

# **SUBMISSION TO DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029**

**Lands at Acha Bhile, Loughville, Lahinch Road, Ennis**

Acha Bhile Construction

Issue: A

Customer Project Number: 6739

Customer Document Number:

# Document Sign Off

## SUBMISSION TO DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

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Acha Bhile Construction  
Issue A

File No: 6739

CURRENT ISSUE					
Issue No: A	Date: 20.03.22	Reason for issue: Submission to Draft Clare County Development Plan 2023-2029			
Sign Off	Originator	Checker	Reviewer	Approver	Customer Approval (if required)
Print Name	Mandy Coleman	Joe Hanrahan		Mandy Coleman	
Signature	<b>Authorised Electronically</b>				
Date	20.03.22	16.03.22		20.03.22	

PREVIOUS ISSUES							
Issue No	Date	Originator	Checker	Reviewer	Approver	Customer	Reason for issue

## **1.0 INTRODUCTION**

P. Coleman & Associates have been appointed by Acha Bhile Construction to prepare a submission to the Draft Clare County Development Plan 2023-2029 (Draft Plan) with specific reference to the land-use zoning proposed for Ennis town.

It is noted that the subject site is zoned for Residential purposes in the Draft Plan with the specific zoning objective of 'R18' and this is welcomed and supported by our Client. It is respectfully requested that this zoning is carried forward through to the adoption of the Development Plan with the inclusion of an additional parcel which is currently proposed to be zoned as '*Existing Residential*' having regard to the planning and zoning history for the site.

### **Section 2: Subject Site**

This section provides a description of the site, its context, and the relevant planning history.

### **Section 3: Planning Policy Framework**

This section outlines the proposed national and regional planning policies guiding the Draft Plan and current zoning for the subject site.

### **Section 4: Zoning Objective of the Draft Plan**

This section outlines the proposed land use zoning for the subject site as defined in the Draft Plan.

### **Section 5: Requested Amendments**

This section sets out the case for the approval of the proposed '*Residential*' 'R18' zoning objective on the subject site and for the inclusion of an additional area currently proposed to be zoned as '*Existing Residential*' .

### **Section 6: Conclusion**

This section summarises our case for the adoption of the proposed residential zoning objective and the inclusion of an additional parcel.

## 2.0 SUBJECT SITE

### 2.1 The Site

The subject site, outlined in red in Figure 1 below, is located approximately 2.5km to the north west of Ennis Town Centre. The subject site is located in the townland of Loughville just off the main N85 i.e, the National Secondary Road from Ennis to Lahinch. Access to the subject site is via the existing Acha Bhile Housing Estate which accesses directly onto the N85.

The subject site comprises approximately 1.48 hectares and is located to the rear of the existing Acha Bhile Housing Development which forms its southern boundary. Undeveloped open space and open countryside forms part of the north/western boundary. The subject site has substantial road frontage onto Lee's Road which forms its north/eastern boundary with existing residential units and undeveloped lands to the south and east of the site.



**Figure 1 – Site Location Map – Subject Site outlined in Red**

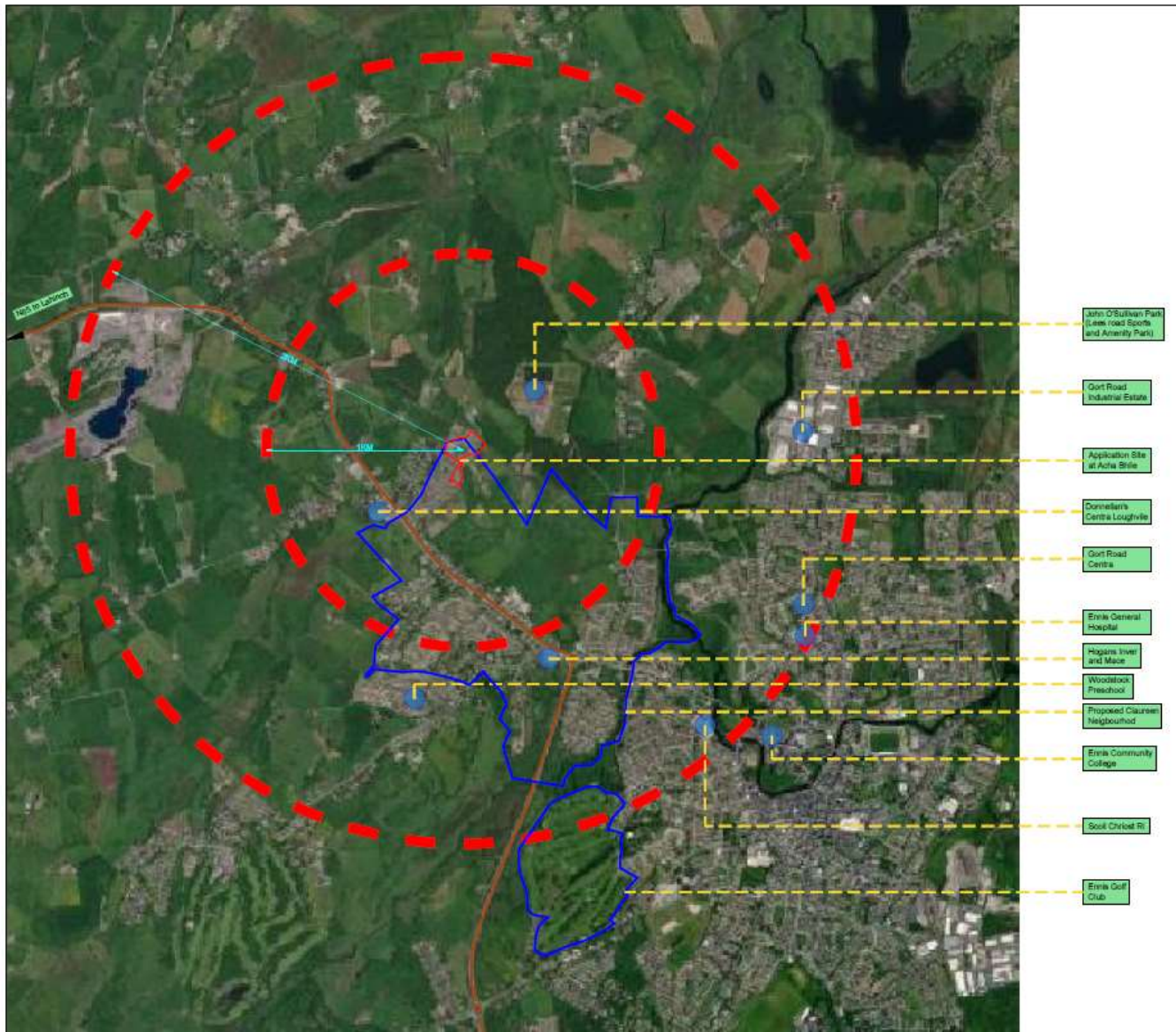


**Figure 2 – Aerial Image of Site outlined in red**

## **2.2 Site Context**

The subject site benefits from good access to amenities within easy walking distance. The subject site is connected to the town of Ennis by footpath. Figure 3 below shows at 1km and 2km. radius centres from the centre of the subject site, that parks, shop, proposed neighbourhood centre, primary school, secondary school are all located within 1 and 2km. of the subject site.

