

16 November 2020

Development Plan Review,
Planning Department,
Clare County Council,
Áras Contae an Chláir
New Road, Ennis,
County Clare
V95 DXP2



Re: Issues Paper for the Clare County Development Plan 2022-2028

A chara

Thank you for your authority's work in preparing the *Clare County Development Plan 2022-2028 Issues Paper*. The Office acknowledges and welcomes the publication of this paper and your authority's work more broadly in advancing the preparation of the Clare County Development Plan 2022-2028 (the plan).

In accordance with the provisions of section 31AM of the Planning and Development Act 2000, as amended (the Act), the Office is obliged to evaluate and assess development plans in the context of certain statutory parameters including:

- Matters generally to be contained in a development plan (section 10) and, in particular, section 10(2)(n) in relation to climate change;
- Consistency with the *National Planning Framework (NPF)* and the *Regional Spatial and Economic Strategy* for the Southern Regional Assembly area (RSES);
- Ministerial guidelines under section 28;
- Ministerial policy directives issued under section 29, and,
- Such other legislative and policy matters as the Minister may communicate to the Office in writing.

The Office has set out some comments for your authority to consider in formulating the draft plan.

These comments are offered without prejudice to any statutory observations and recommendations as may be forthcoming from the Office at future stages of the plan-making process, and do not affect the obligation on your planning authority to comply with the relevant legislative requirements.

The Office understands that it is the intent of the planning authority to prepare a more streamlined plan, and in this regard, the Office would endorse and welcome such an approach.

Consultation strategies

The Office commends the planning authority for the innovative methods used to inform and engage the public about the review of the plan and overcome the limitations imposed by Covid-19.

In particular, the Office welcomes the development of a video, the use of social media and branding to raise awareness and interest in the review of the plan.

The Office would appreciate feedback on the effectiveness of the planning authority's consultation approach in due course.

General Comments

The NPF and RSES set out a major role for the Limerick-Shannon Metropolitan Area Strategic Plan (MASP) as part of the continued development of Limerick City as an economic driver for the region as a whole. Indeed, the proximity to a strong and vibrant city in the region provides considerable opportunities for your county which can be supported through the county development plan.

In this context, the timeframes for the preparation of the Clare and Limerick Development Plans provide an opportunity for joint consideration and approach to many of the opportunities and challenges facing the region. The Office is aware of the joint work being undertaken between the two planning authorities and sees considerable merit, and indeed necessity, in collaboration in terms of the strategies being prepared, and the policy framework being developed in areas affecting the Limerick-Shannon MASP. This joint approach will be particularly relevant in relation to the core strategy, housing strategy (including Housing Need Demand Assessment (HNDA)), retail and transport strategies.

Core Strategy & Settlement Strategy

The formulation of the core strategy in line with section 10 of the Act is the most significant element in developing the planning authority's draft development plan.

The NPF and the RSES, in addition to relevant specific planning policy requirements (SPPRs) specified in Ministerial guidelines under section 28 of the Act, will be key determinants in making the core strategy for the planning authority's functional area.

The Office understands that forthcoming updates to the *Development Plan Guidelines* by the Department of Housing, Local Government and Heritage, in addition to the publication of guidance in relation to HNDA, will provide enhanced guidance for the preparation of development plans and their core strategies.

As the planning authority will be aware, the NPF has a target population for the county of 129,500-131,500 by 2026 and 134,000-137,000 by 2031, which represents a population increase of up to 12,500 people by 2026 and up to 18,000 people by 2036 above its 2016 census figure.

The RSES¹ has a population projection for the Limerick Shannon Metropolitan Area of 177,552 people in total by 2031, of which 32,613 is to be accommodated in County Clare.

The overall population target for the county in the core strategy is required to be consistent with the NPF Implementation Roadmap 2018. The projected growth of settlements is also required to be consistent with the policy objectives of the NPF and the RSES, including for the Limerick-Shannon MASP concerning the distribution of population growth.

In respect of the MASP, the planning authority's attention is drawn to the national enablers and guiding principles for future growth contained in the RSES², and National Policy Objective (NPO) 68 of the NPF which states that a MASP may enable up to 20% of the phased population growth targeted in the principle city and suburban area, to be accommodated in the wider metropolitan area. This provision will be important in terms of the growth of the MASP area within county Clare.

