

Chief Executive's Report

to the Elected Members on submissions received on the
Draft Clare County Development Plan 2017-2023

Appendix Submissions from Prescribed Bodies

19th May 2016



Prepared in accordance with Section 12(4)(b) of the
Planning and Development Act 2000, as amended



NOTICE OF THE PREPARATION OF THE DRAFT CLARE COUNTY DEVELOPMENT PLAN 2017-2023

Notice is hereby given, pursuant to Part II, Section 12 of the Planning and Development Act, 2000 (as amended) that Clare County Council has prepared a Draft Clare County Development Plan 2017-2023 for the functional area of the Council.

The Draft Clare County Development Plan 2017-2023, on adoption will replace the existing Clare County Development Plan 2011-2017, the Kilrush Town & Environs Development Plan 2014-2020 and the Ennis & Environs Development Plan 2008-2014. The Draft Clare County Development Plan 2017-2023 includes settlement plans and zonings for the settlements of the County and on adoption it is envisaged that the existing East, West, North and South Clare Local Area Plans will be revoked.

Pursuant to Article 6 of the EU Habitats Directive (92/43/EEC) the Planning Authority has undertaken and prepared an Appropriate Assessment Natura Impact Report. Pursuant to Article 13E of the Planning and Development (Strategic Environmental Assessment (SEA) Regulations S.I.436) 2004 - 2011 the Planning Authority has also prepared an SEA Environmental Report of the likely significant effects on the environment of implementing the Draft Plan. The Planning Authority has also undertaken and prepared a Strategic Flood Risk Assessment (SFRA) of the Draft Plan.

The Draft Clare County Development Plan 2017-2023 comprises the following draft documents:

- Volume 1 Written Statement..... €25
- Volume 2 Maps..... €25
- Volume 3 Municipal District Written Statement & Settlement Plans
 - o 3a Ennis Municipal District €15
 - o 3b Shannon Municipal District €15
 - o 3c Killaloe Municipal District..... €15
 - o 3d West Clare Municipal District..... €15
- Volume 4 Record of Protected Structures. €20
- Volume 5 Clare County Wind Energy Strategy..... €10
- Volume 6 Clare Renewable Energy Strategy 2017-2023. €15
- Volume 7 Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary €20
- Volume 8 Mid-West Regional Retail Strategy 2010-2016. €20
- Volume 9 Joint Housing Strategy for Clare Local Authorities and Limerick City & County Councils 2010-2017.....€10
- Volume 10 Environmental Appraisal of the Plan
 - o 10a Appropriate Assessment Natura Impact Report. €15
 - o 10b (i) Strategic Environmental Assessment – Environmental Report €15
 - o 10b (ii) Strategic Environmental Assessment – Non-Technical Summary €15
 - o 10c Strategic Flood Risk Assessment €15

A full set of the Draft Clare County Development Plan 2017-2023 may be purchased for €250 or a CD containing all volumes above may be purchased for €10.

A copy of the Draft Clare County Development Plan 2017-2023 with associated Environmental Report and Natura Impact Report may be inspected during normal opening hours from **8th December, 2015 to 29th February, 2016** (excluding bank holidays) at the following locations:

- Áras Contae an Chláir, New Road, Ennis;
- De Valera Library, Ennis and Local Study Centre, Harmony Row, Ennis;
- All public libraries;
- All Municipal District Offices.

The Draft Clare County Development Plan 2017-2023 is also available on the Council's website at www.clarecoco.ie

Public consultation events on the Draft Clare County Development Plan 2017-2023 will take place throughout the County as follows:

VENUE	DATE	TIME
Community Centre, Kilrush	Tuesday 19th January 2016	4 - 8.00 pm
Resource Centre, Miltown Malbay	Wednesday 20th January 2016	4 - 8.00 pm
Library, Scarriff	Tuesday 26th January 2016	4 - 8.00 pm
Hylands Hotel, Ballyvaughan	Wednesday 27th January 2016	4 - 8.00 pm
Library, Sixmilebridge	Thursday 28th January 2016	4 - 8.00 pm
Clare County Council HQ, Ennis	Monday 1st February 2016	4 - 8.00 pm

Written submissions and observations (**two copies**) on the Draft Clare County Development Plan 2017-2023 may be made to:

Planning & Enterprise Development Department, Clare County Council, Áras Contae an Chláir, New Road, Ennis, Co. Clare or by e-mail to forwardplan@clarecoco.ie (max. document size by e-mail: 4MB) or may be faxed to 065-6892071 **on or before 4.00 p.m. on 29th February, 2016**. Please make your submission by one medium only which should be clearly titled "**Submission to the Draft Clare County Development Plan 2017-2023**".

Written submissions or observations in respect of the Draft Clare County Development Plan 2017-2023 made to the Planning Authority during the above period will be taken into consideration before the making of the Plan.

Children, groups or associations representing the interests of children are entitled to make submissions or observations and any such submissions or observations received will be taken into consideration before the making of the Plan.

NB. As this is a public consultation process, submissions may be made available for public viewing and consequently personal details such as address, email address, and phone number should be submitted on a separate sheet accompanying any submissions or observations.

ROADS ACT 1993 TEMPORARY CLOSING OF A ROAD

Notice is hereby given in accordance with Section 75 of the Roads Act 1993 of Clare County Council's decision to close the road detailed hereunder for the period stated and to introduce a temporary traffic management plan to facilitate carrying out the necessary flood repair works.

Road to be closed;

L-2060 Ayleverroo Road, Cappagh, Kilrush, between its junction with the L-6146 Ballynote (The Rock) and its junction with the N-67 at Moyne Court.

Alternative Route

Via N-67 and L-6146 Ballynote.

Dates and Times of Closures;

8th December 2015 – 29th January 2016 – 24 hour closure to expedite the works.

The roadway will be open during the Christmas and New Year periods from 23rd December until 4th January. The roadway will remain open to pedestrians. There will be local and emergency access.

A temporary traffic management plan will be put in place for the duration of the temporary road closure.

PART 8 DEVELOPMENT PLANNING AND DEVELOPMENT ACT 2000 AS AMENDED PLANNING AND DEVELOPMENT REGULATIONS 2001 AS AMENDED

In accordance with Part XI, section 179 of the Planning and Development Act 2000, as amended and Part VIII, Articles 80 & 81 of the Planning and Development Regulations 2001 as amended, notice is hereby given that Clare County Council proposes to carry out the following development at John Paul Estate, Kilrush, County Clare.

Location:

Laneway located between Sycamore Drive and Willow Grove, John Paul Estate, Kilrush, County Clare.

Nature and Extent of Proposed Development:

It is proposed to construct the following;

- (a) Three metre long, two metre high wall and associated works to divide the existing laneway,
- (b) New vehicular access and three metre wide paved road to facilitate vehicular access from Sycamore Drive to the eastern section of the existing Laneway
- (c) Relocation of the existing pedestrian crossing point within Sycamore Drive and
- (d) Site clearance of all waste material from the existing Laneway.

Plans and Particulars of the above Development including the Appropriate Assessment Screening Report will be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy at

- The Planning offices of Áras Contae an Chláir, New Road, Ennis County Clare and
- West Clare Municipal District Offices, Clare County Council, Town Hall, The Square, Kilrush.

during normal working days from 9:00am to 4:00pm for a period of not less than six weeks beginning on the date of publication of this notice

Submissions or observations with respect to the proposed development, dealing with proper planning and sustainable development of the area in which the development would be situated, may be made in writing on payment of the prescribed fee within the period of 5 weeks beginning on the date of receipt by the authority of the application to the Senior Planner, Planning and Enterprise Development, Áras Contae an Chláir, New Road, Ennis, Co. Clare, up to and including 25th January 2016.

PARKING INCENTIVES EXTENDED FOR ENNIS AND KILRUSH

Reminder that free parking incentives in Ennis and Kilrush have been extended until the end of 2015.

Ennis:

- Free parking in the Council's car parks from 2:00p.m. each Saturday until 31st December 2015.
- Parking charges will continue to apply to on street car parking.

Kilrush:

- Two hours free parking each day until 31st December, 2015



Comhshaol, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government



26 February, 2016.

Planning & Enterprise Development Department,
Clare County Council,
Áras Contae an Chláir,
New Road,
Ennis,
Co. Clare.

Re: Preparation of the Draft Clare County Development Plan 2017-2023

A Chara,

I am directed by the Minister for the Environment, Community and Local Government to refer to your recent letter in relation to the above and set out hereunder observations on behalf of the Minister.

The Department has reviewed the Draft Plan and considers that it provides a strategic framework for the proper planning and sustainable development of the area and gives spatial expression to the economic, social, cultural and environmental aims of the County.

However, there are a number of issues of detail which need to be clarified to the Department to ensure that the County Development Plan fully complies with the Act and supplementary guidelines provided by the Department.

There are a number of **main topics** that warrant further attention and clarification, as follows;

- The Department recommends that the overall quantum of residential development is provided alongside each town and village zoning map, which would link back to the County Development plan core strategy.

- The Department recommends that the Council consider phasing especially with Ennis and Shannon.
- The Department recommends that the Council assess the industry, enterprise and commercial zonings in terms of scale and location. The Department recommends that the overall quantum of each development zoning is provided alongside each land use zoning map.
- On a specific note the Department is concerned with IND1 Industry zoning within the Ennis Settlement Plan. This zoning encompasses a large area of land to the northeast of Ennis directly adjacent to the M18 off junction 13. No evidence base rationale has been provided for this zoning. The Department strongly recommends that the Council re-assess the suitability of zoning this site, given the requirement of the *Spatial Planning and National Roads Guidelines 2012*.
- Clare County Council is advised by the Department to adhere to the *Spatial Planning and National Roads Guidelines* especially in relation to developments of National and Regional Strategic Importance. The current wording in section 8.2 does not conform to the S.28 guidelines. The identification of developments of a national and regional strategic importance should be plan led and not per criteria at planning application stage. The current wording in this section appears to indicate that applications will be assessed on a case by case basis which is not in accordance with the plan led requirement of the DECLG Guidelines. The Department recommends that Clare County Council rephrase this section in line with National policy guidelines. The Planning Authority should be reminded to have regard to any issues raised separately by Transport Infrastructure Ireland and satisfy themselves that they have met the relevant requirements especially in relation to Statutory Section 28 guidelines, [Spatial Planning and National Roads Guidelines \(Jan 2012\)](#).
- The Department advises Clare County Council to apply a cautious approach regarding section 8.2.3.3 Existing Accesses onto National Secondary Roads in terms of possible intensification of accesses. The Department recommends consultation with Transport Infrastructure Ireland.
- A Stage 2 Strategic Flood Risk Assessment (SFRA) (Volume 10c Strategic Flood Risk Assessment) has been prepared on the Draft Clare County Development Plan 2017 – 2023. The SFRA has mapped boundaries for indicative flood risk zones, taking into account factors including flow path and direction, local knowledge, site visits etc. It is noted by the Department that SFRA recommendations appear to of been integrated into

the Draft Plan. Section 8.1 of the SFRA report on Undeveloped Land states that '*new development within Flood Zones A and B that does not pass the justification test will not be permitted. Lands that may have retained a zoning objective which would include development, apply the guidance in Section 7 means such development is restricted to Flood Zone C, with water compatible uses located within zone A and B*'. Within individual settlement plans and land use zonings there are a number of incompatible zonings, such as residential zoned land in areas that have been identified as flood zone A and B. The caveat within the SFRA should ensure that incompatible development does not occur within these zones. The Council needs to ensure that there is clear and robust correlation between the SFRA, the Development Plan written statement and any zoning maps. However, in order to avoid any ambiguity the Department strongly recommends that any zoning identified within flood zone A and B is amended to a water compatible use.