A large block of land at Claureen is currently designated as a neighbourhood centre. This centre will be within 2.36km walking distance of the subject site.



**Figure 3 – 1km and 2km amenities radius from Subject Site**

Services and distributor/arterial roads have been constructed to service the Acha Bhile estate and the subject site. We therefore consider that the subject site presents brownfield characteristics which should ensure this land is prioritized for development.

### 2.3 Planning History

The planning history of the subject site and the larger landholding which includes the Acha Bhile housing estate as constructed to-date is outlined in Table 1 below.

The subject site forms part the Acha Bhile Residential Development which was granted planning permission under two separate planning applications. The full landholding previously straddled both administrative boundaries of Ennis Town Council and Clare County Council and hence the two separate applications. However, due to the economic downturn the Developer was unable to finish this final section of the estate.



<b>Planning Ref</b>	<b>Applicant</b>	<b>Description</b>	<b>Decision</b>
<b>0521104</b>	Cronan Nagle Construction Ltd.	to construct new residential scheme with dedicated creche facility as follows: (A) 20 no. 2 storey units consisting of 4 no. 3 bed houses per unit; (B) 31 no. 3 bed houses 2 storey terraced houses; (C) 4 No. detached 4 bed 2 storey houses; (D) 9 no. 2 storey apartment blocks consisting of 8 no. 2 bed apartment per block; (E) 1 no. 2 storey block with 4 no. 2 bed apartments to first floor and dedicated creche facility to ground floor; (F) All associated site development works including on site parking, refuse storage facilities, new site entrance and associated main road realignment works at Loughville, Lahinch Road, Ennis	Granted 24/02/2006 subject to 57 conditions
<b>05/1348</b>	Cronan Nagle Construction Ltd.	For development to construct new residential scheme of 2 No. 2 storey units consisting of 4 No. 3 bed houses per unit, all associated site development works including on site parking and realignment of boundary wall to edge of public carriageway at Loughville, Ennis	Granted 26/02/2006 subject to 57 conditions
<b>11/108</b>	Allied Irish Bank.	to extend the appropriate period of planning permission P05/1348 for residential scheme comprising 2 no. 2 storey blocks each comprising 4 no. 3 bedroom terrace houses at Loughville, Ennis	Extended until 24/02/2016
<b>15/835</b>	Acha Bhile Construction Ltd.	for the construction of 35 dwelling houses consisting of 34 semi-detached dwelling houses and 1 detached dwelling house, roads, footpaths and associated site works in-lieu of 36 housing units not being constructed which were granted permission as part of the overall Acha Bhile Housing Development under Planning Permission Refs: 05-21104 ( Ennis Town Council), P05-1348 ( Clare County Council ), Extension of Duration Permission Refs: 11-21018 ( Ennis Town Council) and P11-108 ( Clare County Council) and completion of remaining part of estate with all associated site works	Granted 25/09/2016 subject to 22 conditions

Planning Ref	Applicant	Description	Decision
21/135	Acha Bhile Construction Ltd.	to Extend the Appropriate Period of Planning Permission for P15-835 for the construction of 35 dwelling houses consisting of 34 semi-detached dwelling houses and 1 detached dwelling house, roads, footpaths and associated site works in-lieu of 36 housing units not being constructed which were granted permission as part of the overall Acha Bhile Housing Development under Planning Permission Refs: 05-21104 (Ennis Town Council), P05-1348 (Clare County Council), Extension of Duration Permission Refs: 11-21018 (Ennis Town Council) and P11-108 (Clare County Council) and completion of remaining part of estate with all associated site works at Loughville, Ennis	Expiry Date extended to 24/09/2026

**Table 1 – Planning History of Subject Site**

The current approved layout granted under Planning Application P15/835 is shown on Figure 4 below.



**Figure 4 – Approved Site Layout for Residential Development P15/835**



### 3.0 PLANNING CONTEXT

The following section outlines the key national and regional planning policies which support the adoption of the proposed zoning objective and the proposed minor amendment to the Draft Plan for the subject site and the current local level planning policies for the residential zoning of the site.

#### 3.1 National Planning Context

##### 3.1.1 National Planning Framework

The National Planning Framework (NPF) entitled 'Ireland 2040' is a framework to guide public and private 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.

A key focus of the NPF is the need for compact growth. Under the concept of 'Compact Growth', which underpins much of the Strategy, the NPF is:

*'Targeting a greater proportion (40%) of future housing development to happen within and close to existing built-up areas. Making better use of under-utilised land, including 'infill' and 'brownfield' and publicly owned sites together with higher housing and jobs densities, better serviced by existing facilities and public transport.'*

More balanced growth also means more concentrated growth. There are five cities in Ireland today in terms of population size (>50,000 people): Dublin, Cork, Limerick, Galway and Waterford. The NPF targets these five cities for 50% of overall national growth between them, with Ireland's large and smaller towns, villages and rural areas accommodating the other 50% of growth.

The NPF also supports making better use of under-utilised land and buildings, including 'infill', 'brownfield' and publicly owned sites and vacant and under-occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport. This 'compact growth' strategy is designed to counter the prevailing situation whereby the fastest growing areas are at the edges of and outside the cities and towns. This results in:

- A constant process of infrastructure and services catch-up in building new roads, new schools, services and amenities and a struggle to bring jobs and homes together, meaning that there are remarkably high levels of car dependence and that it is difficult to provide good public transport;
- A gradual process of run-down of city and town centre and established suburban areas as jobs, retail and housing move out, leaving behind declining school enrolments, empty buildings and a lack of sufficient people to create strong and vibrant places, both day and night;



- Most development takes the form of greenfield sprawl that extends the physical footprint of urban areas, and when it is the principal form of development, this works against the creation of attractive, liveable, high quality urban places in which people are increasingly wishing to live, work and invest.

