



Clare County  
Development Plan  
**2023-2029**

## **Draft Clare CDP 2023-2029 - Public Consultation Portal**

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### **Volume 1**

Core Strategy, Settlement Strategy and Housing

### **Volume 3(a) Ennis Municipal District Written Statements and Settlement Maps**

### **Volume 3(b) Shannon Municipal District Written Statements and Settlement Maps**

## **Volume 3(c) Killaloe Municipal District Written Statements and Settlement Maps**

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

Miltown Malbay

### **Associated Documents**

None of the above

### **Environmental Reports**

None of the above

### **Your Submission**

### **Location Map**

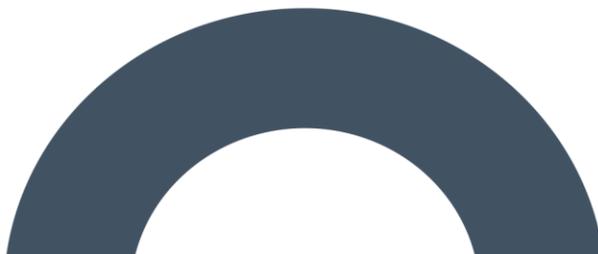


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# **Submission - Draft Clare County Development Plan 2023-2029**

Lands at Ballard Road,  
Miltown Malbay, Co. Clare.





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1.

# INTRODUCTION

We note that Clare County Council are in the review process of the existing Clare County Development Plan 2017-2023 and preparation of a new development plan for the period 2023-2029 is underway. On behalf of our client, Mr John Jones, we wish to make a submission in respect of the Stage 2 (Draft) of the Clare County Development Plan 2023-2029 (hereinafter referred to as the Draft Plan) which was published on the 10th December 2021 and will be on public display until the 28th of March 2022.

We acknowledge that the development plan for the period 2023-2029 is being prepared in a changed context to the existing plan 2017-2023. New policy documents have been issued since the adoption of the Clare County Development Plan 2017-2023, in which there is a new hierarchy of spatial plans that support the strategies of the Development Plan. A more urgent national focus on climate change mitigation and adaption with implementation of the National Climate Action Plan will be required to guide the drafting of policy. Relevant policy documents that have supported the context of the Draft Plan include:

- Project Ireland 2040: National Planning Framework
- Regional Spatial and Economic Strategy for the Southern Region 2020-2032
- National Climate Action Plan 2019-2024

MKO have been appointed by the Mr John Jones, to prepare this submission on his behalf. In response to the contents of the Draft Clare County Development Plan 2023-2029, and in particular Volume 3(d) West Clare Municipal District Area Settlements, this submission will support the request for a change in zoning from Enterprise to Residential in respect of lands located at Ballard Road, Miltown Malbay, Co. Clare (Folio No. – CE20958).

1.1

## Executive Summary

In summary, the main considerations for the proposed rezoning of the subject lands from ‘Enterprise’ to ‘Residential’ are as follows:

- The subject lands are located within the settlement boundary of Miltown Malbay.
- There are several significant established multi- unit residential developments in the vicinity.
- Road infrastructure and vehicular access locations are satisfactory and would accord with relevant development plan provisions.
- The lands benefit from potential, direct pedestrian connectivity to the surrounding area.
- There are a range of amenities and community facilities located within easy walking distance of the subject lands.
- The lands benefit from proximity to services i.e. water and sewer.
- The Core Strategy set out in the Draft Clare County Development Plan identifies an increase in population, exceeding 10% in Miltown Malbay over the lifetime of the Development Plan.
- The Core Strategy set out in the Draft Clare County Development Plan identifies a shortfall in lands required for residential development.
- It is considered that there is a spatial imbalance in the location of new lands identified for residential development in the Draft Development Plan. No new development is identified along the Ballard Road despite the presence of road and pedestrian infrastructure, services and the proximity of the area to a wide range of high-quality amenity and community facilities.
- Residential development at this location would accord with National and Regional policy objectives and the criteria for zoning lands for residential development set out in the Development Plans: Guidelines for Planning Authorities 2007.