The settlement hierarchy in the current plan will need to be revised to align with the NPF and RSES, and in particular to reflect the significant role of the Limerick MASP area, not just in terms of the core strategy, but also as an economic driver for the entire region including County Clare. The growth of the key town of Ennis will also be crucial to achieving consistency with the RSES.

It is noted that the RSES also recognises and supports the economic role and potential of settlements including Listowel, Abbeyfeale Newcastle West (key town), Kilrush as economic drivers in a potential North Kerry/West Limerick/Clare network.³

¹ Table 1, page 286

² Sections 3.2 and 4.0, pages 283 and 284 of the RSES

³ Page 91 of the RSES.

The Office notes that *'the population target is lower than previous population target allocations for the County'*⁴ and welcomes the acknowledgement of what this will mean for the settlement hierarchy:

*'The Core Strategy for the new County Development Plan 2022-2028 must realign population growth in terms of its distribution throughout the towns and villages in the County.'*⁵

In this regard, the Office advises that a significant proportion of the county's future population growth will need to be allocated to the MASP area, the key town of Ennis and larger settlements consistent with the RSES.

The Office will provide further practical advice and technical support in the working out of the core strategy parameters above, insofar as is possible within our statutory remit, as the planning authority may require.

Compact Growth and Zoning

Compact growth is one of the National Strategic Outcomes of the NPF, with a target under NPO 3c to *'Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints'*.

In this regard, the Office agrees that the following is a key challenge:

*'Growing the Limerick-Shannon Metropolitan Area Town of Shannon, the Key Town of Ennis and other settlements throughout the County to achieve compact growth'*⁶

The Office notes that the current development plan and Shannon Town and Environs Local Area Plan (LAP) zone approximately 120 hectares⁷ of land for low density residential (15 houses per hectare), and that the plan also provides for very low density residential⁸ across other towns and villages in the settlement hierarchy.

Having regard to the reduced population target for the county and NPF's policies on compact growth (NPO 3) and increasing residential densities (NPO 35), the Office advises that the plan's current zoning allocations for residential and policies on density will need to be carefully examined against the revised population targets for each settlement.

⁴Page 11 of the issues paper

⁵ Page 11 of the issues paper

⁶ Page 6 of the issues paper

⁷ Table 3(a), page 6 of Volume 3a of the Clare County Development Plan 2017-2023 (89.8 ha zoned for low density residential) and table 1.3, page 16 of the Shannon Town and Environs LAP (30.11 ha zoned for low density residential)

⁸ Table 2.4, page 31 of the Written Statement of the Clare County Development Plan 2017-2023

The identification an appropriate core strategy and settlement hierarchy, with provision for compact growth consistent with the objectives of the higher order plans and strategies, as set out above, will also assist the planning authority in achieving the obligations on in terms of climate action under section 10(2)(n) of the Act.

In relation to zoning, the Office advises the planning authority to consider the implications of any infrastructural constraints in applying the tiered approach to land zoning set out in the NPF. In this regard, the planning authority's attention is drawn to the requirement of NPO 72a which states:

'Planning authorities will be required to apply a standardised, tiered approach to differentiate between i) zoned land that is serviced and ii) zoned land that is serviceable within the life of the plan.'

Further information regarding the above is provided in Appendix 3 of the NPF: *A Methodology for a Tiered Approach to Land Zoning*.

Urban Regeneration

The NPF recognises that the regeneration and rejuvenation of cities, towns and villages of all types and scale can play a role in making stronger urban places and contributing to compact growth.

The Office acknowledges that there are legacy issues such unfinished estates and a large number of vacant houses in the county's towns⁹ and villages. It is noted that there are high rates of commercial vacancy in larger settlements such as Shannon Town and Kilrush.

The Office notes that the population of Ennis declined slightly between 2011 and 2016, while Shannon's population recorded a minor increase. This is a significant issue for the forthcoming plan to address in light of the significant longer term population targets for both towns.