The various policies in the NPF are structured under National Policy Objectives (NPOs). The key NPO's of relevance to this submission are as follows:-

*National Policy Objective 3a* seeks to deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.

*National Policy Objective 3c* is 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;

*National Policy Objective 6* relating to increased residential population and employment in urban areas;

*National Policy Objective 11* which favours development that can encourage more people to live and work in existing settlements;

*National Policy Objective 27* which prioritises walking and cycling accessibility to existing and proposed development;

*National Policy Objective 33* relating to provision of new homes at locations that can support sustainable development;

*National Policy Objective 35* relating to increased residential density in settlements.

### **3.1.2 Section 28 Ministerial Guidelines**

There are various Ministerial Guidelines in respect of residential development with the most relevant to the proposed development outlined below:-

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (May 2009),
- Adopted Development Plan Guidelines for Planning Authorities (2007),
- Draft Ministerial Guidelines on Development Plans for Planning Authorities (2021)



### *3.1.2.1 Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (May 2009),*

The role of the Guidelines for Planning Authorities on Sustainable Development in Urban Areas is to ensure the sustainable delivery of new development throughout the country. The Guidelines focus on the provision of sustainable residential development, including the promotion of layouts that:-

- Prioritise walking, cycling and public transport, and minimise the need to use cars;
- Are easy to access for all users and to find one's way around;
- Promote the efficient use of land and of energy, and minimise greenhouse gas emissions;
- Provide a mix of land uses to minimise transport demand.

### *3.1.2.2 Adopted Development Plan Guidelines for Planning Authorities (2007)*

These Guidelines on Development Plans are the adopted guidelines that are currently in place until such time as the current guidelines which are in draft form are adopted.

The Adopted Guidelines advise that development plans should anticipate future needs on an objective basis (Overview on Page 3) with needs driven assessments of future development requirements including the amount of land that needs to be zoned for particular purposes. It is stated that zoning that is not responsive to or justifiable by reference to reasonable needs, or that substantially exceeds such needs is not consistent with established principles of proper planning and sustainable development.

Part 4.4 refers to the mandatory objective of zoning land. It is stated in Section 10(2)(2) of the 2000 Act, as amended, mandates a development plan to include objectives for:-



*‘the zoning of land for the use solely or primarily of particular areas for particular purposes (whether residential, commercial, industrial, agricultural, recreational, as open space or otherwise, or a mixture of these uses) and to such extent as the proper planning and sustainable development of the area, in the opinion of the planning authority, requires to be indicted’.*

Section 4.4 also states that development plans perform an important task in setting out the framework within which the development needs of the economy, and society in general, can be responded to while maintaining, and where possible, improving the environment.

It is further stated in section 4.5 that *‘following the approach set out, a development plan should ensure that enough land will be available to meet anticipated development requirements and will be developed in a sequential and co-ordinated manner. This will avoid, for example, a situation where housing estates are built beyond the outer edges of existing built-up areas while intervening lands lie undeveloped resulting in deficiencies in terms of footpaths, lighting, drainage or adequate roads infrastructure’.* The suitability of these lands and the availability of infrastructure is identified and assessed below.

Crucially in the context of this submission, in addition to the above, when considering the suitability of specific land for development, within the process of preparing zoning objectives in making a development plan, the members are restricted to considering the proper planning and sustainable development of the area to which the development plan relates, statutory obligations and Government policy. Matters typically relevant to ‘the proper planning and sustainable development’ of an area, inter alia, include:

- Need
- Policy Context
- Capacity of Water, Drainage and Roads Infrastructure
- Supporting Infrastructure and Facilities
- Physical Suitability
- Sequential Approach
- Environmental and Heritage policy, including conservation of habitats and other sensitive areas.

### *3.1.2.3 Draft Ministerial Guidelines on Development Plans for Planning Authorities (2021)*

Section 1.5 of the draft Guidelines states that the development plan is now at the heart of a plan-led system whereby public capital investment programmes and priorities are aligned to support the adopted development strategy. The reverse is also set out later in the draft guidelines. This principle has been established through Project Ireland 2040 comprising both the NPF as the State’s national spatial development strategy and the National Development Plan (NDP) as the capital investment is intended to ensure a co-ordinated approach to investment in public infrastructure in a way that ties in with national and local spatial priorities. The development plan must therefore reflect and respond to programmed significant national infrastructural investment by the State.



Section 1.7 identifies Guiding Principles for the production of development plans including the following:-

- A vision for the area;
- Stakeholder engagement;
- A strategic balanced approach;
- The integration of sustainable development and climate change priorities;
- The structured management of change;

### 3.2 Regional Planning Context

The Southern Regional Assembly published the *'Regional Spatial and Economic Strategy for the Southern Region'* (RSES) on 31<sup>st</sup>. January, 2020. It is a 12-year, strategy development framework providing for the future physical, economic, and social development of the Southern Region. It includes Metropolitan Area Strategic Plans (MASPs) to guide the future development of the Regions three main cities and metropolitan areas, Cork, Limerick-Shannon and Waterford and strategies for Key Towns including Ennis Town. It seeks to achieve balanced regional development and full implementation of Project Ireland 2040 – NPF.

Fourteen *'Key Town's*, including Ennis, are identified in the RSES. They each play a critical roll in underpinning the RSES and ensuring a consolidated spread of growth beyond the cities of the sub-regional level.

Six of the Key Towns have a very significant population scale, Kilkenny City, Ennis, Carlow, Tralee, Wexford and Clonmel. The RESE states:-

*'These Key Towns are self-sustaining regional drivers and have a comparable structure to the five regional growth centres identified in the NPF. Given their considerable scope for growth, it is envisaged that local authorities should plan for population growth of more than 30% by 2040'*

Accordingly, Regional Policy Objective 11 refers growth in the Key Towns, including Ennis, as follows:-

*'a. Local Authorities are supported in targeting growth of more than 30% for each Key Town subject to capacity analysis and sustainable criteria under Section 3.3 A Tailored Approach, RPO 3 Local Authority Core Strategies and the sustainable requirements under the following sub sections of RPO 11 Key Towns The appropriate level of growth is to be determined by the Core Strategy of Development Plans'.*

### 3.3 Local Planning Context

The subject site is located within the functional area of Clare County Council and the relevant policy document is the Clare County Development Plan 2017-2023 (CCDP).

