



24th March 2022

Forward Planning Department
Clare County Council
New Road
Ennis.
County Clare.

Submission ref: S2-546

Dear Forward Planning,

Re: County Clare Draft Development Plan 2023-2029
Site at Clarecastle [REDACTED]

Further to issue of the draft county development plan we wish to make the following observation in respect of the proper zoning of lands at Clarecastle located South West of the R456 bridge and fronting the river Fergus in order that the proper planning and sustainable development of the site and area can be achieved in support of goals set out in the CDP for the vicinity.

This submission indicates how correct zoning of this pivotal site may facilitate several of the goals laid out in the CDP for Clarecastle in a positive way.

Please refer to location map appendix 1 and our previous submission dated 10th November 2021.

History

The site 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'.

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, 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, a point we shall refer to later.

At the time of the planning grant the site was level and open to the river edge with a proposal to install a river walkway, subsequently the OPW installed an embankment as part of Clarecastle flood protection works along the Eastern boundary of the subject to the river Fergus which now divides the site from the river as a substantial feature.

The financial crash of 2007/8 stalled development of the site, the developer ceased operations and the site was subsequently sold to my client where it has remained as a vacant site since.

Despite representations to the 2017 - 2023 CDP the site was designated as 'Open space' at that time and the current draft suggests to continue with that designation.

It is noted that in 2016 the planning authority stated that the 'imminent' local area plan for Ennis and environs would be the appropriate mechanism to consider ongoing development of the site, however, the LAP has not yet issued whilst 'Ennis 2040' proposals are still under consideration.

Open space designation

The existing and the proposed county plans have assigned the zoning of the subject site as 'open space' with the assumption that the lands are of some merit for such zoning, however, the lands are fully within the village boundaries and not in fact suitable for such designation.

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 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. There is no explanation about how investment can be obtained to sustain such space.

The land use matrix (appendix 2) in the CDP allocates acceptable uses as follows:

Land Use	Mixed Use	Existing residential	Residential	Low Density Residential	Commercial	Community	Recreation	Open Space	Buffer Space	Enterprise	Tourism	Industry	Light Industry	Maritime / Harbour	Agriculture	Marine Related Industry
Office <100m ²	✓	0	X	0	✓	X	X	X	X	✓	X	X	X	0	X	X
Office 100m ² -1000m ²	0	X	X	X	✓	X	X	X	X	✓	X	X	X	X	X	X
Office > 1000m ²	0	X	X	X	✓	X	X	X	X	✓	X	X	0	X	X	X
Open Space	✓	✓	✓	✓	✓	✓	✓	✓	X	✓	✓	✓	✓	0	✓	X
Petrol Station	0	X	X	X	0	X	X	X	X	X	X	X	0	X	X	X

However, these preclude development where the zoning is ascribed as such.

Clearly such designation requires that the space be available and suitable for either of these scenario's, however, in this situation the site has already been made sterile during the initiation of the then permitted development AND is in private ownership without access by the public.

Moreover, such designation effectively sterilises this 'brownfield' land from appropriate development and precludes its use as a pivotal site capable of supporting many of the objectives of the CDP and in particular the proper planning and development of the surrounding sites and village itself.

In this instance the site is essentially under planning blight leading to there being no potential mechanism to develop which otherwise could provide the necessary funding in support of the many initiatives in the CDP for Clarecastle itself.

Objectives

The village of Clarecastle is supported in the CDP for a number of critical objectives to underpin the villages sustainability, vitality and long term growth towards which development of the subject site could provide stimulus and support to achieve these goals.

Objective V3 (a) 10 settlement plan objective states:

e) To support the development of Clarecastle as a Center for tourism activity.

1.11.6 Tourism in Clarecastle

The tourism industry in the Clarecastle area is underdeveloped and significant opportunities exist for developments that will attract greater numbers of visitors to the area. The village is well situated in relation to transport links and local amenities and has the potential to become an important local tourist centre, building on accessibility to the water and the landscape in the vicinity. The rich heritage and historical importance of Clarecastle as a military base, commercial port and fishing village provide plentiful opportunities to raise its tourism profile. The objective in relation to tourism development in Clarecastle is:

- To facilitate the expansion of tourism infrastructure, facilities, entertainment and accommodation in Clarecastle. The Ennis and Environs Local Area Plan will set out in greater detail a tourism strategy for Clarecastle.*

We submit that the subject site is eminently located to provide infrastructure such as an 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.