We trust that the above submission will be given due consideration in the preparation of the Clare County Development Plan 2023-2029.

## 2. SITE LOCATION & CONTEXT

### 2.1 Site Location

Miltown Malbay, located only 2km from the Wild Atlantic Way, is one of the main towns in West Clare. Historically it was a market town and was a Victorian resort in tandem with Spanish Point. Miltown Malbay has a strong and bustling town centre which serves a relatively large catchment area, providing a wide range of services including retail outlets, national school, church, medical centre, credit union, bank and the West Clare Resource Centre. The economic base of the town consists of small-scale industry, services, commercial, agricultural and tourism activity.

Miltown Malbay is predominantly made up of 1-3 storey buildings, comprising of low density residential development and small scale convenience shop, with the exception of the SuperValu located to the south east of the town centre. There is also a proportionately large number of one-off houses within the locality. Other facilities in the town include the Malbay Digital Hub which forms part of the Council's Digi-Clare initiative and provides remote working and hot desk facilities that are broadband enabled in the centre of the town.

The subject lands are located on the eastern side of the settlement of Miltown, approximately 500 meters east of the N67/Church Street/Ballard Road junction.



Figure 1: Site Location and Context

### 2.2 Site Context

The subject lands extend to approximately 1.8 hectares. They have c. 210 meters of uninterrupted frontage onto the Ballard Road. The site is currently bound to the north by agricultural lands, the 'Peaceful Haven' B&B, to the east and west by residential dwellings and to the south by Ballard Road, with residential and agricultural lands on the opposite side of the road. The topography of the subject land's

slopes slightly from the west, rising to the east. Miltown Malbay is identified in the settlement hierarchy of this Plan as a 'Small Town', it is a well-established location within close proximity to Spanish Point and a 30-minute drive from Ennis.

## 3. PLANNING POLICY CONTEXT

### 3.1 National Planning Framework

In 2018, the Government of Ireland adopted the National Planning Framework (NPF) entitled Ireland 2040 to succeed the National Spatial Strategy. The NPF comprises the Government's proposed long-term strategic planning framework to guide national, regional and local planning and investment decisions over the next 25 years. It is intended that the NPF will be a strategic document that will provide the framework for future development and investment in Ireland, providing a long-term and place-based aspect to public policy and investment, and aiming to coordinate sectoral areas such as housing, jobs, transport, education, health, environment, energy and communications, into an overall coherent strategy. The NPF has a number of National Policy Objectives (NPOs) that articulate delivering on a compact urban growth programme and are relevant to the proposed rezoning of the subject lands.

- NPO 1b - relating to population growth in the region, with 340,000 to 380,000 additional people to 2040;
- NPO 3a - deliver at least 40% of all new homes within the built-up footprint of existing settlements;
- NPO 4 - relating to attractive, well-designed liveable neighbourhoods;
- NPO 5 - relating to sufficient scale and quality of urban development;
- NPO 6 – relating to increased residential population and employment in urban areas; and
- NPO 33 – prioritise provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

There is a very significant population growth allocated to the Southern Region – 340,000 to 380,000 by 2040. In order to facilitate this population growth there will be a requirement to develop large numbers of new houses and apartments in the region. Given that the Region, as a whole, is currently affected by the housing crisis, there is a considerable progress to be made in order to bring housing provision from its current under-supply to the level required to accommodate the population growth forecasts. However, it is important that more sustainable development patterns are established in order to facilitate targeted services and infrastructure investment.

### 3.2 Clare County Development Plan 2017-2023

#### 3.2.1 Land Use Zoning – Current

The lands are currently zoned 'Enterprise' in the County Development Plan 2017-2023 as illustrated in Figure 2, below.