According to the Settlement Strategy, the Settlement Plan Policy Objective for Ennis is to ensure that Ennis, designed as a Hub town in the National Spatial Strategy (now superseded) as the county town at the top of the settlement hierarchy;

- a) is a driver of economic and regional prosperity by harnessing its strategic location strong urban structure, retail service and accommodation base as well as its competitive advantages,
- b) a vibrant culturally rich town with a revitalised town centre strong economic growth balanced with enhanced social inclusion sustainable neighbourhoods and a high level of environmental quality ensuring an excellent quality of life is achieved and
- c) a local area plan for Ennis and its Environs during the lifetime of the CCDP.

#### Section 1.4.1 (Strategic Aims for Housing and Sustainable Neighbourhoods)

The strategic aims Goal 1, (of ten goals to be carried through into the LAP) provides for Housing and Sustainable Neighbourhoods facilitating sustainable and balanced population increases by way of land use zoning, provision for consolidation and range of social and physical infrastructure, encouragement of population growth and community development, and creation of strong vibrant neighbourhoods in the Ennis area with a high quality and mix of housing for all members of the community while achieving sustainable neighbourhoods and improving place making.

Proposals for new residential development must be in accordance with Section 28 Guidelines and be accompanied by a Design Statement. (Section 2.2) Development management standards for urban residential development are set out in Appendix 1.

The Core Strategy illustrates how the vision for the County will be achieved in a manner that is consistent with the guidance, strategies and policies at national and regional level. The Core Strategy includes a settlement hierarchy (Table 2.1). Ennis town, with a population of approximately 25,000, is the largest settlement in County Clare. It is an important residential, service and commercial centre providing significant levels of employment. It is therefore at the top of the Settlement Hierarchy for the County. See Figure 5 below.



Figure 5 – CCDP Core Strategy Map

Source - CCDP

Table 2.4 of the CCDP refers to the Core Strategy Population Targets. It identifies that Ennis has a target population increase over the plan period of 8,137 people and a target increase in the number of households of 3,166. 137.2ha is the total area of residentially zoned land required to 2023 based on a density of 30 units/ha. for residentially zoned land in Ennis.

Other relevant policy objectives from the CCDP are outlined as follows:-

***‘CDP4.2 Development Plan Objective: Facilitating the Housing, Needs of the Population***

A. *To facilitate the housing needs of the existing and future population of County Clare through the management of housing development throughout the County in accordance with the Settlement Strategy’*

***‘CDP4.4 Development Plan Objective: Social and Affordable Housing***

A. *In accordance with the requirements of Section 94(4)(c) of the Planning and Development Act, 2000 (as amended), to reserve 10% of land zoned for residential use, or for a mixture of residential and other uses, including ‘low density residential’ for the purpose of meeting social and affordable housing need arising within the County’*



***'CDP4.7 Development Plan Objective: Housing Mix***

- A. To secure the development of a mix of house types and sizes throughout the County to meet the needs of the likely future population in accordance with the guidance set out in the Housing Strategy and the Guidelines on Sustainable Residential Development in Urban Areas;*
- B. To require new housing developments to incorporate a variety of plot sizes to meet the current and future needs of residents;*
- C. To require the submission of a Statement of Housing Mix with all applications for multiunit residential development in order to facilitate the proper evaluation of the proposal relative to this objective'.*

***'CDP8.8 Development Plan Objective: Design Manual for Urban Roads and Streets (DMURS)***

*To implement the requirements and recommendations contained in DMURS in the assessment of development proposals, the preparation of design schemes and their implementation in the development of streets, roads and public realm improvement schemes in the County'.*

***'CDP8.24 Development Plan Objective: Water Supply***

- A. To ensure that adequate water services will be available to service development prior to the granting of planning permission and to require developers to consult Irish Water regarding available capacity prior to apply for planning permission;*
- B. The ensure that development proposals comply with the standards and requirements of Irish Water in relation to water and wastewater infrastructure for facilitate the proposed development.*

***'CDP8.35 Development Plan Objective: Light Pollution***

- A. To require proposals for development that include the provision of external lighting, to clearly demonstrate that the lighting scheme is the minimum needed for security and working purposes;*
- B. To ensure that external lighting and lighting schemes are designed so that the incidence of light spillage is minimised ensuring that the amenities of adjoining properties, wildlife and the surrounding environment are protected'.*





***'CDP14.2 Development Plan Objective: European Sites***

- A. *To require all planning applications for development that may have (or cannot rule out) likely significant effects on European sites in view of the site's Conservation Objectives either in isolation or in combination with other plans or projects, to submit a Natura Impact Statement in accordance with the requirements of the EU Habitats Directive and the Planning & Development Act, 2000 (as amended)'*

***CDP14.3 Development Plan Objective: Requirement for Appropriate Assessment under the Habitats Directive***

- A. *To implement Article 6(3) and where necessary Article 6(4) of the Habitats Directive and to ensure that Appropriate Assessment is carried out in relation to works, plans and projects likely to impact on European Sites (SACs and SPAs), whether directly or indirectly or in combination with any other plan(s) or project(s). All assessments must be in compliance with the European Communities (Birds and Natural Habitats) Regulations 2011;*
- B. *To have regard to 'Appropriate Assessment of Plans and Projects in Ireland – Guidelines for Planning Authorities 2009' or any updated version'.*

***'CDP14.11 Development Plan Objective: Habitat Protection***

- A. *To promote the conservation of biodiversity through the protection of sites of biodiversity importance and wildlife corridors, both within and between the designated sites and the wider Plan area;*
- B. *To ensure that there is no net loss of potential Lesser Horseshoe Bat feeding habitats; treelines and hedgerows within 3km. of known roosts.*

***'CDP17.1 Development Plan Objective: Achieving Quality in the Public Realm***

- A. *To require both public and private development to make a positive contribution to the public realm;*
- B. *To require proposals for development in excess of 3 residential units or 300m<sup>2</sup> to be accompanied by a design statement demonstrating how the 12 urban design principles set out in the Urban Design Manual (2009) have been addressed. A design statement may be required for smaller developments in instances where the proposed development is situated in a key location in the town or village'.*

### 3.2.2 Zoning

The subject site is zoned as 'Residential' in the Ennis Municipal District Plan - Volume 3a of the CCDP and forms part of a block of land with the specific zoning objective of 'R41'.