Having regard to the above, and national and regional policies supporting compact growth and regeneration, the Office considers that one of key challenges for the plan is to demonstrate how it will implement objectives for infill development and regeneration of key opportunity sites in the larger towns in particular. The inclusion of specific land management mechanisms which will be pursued and/ or supported by the planning authority, in addition to measurable targets, will signal active engagement with this issue and provide a measure against which success can be determined.

Consideration should also be given to the use of performance based standards for infill/brownfield development, as supported by the NPF¹⁰ which states:

⁹ Page 54 of the RSES – the housing vacancy rate in Ennis is 10.6%

¹⁰ Page 67 of the NPF

'In particular, general restrictions on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be replaced by performance-based criteria appropriate to general location, e.g. city/town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc.'

The plan also provides an opportunity to review the current development management standards in Appendix 1 of the current development plan, in particular the sections dealing with standards for residential development and car parking, to ensure they are consistent with the relevant section 28 guidelines and any future updates to these guidelines.

Economic Development & Employment

The RSES recognises the importance of the economic triangle of Limerick-Shannon-Ennis in driving economic growth in the Mid-West region.

It noted that an opportunity exists for a South Clare Economic Strategic Development Zone (SDZ) at the University of Limerick (UL) with potential to generate 3,500 jobs.¹¹ Given the significance of this and its relationship to the proposed Limerick Northern Distributor Road (LNDR), it is essential that the policies in the forthcoming plan supporting this initiative have an appropriate level of collaboration with Limerick City and County Council, the National Transport Authority (NTA), Transport Infrastructure Ireland (TII), Irish Water and other relevant stakeholders.

The Office notes the references in the issues paper and the RSES about the significance of Shannon Airport and its employment areas for the region and the country.

The Office also notes the infrastructural requirements for the town, and acknowledges the need to improve and enhance the town centre to *'... be a central component in attracting and retaining a skilled workforce'*.¹² In this regard, the Office welcomes the preparation of a masterplan for the town and advises that it should be prioritised to ensure it can inform the development plan and future local area plan.

The Office welcomes the preparation of the 'Ennis 2040 Economic and Spatial Strategy' and agrees that it will offer *'...an opportunity to create a long-term strategy for the sustainable development of the town'*.¹³ The Office notes the opportunity and strategic sites available that can enable expansion of the town centre and further employment uses.

¹¹ Section 8.4.2, page 295 of the RSES

¹² Page 275 of the RSES

¹³ Page 52 of the RSES

Indeed, one of the key priorities for the forthcoming plan will be its ability to demonstrate how it can implement and measure the implementation of economic and regeneration objectives and initiatives contained in the NPF, RSES¹⁴ and strategies such as 'Ennis 2040 Economic and Spatial Strategy'.

The Office notes the strategic importance of the Shannon Estuary and the role of the Shannon Integrated Framework Plan (SIFP) in supporting marine related industry. Consistent with RPO 79¹⁵, the policies in the forthcoming plan should continue to support and promote the delivery of the strategic development locations in the SIFP such as Moneypoint and Cahiracon within County Clare.

The Office notes that work is underway to prepare a joint retail strategy. In this regard, the objectives for retail development in the forthcoming plan will need to support the objective in the RSES to reposition Limerick city centre as the premier regional shopping destination at the top of the hierarchy¹⁶.

Key Town

The RSES identifies Ennis as part of a group of larger key towns which are '*Large population scale urban centre functioning as self-sustaining regional drivers*', and identifies its strategic attributes as scale, county town, significant zone of influence, synergy with Limerick, Shannon and Galway.¹⁷

While noting that the town's population has stagnated, it is targeted for a population increase of more than 30% by 2040¹⁸. This would increase the town's population from 25,276 in 2016 to approximately 33,000 people by 2040.

As acknowledged in the RSES, the town has a number of attributes such as rail and motorway connectivity and significant opportunity sites, which can support and drive sustainable growth.

The Office notes that work on preparing a LAP for Ennis will commence in 2022. In this regard, the Office advises the planning authority to prioritise the preparation of the LAP so that the vision and zoning plan from the new LAP can be incorporated into the new development plan at the earliest possible stage.