2.12.1 Priorities for Clarecastle

The Council will be guided by the following strategic aims:

- To encourage the use of vacant and under-utilised brownfield properties in the village core for appropriate uses;*

The site is an under utilised brownfield site ripe for an appropriate use.

- To promote the development of sustainable tourism products in the area, in particular the quay and associated river estuary amenity;*

The site is proximate to the quay and capable of supporting appropriate tourism products.

- To enhance connectivity between residential areas and community areas;*

The site has capability to provide a direct link with connectivity to alleviate traffic pressure on existing adjacent residential areas whilst adding to pedestrian permeability and lifestyle quality for the residents.

- To harness recreational opportunities presented by the development of green infrastructure, especially along the River Fergus linking Clarecastle to Ennis;*

This brownfield site lies upon the river corridor and at a pivotal location to support the green corridor both North and South of the site.

- *To support and encourage the enhancement of the physical environment including cycle ways, cycle trail head facilities, walkways and the quayside area;*

Accessibility to the quayside area is currently restricted due to the residential quality of Quay road, the subject site can alleviate and enhance the potential for the physical environment, cycle ways, footpaths and trail head facilities including hereto restricted tourist bus parking.

- *To prepare a masterplan for the Roche (Ireland) site which seeks to guide and facilitate the redevelopment of the site; and*

Access to the Roche site (noted as an 'opportunity site' in Ennis 2040 plan) is currently via the village and a somewhat constricted route. This site consists of some 30 hectares and as noted in Ennis 2040 and both CDP's will be a challenge to develop. An access corridor direct from the main road via the subject site can alleviate development strategies.

- *To support any assessment of the Clarecastle Barrage during the lifetime of the Plan.*

The writer has long supported the ideal to relocate the barrage with an appropriately located and designed structure that can safeguard the Ennis basin from both Tidal and Pluvial flooding.

2.12.3 Town Centre Lands in Clarecastle

Site MU4 Cois Fearghas, Clarecastle.

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.

As mentioned at Para 4 above, we address this anomaly as follows: 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 considerably lower elevation than the subject site and more prone to flooding, in fact, it is constantly under water.

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.

2.12.5 Clarecastle Quayside

Clare County Council acknowledges the historic, recreational and amenity value of Clarecastle Quay. The maintenance and enhancement of the Quay is important to the local cultural identity and has potential tourism, recreational and economic benefit. The potential for the redevelopment of this 200 year old Quay presents opportunities to enhance the marine, leisure, economic and tourism development of the area and has been recognised in the Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary. It is also envisaged that Clarecastle Quay will play a key role in blue/green infrastructure development in the Plan area through the provision of a trail head for riverside walking and cycling facilities. Any proposals for the quayside shall demonstrate that there will be no negative impact on European Sites, architectural heritage and the status of designated bathing waters.

This is a major and welcome initiative that respects the long history of Clarecastle supporting the County of Clare and County Town of Ennis over many years, however, 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.

Conclusion

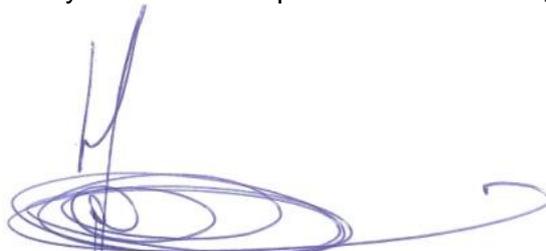
We conclude that the proposal to continue to zone the subject site as 'open space' provides a substantial impediment to the proper and sustainable development of Clarecastle and many of the critical objectives and core goals outlined in the Draft County Development Plan for Clarecastle.

Such potentials include: 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.

We therefore urge the County Manager to support a variation to zone the subject site for 'Mixed use' development in order that appropriate applications can be made to develop this important site.