The description of this zoning, as set out in the County Development Plan 2017-2023, is as follows:

*“Lands zoned for ‘enterprise’ shall be taken to include the use and development of land for high-end research and development, business, science and technology-based industry, financial services, call centres/telemarketing, software development etc.”*

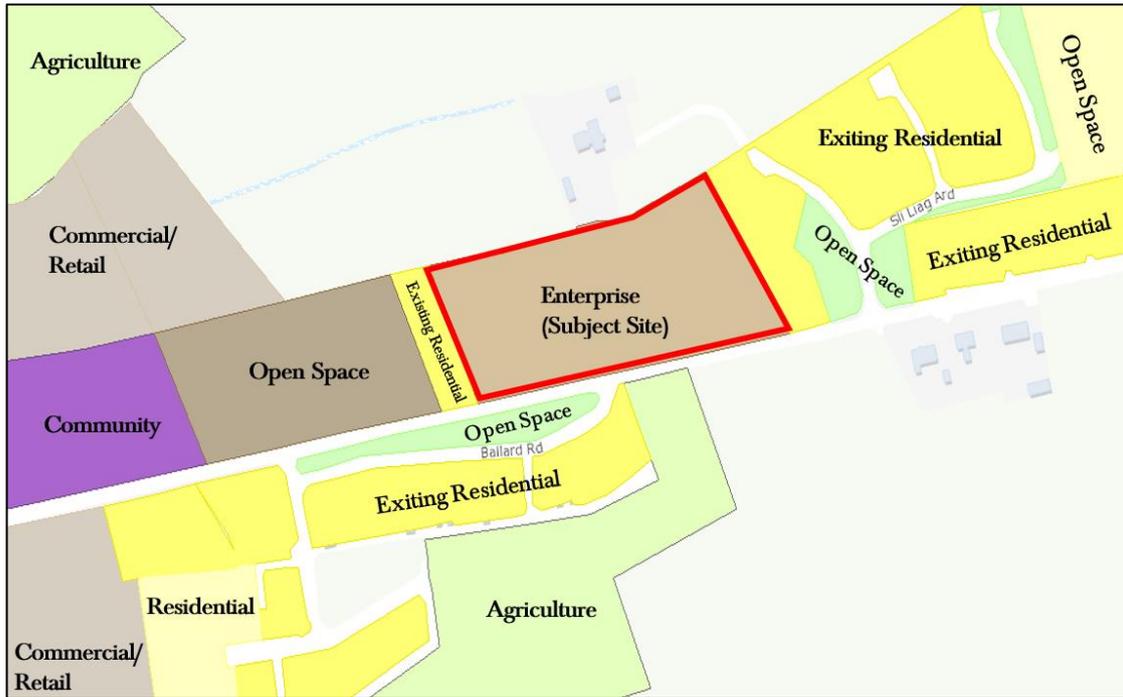


Figure 2: Current Land Use Zoning (highlighted in red)

### 3.3 Draft Clare County Development Plan 2023-2029

#### 3.3.1 Core Strategy – Housing Land Requirement

It is noted that in Table 3.4 of the Core Strategy, set out in the Draft Clare County Development Plan 2023-2029 that there is a shortfall of 0.23Ha of lands required for residential development, see Figure 3, below.

Settlement Typology	Settlement	2016 as a % of County	2016 Population	Core Strategy 2023-2029 Population Allocation	Housing Units	Brown Field (30%)	Density Units/ha	Housing Land Required in Ha	Zoning as per map in Ha
<b>Totals</b>		4.1	4,861	691	360	108		20.15	323.79
<b>Small Town</b>	Kilkee	1.0	1,155	123	64	19	20/10	4.03	7.21
	Killaloe	1.2	1,393	148	77	23	25/10	4.20	5.87
	Lisdoonvarna	0.7	800	85	44	13	20/10	2.77	3.81
	Miltown Malbay	0.6	769	83	43	13	20/10	2.71	2.48
	Newmarket-on-Fergus	1.7	1,968	209	109	33	25/10	5.95	6.82
	Tulla	0.6	759	81	42	13	25/10	2.29	5.77

Figure 3: Table 3.4 of the Core Strategy

#### 3.3.2 Draft Zoning Objective

It is noted that the zoning of the subject lands are not proposed to change from “Enterprise” in the 2023-2029 County Development plan, see Figure 4 below.