'Residential' zoning objective states 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, open spaces etc".*

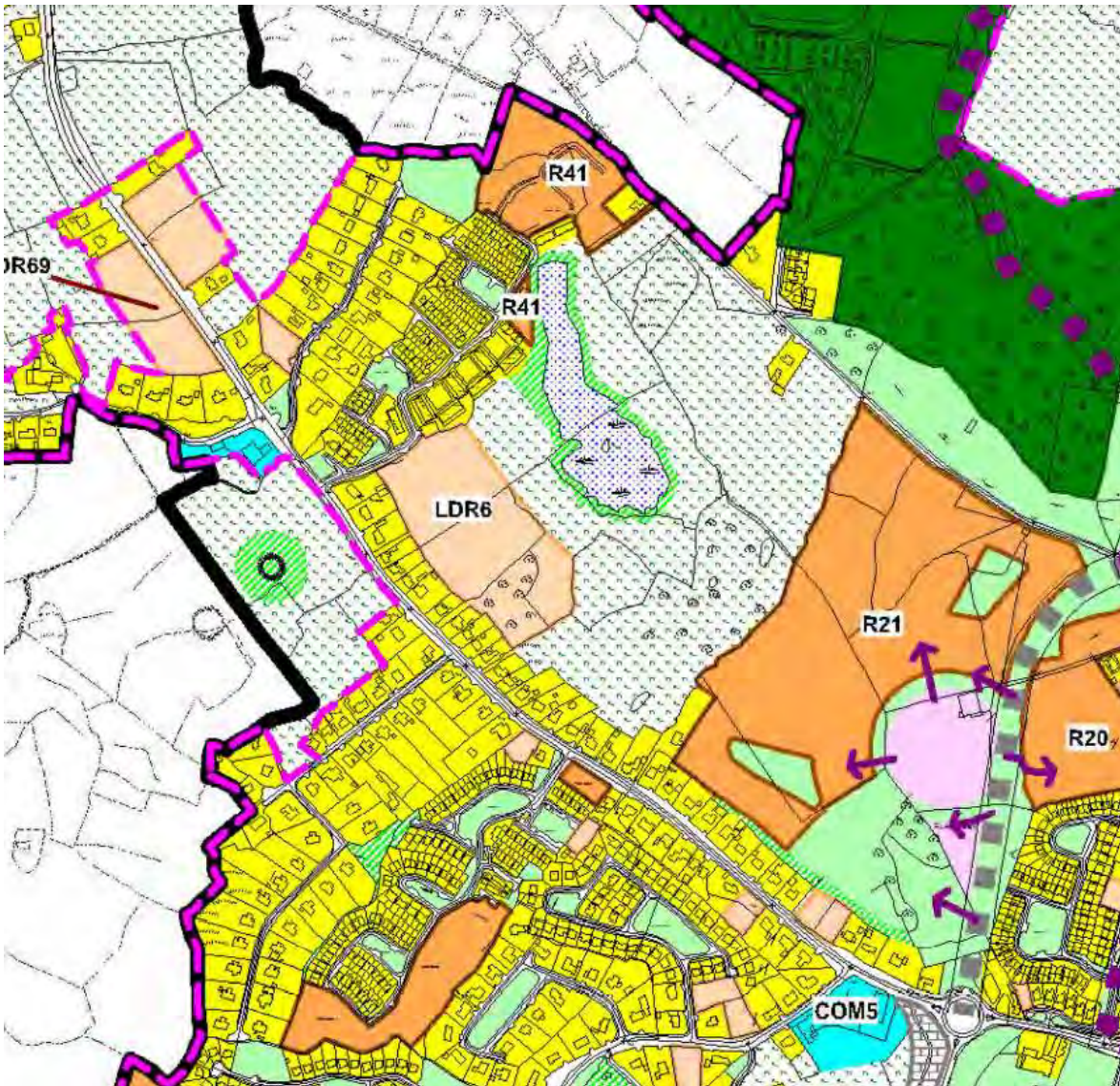


Figure 6 – Land Use Zoning Map - Clare County Development Plan 2017-2023.



The site-specific zoning objective states as follows-

*“R41 – Lands North of Acha Bhile*

*This site is suitable for residential development of a high-quality design and layout. It shall incorporate adequate open space and it shall be accessed from the Acha Bhile housing scheme to the south.*

*A Construction Environmental Management Plan (CEMP) must be produced as part of any planning application on this site detailing how surface water run-off, especially in relation to the release of silt and other pollutants, will be controlled during construction. In addition, surface water run-off during operation should be treated via a combination of appropriate SUDS (i.e., green roofs, permeable paving, petrol interceptor, silt trap) prior to discharge to any surface water features. There should be no infiltration of surface water to the network from this site.*