- It is recommended by the Department that the Planning Authority should have regard to any issues raised separately by the Office of Public Works and satisfy themselves that they have addressed the requirements as appropriate.

The Department also has a number of ***minor observations*** and recommendations. These issues are as follows:

- Additional headroom of 34% is given in Ennis and Clarecastle and 50% in all other areas. Is this 34% on top of the 50%? The rationale for this should be expanded upon.
- The population target for Ennis and Shannon includes an additional 2,000 extra persons above the Mid West Regional Planning Guidelines. The rationale and justification for this should be outlined within the Plan.
- The Core Strategy Population Target tables highlight anticipated services available in regards to water and wastewater of individual towns and villages. According to these tables it is anticipated that water and wastewater services will not be available in some towns and villages within the plan time period. If this is the case, clarity should be provided as to either the alternatives or the possible implications that would arise from the lack of services on the town/village and cross referencing this with the SEA.
- Obj CDP 3.13 Infill / Gap sites – To ensure that this objective does not contribute to ribbon development and is in accordance with the *Sustainable Rural Housing*

Guidelines, 2005 additional narrative should be inserted particularly referencing Appendix 4: Ribbon Development of the Sustainable Rural Housing Guidelines.

- To ensure consistency with national policy standards and retain affordability levels of housing the Department seeks Clare County Council to re-assess Objective: CDP 4.10(b), which requires all new residential buildings to provide a ground floor low level access shower. This objective could become onerous to development. It is important for the council to ensure that this objective does not unnecessarily increase the affordability of residential units and reflects recent national policy and government guidelines.
- The Department recommends the inclusion within section 8.4 Water and Waste Water Infrastructure of a comprehensive list of water supply schemes throughout the county detailing current capacity, planned infrastructural upgrades, proposed new schemes and future capacity for the lifetime of the Plan. In terms of waste water, a table should be included detailing current capacity rates and future waste water investment programmes.
- Section 16.2.6 addresses the issue of vacancy. The Department recommends including a reference to the Urban Regeneration and Housing Act 2015 and specifically the vacant site levy.

The Department is of the opinion that overall Strategic Environmental Assessment (SEA) and Habitats Directive Assessment (AA) appears to have been prepared in accordance with the SEA / Habitats Directive and that where appropriate, the proposed objectives and mitigation measures have been incorporated into the draft plan.

However the planning authority should satisfy themselves in consultation with National Parks and Wildlife Service that the draft plan is fully compliant with its obligations under the relevant Directives.

The Department is supportive of Clare's Wind Energy Strategy and Renewable Energy Strategy within the Draft Plan as they are fully consistent with Planning Circular Letter, Circular PL 20-13 *Review of Wind Energy and Renewable Energy Policies in Development Plans*.

If the planning authority has formed the opinion that it is not possible to implement certain policies and objectives contained in Section 28 guidelines a reasoned justification for this approach by way of explanation needs to be set out in the Plan.

The Council is advised by the Department that it may be necessary to revisit the County Development Plan during its lifetime especially the retail strategy and housing strategy when the National Planning Framework and Regional Social and Economic Strategies are in place.

The officials of the Department are available to discuss the matters raised above and in the first instance you can contact Laura Courtney, Planning Inspector, on 01-8882203.

Is mise le meas,

A handwritten signature in black ink, appearing to read 'Niall Cussen', written in a cursive style.

Niall Cussen

Principal Planning Adviser



Mr Brian McCarthy,
Senior Planner,
Planning & Enterprise Development Department,
Clare County Council,
Aras Contae an Chlar,
New Road,
Ennis,
Co. Clare

26th February 2016

Our Ref: SCP150101.3

Re. Draft Clare County Development Plan 2017 - 2023 and Strategic Environmental Assessment Environmental Report

Dear Mr McCarthy,

The Environmental Protection Agency (EPA) acknowledges your notice, dated 14th December 2015 regarding the preparation of the Draft Clare County Development Plan (the Plan) and associated SEA Environmental Report (the SEA ER).

We welcome the incorporation of many of the issues made in our SEA Scoping submission, dated the 9th March 2015, into the Plan and the SEA ER. A number of key additional considerations are outlined below that should also be taken into account in finalising the Plan.

Specific Comments on the Draft Plan to be considered

In *Chapter 2-Core Strategy*, we note the deficiencies relating to the provision of adequate and appropriate water and wastewater infrastructure provision for certain settlements in the county, as outlined in *Tables 2.4-2.7 Core Strategy Population Targets for Zones 1-7*. The Plan should ensure that sustainable development and economic growth is promoted. Settlement growth and associated development in the Plan area should be linked to the ability of critical service infrastructure to accommodate further growth. This should be implemented in collaboration with other service providers. Issues with drinking water and wastewater treatment facilities should be addressed on a priority basis in collaboration with Irish Water in the context of *Irish Water's Water Services Strategic Plan and Capital Investment Programme*.

We acknowledge the commitment in *Chapter 3 Urban and Rural Settlement Strategy*; to prepare new local area plans (LAPs) for both Ennis & Environs and for Shannon Town. These LAPs should be prepared taking into account the requirements of the SEA, Floods, Water Framework and Habitats Directives and associated relevant national Regulations and Guidelines, in particular, to guide/inform the appropriate zoning and development of lands. With regard to flood risk in particular, where existing zoned undeveloped lands are identified as being at risk of significant flood risk (Flood Zone A or B), the LAPs should consider re-zoning or de-zoning to more appropriate land use as appropriate.

The Settlement Maps accompanying the Plan should also consider including the findings of any flood risk assessment(s) carried out. Superimposing existing (and proposed additional) land use zoning within the various settlements with available flood risk mapping, will highlight potential zoning conflicts to be considered. The Plan should ensure that only appropriate land uses are considered in areas of significant flood risk, in accordance with the *Flood Risk Management Guidelines* (DEHLG, 2009).

We welcome the commitments given in *Development Plan Objectives CDP 3.9 and CDP 3.10* relating to the implementation of the proposed '*Settlement Strategy and the Planned Growth of Settlements*'. In implementing this

development strategy, the Plan should ensure that zoning and development is consistent with the Regional Planning Guidelines and with the County Core Strategy. Once the proposed Regional Spatial and Economic Strategy for the Mid-West Region is prepared, it will have implications on future zoning and growth within the County. There is merit in including a commitment to integrate the recommendations of the relevant Regional Spatial and Economic Strategy covering the Plan area, upon its adoption.

We welcome the inclusion of *Development Plan Objective CDP 4.14 Green Infrastructure in Residential Developments*. *Objective CDP 4.14* could also be further strengthened by including a commitment to integrate the relevant aspects of the *County Clare Heritage Plan 2011-2017* and *Clare Biodiversity Action Plan 2014-2017*.

We note the inclusion of the various proposed developments referred to under *CDP 6.7 Development Plan Objective: University of Limerick-Clare Campus*, in particular the proposed Northern Distributor Road, Strategic Rail Link and the re-opening of the Errina Canal. The Plan should clarify whether EIA has been carried out for the Northern Distributor Road (including route selection options). If this is not the case, the SEA should consider including an assessment of the potential for significant environmental effects to inform the decision making process. In conjunction with Limerick City and County Council, the Plan should consider preparing a joint master plan for the campus redevelopment to ensure a co-ordinated approach to development is undertaken. This would be beneficial in the context of ensuring environmental (including flood risk) and ecological protection of environmentally sensitive areas is taken into account in a coordinated manner across each local authority area.

We welcome the integration of a Wind Energy Strategy, the Shannon Integrated Framework Plan, and a Renewable Energy Strategy into the Plan.

We note the commitments given to comply with the provisions of the *Clare Noise Action Plan (2013)* in *CDP 8.32 Development Plan Objective: Noise Pollution*. The Plan should clarify whether aviation-related noise aspects have been considered in the preparation of this noise action plan. In preparing the proposed Local Area Plan for Shannon, this should be considered as appropriate.

Where appropriate, the Plan should include a reference to the National Mitigation Plan (DECLG), which is currently being prepared. This national plan seeks to reduce greenhouse gas emissions across a range of sectors (transport, energy, agriculture etc.) in collaboration with other Government Departments including DTTAS, DAFM and DCENR.

We welcome the inclusion of the specific objectives relating to coastal zone management and coastal protection, included in *Chapter 12 – Marine and Coastal Zone Management*. The Plan should also consider future climate scenarios in terms of predicted higher sea levels and increased frequency and intensity of storm conditions and associated potential for infrastructural damage. The Plan should ensure the protection of ecological buffers/marshlands/estuaries, in order that the effects of coastal squeeze on protected species/designated habitats can be managed appropriately where possible. The role that estuaries and marshes play in terms of flood alleviation could also be highlighted.

We acknowledge that the Plan in *Chapter 13-Landscape*, provides for the protection of visually sensitive areas and areas of significant landscape character.

We welcome that many specific policies for the protection of natural heritage, biodiversity and associated green infrastructure are included in *Chapter 14-Biodiversity, Natural Heritage and Green Infrastructure*. It may be also useful to consider including a reference to the role ecosystem services can have in the development of the Plan area. Promoting community based engagement in citizen science and specific projects such as the Burren LIFE Programme would also be very beneficial to protect and manage environmental sensitivities at a local level while supporting local communities.

