUSION

This submission has outlined our Clients extreme disappointment and frustration at the proposed application of the *'Buffer Space'* zoning objective to his site. According to our Client the reasons provided by the CE in his response to our Clients submission to the Draft Plan are unwarranted and unjustified.