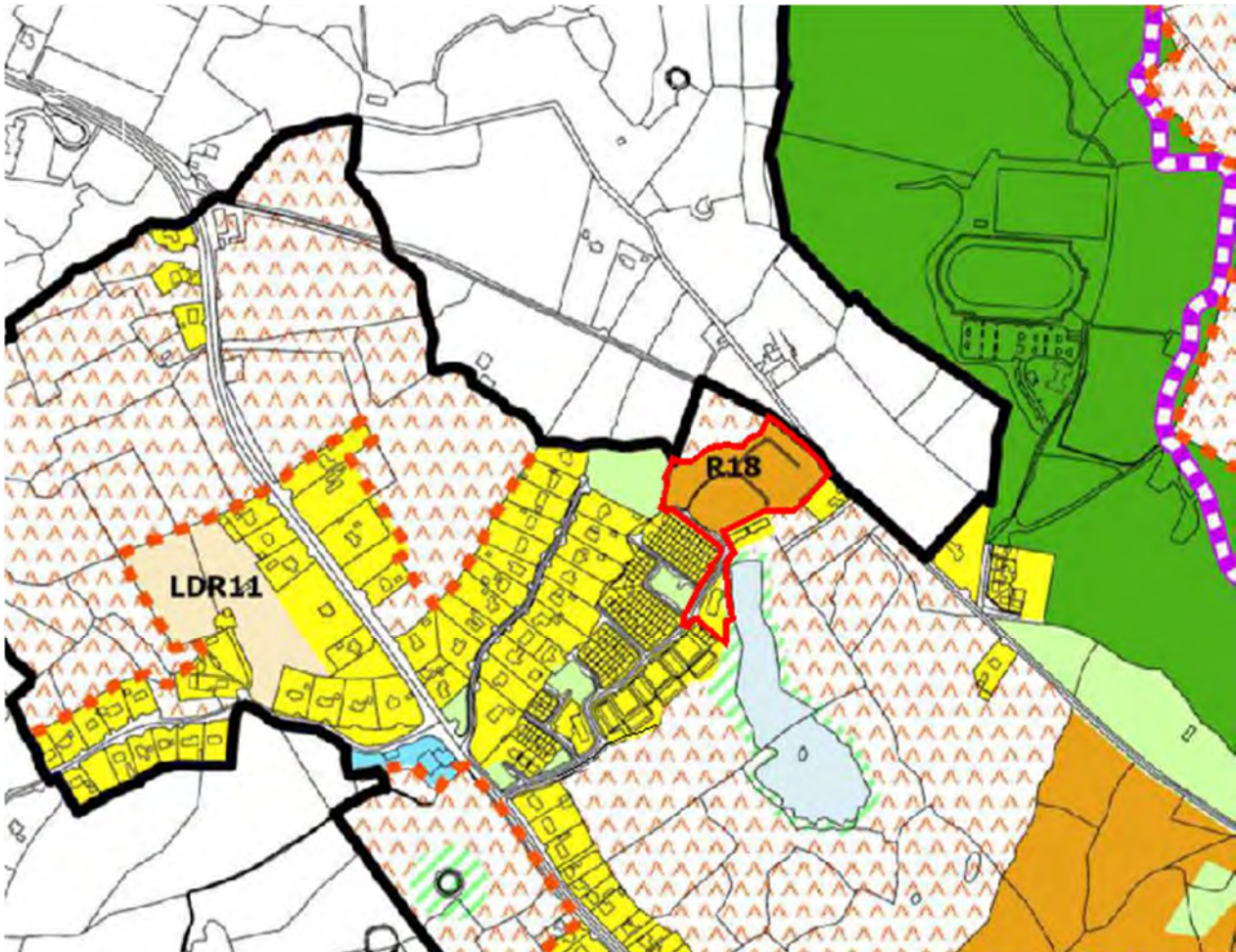
*Any development proposals must also be accompanied by a hydrogeological assessment definitively indicating whether the proposed development will interfere with water quality or hydrology”.*

According to the Land Use Zoning Matrix, multiple residential units are ‘Permitted in Principle’ on the subject site.

The subject site is located within the boundary of the Clareen Neighbourhood which is identified as a neighbourhood for significant growth.

#### 4.0 DRAFT CLARE COUNTY DEVELOPMENT PLAN 2023-2029

The Draft Plan proposes to zone part of the subject site as 'Residential' with the specific zoning objective of 'R18'. The remain part of the subject site is to be rezoned as 'Existing Residential' – See Figure 7 below.



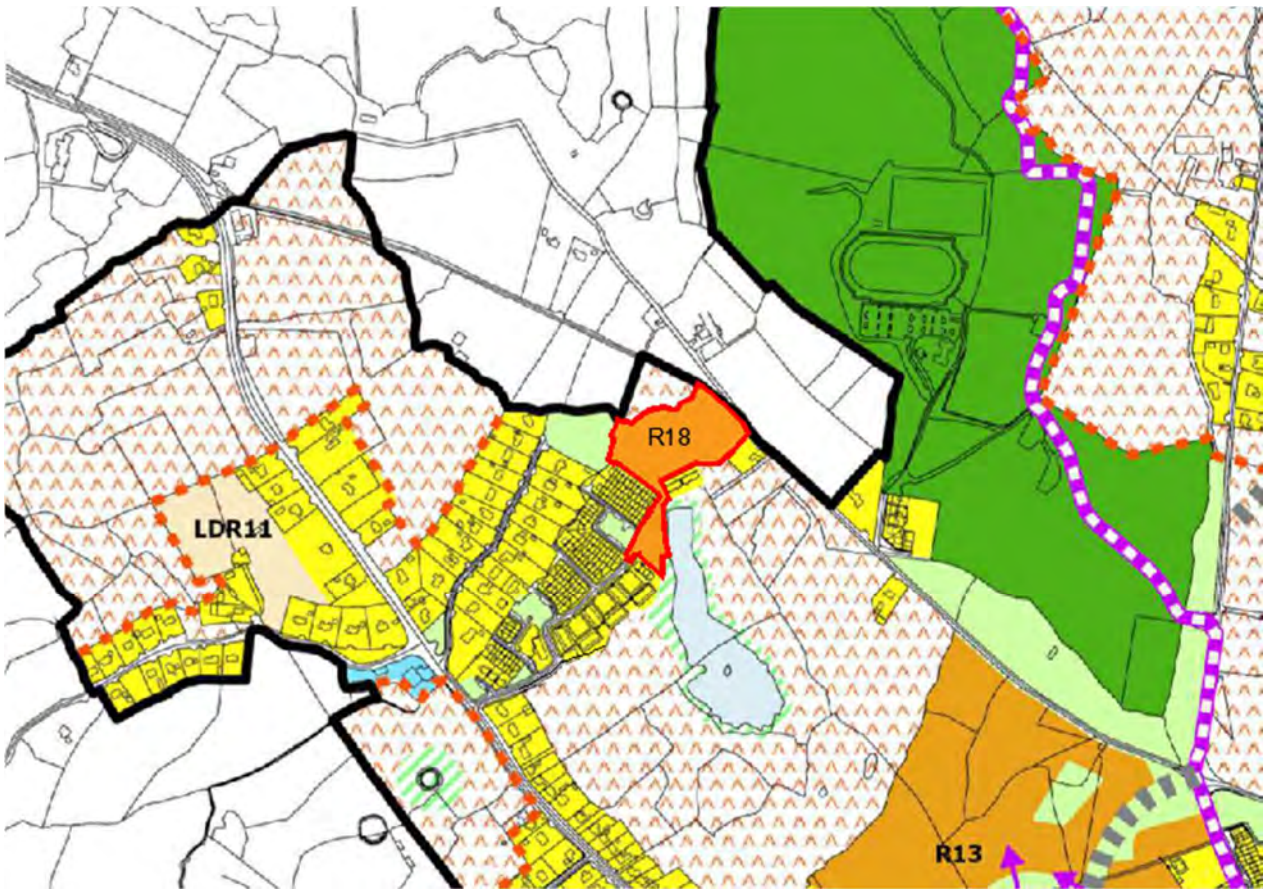
**Figure 7 – Proposed zoning map Draft Clare County Development Plan 2023-2029**

The rationale for retaining the existing residential zoning within the subject site and for the inclusion of a small portion of the subject site in the 'R18' zoning objective is set out in Section 5 below.