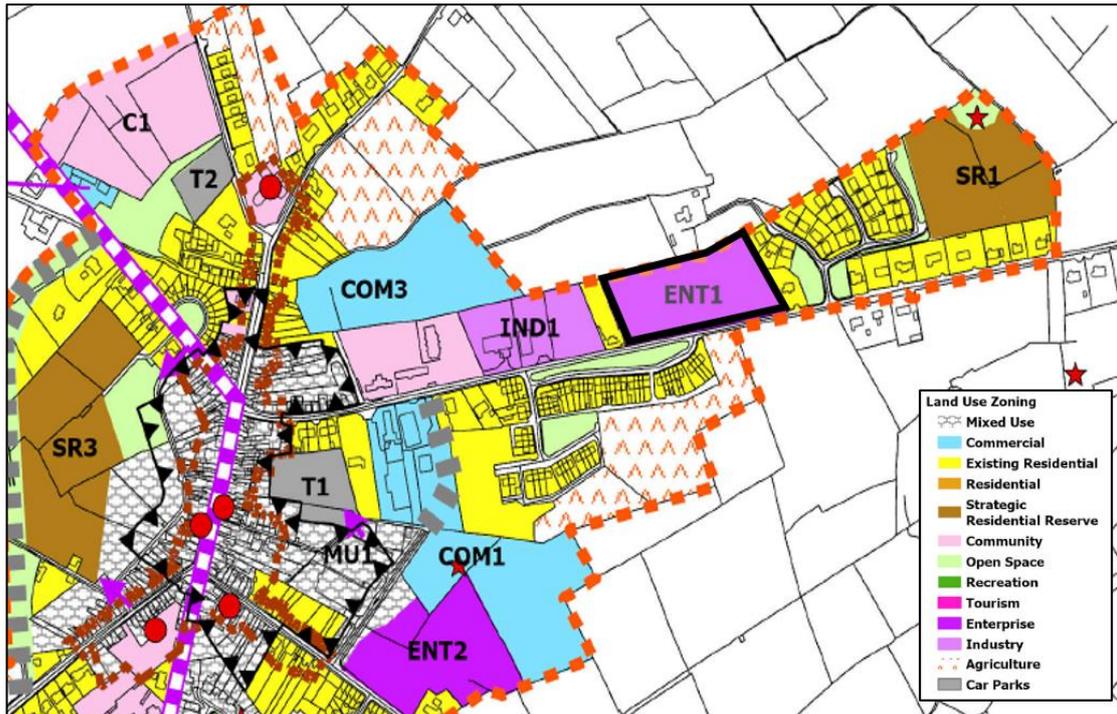


Figure 4: Proposed Land Use Zoning (outlined in black)

The draft plan has three different zonings for residential development in Miltown Malbay:

- Existing Residential (yellow)
- Residential (orange)
- Strategic Residential Reserve (brown)

As per the Draft Clare County Development Plan 2017-20232, 'Residential' is defined as follows:

*“Residential use shall be taken to primarily include the use of land for domestic dwellings. It may also provide for a range of other uses particularly those that have the potential to foster the development of new residential communities e.g. schools, crèches and open spaces.”*

It is considered that a 'Residential' zoning for the subject lands would be appropriate due to the proximity of the site to the town centre and local amenities/services. Vehicular access to and from these locations is possible via the Ballard Road, and direct pedestrian access could be achieved through minor infrastructure upgrades, such as a pedestrian/zebra crossing.

