

F.A.O Forward Planning Section



Date: 11th May 2023

Re: DRAFT DIRECTION IN THE MATTER OF SECTION 31 OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended) relating to the Clare County Development Plan 2023-2029

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On behalf of the Elected Members of Clare County Council, I refer to the Draft Ministerial Direction issued by the Minister of State at the Department of Housing, Local Government and Heritage dated 18th April 2023 in the matter of Section 31 of the Planning and Development Act 2000 (as amended).

Part 4(b) of the Draft Direction issued in the matter of Section 31 of the Planning and Development Act 2000 (as amended) relating to the Clare County Development Plan 2023-2029 requests the omission of subsection 'Existing Accesses onto National Secondary Roads' under 'Exceptional Circumstances' of section 11.2.9.3 of the Plan.

This submission is made to support the retention of the wording of Section 11.2.9.3 of the Clare County Development Plan 2023-2029 that would allow consideration of access to individual dwellings off existing accesses to national secondary roads in exceptional circumstances.

I outline below our reasons for which we believe that the subsection 'Existing Accesses onto National Secondary Roads' under 'Exceptional Circumstances' of section 11.2.9.3 of the Plan should be retained within the Clare County Development Plan 2023-2039.

Social and Economic Need

As per the previous Clare County Development Plan 2017-2023, we recommend a less restrictive approach be applied to existing accesses onto national secondary roads where a balance needs to be struck between the important transport function of such roads and the social and economic development of these areas. In the made Clare County Development Plan 2023-2029, the Council gave consideration to developments utilising existing accesses onto national secondary roads for farmers and their sons and daughters who are actively engaged in farming the land, wishing to build a dwelling house for their own permanent residence on family land, this was, in the members opinion a very cautious approach to facilitating genuine applications with a demonstratable housing need. Any development would have to fully demonstrate that the use of the existing/proposed entrance to serve the proposed development would not result in the creation of a traffic hazard. It would have to be clearly demonstrated that there was a genuine need for the dwelling proposed and that there were no other alternative sites available with access off a regional or local road. This was similar to how the 2017-2023 plan policy operated so it is clear that Clare County Council can ensure that this policy if retained will be implemented only in very exceptional circumstances.

RPO 27 of RSES states that to support rural economies and rural communities, local authorities shall have regard for the viability of smaller towns and rural settlements. Core Strategies shall identify areas under urban influence and set the appropriate sustainable rural housing policy response which facilitates the provision of single housing in the countryside based on the core consideration of demonstrable economic, social or local exceptional need to live in a rural area and sitting, environmental and design criteria for rural housing in statutory guidelines and plans.

The members of Clare County Council are satisfied that the exceptional circumstances policy aligns with RPO 27 as farmers and their sons and daughters do in fact have an exceptional housing need on the lands on which they work.

National Policy Objective 15 of the National Planning Framework supports the sustainable development of rural areas by encouraging growth and arresting decline in areas that have experienced low population growth or decline in recent decades and by managing the growth of areas that are under strong urban influence to avoid over-development, while sustaining vibrant rural communities. We the members of Clare County Council consider that the farming community are critical to our rural communities and therefore, it should be considered reasonable to permit applicants who are actively engaged in farming the land and wishing to build a dwelling house for their own permanent residence on family land to access the site off a national secondary road where there are no alternative accesses on regional and local roads.

During the lifetime of the Clare County Development Plan 2017-2023, very few applications for access onto national secondary roads were submitted to the Clare County Council and therefore, the impact on the road national secondary road network has been negligible. It is envisaged that the number of applications for developments along national secondary routes submitted during the lifetime of the Clare County Development Plan 2023-2029 would be similar to those submitted during the 2017-2023 plan period and therefore, it is considered that it would not compromise the safety of these roads.

Renovation of Existing Dwellings

The Croí Cónaithe (Towns) Fund Scheme under the Government's *Housing for All* Policy provides grants for the refurbishment of vacant properties which have been vacant for two years or more and built before 2008. This grant has resulted in large numbers of vacant homes being purchased throughout the County which will enable them to be brought back into use, in line with government policy. To date 60% of all grant applications in County Clare have been in rural areas. The Council should in line with this government initiative give favourable consideration to the use of existing accesses onto the National Road network to facilitate derelict and vacant homes coming back into the housing stock. There are several national and regional planning policies which support this type of initiative such as RPO 38 of RSES (Retrofitting Initiative Priorities) which supports initiatives at a local level for the refurbishment and upgrading of suitable vacant and underused building stock, while National Policy Objective 15 of the NPF as outlined above supports the sustainable development of rural areas by encouraging growth and arresting. The reuse and redevelopment of existing vacant/derelict housing stock can significantly contribute to growth and sustainability of rural communities and should be facilitated where possible. In this regard the retention of the exceptional circumstances policy is critical.

I trust the above supports our reasons for retaining subsection 'Existing Accesses onto National Secondary Roads' within section 11.2.9.3 of the Clare County Development 2023-2029. Should you have any queries, please do not hesitate to contact me.

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Tony O'Brien
Cathaoirleach, Clare County Council