We welcome the inclusion of *CDP 14.7 Development Plan Objective: non-Designated Sites*, and in particular, the commitment given to prepare habitat mapping for County Clare. The Plan should, where possible, include a commitment that development be required to take into account any available habitat mapping.

We welcome the commitments given under *CDP 14.27 Development Plan Objective: Green Infrastructure*, to prepare green infrastructure plans for Ennis and Kilrush. We also acknowledge the intention to implement the adopted green

infrastructure plan for Shannon. These will provide a framework to inform future zoning and development proposals in the County while protecting ecological corridors and linkages (and associated biodiversity) at a Plan level. Such plans will also provide community related benefits in areas such as recreation. There is merit in considering the integration of Green Infrastructure into the development of the various settlements described in *Appendix B* of the SEA/ER, as appropriate, to protect local ecological linkages and corridors.

Specific Comments on the SEA Environmental Report

Under section 2.2.2 *Scoping*, we welcome the comprehensive outline of submissions received in respect of the Plan. In particular, we acknowledge how the key issues raised in these submissions have been addressed in the SEA.

We note the inclusion of mapping showing radon levels within the county at between 10%-20% and greater than 20% above the reference level outlined in *Chapter 5 Environmental Baseline-5.7.7 Human Health and Quality of Life*. The Plan should include a commitment to provide appropriate measures to mitigate for the harmful effects of radon in line with the development management process.

Table 5.10.1 Water Framework Directive Status sets out the % of water bodies including river/lake/transitional/costal and groundwater currently classified as being of ‘moderate’, ‘poor’, or ‘bad’ status in Co Clare. The Plan should protect and improve water quality within the Plan area, in accordance with the requirements of the WFD. On-going monitoring of trends in water quality status should also be incorporated into the monitoring programme for the plan period. The EPA’s WFD Application, available on EDEN (www.edenireland.ie) may assist in monitoring the trend of water bodies.

Chapter 8: Assessment of Effects of implementing the Clare County Development Plan, in particular we note the environmental and cumulative/in-combination effects described. The Plan should ensure that proposed development including residential, industrial, energy related or infrastructural, is prepared and implemented in accordance with the requirements of EIA, Habitats, Floods and Water Framework Directives. This will ensure that appropriate risk assessment of environmentally sensitivities areas which may be affected by any proposed development, is undertaken, and appropriate environmental protection and mitigation is put in place to address any potential environmental risks and concerns.

We note the inclusion of *Table 10.1 – Strategic Environmental Objectives, Targets and Indicators*. Where possible, the Plan should include the frequency of monitoring for each of the Strategic Environmental Objectives described. Linking the Plan and SEA related monitoring would be useful to provide for assessing how well the Plan is protecting environmental sensitivities and vulnerabilities over the lifetime of the Plan.

Additional Plans/Programme considerations

The Plan should consider taking into account the following additional Plans/Programmes.

- National Peatlands Strategy and associated Raised Bog SAC Management Plans and Raised Bog NHA Review (DAHG/NPWS, 2015)
- Draft Plan for Forestry and Freshwater Pearl Mussel in Ireland (DAFM, currently being prepared).
- Draft Freshwater Pearl Mussel Sub-Basin Management Plans (DAHG/NPWS, 2010)
- Draft National Bioenergy Plan (DCENR, currently under preparation).
- Renewable Electricity Policy and Development Framework (DCENR) recently commenced
- National Mitigation Plan (DECLG) currently being prepared
- Food Wise 2025
- OREDP
- Grid 25
- National Landscape Strategy Wild Atlantic Way
- National Planning Framework (to commence in 2016)

Future Amendments to the Draft Plan

Where amendments to the Plan are proposed, these should be screened for likely significant effects in accordance with the criteria as set out in Schedule 2A of the SEA Regulations and should be subject to the same method of assessment applied in the “environmental assessment” of the Draft Plan.

SEA Statement– “Information on the Decision”

Following adoption of the Plan, an SEA Statement, should summarise the following:

- How environmental considerations have been integrated into the Plan;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the Plan;
- The reasons for choosing the Plan adopted in the light of other reasonable alternatives dealt with; and,
- The measures decided upon to monitor the significant environmental effects of implementation of the Plan.

A copy of the SEA Statement with the above information should be sent to any environmental authority consulted during the SEA process. Should you have any queries or require further information in relation to the above please contact the undersigned.

I would be grateful if an acknowledgement of receipt of this submission could be sent electronically to the following address: sea@epa.ie.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Cian O'Mahony'.

Cian O'Mahony
Scientific Officer
SEA Section
Office of Environmental Assessment,
Environmental Protection Agency,
Regional Inspectorate,
Inniscarra,
County Cork



An Roinn
Ealaíon, Oidhreachta agus Gaeltachta
Department of
Arts, Heritage and the Gaeltacht

29 February 2016

Our Ref: FP2015/119

Director of Services,
c/o Forward Planning Section
Clare County Council
New Road
Ennis
Co. Clare

Re: Draft Clare County Development Plan 2017-2023

A Chara,

On behalf of the Department of Arts, Heritage and the Gaeltacht, I refer to the planning authority's recent notification of 07/12/15 that a new draft Clare County Development Plan 2017-2023 has been prepared for the functional area of the Council, and is currently on public display. Outlined below are heritage-related observations/recommendations of the Department under the stated heading(s).

Nature Conservation

It is understood that the new plan, on adoption, will replace the existing Clare County Development Plan 2011-2017, as well as Kilrush Town and Environs Development Plan 2014-2020, and Ennis and Environs Development Plan 2008-2014. It is also understood that the draft plan contains municipal district plans, with settlement plans and zonings for the settlements of the county, and that it is likely that, on adoption, the existing North, South, East and West Clare local area plans will be revoked.

The Department notes that the draft plan comprises ten volumes, including:

- Written statement (Volume 1);
- Volume of maps (Volume 2);
- Written statements and settlement plans for the new municipal districts of Ennis, Shannon, Killaloe and Kilrush/west Clare (Volume 3);
- Five strategies (Volumes 5-9), including the wind energy strategy, the renewable energy strategy and the SIFP; and
- Environmental appraisal of the plan (Volume 10), including the NIR, the SEA Environmental Report, and Strategic Flood Risk Assessment.

Background considerations

Context of observations

The following observations are made by the Department in its role as a prescribed body and an environmental authority under planning legislation. The observations are not exhaustive but are intended to assist the Council in meeting its obligations in relation to natural heritage and biodiversity in the plan area and in the new plan. Particular emphasis is placed on compliance with the Habitats Directive and Birds Directive, including in respect of Articles 6(2), 6(3) and 6(4) of the former, as set out in Part XAB of the Planning and Development Act, 2000 as amended, and in the European Communities (Birds and Natural Habitats) Regulations, 2011. The critical requirements, in this case, are that an appropriate assessment must be carried out by the Council before the plan is made, and that no plan that would have (or perpetuate) adverse effects on the integrity of a site may be made (unless in exceptional circumstances where the provisions of Article 6(4) of the Habitats Directive may be invoked).

Duties of a public authority

In addition to being the competent authority for the appropriate assessment of this plan, the Council should be mindful of its duties as a public authority, under Regulation 27 of the European Communities (Birds and Natural Habitats) Regulations, 2011, to exercise its functions, including consent functions, in compliance with or so as to secure compliance with the requirements of the Habitats Directive and the Birds Directive, and these Regulations.

Previous Departmental submissions

The Council will be aware of the Department's previous submissions of 06/03/15 and 23/03/15 in respect of this plan at pre-draft, Issues Paper and SEA scoping stages, as well as the advice and recommendations given by staff of this Department at a meeting with the Council on 20/03/15. In addition, the Department has made numerous detailed submissions to the Council over many years in relation to:

- the existing and/or former county and other development plans in Clare (e.g. Ennis and Environs, and Kilrush Town and Environs);
- strategies which are being incorporated into and given effect by the new plan, including the wind energy strategy, renewable energy strategy and SIFP;
- Local Area Plans in Clare.

The Department has also made submissions to the Council (and its consultants) that are relevant to some specific development objectives within the current plan, e.g. West Clare Railway walking and cycling route, and the proposed Limerick Northern Distributor Road, and has outlined where there are or were uncertainties as to the implications of these projects for the conservation objectives and integrity of certain European sites. The current observations are made on the basis that previous advice and recommendations have been taken into account by the Council.

The appropriate assessment

It has been established by the Council that an appropriate assessment is required, and an NIR has been prepared for the current draft plan. The appropriate assessment has yet to be carried out and this must occur before the plan is made. Among other things, the Council must take account of the NIR when this assessment is carried out and the NIR should relate to the final iteration of the plan, whether or not there are amendments or material alterations. No land use plan may be made if it would adversely affect the integrity of a European site.

The Department notes various references and text in plan documentation, including the NIR, which suggest that the terms 'NIR' and 'appropriate assessment' are synonymous, and that the latter has been carried out¹. As the Council will be aware, the appropriate assessment is a pending step in the plan-making process. When it is carried out, it cannot have lacunae, and must contain complete, precise and definitive findings and conclusions with regard to the implications of the plan for the conservation objectives and integrity of European sites. In the event that data gaps and

¹ For example, Section 1.1 of the NIR (Volume 10a) states that, "*The Council's AA decision at the Draft Plan Stage is also published alongside the Draft CDP*", and page 3 of Volume 3C states that "*The Appropriate Assessment, Strategic Environmental Assessment and Strategic Flood Risk Assessment which have been undertaken in tandem with the preparation of this development plan have informed the formulation of plan objectives and land-use zonings*"

incomplete analysis in the current NIR (as set out below) or changes in the plan are addressed in the Manager's Report or in an addendum to the NIR, the Council should take account of these, in addition to the current NIR, when carrying out the appropriate assessment.

Flooding

The Strategic Flood Risk Assessment, which forms part of Volume 10, is noted. This was prepared prior to the extreme winter flooding of 2015/16. In the event that this requires revision, or new advice and recommendations come from the OPW or from other flood risk working groups, this should be taken into account, and reflected in objectives and recommendations of the plan, and subjected to any environmental assessments necessary.