## 4. SUBJECT LANDS & RATIONALE FOR REZONING

The subject lands extend to approximately 1.8 hectares. They have c. 210 meters of uninterrupted frontage onto Ballard Road. Miltown Malbay is identified in the settlement hierarchy of this Plan as a 'small town', it is a well-established location within close proximity to Spanish Point and a 30-minute drive from Ennis. It is requested that the zoning for these lands is altered from its proposed 'Enterprise' zoning, to 'Residential'.

### 4.1 Sequential Approach to Residential Development

Section 2.3 of the Sustainable Urban Housing Guidelines 2009 states the following in respect of the zoning of lands for residential development in Development Plans:

*“When land is zoned in a development plan without the benefit of a more detailed local area plan designation, the development plan should identify where practicable the sequential and co-ordinated manner in which zoned lands will be developed, so as to avoid a haphazard and costly approach to the provision of social and physical infrastructure. The sequential approach as set out in the Development Plan Guidelines (DoEHLG, 2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities, and that areas to be zoned shall be contiguous to existing zoned development lands and that any exception must be clearly justified in the written statement of the development plan.”*

The Planning Authority will note that a sequential approach shall be adopted to the identification of lands for residential development. The zoning map for Miltown Malbay, identifies only 2 no. parcels of 'Residential' land in the settlement, namely R1 and R2. These are located at the R474 Ennis Road, within and beside the Meadowlands housing estate, as per Figure 5, below.

Distance from Town Centre:

- R1 – c. 420 metres
- R2 – c. 525 metres
- Subject Site – c. 515 metres

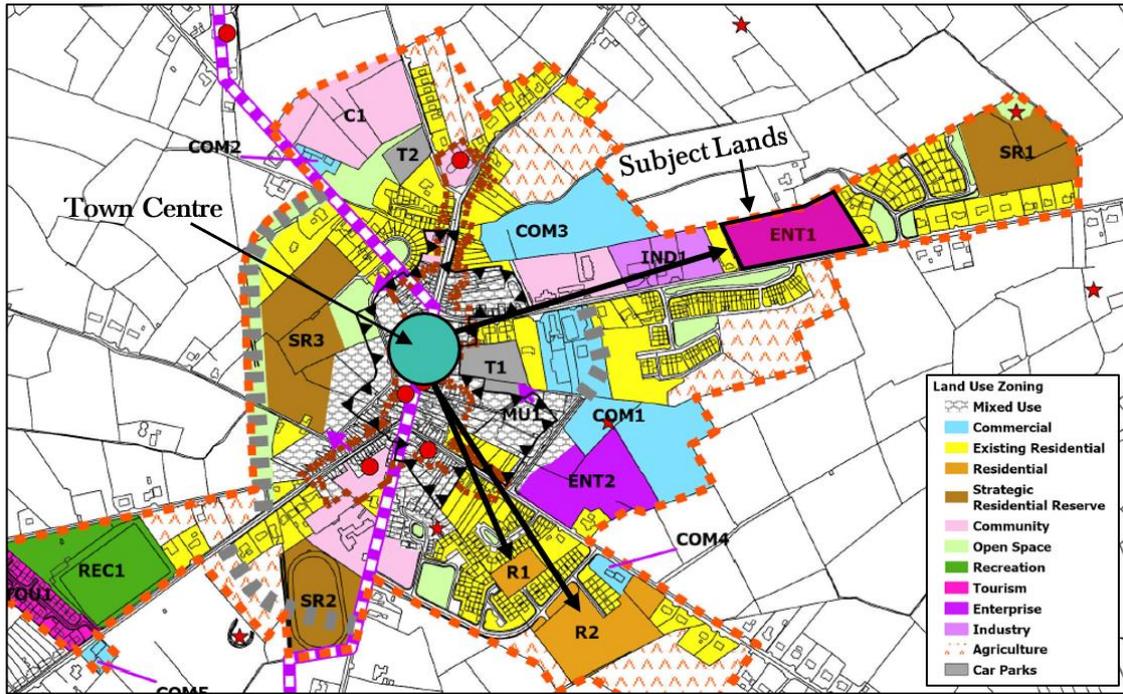


Figure 5: Proximity to Town Centre

## 4.2 Amenities & Community Facilities

There are a wide range of amenities and community facilities located within walking distance of the subject lands. These amenities and community facilities are listed below, please note that this list is not exhaustive):