## 5.0 REQUESTED AMENDMENT

### 5.1 Adopt proposed 'Residential' 'R18' Zoning and include small portion of land proposed to be zoned 'Existing Residential' in the 'R18' zoning objective.

It is requested that the proposed 'Residential' 'R18' zoning objective on part of the subject site be adopted and to include a small portion of the subject site proposed to be zoned as 'Existing Residential' within the 'Residential' 'R18' zoning objective as identified in Figure 8 below. This area would then match with the site boundary which currently has the benefit of planning permission for a residential development granted under Planning Permission Ref: P15/835 as per Figure 4 above.



**Figure 8 – Draft Zoning Map showing 'Residential' 'R18' zoning objective to be adopted and small portion to be included in the 'R18' block.**

The adoption of the 'Residential' 'R18' zoning objective with the inclusion of the small portion proposed to be zoned as 'Existing Residential' is consistent with the proper planning and sustainable development of the area for the following reasons:-

## 5.2 Principle of Residential Development.

As identified under Section 3.3 of this submission, the subject site is zoned '*Residential*' '*R41*' in the CCDP. Its allocation was considered through the plan making process and determined to be consistent with the proper planning and sustainable development of Ennis town.

The subject site forms part of the full Acha Bhile Housing Development. Planning permission was granted for the full Acha Bhile housing development which included the development of the subject site. However, due to economic downturn the Developer was unable to complete the remainder of this housing development and parts of the Acha Bhile estate which were completed remained in an unfinished state. Some site development works have taken place on the subject site as part of the original Acha Bhile planning permission. The foundations for an apartment block were installed as part of this work. This area which includes the foundations for the apartment block is proposed to be zoned as "*Existing Residential*" in the draft plan. Planning Permission Ref: P15/835 includes this area within the application site. The foundation for the apartment block on this portion of the site is to be removed and semi-detached houses are proposed at this location as part of the P15/835 permission. It is submitted that this small portion of the subject site should also be included in the "*R18*" zoning objective. This would provide consistency with the site boundaries of Planning Permission Ref: P15/835 having the same zoning objective. It is imperative that the full site of P15/835 continues to have a "*Residential*" zoning objective to facilitate the completion of this estate. The completion of this development also formed an essential part of the Site Resolution Plan for the overall Acha Bhile Housing Estate. Phase 3 of the Site Resolution Plan referred to the undeveloped area to the rear of the Acha Bhile Housing Estate i.e. the subject site.

In addition the zoning of the full subject site for "*Residential*" use will ensure that the existing occupiers of the Acha Bhile housing development will have a fully completed estate as envisaged by the original planning permission for the overall estate when they originally purchased their properties.

Maintaining the existing '*Residential*' zoning on the subject site, to include the small portion proposed to be re-zoned as '*Existing Residential*' where there is an existing planning permission for a housing development is considered consistent with proper planning and sustainable development of the area.

## 5.3 Delivery of Residential Development.

The recently published Draft Development Plan Guidelines clearly state that the "*planning authorities should approach the development plan with a clear focus on the delivery of expected development outcomes*".

The Draft Plan has proposed tracts of zoned residential land which cannot be developed in the short term due to infrastructure deficiencies in the area. Whilst it is important that such lands may form part of a long-term strategic land reserve, it is noted that they cannot be immediately developed for the provision of much needed housing. This is in stark contrast to the subject site and its ability to provided for approved housing in the immediate short term with the benefit of planning permission Ref: P15/835. Accordingly, it is submitted to the planning authority that the subject site should be prioritised for development and fully zoned for residential use in the short term.

#### 5.4 Planning for Compact Growth

The NPF seeks to achieve more compact and sustainable growth through consolidation of a greater share of future development within the existing built footprint of settlements, to include new homes, businesses and amenities. The NPF sets national targets for brownfield/infill housing development in settlements (30%) to support the regeneration of existing urban areas. NPF compact growth objectives together with Town Centres first principals are focused on the reuse of previously developed buildings and land and building up ‘infill’ sites, especially those that are centrally located in settlements at all scales.

In accordance with at ‘*Methodology for a Tiered Approach to Landuse Zoning*’ as set out in the Draft Plan, the subject site can be classified as potential Tier 1 Zoned Land. This means that the site has all the infrastructure necessary to ensure that residential development can be applied for and constructed in the short term. Refer to Figure 9 below which shows the subject site well served in terms of infrastructure including road and footpath access, lighting, drainage connectivity and water supply all available and all of which have capacity to accommodate development. Maintaining the existing zoning objective on the full site would facilitate utilization of serviced land within the existing settlement boundary without the need for settlement expansion.

Utility	Availability	Distance from Site
Surface Water	Yes	Onsite Disposal
Wastewater	Yes	Available
Broadband (Wired & Wireless)	Yes	Available
Electricity	Yes	Available
Water	Yes	Available
Public Lighting	Yes	Available
Footpath	Yes	Available

**Figure 9 – Existing Infrastructure at the subject site.**



The development plan process has a strategic role to play in facilitating new development and investment in settlements so that it can support the provision of new homes in areas of greatest housing demand as well as people living closer to employment, recreational opportunities and other services. The proposed development will deliver on the strategic role of the plan, providing housing within the settlement boundary of Ennis in proximity to employment, recreational opportunities and other services.

Zoning the full extent of the subject site for residential purposes will ensure that a portion of new development reflects the compact growth and town centre first agenda, which is also a key dynamic in addressing climate change, through reducing dependence on car-based transport, the extent of green-field land consumption and costly and inefficient infrastructure provision and use. In this instance, the development plan is provided with an opportunity to deliver a framework for development, which ensures a close correlation between facilitating housing on land with infrastructural capacity whilst also ensuring that a substantial element of future growth contributes to the regeneration of Ennis town centre.