Specific considerations

Written statement (Volume 1)

It is noted that the written statement comprises a vision, Core Strategy, and about 295 development objectives for the wide range of policy areas covered by the plan. Chapter 14 covers 'Biodiversity, Natural Heritage and Green Infrastructure', and sets out a suite of positive objectives to conserve, protect and enhance nature conservation sites, habitats, species, and ecological networks. These objectives are welcomed and are wide-ranging in their scope. However, the Council is advised that there should be further analysis of potential negative implications of proposed or increased amenity and recreational use of such areas, and in European sites in particular. Some suggested changes to the text of this chapter are made below, for technical accuracy. In addition, it is recommended that Objective 2.1², which is a positive ecological and environmental measure, should be integrated or cross-referenced with objectives in this chapter, as appropriate.

Many of the objectives in other chapters of the written statement support or promote development, including changes in land use or in the likely intensity of land use. Future development that will or could result from these objectives will vary in its nature, scale and geographical specificity, as is normal in a county development plan. In some cases, however, the developments and their locations are specific, and European sites will be impacted, or are already being impacted. A plan should aim to manage the competing aspirations for development on the one hand, and ecological and environmental conservation and enhancement on the other, including through the incorporation of appropriate plan-level mitigation. It should also aim to identify areas where resources, advice and funding may need to be provided by the Council to assist in achieving certain development objectives, particularly when considering suitable project sites or options, when assessments are required, and when Council or community projects are involved.

It is understood that the processes of preparing the NIR and SEA Environmental Report have influenced the drafting of the written statement in a positive way, including through the incorporation of plan-level mitigation into the content of the objectives. However, apart from Chapter 14, this mitigation, if included, is largely concerned with general obligations to comply with the Habitats and Birds Directives and national legislation, including in respect of screening for appropriate assessment and carrying out appropriate assessment, where necessary, at some point in the future. It is noted that this limited mitigation is not always applied, and is not always applied or referenced consistently, and this, in itself, may result in some risks to European sites and may mislead those using the plan; if, for example, there are references to the need to comply with the Habitats Directive in some objectives, and not in others, this could be taken to mean that such matters will arise in the case of the former and not in the latter. It is recommended that, if future compliance of plans and projects is used as a mitigation measure, then there should be clearer and more consistent wording, cross-referencing or use of footnotes in each of the relevant objectives which, among other things, should include or encapsulate Objective CDP 2.1 and its

² CDP2.1 – It is an objective of the development plan: a) To require the preparation and assessment of all planning applications in the plan area to have regard to the information, data and requirements of the Appropriate Assessment Natura Impact Report, SEA Environmental Report and Strategic Flood Risk Assessment Report contained in Volume 10 of this development plan; b) To require projects to be fully informed by ecological and environmental constraints at the earliest stage of project planning and any necessary assessment to be undertaken, including assessments of disturbance to species, where required

general principles and requirements. All the objectives should be further reviewed by the Council to ensure that there is rigorous, consistent and effective application of this approach to mitigation, wherever necessary.

The above type of mitigation should also be reviewed or expanded, where necessary, to cover the full range of considerations that may apply; e.g. Objective CDP8.39 – Renewable Energy, says as follows: *It is an objective of the development plan: g) To ensure that all proposals for renewable energy developments and ancillary facilities in the county are in full compliance with the requirements of the SEA and Habitats Directives.* For completeness, from a nature conservation perspective, this should also include reference to the Birds Directive, the EIA Directive, and relevant national legislation. Checks for the accuracy and appropriateness of some mitigation (or statements) should also be carried out, e.g. references in plan documentation to requirements for ‘appropriate assessment screening reports’ to be prepared or submitted by prospective developers should be rephrased either as information or reports to support screening for appropriate assessment which will be carried out by the Council, as the competent authority.

In line with the above approach, it would assist if, in relation to terms such as ‘suitable sites’ (e.g. Table 3.1, Types of Rural Housing Development allowed on Suitable Sites), European and other nature conservation sites, and sensitive habitats, were identified as factors for consideration in their definition.

Municipal district written statements (Volume 3)

Many of the above points are also relevant to the municipal district written statements and to the plan-level mitigation they contain. In addition, the Department notes that Tables C2(a) to (d) of Appendix C of the NIR list specific mitigation measures that are not integrated into the text and objectives of these four statements, and are not adequately cross-referenced or linked between the two documents. This needs to be reviewed and improved so that there is clarity and transparency regarding the mitigation that is deemed necessary, and so that plan and its objectives can be found to pass the tests of Article 6 of the Habitats Directive.

NIR

The approach to and detail in the NIR, including the appendices, are noted. Despite the significant work and analysis undertaken in the NIR, the written statement contains objectives for development within European sites or which are unlikely to be able to avoid such sites, or where the location is not currently known. The general mitigation, if any, in the NIR and written statement is to require future proposals going through consent procedures to be subject to the relevant assessment processes. This includes the Council’s proposals as well as those of other bodies, authorities and private individuals. This approach to mitigation is covered above.

In one table in the NIR (Appendix C, Table C1), all c. 295 objectives of the main written statement are listed and their likely effects addressed by way of some text. When the Council reviews and takes account of the NIR, the responses in column three of this table should be noted, as should the findings of Table B2 (Appendix B), in relation to potential pathways for effects on the listed SACs and SPAs. The NIR identifies many objectives where likely significant effects on European sites (in view of their conservation objectives) are not excluded; this is generally for reasons of insufficient geographical or project specificity, or because related strategies were previously assessed in their own right. What is missing is some analysis of the likely efficacy of the mitigation, and analysis of the implications of the plan for the conservation objectives and integrity of European sites. Based on the approach to the NIR, including the findings in these tables, it is unclear to this Department how the conclusion in Section 4.2 of the NIR, which states as follows, is reached: *“The result of the assessment was that all of the objectives in Volume 1 were not regarded to give rise to adverse effects on the integrity of European Sites.”* Plan-level mitigation must be demonstrated to be effective in addressing and ameliorating the full range of any adverse effects on the conservation objectives and integrity of European sites that would arise from the plan, or that already exist and may be perpetuated or worsened by the implementation of the plan.

Where it is stated in the NIR that there is insufficient geographical specificity, the locations of some development objectives are clearly in or cannot avoid European sites; some of the examples noted by this Department are CDP6.4, CDP6.7, CDP8.6, CDP8.9, CDP9.22 and CDP9.23, but there are many other examples in the plan. Regarding some of these objectives, the following points are raised for the Council's consideration:

- Proposed Limerick Northern Distributor Road: the Department has not yet seen an assessment of the road as a project, but is aware that lands are being safeguarded at plan level for a future road; it is this provision that has been assessed.
- References to community use of natural resources in places such as Ballyallia Lake, the Post Office Field and along the River Fergus which are within or adjacent to European sites: the NIR has identified that significant effects could arise from such uses, but targeted assessment and analysis of the implications for the conservation objectives and integrity of the European sites in question are lacking. The Department has advised the Council that amenity and recreational uses of European sites may not be consistent with their conservation objectives, and that this should be taken into account in the definition of and objectives for green infrastructure. In the current absence of targeted assessment and analysis in the NIR to support these uses, it must be concluded that the implications for the conservation objectives and integrity are unknown and unresolved. In these cases, the precautionary principle should apply and the objectives should be omitted or revised, or subjected to more detailed assessment and analysis.
- The plan supports and promotes the development and use of trails, greenways and other natural sites and features. Some examples noted by the Department include the West Clare Railway Greenway, the Cliffs of Moher trail, and Loop Head trail. The former passes through a European site and, while partly permitted and included in this plan, there is no assessment of the section within the European site. In relation to the two coastal trails, it is known that usage is increasing, and that habitat damage and disturbance are resulting from recreational pressures, e.g. through the ecological monitoring undertaken on behalf of Fáilte Ireland in relation to the Wild Atlantic Way and its implementation programme. Further consideration should be given to the need for corrective action in order to meet the requirements of Article 6 of the Habitats Directive in the case of the Cliffs of Moher trail in particular.
- Where there is reliance on mitigation measures from other strategies, the Council must ensure that this mitigation suffices and is up-to-date, particularly in respect of the location and extent of European sites, and the details of their conservation objectives, taking the current environmental baseline and pressures into account.

Natural Heritage

The overall plan would benefit from review and technical input in relation to European sites, NHAs and appropriate assessment matters and terminology, particularly, but not exclusively, in Chapter 14. Some suggestions are made below but the review by this Department is incomplete. The following observations are generally made with respect to the content and details of Chapter 14 of the written statement but may have wider implications for other parts of the plan.

- Section 14.3.2: *suggested change to* – The EU Habitats Directive, together with the EU Birds Directive, provide for the conservation, protection and, in some cases, restoration of habitats and species ...
- Section 14.3.2: SACs – *suggested change to* – These sites are for the conservation and protection of plants, animals (other than birds) and wildlife habitats ...
- Section 14.3.2: SPAs – *suggested change to* – These sites are for the conservation and protection of birds and their habitats ... (Note the Birds Directive dates from 1979 but was codified in 2009.)
- Section 14.3.2: *omit or rewrite the following to clarify and correct* – The Directive was incorporated into Irish law by the European Communities (Natural Habitats) Regulations (S.I. No. 94 of 1997) under Regulation 31 (Annex 1.2) and the European Communities (Birds and Natural Habitats) Regulation (S.I. No. 477 of 2011).
- Section 14.3.2: in addition to the obligations under planning legislation to 'take appropriate steps to avoid ...', the Council has duties as a public authority under Regulation 27 of the European Communities (Birds and Natural Habitats) Regulations, 2011, as outlined above.

- CDP14.2: *suggested change to* – likely significant effects on European sites in view of the site’s conservation objectives ...
- Section 14.3.3: *suggested change to* – There is a requirement to ensure that future developments do not have or perpetuate adverse effects on the conservation objectives and integrity of a European site.
- Section 14.3.3: *suggested change to* – any plan or project must be screened for appropriate assessment (by the Council) to establish if there is potential for significant effects on a European site and to determine if an appropriate assessment (by the Council) is required.
- Section 14.3.4: *suggested omission of* – Natural heritage includes local flora and fauna, geology, parks and inland waterways. (This section is about NHAs.)
- CDP14.6 (and elsewhere): the European Communities (Natural Habitats) Regulations 1997 have been revoked so do not currently apply.
- Section 14.3.7: ... and Annex II and IV species
- Section 14.3.10: include references to Article 10 of the Habitats Directive in relation to wildlife corridors and stepping stones.
- Maps showing nature conservation sites should depict SPAs more clearly, including to reflect their status as European sites.
- Map F and the listing of NHA sites should distinguish established and legally protected NHAs from ‘pNHAs’.
- Maps of environmental sensitivities in the plan area should include the Cloon and Doonbeg *Margaritifera* Sensitive Areas.
- Refer to European site and Natura 2000 network, but not Natura 2000 site;
- Glossary – NPWS is part of Department of Arts, Heritage and the Gaeltacht, and the ‘N’ is for National (not Natural) Parks and Wildlife Service;
- Section A.1.7: *Rephrase the following* – “If a development site is located on or near a Natura 2000 site, or the proposed development may have an impact on a Natura 2000 site, it is advisable to consult with the National Parks and Wildlife Service at the earliest possible opportunity”, to “If a development site is located on or near a European site, or the proposed development may have an impact on a European site, it is advisable to consult with the Council at the earliest possible opportunity. The National Parks and Wildlife Service of the Department of Arts, Heritage and the Gaeltacht may also be consulted, including via <http://www.npws.ie/planning>.”