1. SuperValu Miltown Malbay (c. 450 metres)
2. Miltown Malbay Community Centre (c. 490 metres)
3. Forever Friends Playschool (c. 730 metres)
4. Miltown National School (c. 730 metres)
5. St. Joseph's Miltown Malbay GAA Club (c. 1 kilometre)
6. Spanish Point Golf Club (c. 2.7 kilometres) (not included on map)

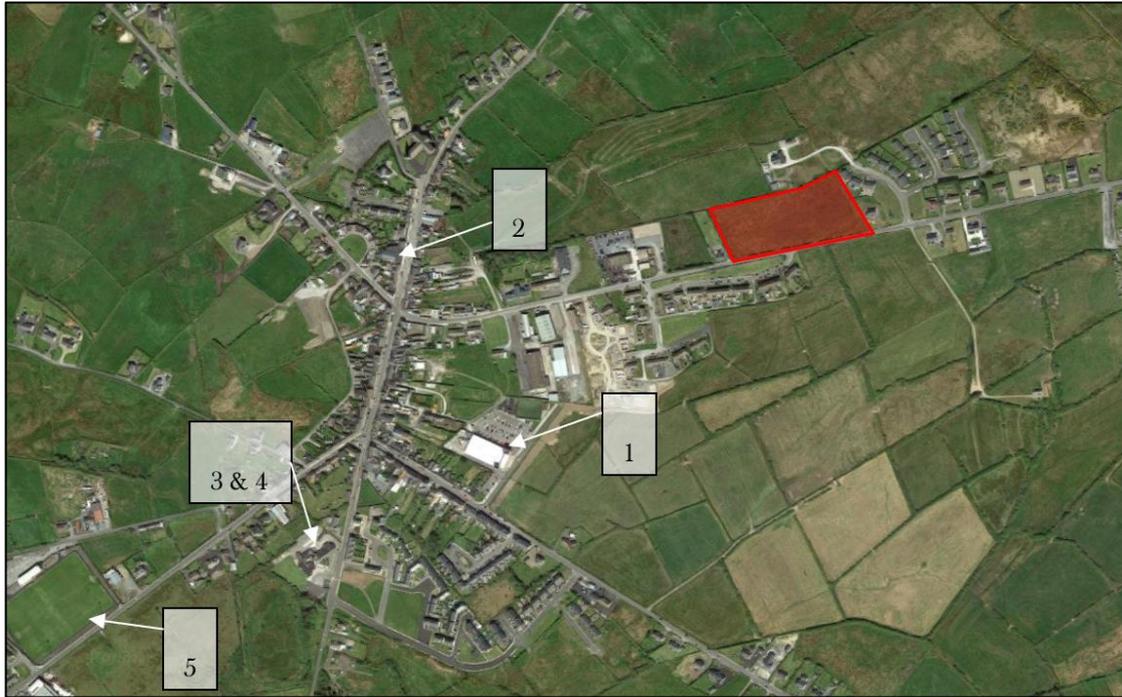


Figure 6: Local Amenities and Facilities (site highlighted in red)

In addition to the aforementioned services and community facilities there are a wide range of bars, restaurants, shops, salons as well as medical centres and veterinary clinics. The towns close proximity to the coast also allows for a range of physical activities to take place locally, such as cycling, surfing, golfing etc.

4.3

## Pedestrian Connectivity

Figure 7, below, highlights the existing pedestrian access route connecting the subject site to the town centre.



Figure 7: Pedestrian Connectivity (footpaths outlined in yellow, site highlighted in red)

It is noted there is no pedestrian connectivity along the frontage of the site, however, direct pedestrian connectivity can be achieved through minor infrastructural upgrades i.e., pedestrian/zebra crossing.