Regional Policy Objective (RPO) 11 supports the preparation of a Local Transport Plan (LTP) for all key towns including Ennis, which is also recognised as a key infrastructural requirement for the town¹⁹. The preparation of the LTP in advance of, or in tandem with, the LAP is crucial to the

¹⁴ LimerickShannon MASP Policy Objectives

¹⁵ Page 127 of the RSES

¹⁶ Section 8.7, page 300 of the RSES

¹⁷ Table 3.3, page 47 of the RSES

¹⁸ Page 46 of the RSES

¹⁹ Page 52 of the RSES

preparation of an LAP which reflects the need for sustainable transport and facilitates increased walking, cycling and public transport (where available). The Office advises the planning authority to prioritise the preparation of the LTP consistent with RPO 157²⁰ so that it can inform the preparation of a new LAP.

Shannon Town

As outlined above, Shannon plays a critical economic role and is targeted for significant population growth within the MASP area.

The MASP identifies a significant opportunity for Shannon '*...to expand as a globally recognised centre of excellence for software engineering/aviation/logistics talent*' and supports the town '*...as a centre for research and development for autonomous vehicles..*' that will complement its current role²¹.

Noting that the town's daytime population swells to 18,000 people, there is a significant opportunity to attract more of its workforce to live in the town and deliver on its long-term population target. In this regard, it is essential that the objectives to improve the town centre and town amenities such as the new town park continue to be realised.

The Office notes the current LAP for Shannon Town was adopted in 2012 and that the planning authority proposes to commence the preparation of a new LAP in 2022. In this regard, the Office advises the planning authority to prioritise the preparation of the LAP so that the vision and zoning plan from the new LAP can be incorporated into the new development plan at the earliest possible stage.

RPO 157 states that the preparation of a LTP is not limited to designated key towns and may be prepared for other towns in metropolitan areas as a complement to Metropolitan Area Transport Strategies. The Office advises the planning authority to consider the preparation of a LTP for Shannon Town to inform the new LAP.

Transport & Infrastructure

The Office welcomes the recognition in the issues paper of the fundamental link between transport and land-use planning and the importance of sustainable transport to control greenhouse gas (GHG) emissions.

²⁰ Page 172 of the RSES

²¹ Page 275 of the RSES

The Office commends the planning authority for its work with the NTA to develop an accessibility framework for Ennis and for commencing the preparation of the Killaloe-Ballina Town Enhancement & Mobility Plan with Tipperary County Council.

In view of GHG emissions from transport (which are second only to agricultural emissions in terms of national emissions²²), and the energy use for transport (highest energy use by sector, accounting for 43% total final consumption in 2017), it will be essential for the planning authority to achieve a significant modal shift in the county in order to meet the requirements under section 10(2)(n) of the Act.

The Office agrees that the '*...Limerick-Shannon Metropolitan Area Transport Strategy will be instrumental in the transport planning of the Metropolitan Area...*'²³, and acknowledges the importance of the proposed LNDR which will provide a direct link between Shannon Airport, the businesses and industries in the Shannon area, and UL.

It is noted that the Metropolitan Area Transport Strategy (MATS) also includes objectives that will support sustainable transport in the county such as improved bus services to Shannon Town, a cycle network for Shannon and developing Ennis as a mobility hub for the county²⁴.

A key issue for the forthcoming development plan and LAPs for Shannon and Ennis will be the alignment of the planning policies with the overall vision and objectives of the MATS²⁵, including commitments to the supporting measures and implementation actions contained in the final strategy.

In view of the above, the Office would encourage the planning authority to include modal shift targets to be achieved over the plan period, aligned to relevant implementation measures, in order to achieve meaningful improvements in GHG emissions and energy use in line with section 10(2)(n) of the Act.

Regarding climate change mitigation measures pertinent to section 10(2)(n), section 6.3.3 – *Transport Vision for the Southern Region* and RPO 151 in the RSES are of relevance regarding the integration of land use and transport planning.

As the planning authority will be aware, the county has a number of national roads which provide access to other cities, regional centres, ports and airports. A key issue for the forthcoming development plan is to ensure that policies protect the strategic function of national roads, maximise

²² EPA: www.epa.ie/ghg/currentsituation/

²³ Page 21 of the issues paper

²⁴ Draft Limerick-Shannon MATS Full Report

²⁵ Section 6.3.6.4 of the RSES outlines the priorities for the Limerick-Shannon MATS

the benefits of existing and planned public transport investment, and that planned improvements to the national road network are not eroded by a growth in demand for car travel, especially for short distances, in the absence of long term public transport infrastructure.