The Burren National Park

It is considered that the Burren National Park has not received due consideration in the draft development plan, considering its status as an IUCN Category II protected area.

Section 14.3.6 refers to “..a number of other sites, such as national parks, nature reserves and wildfowl sanctuaries across the county..”

Development plan objective CDP14.6 refers to the Burren National Park. This is a general objective however, applying to areas of biodiversity importance and does not specifically deal with the National Park. 14.6(c) refers to “national parks”. It should be noted that there is only one national park in Co. Clare.

It is suggested that consideration should be given to developing policies and objectives for the development plan, with the aim of protecting the environment and vistas and zones of visual influence in and around the national park and the visual character of the park.

The Burren National Park which is still in a relatively early stage of development, in terms of its overall area, is nonetheless a special and iconic site. It would be helpful if the development plan set out the council’s view on how it wishes to see the park developing, how it views the park as a tourism asset for Co. Clare and its potential for assisting in local and county development.

Policies and objectives in relation to the promotion of the park, signage to the park, traffic, the facilitation of access to the park by tourists and other visitors while conserving the character, habitats and environment of the park would be welcome.

CDP14.20. It is considered that this objective is rather out of place in this draft plan. Any conservation management plan that may be drawn up by this Department would be an internal document with no legal status. It is suggested that it would be preferable if policies and objectives along the lines referred to above, were developed by the council –in consultation with this Department, if need be – and included in the county development plan. These could then form the framework around which any internal Departmental management plans for the national park would have to work.

Archaeology

Having considered the information as submitted in the relevant documentation, the proposed new Local Area Plans shall take account of the following observations and recommendations of the National Monuments Service of the Department of Arts, Heritage and the Gaeltacht.

It is recommended that all LAPs contain detailed Cultural Heritage Sections that looks to assess all aspects of each individual areas and their Environs (both for terrestrial and underwater cultural heritage) and thus provide a more cognizant archaeological assessment that will then form part of a strategic assessment process to inform the LAPs generally and cover potential developments or works that may not be subject to the normal planning process. The potential for previously unrecorded archaeology, and particularly that from an underwater environment, is high for the multitude of zones relating to the proposed areas, particularly those in coastal locations, and not least the Shannon and Killaloe, but others too with maritime and riverine heritage an obvious part of the story of their cultural past.

Appropriate Assessments would be particularly relevant where any Flood Risk Management Scheme is proposed or is to be extended. It is therefore recommended that an LAP or subsequent SEA and any proposed Flood Risk Management Assessments be updated to included assessment of the known and potential cultural heritage in *all areas* of the proposed LD Plans. This shall include the known and potential terrestrial and underwater archaeological heritage of all areas that may be the subject of proposed works in the future, including coastal paths, flood schemes, coastal protection works, foreshore works, dredging programmes, etc.

An AA can be desk based in the first instance, with the more detailed fieldwork or underwater assessments being carried out as part of the statutory planning process, a general assessment, undertaken by a suitably qualified archaeologist (with underwater/maritime experience regarding the UCH), that shall ensure that future proposed works that fall under both statutory and non-statutory regulations with regard to the planning process, will be addressed. This will inform on the protection of all aspects of the cultural heritage when the Council considers works or zoning under the LAPs.

Terrestrial & Underwater Archaeology:

In *The Record of Monuments and Places (RMP)* recorded archaeological sites are to be found within the areas addressed for the LAPs. These Recorded Monuments are protected under the National Monuments (Amendment) Act 1994. The RMP is not an exhaustive list of all archaeology in existence, and in this regard the DAHG would like to draw the applicant's attention to the Department's published policy in relation to the archaeological assessment of large-scale developments on sites where there are no previously recorded monuments (*Framework and Principles for the Protection of the Archaeological Heritage* – Published by Dúchas The Heritage Service).

Similarly, contained within the areas covered are estuarine, riverine and coastal environments. These may contain known and previously unknown underwater archaeological heritage that should

be considered in any appropriate assessment to inform the LAPs. Such sites can include fortifications with associated slipways, quays, etc., harbours with associated marine infrastructure, shipwrecks, fishtraps, lakeside dwellings, causeways, logboats, singular sites such as rock cut platforms and steps, and of course artefactual material associated with sites or as individual depositions in underwater environments.

It is the policy of the Department that proposed developments, due to their location, size, or nature, that may have implications for the archaeological heritage should be subject to archaeological assessment. This should be included in the LAPs. Such developments include those that are located at or close to an archaeological monument or site, those that are extensive in terms of area (1/2 hectare or more) or length (1 kilometre or more), those that may impact the underwater environment (marine, intertidal/foreshore, riverine or lacustrine) and developments that require an Environmental Impact Statement. Archaeological heritage includes:

- National Monuments in the ownership or care of the State or Local Authority; it shall be noted that these will have Consent requirements and will need to be addressed directly with the National Monuments Service in this regard.
- Archaeological and Architectural monuments/sites in the Record of Monuments and Places.
- Monuments in the Register of Historic Monuments
- Zones of Archaeological Potential in Historic Towns
- Underwater Archaeological Heritage, including Historic Wrecks
- Previously unknown and unrecorded archaeological sites (including subsurface elements with no visible surface remains and potential sites underwater in rivers, lakes or the sea, that can include wharves, jetties, quays, piers, fish traps, anchorages, bridges, fording points, rockcut steps or sea caves)
- Potential sites located in the vicinity of large complexes of site or monuments
- Present or former wetlands, unenclosed land, rivers or lakes, reclaimed areas, or the inter-tidal zone.

Kindly forward any further information electronically to the following email address:

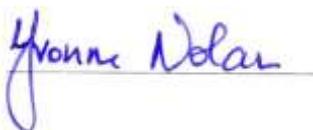
manager.dau@ahg.gov.ie

Alternatively, hard copy documentation associated with the above can be referred to the DAU at the following address:

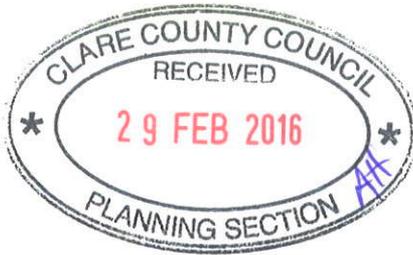
The Manager,
Development Applications Unit,
Department of Arts, Heritage and the Gaeltacht,
Newtown Road,
Wexford
Y35 AP90

In addition, please acknowledge receipt of these observations by return.

Is mise le meas,



Yvonne Nolan,
Development Applications Unit



208073

No 4

AERFORT NA sionainne
shannon AIRPORT



Forward Planning Unit
Planning Land Use and Transportation
Clare County Council
New Rd.
Ennis,
Co. Clare

Feb 26th 2016

Re: Proposed Amendments to the Draft Clare County Development Plan 2017 - 2023

A Chara,

SAA Ltd. wishes to make the following comments in respect of the Proposed Amendments to the Draft Clare County Development Plan 2017-2023.

**Volume 1 of the Draft Development Plan – Written Statement
Chapter 8 – Physical Infrastructure, Environment & Energy
Section 8.2.5 Shannon International Airport**

Reference is made to the importance of public transport links to the airport however we note from this draft plan that no mention is made of the possible rail link to Shannon Airport. The previous plan (2011-2017) included for the construction of a spur rail line from the existing Limerick to Ennis rail line and the associated route/land protections required to protect a project of this type.

- Can you confirm if this was an oversight or whether you have determined that the viability of such a project is in question?
- Also the lands protected for the passage of the rail line, are these now available for other land uses?

**Volume 1 of the Draft Development Plan – Written Statement
Appendix 3 – Natural Heritage Areas in County Clare and their associated site code**

The section outlining the proposed Natural Heritage Areas (Pg 327) specifically mentions Rosroe Lough (Site Code 2054) as a candidate area for NHA status. It remains the situation that while we welcome the potential designation of Rosroe Lough as a proposed NHA, we wish to point out that Rosroe Lough continues to be the raw water source for the supply of treated drinking water to Shannon Airport and its associated campus.



We would like to strongly re-emphasize our raw water abstraction rights (riparian rights) from Rosroe Lough which have been in existence since the late 1930's and which will require protection under any plans for NHA designation.

Volume 5 - Wind Energy Strategy
Section 6.10 Aviation Safety and Navigation Pg 44

The content under this heading needs to incorporate the following points:

Shannon Airport Authority Ltd. may need to be contacted as a statutory consultee under the planning regulations in the siting of wind turbines at locations specifically in County Clare as these projects may have implications for the operations of the comms, navigation and surveillance systems used by Air Traffic Control for the separation and safety of aircraft. The geographical siting of these wind turbines may also have implications for the flight paths of aircraft.

Regard must be had to the IAA's *Obstacles to Aircraft in Flight Order, 2002 (S.I. No.14 of 2002)*, as amended, which specifies the criteria used to determine whether or not any object anywhere in the State is deemed to be an obstacle affecting aircraft operations. Also, in order to assure the safety and efficiency of aircraft operations in the vicinity of airports, the International Civil Aviation Organisation (ICAO) has defined a volume of air space above which new objects are not permitted to interfere.

It is also our contention that all wind energy developers should seek the views of the Irish Aviation Authority (IAA) at the pre-planning stage of consultation, with details of locations and proposed heights of turbines, to ensure that proposed developments do not cause difficulties with air navigation safety. If any potential adverse effects relating to wind turbine development were identified as part of the planning consultation process, Shannon Airport Authority Ltd. would fully support any submission from the IAA.

SAA would also ask that the planning authority highlight within the strategy the mandatory stipulation of the deployment of obstacle avoidance lighting on each individual wind turbine in the interests of flight safety.