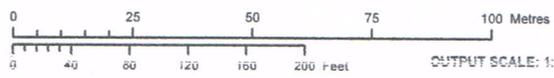
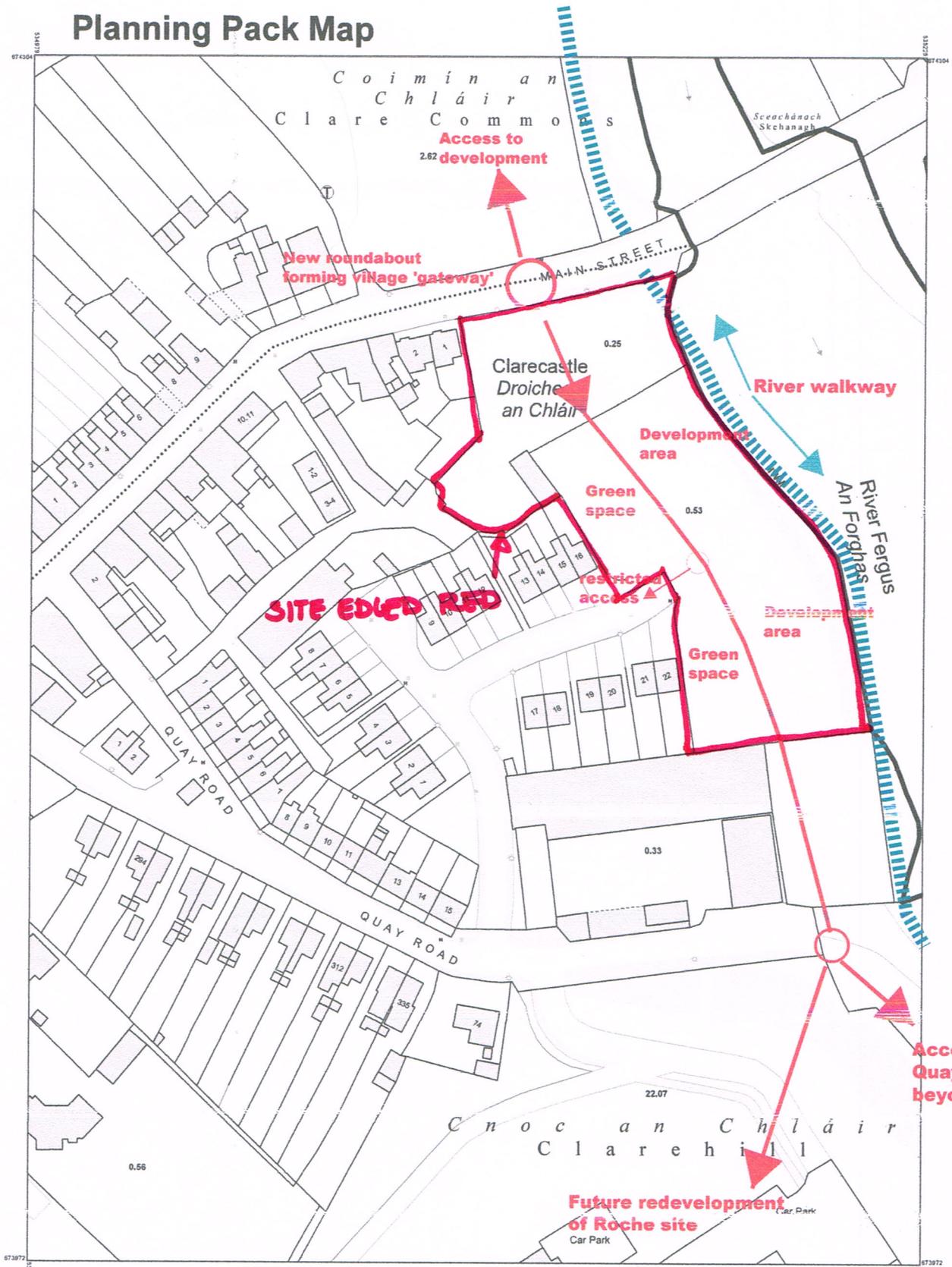
Should you have any comments or queries on the above, please do not hesitate to contact me.

Kind Regards



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

Planning Pack Map



COMPILED AND PUBLISHED BY:
Ordnance Survey Ireland,
Phoenix Park,
Dublin 8,
Ireland.

All rights reserved.
No part of this publication may be copied, reproduced or transmitted in any form or by any means without the prior written permission of the copyright owners.

Ordnance Survey maps never show legal property boundaries, nor do they show ownership of physical features.

MAP SERIES:
1:1,000
1:2,500

CENTRE COORDINATES:
ITM 535102,674138

ORDER NO.: 50061306_1
PUBLISHED: 07/05/2019

©Suirbhéireacht Ordanáis Éireann, 2019
©Ordnance Survey Ireland, 2019
www.osi.ie/copyright

MAP SHEETS:
4380-09
4380-B

CAPTURE RESOLUTION:
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at: <http://www.osi.ie>; search 'Capture Resolution'

LEGEND:
<http://www.osi.ie>; search 'Large Scale Legend'

Unauthorised reproduction infringes Ordnance Survey Ireland and Government of Ireland copyright.

The representation on this map of a road, track or footpath is not evidence of the existence of a right of way.