It should be noted that there is no direct pedestrian access to the town centre from the housing development to the east of the subject site, namely, Sli Leag Ard.

#### 4.4 **Vehicular Access**

Vehicular access to the site can be achieved via the Ballard Road, from both eastern and western sides of the site. It is also noted that there is an existing, established entrance to the site, accessed via the Ballard Road, at the southwestern corner of the site, see Figures 8 & 9 below.



*Figure 8: Vehicular Access (road network outlined in yellow, site highlighted in red)*

#### 4.5 **Existing Services**

A review of previous planning applications within the neighbouring properties suggests that connections to public water mains and public sewer systems are available in the Ballard Road.

## 5. ASSESSMENT OF SUBJECT LANDS

The purpose of this section is to provide an assessment of the subject lands against the criteria utilised by Planning Authorities in the identification of appropriate land for new residential development and as set out in Section 4 of the – Development Plans: Guidelines for Planning Authorities 2007 published by the Department of Housing, Local Government and Heritage. The key criteria from this document will be set out below and an assessment of the proposed development provided against same. These criteria are as follows:

- Need
- Policy Context
- Capacity of Water, Drainage and Roads Infrastructure
- Supporting Infrastructure & Facilities
- Physical Suitability
- Sequential Approach
- Environmental and Heritage Policy

In the interests of conciseness an abridged version of the narrative set out in the Guidelines is provided below. It is also noted that the Department of Housing, Local Government and Heritage published a draft of an updated *Development Plan Guidelines for Planning Authorities* in August 2021. It is considered that the subject lands meet the criteria set out in the draft document as they relate to the zoning of lands for residential development.

### 5.1 Need

The Guidelines state the following in respect of need:

*‘The amount of land to be zoned for any particular land-use must be clearly based on, and justified by, a realistic assessment of need. The survey and analysis stage of plan preparation should provide the baseline data to determine future land requirements. A number of factors need to be taken into consideration when determining the location and quantity of land to be zoned.’*

#### 5.1.1 Assessment

As outlined in Section 3.3.1, above, the Core Strategy has outlined a population increase surpassing 10% in Miltown Malbay, over the lifetime of this plan. It is noted that there is a shortfall of 0.23Ha of land that are required to be zoned for ‘Residential’ development. It is considered that there is additional need for lands to be zoned for residential development at appropriate locations, such as the subject lands.

### 5.2 Policy Context

The Guidelines state the following in respect of Policy Context:

*‘Both the amount of land to be zoned for development and the proposed location of that land will also need to be influenced by other plans and strategies, from national and regional to local levels so that local authorities play their full part in supporting the implementation of those national and regional strategies.’*

#### 5.2.1 Assessment

Sections 4.1 and 4.2 above provide an overview of the national and local planning policy context which are relevant to Miltown Malbay. These policy documents provide a very clear direction in relation to the requirement to accommodate population growth within existing settlement in the coming years. The

zoning of the subject lands and their beneficial development in terms of providing housing would accord with the relevant national and regional planning policy context.

## 5.3 Supporting Infrastructure & Facilities

The Guidelines state the following in respect of Supporting Infrastructure & Facilities:

*‘Consideration must be given to the future availability of, or the capacity to provide, supporting infrastructure, such as community facilities, health-care, schools, public open space, retail and other service provision and public transport when allocating land for development.’*

### 5.3.1 Assessment

Figure 6, titled, ‘Local Amenities and Facilities’, included in this submission clearly illustrates that there are a variety of community facilities and amenity facilities located in close proximity to the subject lands. These facilities could have direct pedestrian connectivity to the subject lands after minor infrastructure upgrades, for example, pedestrian/zebra crossing. These amenities and facilities are all within reasonable walking distance from the site.