Volume 6 – Clare Renewable Energy Strategy
Section 8.2.2 Factors influencing preferred location for large scale photovoltaic installations (exceeding 50 m²)

Point to be added as follows:

Large scale solar generation projects proposed on lands close to airports must be required to take account of the reflectivity from the photovoltaic panels. Reflectivity refers to light that is reflected



off surfaces. The potential impacts of reflectivity are glint and glare which can cause a brief loss of vision (also known as “flash blindness”).

Because these projects potentially introduce new visual surfaces to the airport setting where reflectivity could result in glare that causes flash blindness episodes on pilots or air traffic controllers, reflectivity requires studies (“ocular glare studies”) to be carried out during the project siting and design phase.

Volume 7 - Strategic Integrated Framework Plan for the Shannon Estuary
Section 5.7.4 Shannon International Airport Pg 112

Paragraph 2 needs to be amended and replaced with the updated information as follows:

“Shannon Airport has seen three successive years of growth since it became an independent operator in 2013. In 2015 passenger numbers grew 5% with over 1.7 million passengers passing through the airport which serves 35 destinations in 11 countries. Shannon has transatlantic services which fly directly from the airport to the United States (New York JFK, Newark, Boston, Philadelphia and Chicago and sees significant growth in particular in the European market in 2015. The airport was the first outside of the Americas to implement a US Customs and Border Protection facility which provides a full pre-clearance for passengers into the US.”

Conclusion

We welcome the publication of the Proposed Amendments to the Draft Clare County Development Plan 2017 - 2023 by Clare County Council.

SAA Ltd. respectfully request that our comments will be given due consideration by Clare County Council during the Development Plan review process.

We would appreciate acknowledgement of receipt of this submission.

Yours sincerely,

Paul Hennessy
Safety Compliance & Environment Manager
SAA Ltd.



**Roinn Cumarsáide,
Fuinnimh & Acmhainní Nádurtha**
Department of Communications,
Energy & Natural Resources



Brian McCarthy
Planning and Enterprise Development
Áras Contae an Chláir
New Road
Ennis
Co. Clare

25th February 2016

RE: Draft Clare County Development Plan 2017-2023

Our Ref: 15/240

Dear Mr McCarthy,

To assist you with the preparation of Clare County Development Plan 2017-2023, I would like to make the following comments on behalf of the Geological Survey of Ireland (GSI) - a division of the Department of Communication, Energy and Natural Resources - in relation to items in the documents listed below.

Volume 1 – Written Statement

Chapter 14 – Biodiversity, Natural Heritage and Green Infrastructure

The Irish Geological Heritage Programme (IGH) of the GSI would like to acknowledge the recognition given to the geology of Co. Clare through Co. Clare Geological Heritage Sites (section 14.3.5.) and the support to the Burren and Cliffs of Moher UNESCO Geopark (section 14.3.21.).

Co. Clare has some of the most famous and important geological sites in Ireland and the GSI believe the current document addresses it appropriately.

The IGH programme would like to note some minor amendments to the draft CDP as it is in its current form:

- Section 14.3.5 refers to 'Geological Heritage Sites', however the sites being referred to are listed as 'County Geological Sites', as referred to in the National Heritage Plan. It is suggested that all mentions of 'Geological Heritage Sites' throughout the CDP be amended to 'County Geological Sites'; including in the table in Appendix 3.

Volume 10bi – Strategic Environmental Assessment (SEA)

Chapter 5.8. – Soils and Geology / Section 5.8.4. Geology

The IGH programme would like to note some minor amendments to the SEA as it is in its current form:



- Section 5.8.4 refers to ‘Geological Heritage Sites’, however the sites being referred to are listed as ‘County Geological Sites’, as referred to in the National Heritage Plan. It is suggested that all mentions of ‘Geological Heritage Sites’ throughout the SEA be amended to ‘County Geological Sites’, including Table 5.8.3. and Figure 5.8.4.
- Section 5.8.4 also refers to 89 sites of geological importance; however there are only 45 County Geological Sites. GSI recommends the adjustment of this figure to reflect the listed sites.
- Finally, only the most significant County Geological Sites will be recommended for designation as NHAs, rather than all County Geological Sites as mentioned in Section 5.8.4.

Should you require further information please contact Sarah Gatley, Head of the IGH Programme at sarah.gatley@gsi.ie or Ivan de Wergifosse at ivan.dewergifosse@gsi.ie.

Chapter 5.10. – Water / Section 5.10.5. - Groundwater

Although referred to twice in this section, Figure 5.10.5. showing the groundwater vulnerability in Co. Clare is missing from the SEA volume.

The characterisation of the bedrock aquifer – from which the groundwater vulnerability rating partly derives - should also feature in this section. Please see GSI Groundwater viewer for details: <http://spatial.dcenr.gov.ie/GeologicalSurvey/Groundwater/index.html>

The aquifer is classified by the GSI as “Locally Important” for the area from Ennistimon to Kilrush. It is classified as “Regionally Important Karstified-conduit” for the area extending from Ennis to North Clare. Karst features, present in vast numbers in this latter part of the county, play an important role as conduits for water and pollutants. Illegal dumping, especially in dolines (enclosed depressions) and sinkholes in karstic areas should also be added as a potential source of pollution.

Should you require further information in relation to groundwater, please contact Taly Hunter Williams at taly@hunterwilliams@gsi.ie

I hope that these comments are of assistance, and if the GSI can be of any further help, please contact me.

Yours sincerely,



Sophie Préteseille, Geologist
Information Management Programme
E. sophie.preteseille@gsi.ie
T. 01-678 2897



Planning & Enterprise Development Dept.
Clare County Council
Áras Contae an Chláir
New Road
Ennis
Co. Clare

Dáta | Date
25 February, 2016

Ár dTag | Our Ref.
TII15-93820

Bhur dTag | Your Ref.

Re. Draft Clare County Development Plan, 2017 – 2023

Dear Sir/Madam,

Transport Infrastructure Ireland (TII) welcomes consultation on the Draft Clare County Development Plan, 2017 – 2023, and the opportunity to comment on emerging policies and development objectives scheduled in the Draft Plan.

The Council will be aware that TII was established in August, 2015. TII is the operational name of the National Roads Authority and the Roads Act, 2015, sets out the legal structure for the transfer of the Railway Procurement Agency (RPA) functions, etc., to the Authority.

TII's observations, provided in the following submission, seek to address issues concerning the safety, capacity and strategic function of the national road network in accordance with the Authority's statutory obligation and the provisions of official policy. To that effect the Authority provides the following comments for the Council's consideration;

MANAGING EXCHEQUER INVESTMENT AND STATUTORY GUIDANCE

The Trans-European Transport Networks (TEN-T) are a planned set of transport networks across Europe. The TEN-T regulations target a gradual development of the transport network with the core network a priority (by 2030) followed by the remainder of the comprehensive network (by 2050). The TEN-T regulations define the objective of increasing the benefits for road users by ensuring safe, secure and high-quality standards for road users and freight transport in a co-ordinated fashion to achieve integrated and intermodal long-distance travel routes across Europe. The Council will be aware that the M18 Limerick to Galway route is identified as part of the TEN-T Comprehensive Network.

The M18 is a highly important national road and is identified as a Strategic Linking Corridor in the National Spatial Strategy and is an important inter-urban transport corridor linking the Limerick/Shannon and Galway Gateways and Ennis Hub. The M18 also provides the dominant means of north/south access in the region, in addition to providing access to international markets for freight and tourist traffic through, for example, Shannon Airport via the N19, etc. it also links with the M6 and M7 major inter-urban national roads.

The Council will also be aware that the N67, N68 and N85, national secondary roads, are important inter-regional links through the County and provide access to more peripheral areas in the west of the county.

It is noted that a number of road improvement schemes are included in Section 8.2.3.5 of the Draft Plan and also that support for MWASP is included in Objective CDP 8.1. In relation to schemes related to national roads, included in both Section 8.2.3.5 of the Draft Plan and MWASP, TII advises that although the proposals may not relate to Government objectives, the Authority acknowledges that it is beneficial to identify road schemes that are proposed to be delivered at a local/regional level within the term of the Plan. Though, the Council should be aware that TII may not be responsible for financing such additional projects.

Such projects should be developed by the scheme promoter to complement the strategic function of the national road network and should not undermine or compromise this function

In addition, it is noted that Section 8.2.3.5 and CDP 6.7 also include for the Limerick Northern Distributor Road. The Council will be aware of the special requirements of the tolling scheme (N18 and the Limerick Tunnel Scheme); details of potential implications have already been circulated to the relevant Council Chief Executives. TII's position remains as previously stated in that regard.

DoECLG Spatial Planning and National Roads Guidelines (2012)

In addition to the above, TII's submission on pre-draft consultation advised that it is of particular importance that policies and objectives are drafted which allow the network of national roads to continue to play their intended strategic role in catering for inter-urban and inter-regional transport requirements that will serve Ireland's economic competitiveness by providing faster, more efficient and safer access to and from our major ports, airports, cities and large towns.

There is a critical need to manage these assets in accordance with national policy as outlined in Smarter Travel (DTTAS, 2009) and the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities (DoECLG, 2012).

In that regard, the Authority welcomes the strategic aim outlined in Section 8.1 of the Draft Plan to safeguard the strategic transport function of the motorway and national road network and associated junctions in order to cater for the safe and efficient movement of inter-urban and inter-regional traffic. It is also noted that Smarter Travel is addressed in Objective CDP8.10 and the Authority supports the principle outlined in Section 8.2.2 integrating land use and transport planning.

The Authority also notes and welcomes the protection accorded to the motorway and national road network in Clare outlined in Objective CDP8.2

Access to National Roads

Related to the foregoing, it is noted that Section 8.2.3.3 of the Draft Plan addresses access to national roads and within that the Council identifies proposals where 'exceptional circumstances' might apply to the general control of access to national roads.

a) Developments of National and Regional Strategic Importance

The Authority notes that the Council has replicated the text of the DoECLG Spatial Planning and National Roads Guidelines in the Draft Plan concerning the above, however, the approach taken by the Council with the exception of Moneypoint, appears to defer specific cases to consideration on a case by case basis to development management. In the opinion of TII, this approach is highly inappropriate and piecemeal and is not in accordance with the plan-led approach required in Section 2.6 of the DoECLG Guidelines.