## **5.5 Sequential Approach to Development**

The NPF strategy incorporates National Strategic Objectives which seek to tackle the damaging and inefficient pattern of urban sprawl through favouring compact forms of development that focus on consolidating the footprint of our existing settlements with new development. The location of zoned lands and sites within the settlement must be consistent with sequential development patterns, town centre first principles, proximity to services and facilities and the need to reduce carbon emissions.

SPPR DPG 7 of the Draft Development Plan Guidelines state that,

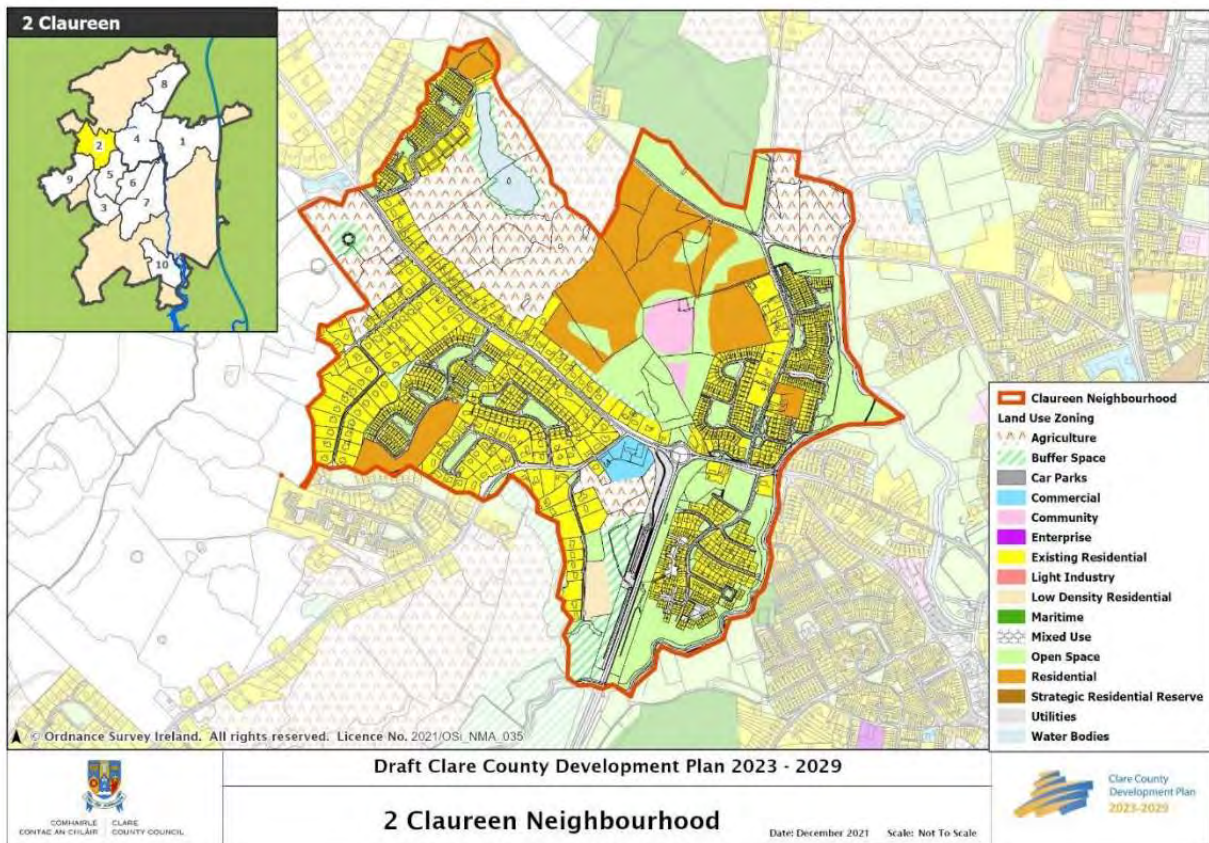
*“Planning authorities shall adopt a sequential approach when zoning lands for development, whereby the most spatially centrally located development sites in settlements are prioritized for development first, with more spatially peripherally located development sites being zoned subsequently”.*

The sequential approach as set out in the DoEHLG Development Plan Guidelines 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.

It is submitted to the planning authority that the subject site is ‘*infill and backland*’ in nature having regard to its location surrounded by housing to the west and south with access only possible through existing permitted residential development.

The subject site is located within the Clareen Neighbourhood boundary. See Figure 10 below.





**Figure 10 Claureen Neighbourhood – Draft Clare County Development Plan 2023-2029.**

It is submitted to the Planning Authority that zoning the subject site for residential use would inherently comply with the sequential approach to development and ensure compliance with SPPR DPG 8 of the Draft Development Plan Guidelines.

Maintaining the Residential zoning objective on the subject site would represent a sequential approach to development which would form a natural continuation of development under the sequential development principle in accordance with the proper planning and sustainable development of the area and the provisions of the recently published Draft Development Plan Guidelines for Planning Authorities (SPPR DPG 7).



## 6.0 CONCLUSION

On behalf of our Client, we request that the proposed '*Residential*' '*R18*' zoning on the subject site be adopted and that a small portion of the site currently zoned as '*Residential*' '*R41*' in the CCDP and proposed to be zoned as '*Existing Residential*' in the Draft Plan be rezoned to '*Residential*' and form part of the '*R18*' block in the Draft Plan. This will ensure that the full site which currently has the benefit of planning permission under Planning Permission Ref: P15/835 for a housing development will have the same zoning objective.

The development of the subject site inherently complies with the overarching policies and NPOs of the NPF to encourage '*compact growth*' and to accommodate part of the population increase projected for Ennis in appropriate locations. The subject site is ideally situated in close proximity to Ennis town centre. The site is serviced and close to the established urban social infrastructure of the town. The principal zoning of the Acha Bhile lands for Residential use will contribute to the realisation of NPF objectives in relation to population growth.

In principle, new residential development on the subject site at the edge of the town is acceptable and to be encouraged in view of the land use zoning, and the strategic policy for Ennis as the County town at the top of the county's settlement hierarchy and a "*Key Town*" which is within the Limerick-Shannon-Ennis triangle, the economic engine of the Mid West.

It is submitted that the adopting of the proposed '*Residential*' '*R18*' zoning objective together with the inclusion of a small portion currently included in the '*R41*' block is therefore in accordance with the requirements of national, regional and local Policy.