## 5.4 Physical Suitability

The Guidelines state the following in respect of Physical Suitability:

*‘The development plan should strive to ensure that the form and location of new development offers the best “value for money” in terms of efficient use of existing infrastructure, while minimising the need for costly new infrastructure. Where land in green-field locations is to be zoned, account should be taken, in considering the different options available, of the land’s capacity for development by way of the most cost-effective means of providing the necessary infrastructure.’*

### 5.4.1 Assessment

As outlined in Section 4.6, above, there is existing infrastructure i.e. public water and public sewer, located within the housing estates immediately adjoining the subject lands. It is considered that the connection to existing infrastructure at this location would represent an efficient and cost-effective use of land. In more general terms the topography of the subject lands is relatively flat, and it is considered that they could be developed without the requirement for significant levels of excavation/infilling.

## 5.5 Sequential Approach

The Guidelines state the following in respect of the Sequential Approach:

*In order to maximise the utility of existing and future infrastructure provision and promote the achievement of sustainability, a logical sequential approach should be taken to the zoning of land for development:*

- i. Zoning should extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference (i.e. ‘leapfrogging’ to more remote areas should be avoided);*
- ii. A strong emphasis should be placed on encouraging infill opportunities and better use of under-utilised lands;*
- iii. Areas to be zoned should be contiguous to existing zoned development lands.*

### 5.5.1 Assessment

It is considered that the subject lands would represent infill development on what are currently under-utilised lands. An analysis of the lands zoned for residential development over the duration of the upcoming development plan period indicates that there is an unbalanced spatial distribution of such sites.

It is noted that all of new residential developments will occur southeast of the town centre (Sites R1 and R2). No new residential development is identified along the Ballard Road, despite the presence of vehicular and potential for pedestrian connectivity, availability of services (water and sewer) and proximity to a range of community facilities and amenities.

## 5.6 Natural Heritage

The Guidelines state the following in respect of Natural Heritage:

*'Local authorities have a key role to play in regard to preserving the natural heritage of their areas arising from the legal responsibilities placed on them and from the increasing public awareness of the importance of nature conservation at local level. In doing so they should also avail of opportunities that may arise to create or promote new features of biodiversity in the context of new developments.'*

### 5.6.1 Assessment

A desktop survey of these lands has been carried out, it is noted that there are no ecological or environmental constraints pertaining to the site. Furthermore, it is noted that there are no national monuments or special heritage sites located within the site boundary.

6. **SUBMISSION**

*On behalf of our client, John Jones, we wish to request that the area outlined in red in Figure 10, below is zoned 'Residential' in the adopted Clare County Development Plan 2023-2029.*



*Figure 9: Aerial Image of Site*

7.

## CONCLUSION

In summary, the main considerations for the proposed rezoning of the subject lands from 'Enterprise' to 'Residential' are as follows:

- The subject lands are located within the settlement boundary of Miltown Malbay.
- There are several significant established multi-unit residential developments in the vicinity.
- Road infrastructure and vehicular access locations are satisfactory and would accord with relevant development plan provisions.
- The lands benefit from potential, direct pedestrian connectivity to the surrounding area.
- There are a range of amenities and community facilities located within easy walking distance of the subject lands.
- The lands benefit from proximity to services i.e. water and sewer.
- The Core Strategy set out in the Draft Clare County Development Plan identifies an increase in population, exceeding 10% in Miltown Malbay over the lifetime of the Development Plan.
- The Core Strategy set out in the Draft Clare County Development Plan identifies a shortfall in lands required for residential development.
- It is considered that there is a spatial imbalance in the location of new lands identified for residential development in the Draft Development Plan. No new development is identified along the Ballard Road despite the presence of road and pedestrian infrastructure, services and the proximity of the area to a wide range of high-quality amenity and community facilities.
- Residential development at this location would accord with National and Regional policy objectives and the criteria for zoning lands for residential development set out in the Development Plans: Guidelines for Planning Authorities 2007.

We trust that the above submission will be given due consideration in the preparation of the Clare County Development Plan 2023-2029.