As advised in pre-draft consultation and subsequent discussions, the Authority is available to discuss proposals in the context of exceptional circumstances related to Developments of National and Regional Strategic Importance for incorporation into the Development Plan with the Executive of the Council. However, pending such agreements, the Authority considers that the provisions as currently provided for in the plan are contrary to the provisions of the DoECLG Spatial Planning and National Roads Guidelines due to the absence of the required evidence base and plan led approach and deferment of cases to development management processes.

In the interests of clarity, the Authority acknowledges the national and regional strategic importance of Moneypoint but as previously advised in submissions on the Shannon Integrated Framework Plan access to the Strategic Development Location at and adjacent to Moneypoint needs to be addressed to ensure compliance with evidence base requirements of the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities. As outlined previously, the Authority is available to work with the Executive of the Council to this effect.

With specific reference to Moneypoint, the Council may also consider the requirement to review Section 6.3.7, including Objective 6.10, and Section 11.3.3.2 of the Draft Plan, in the interests of consistency.

b) Lightly-trafficked sections of national secondary routes

TII acknowledges the early engagement with the Council on this matter and in accordance with the evidence base provided agrees to the 'exceptional circumstances' included in the Draft Plan related to lightly trafficked sections of national secondary routes subject to the limitations provided in the Draft Plan, i.e.

- Farmers and their sons and daughters actively engaged in farming the land, wishing to build a dwelling house for their own permanent residence on family land,
- Demonstration of a genuine need for the dwelling proposed,
- There are no alternative sites available with access off a regional or local road,
- The development shall also fully comply with the objectives set out in Chapter 3 of the Development Plan.

In addition to the points above already included in the Draft Plan, the Authority considers it essential, in the interests of road safety, that all proposals granted planning permission demonstrate compliance with the design standards outlined in the NRA/TII DMRB. In that regard, TII requests the following additional point being included in the criteria, consistent with the provisions of Section 2.6 of the DoECLG Spatial Planning and National Roads Guidelines:

- Safety issues and considerations can be adequately addressed in accordance with the NRA's Design Manual for Roads and Bridges.

It is recommended, in the interests of clarity, that the criteria to be satisfied in development proposals representing 'exceptional circumstances' in the above instance are presented in bullet form in the Plan. The Council should consider the implications for future improvement/upgrade proposals identified.

The Council are also requested to develop and agree a monitoring and recording regime related to planning permissions granted in accordance with the above provisions.

The identification of 'exceptional circumstances' does not affect the Authority's statutory role and TII expects to continue to receive relevant planning applications referred in accordance with the provisions of the Planning and Development Regulations, 2001 – 2015.

c) Existing Accesses onto National Secondary Roads

The Council will be aware that Section 2.5 of the DoECLG Spatial Planning and National Roads Guidelines clearly outline; *the policy of the planning authority will be to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 kmh apply. This provision applies to all categories of development, including individual houses in rural areas, regardless of the housing circumstances of the applicant.*

In that regard, the Authority is strongly of the opinion that 'exceptional circumstances' included in this section of the Draft Plan, Existing Accesses onto National Secondary Roads, is at variance with the provisions of official policy and conflicts with objectives to safeguard capacity and road safety on the national road network. TII respectfully requests removal of the foregoing provisions from the Draft Plan prior to adoption.

While the Authority remains available to discuss proposals relating to the provision of 'exceptional circumstances' with the Executive of the Council, TII does not support the provision of 'exceptional circumstances' as currently presented in the Draft Plan, with the exception of provisions addressed under item (b) above and considers the provisions to be at variance with the evidence based plan-led approach required by the DoECLG Spatial Planning and National Roads Guidelines. Accordingly, the Authority recommends review of the provisions of the Draft Plan concerned.

Specific Policies and Objectives

General Comments and Cross - Referencing

The Authority notes the cross referencing already included in the Draft Plan and in relation to Objective CDP 3.13 New Single Houses on Infill Sites in the Countryside would welcome a cross reference to Objective CDP 8.4 Direct Access to National Roads similar to the cross reference applied to other rural housing objectives included in Section 3.2.5.

TII acknowledges and welcomes the inclusion of objectives in the Draft Plan that relate to safeguarding the strategic function of the national road network discussed above. However, it is noted that there are a number of policies and objectives outlined elsewhere in the Draft Plan, and, if read in isolation may not guide applicants/developers to appropriate policy concerning development impacting on national roads.

Such policies and objectives include those outlined in Section 6.3 Economic Development and Enterprise (including 6.3.12, 6.3.16 to 6.3.23) and Section 7.4.7 Retail Activity in Rural Areas, Section 7.6 Other Forms of Retailing, Section 9.3 outlining various tourism related objectives and Chapter 10 Rural Development and Natural Resources.

In that regard, TII would welcome, in the interests of clarity, additional cross referencing in the Draft Plan between Objective CDP 8.4 Direct Access to National Roads and policies and development objectives that facilitate development proposals with the potential to impact directly on national roads or that generate a transport demand on the national road network contained elsewhere in the Draft Plan, such as those outlined above.

The Authority, as noted above, remains available to discuss proposals relating to circumstances where access to national roads may be provided in 'exceptional circumstances' with the Executive of the Council in a manner that is complimentary to achieving Government objectives in relation to national roads and to conform to the foregoing provisions of official policy.

Retailing

The Authority notes and welcomes the support for safeguarding and improving town centres and promotion of the sequential test outlined Section 7 of the Draft Plan and associated objectives.

However, the Council will be aware that the Retail Planning Guidelines (2012) include an explicit presumption against large out of town retail centres located adjacent or close to existing, new or planned national roads/motorways. This policy provision is not reflected in the Draft Plan and the Authority would welcome this presumption against large out of town retail centres located adjacent or close to existing, new or planned national roads/motorways being incorporated into Section 7.6 of the Draft Plan and associated objectives in the interests of consistency and application of official policy.

Traffic and Transport Assessment (TTA) and Road Safety Audits (RSA)

The Authority recommends that planning applications for significant development proposals should be accompanied with TTA and RSA to be carried out by suitably competent consultants, which are assessed in association with their cumulative impact with neighbouring and other planned/proposed developments on the road network.

In that regard, the Authority notes the reference to the TII/NRA Traffic and Transport Assessment Guidelines in Section A1.9.4 but would advise that the Authority reviewed and updated the Guidelines in 2014, the Council may consider it appropriate to update the reference in the Draft Plan accordingly.

Similarly, the reference to Road Safety Audit HD19/01 in Section A1.9.4 can be updated to HD19/15 or simply HD19. The Authority also recommends deleting reference to a list of consultants that have prepared a road safety audit being available from the Mid-West NRDO as the approvals process for each stage of an Audit Team is outlined in HD19.

The Authority also referred to Road Safety Impact Assessment (RSIA) in pre-draft consultation. RSIA is described in the EU Directive on Road Infrastructure Safety Management (EU RISM) 2008/96/EC as a strategic comparative analysis of the impact of a new road, or for substantial modifications to an existing road, on the safety performance of the road network (refer to TII standard NRA HD 18 'Road Safety Impact Assessment'); the Authority would welcome this addressed in the Draft Plan prior to adoption.

Service Areas

The Authority notes that Objective CDP8.3 addresses the provision of on-line service areas and welcomes support for the on-line service area proposal in accordance with TII/NRA Service Area Policy (2014).

The Authority notes that no reference is made to off-line service area proposals located at or near national road junctions; the Council may wish to address this issue in the Draft Plan prior to adoption having regard to, and to reflect, the provisions of Section 2.8 of the DoECLG Spatial Planning and National Roads Guidelines (2012).

Signage

The Authority acknowledges that directional signage has been addressed in Section 8.2.14 of the Draft Plan and Tourism Signage in Section 9.3.19.

TII has issued the Policy on the Provision of Tourist & Leisure Signage on National Roads (March 2011). The purpose of this document is to outline TII's policy on the provision of tourist and leisure information signs on national primary and national secondary roads in Ireland. With respect to the Draft Plan, the Planning Authority is also referred to Section 3.8 of the DoECLG's Spatial Planning and National Roads Guidelines which indicates a requirement to control the proliferation of non-road traffic signage on and adjacent to national roads.

The Authority would welcome the provisions of the TII Policy and the DoECLG Guidelines incorporated into Section 8.2.14 and 9.3.19 of the Draft Plan prior to adoption and acknowledges the references already included in Section A1.10 Signage.

Noise

The Council is also requested to refer to the requirements of S.I. No. 140 of 2006 Environmental Noise Regulations in the Draft Plan prior to adoption. Development proposals should identify and implement noise mitigation measures, where warranted, in relation to noise related to existing and planned national roads. The costs of implementing mitigation measures shall be borne by the developer/applicant, as the Authority will not be responsible for the provision of additional noise mitigation.

Development Management Standards

Reference is made in Section A1.9.2 to the NRA Road Geometry Handbook; the Council will be aware that the NRA DMRB specifies applicable design standards and may wish to update this reference.

Local Area Plans/Development Strategies

In relation to existing settlement plans and local area plans included in the Municipal District Written Statements accompanying the Draft Plan, the Authority provides the following observations;

a) Ennis Municipal District

TII acknowledges that Ennis is identified as a Hub Town in the NSS and supports development strategies that support consolidation of the urban area and promote co-ordinated sustainable land use and transport planning. The Council will be aware from previous submissions on development planning in Ennis that TII indicated concern that proposed development objectives conflicted with the provisions of the DoECLG Guidelines and posed a significant risk to the objective of safeguarding the significant Government investment in the national road network in the region. In particular, the Authority identified zoning proposals and development objectives adjoining M18 junctions 12 and 13. The Authority also noted the proposals for additional M18 motorway connectivity at the Quinn Road (R469), now contained in Objective V3(a)16 of the Draft Plan.

The position outlined by the Authority previously, remains the case. TII would welcome the preparation of a coherent strategy and an evidence based approach to support the proposed zoning designations from the Council within the Ennis Settlement Plan with respect to national roads policy and evidence based planning which is required in statutory guidance included in the DoECLG Spatial Planning and National Roads Guidelines (2012).

a) i. Development Proposals at National Road Junctions

The Authority identifies the above specific provisions included in the Draft Plan as there is concern that there is conflict with Goal 6 of the Settlement Plan, to achieve better use of sustainable transport options, by including zoning objectives at both Junction 12 and 13 on the M18, which are remote from the consolidated built up area in the local area plan and from neighbourhoods identified for expansion in the neighbourhood based settlement strategy.