Commitment to the proactive implementation of the *Design Manual for Urban Roads and Streets* (revised 2019) in the required locations, consistent with RPO 151, will also assist in delivering sustainable and active transport modes, in addition to improvement in the street environment and overall quality of life of urban areas and settlements of all sizes.

While it is acknowledged that the county's larger towns have adequate water or wastewater capacity to support growth or there are plans in place to address deficiencies, the Office notes that a large number of rural settlements have no wastewater treatment infrastructure. This will require the planning authority to work proactively with Irish Water to progress projects that deliver infrastructure for the county's smaller settlements through Irish Water's Small Towns and Villages Growth Programme.

Services, such as education and other community facilities, are also critical to the quality of life and to the vitality and viability of settlements. The planning authority should consider how best such essential services can be accommodated in a flexible manner in your approach to future land use zoning, including in the existing built up area and areas proposed for regeneration, in discussion with the Department of Education and other providers.

Rural Development

The Office acknowledges that there is an ongoing demand and pressure for rural housing in the hinterlands of large towns, along strategic routes and sensitive areas of the county such as the coastline and notes the statement on page 18 of the issues paper:

'Clare County Council will try to balance the need to accommodate rural generated residential development, support rural communities and increase rural based commercial activities against the equally important need to protect its unique countryside from inappropriate development.'

The Office commends the council for the preparation of the Clare Rural Development Strategy 2026 and notes that this is cited as an example of good practice in section 4.5 – Rural Development of the RSES. It is noted that the strategy has a target to create 4,000 jobs and identifies population decline (in parts of the county), loss of public services and a protracted wait for physical and service infrastructure as significant challenges²⁶.

²⁶ Pages 109 and 110 of the RSES

Having regard to the above, it is important that the forthcoming plan provides the appropriate balance between policies supporting rural housing in appropriate locations and those that proactively address issues of town/village decline and compact growth.

In this regard, the plan's policies will need to demonstrate consistency with NPO 15, NPO 19 and NPO 20. The Office advises that the projected need for single housing in the countryside in the HNDA considers the current supply of vacant houses in rural areas referred to in the issues paper.

Furthermore, the plan will need to consider the practical implementation of appropriate policy objectives through suitable land activation approaches and proactive facilitation of the building of homes within the existing footprint of rural settlements through measures such as site acquisition and serviced sites, consistent with NPO 18a and NPO 18b.

Such initiatives have the potential to alleviate pressure on the open countryside through provision of a desirable alternative to one-off housing for families who would like to live close to the facilities, services and amenities available in rural villages and towns whilst maintaining ties to the wider rural community.

The planning authority should also give consideration to MASP Policy Objective 20 which refers to the potential development of a Metropolitan Greenbelt Strategy in co-ordination between Limerick City and County Council and relevant stakeholders.

Strategic Flood Risk Assessment

The planning authority will be aware of the need to prepare a Strategic Flood Risk Assessment (SFRA) as part of the forthcoming draft development plan, consistent with *The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009)*.

In this regard, the Office advises against the use of information from the Office of Public Work's (OPW) Preliminary Flood Risk Assessment (PFRA) and arterial drainage benefitting land maps to inform the SFRA. The planning authority will need to take account of OPW Flood Relief Schemes and undertake adequate flood risk assessment to determine if there is sufficient information to inform zoning decisions or if further more detailed analysis is required.

Climate Action and Energy

The planning authority will be aware that the Office's evaluation of the plan is required under section 31AM(2)(a) to address, in particular, matters within the scope of section 10(2)(n) of the Act.

Having regard to the *Climate Action Plan 2019* and to the objectives of the NPF and the RSES, the county's transition to a low carbon economy and the overall reduction in carbon emissions will become a central issue in the preparation of the plan.

In this regard, the Office endorses the statement on page 26 of the issues paper:

'The Clare County Development Plan must take account of the significant challenges that are present as a result of the effects of climate change. It is critical that the Plan sets out policies and objectives that support the development of a low-carbon, climate resilient County.'

The Office commends the planning authority for its proactive approach to renewable energy and initiatives such as the wave and offshore renewable energy test-site at Cahiracon and the Mount Callan Pumped Hydro Electricity Scheme.

The continued promotion of renewable energy sources within the county in accordance with the section 28 *Wind Energy Development Guidelines (2006)*, Circular Letter PL 5/2017: *Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change and Wind Energy Development Guidelines 2006 – Update on Review (July 2017)*, or any replacement guidelines issued by the Minister for Housing, Local Government and Heritage, will also be critical to ensure Ireland meets its national targets and commitments to increase renewable energy supply and reduce greenhouse gas emissions.

In this regard, the attention of the planning authority is drawn, in particular, to the SPPR under the aforementioned interim guidelines. This requires, inter alia, that the planning authority indicate how the implementation of its development plan over its effective period will contribute to realising overall national targets on renewable energy and climate change mitigation, and in particular wind energy production and the potential wind energy resource (in megawatts). In this regard it would be appropriate to include a climate action strategy as part of the development plan.

Summary

In summary, the Office commends your authority for the preparation of this issues paper and for the variety of approaches used to engage and inform the local community.

The Office advises your authority to pay particular attention to the following issues in the preparation of the county development plan:

- Having regard to national and regional objectives for population growth, compact growth and regeneration in determining the core strategy, the Office advises that a significant proportion of the county's future population growth will need to be allocated to the MASP area, the key

town of Ennis, and larger settlements consistent with the RSES. This settlement hierarchy should also inform the quantum of land zoned for residential development in other settlements, with the allowance allocated to the rural remainder.

- The settlement hierarchy in the current plan will need to be revised to align with the RSES, which will require Limerick City to be positioned at the top of the hierarchy having regard to the MASP, followed by the Key Town of Ennis.
- Consultation with Limerick County Council regarding the preparation of its Housing Strategy and HNDA, and a joint Retail Strategy to ensure that the Limerick Development Plan and Clare County Development Plan contain an integrated and coordinated planning policy framework for the MASP area.
- The Office's welcomes the intent to prepare new local area plans for Ennis and Shannon Town. In this regard, your authority should prioritise the preparation of both LAPs and ensure that the projected need for housing in both settlements aligns with what is zoned in the forthcoming LAPs and deals appropriately with any existing surplus residential zoned lands consistent with the tiered approach to zoning set out in the NPF. To promote the integration of land use and transport, both LAPs should be informed by a local transport plan consistent with RPO 157.
- The plan should clearly demonstrate how it can implement and measure the implementation of economic and regeneration objectives and initiatives contained in the NPF, RSES and strategies such as *'Ennis 2040 Economic and Spatial Strategy'*.
- The need to collaborate with Irish Water regarding infrastructural constraints in the county's settlements and in particular the lack of waste water capacity in the smaller settlements.
- The inclusion of specific policies and implementation measures that encourage infill/brownfield development in the MASP and county's towns and the building of homes within the footprint of rural settlements. These policies and implementation measures should be specific, targeted, and measurable (i.e. include monitoring measures).
- The development of rural housing policies that are consistent with NPOs 18 and 19 of the NPF, and which distinguish between areas under strong urban influence and elsewhere, and support the regeneration of rural towns and villages by directing residential development to serviced areas and facilitating more sustainable transport patterns.

- The need for consultation with transport agencies including the NTA and TII, and neighbouring planning authorities, during the preparation of land use and transport plans, and to ensure that policies and development management standards regarding access to national roads including exceptional circumstances are consistent with the *Spatial Planning and National Roads Guidelines (2012)*.
- The promotion of sustainable settlement and transport strategies for urban and rural areas with measures to reduce GHG emissions, reduce energy usage and to adapt to climate change. The plan should include targets for modal shift over the plan period aligned to specific implementation and monitoring measures.
- The promotion of renewable energy sources within the county in accordance with the relevant section 28 guidelines.

The Office looks forward to reviewing the plan and is committed to continued positive engagement with your authority in the implementation of national and regional policies at county and local level.

Please feel free to contact staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated by emailing plans@opr.ie.

Yours sincerely,



Anne Marie O'Connor

Deputy Planning Regulator & Director of Plans Evaluation