More particularly, the zoning objectives identified at M18 Junction 12 and 13 which provide for Industry and Commercial (off-line service area) are, in the opinion of the Authority, in conflict with the provisions of Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines (2012) as the required evidence base does not appear to have been prepared.

The Authority requests review of zoning proposals and development objectives identified at M18 Junction 13 in the absence of the required evidence based assessment; there appears to be more suitable and sustainable, available lands to give effect to a more consolidated development strategy within the Plan area and which would also support the stated local area plan goals concerning neighbourhood planning and use of sustainable transport options without compromising safety, efficiency and investment in the national road network in the area. The Authority is further concerned with the inclusion of the statement 'due to the potential for large volumes of traffic to be generated by future developments on this site' and is of the opinion that this emphasises the need for the preparation of the required evidence base in accordance with the DoECLG Guidelines.

In relation to zoning proposals outlined at Junction 12, TII recommends that proposals are considered in the context of Section 2.8 of the DoECLG Spatial Planning and National Roads Guidelines and that this is reflected in the Draft Plan; the Guidelines advise that a proliferation of off-line service area facilities at national road junctions should be avoided and that a co-ordinated approach to the provision of such facilities is undertaken.

In addition, related to the proposal for an additional junction on the M18 at Quin Road (R469); the proposed additional connectivity to the M18 at this location is not consistent with the requirements of Section 2.7 of the DoECLG Spatial Planning and National Roads Guidelines and would require a Motorway Order. The Authority advises that it has no knowledge of such a proposal and has not been consulted with respect to this objective which will have serious impacts on the safety, efficiency and maintenance of the motorway.

Accordingly, the Authority requests review of the zoning and development objectives proposed on lands adjoining Junction 12 and 13 in the interests of proper planning and sustainable development and to give effect to Government policy outlined in the DoECLG Spatial Planning and National Roads Guidelines

(2012). The Authority also recommends review of the proposal for an additional junction on the M18 at Quin Road (R469).

a) ii. Other Development Proposals

In addition to the foregoing, the Authority, in previous submissions to Clare County Council, identified zoning proposals and development objectives in Ennis as having the potential to negatively impact on the operation of the strategic national road network in the area. In that regard, the Authority previously identified development proposals at Clareabbey N18/N85 and at Cahirculla and Clareen.

The Authority acknowledges that the development strategy has moved from developing local area frameworks and Proposal Site masterplanning to consolidation of the town centre and a more integrated neighbourhood development focus which is welcome. However, there remains potential for development objectives at Clareen (COM3), Beechpark (ENT1/TOU2), Commercial zonings at Cahirculla More, Clarecastle (ENT2/LI1/C2) and Roslevan (LI4) to adversely affect the operation of the national road and associated junctions in the area if the cumulative impact of development is not planned for and if development is not co-ordinated with required infrastructure improvements to safeguard sufficient capacity on the strategic national road network.

In that regard, the Authority recommends that development proposals outlined in the foregoing are progressed in accordance with appropriate traffic and transport assessments undertaken in accordance with TII/NRA Traffic & Transport Assessment Guidelines (2014) and should include an assessment of the cumulative impact of traffic/transport generated by planned development in the area on the junctions concerned.

In the interests of clarity, the Authority will not be responsible for funding required capacity improvements to facilitate private development; this is a matter for the Council to address.

In relation to other settlements in the Ennis Municipal District Written Statement, it is noted that the Drumeen settlement cluster has a proposed development boundary that extends along the N68 at a location where a 100kph speed limit applies; in the interests of clarity, the Authority recommends that access to lands identified in the cluster should conform to the requirements of the DoECLG Spatial Planning and National Roads Guidelines concerning the general restriction on access to national roads.

b) Shannon Municipal District

While it is noted that local area planning for Shannon is addressed in the Shannon Town and Environs Local Area Plan, 2012 - 2018, a number of smaller settlements, including Ballymorris, Drumline (2) and The Wells clusters have proposed development boundaries that extend to the line of the N18; in the interests of clarity, the Authority recommends that access to lands identified in the clusters should conform to the requirements of the DoECLG Spatial Planning and National Roads Guidelines concerning the general restriction on access to national roads.

c) West Clare Municipal District

The Authority acknowledges the close alignment of development zoning/development objectives with speed limits along the national secondary road network in the West Clare Municipal District Written Statement and associated maps. However, there are a limited number of instances where zoning proposals appear to adjoin the national road network outside the reduced 50 – 60kph urban speed limit area and no access strategy has been presented to address this apparent conflict with official policy.

Prior to the adoption of the Draft Plan, the Authority recommends that the following subject sites are reviewed and development objectives, access/zoning of the subject sites are addressed to conform with the provisions of official policy;

- LDR3 lands to the north of Lisdoonvarna adjoining the N67 where a 100kph speed limit applies,
- OP1 Former Culligans Visitor Centre outlined in the Ballyvaughan Settlement Plan,
- LDR2 lands to the east of Ballyvaughan adjoining the N67 where a 100kph speed limit applies,
- 'Enterprise' zoned lands to the south of Ballyvaughan,

- LDR1 lands in the western part of Lissycasey adjoining the N68 where a 80kph speed limit applies,
- 'Low Density Residential' zoned lands to the south of Quilty adjoining the N67 where a 100kph speed limit applies,
- 'Tourism' zoned lands also to the south of Quilty adjoining the N67 where a 100kph speed limit applies,
- Access and development objectives require clarification and review in Kilshanny as an 80kph speed limit applies to the N67 through the village,
- Access and development objectives require clarification and review in Ballyea South, Caherea and Garraun West Clare Municipal District Clusters as a 100kph speed limit applies to the national secondary road through the clusters; the Authority recommends that access to lands identified in the clusters should conform to the requirements of the DoECLG Spatial Planning and National Roads Guidelines concerning the general restriction on access to national roads.

CONCLUSION

The Authority acknowledges the significant undertaking for the Council in drafting a development plan and the requirement to consider and address a multiplicity of factors in developing a sustainable spatial planning framework not just issues relating to national roads.

The Authority acknowledges and welcomes the generally positive alignment in the Draft Plan with official policy concerning development planning and development management and national roads and compliments the Council in this regard. Notwithstanding this there are a number of specific interactions between land use policy and development objectives included in the Draft Plan and the strategic national road network in Clare that the Authority considers require necessary review prior to the adoption of the Development Plan to ensure consistency with official policy and in order to safeguard the strategic function of the national road network in the area.

As outlined above, the Authority is available to meet the Executive of the Council to discuss any issues arising in the foregoing or other matters related to the Development Plan and national roads.

It is respectfully requested that the above observations are taken into consideration prior to the adoption of the Clare County Development Plan, 2017 – 2023.

Yours sincerely,



Michael McCormack
Policy Adviser (Planning)

Mr. Gordan Daly,
Senior Planner,
Planning and Enterprise Development,
Áras Contae an Chláir,
New Road,
Ennis,
Co. Clare.

26th February, 2015

Re: Preparation of a new Clare County Development Plan 2017-2023

Dear Mr. Daly,

Thank you for your letter dated 9th January 2015 in relation to the above. The Department of Education and Skills wishes to make the following submission.

Information used to calculate educational infrastructural requirements

At the outset, it might be useful to outline how the Department calculates the extent of primary and post primary provision needed in an area:

- 12% of the population at any given time is of primary school going age.
- 8.5% of the population at any given time is of post primary school going age.
- At primary level, school accommodation is calculated on the basis of a Pupil Teacher Ratio of 28:1 meaning each individual classroom in a school will have 28 pupils.
- New primary school buildings are generally provided in multiples of 8 classrooms. This is because there are eight individual class groupings between junior infants and 6th class. A 16 classroom school would mean that there are 2 junior infants' classes, 2 senior infant classes etc. with a 24 classroom school having 3 junior infant classes etc.
- A new school ranging in size from 4 - 8 classrooms, as a guide, requires 0.77 hectares (1.9 acres)
- A new school ranging in size from 8 - 16 classrooms, as a guide, requires 1.14 hectares (2.8 acres)
- A new school ranging in size from 16 - 24 classrooms, as a guide, requires 1.6 hectares (4 acres)
- A new school ranging in size from 24 - 32 classrooms, as a guide, requires 2.2 hectares (5.47 acres)

- At post primary level, the Department refers to the size of a building by the number of pupils it will cater for because the number of pupils, together with the curriculum to be delivered (which is school specific), will dictate the range and extent of specialist facilities to be provided.
- Generally, the Department will not build a post primary school with greater than 1,000 pupil places.
- 4.57 hectares (12 acres approximately), as a guide, are required for a new post primary school.

Some other general points worth making at this stage are:

- The Department always requests site reservations to be made as close as possible to community facilities such as sports facilities, libraries etc. so that these can be shared between the school and the community.
- The Department is also open to the concept of multi-campus school arrangements e.g. 2/3 primaries side by side or a primary and a post primary school sharing a site.

Both of these approaches can have the affect of reducing the land take for school development.

Site Suitability

This Department has prepared two documents that provide guidance in relation to site suitability for educational provision. Technical Guidance Document - 025 – Identification and Suitability Assessment of Sites for Primary Schools & Technical Guidance Document - 027 – Identification and Suitability Assessment of Sites for Post Primary Schools. Both of these documents are available, for download, from this Department’s website www.education.ie.

Your attention is also drawn to the Department of Environment, Community and Local Government guidelines titled “**Sustainable Residential Development in Urban Areas**” published in May 2009 which provides that no significant residential development should take place without an assessment on the impact of school provision (refer to Chapter 4: Page 25). Please refer to Department of Environment, Community and Local Government website www.environ.ie.

In addition the Department of Education & Skills draws your attention to the published (July, 2008) Code of Practice for Planning Authorities and the provision of schools; in particular Item 2 and the need for consulting with this Department regarding the assessment of specific sites. This document is available on both the Department of Education & Skills and Department of Environment, Community and Local Government websites.

Furthermore, you might note following on from the publication of the Code of Practice in 2008, that a Memorandum of Understanding between the Department of Education & Skills and the City & County Managers’ Association on the acquisition of sites for school planning purposes has been agreed.

This Memorandum of Understanding is designed to codify practice in relation to cooperation between this Department and local authorities in relation to the acquisition of sites suitable for the construction and development of buildings for educational purposes.

In relation to additional educational needs identified for this plan, subject to the availability of resources and on foot of a formal request to the Manager of your local authority, it would be this Department's intention to request, at the appropriate time, that your local authority would take the lead on behalf of this Department in relation to the identification/acquisition of suitable school sites as required.

The Memorandum of Understanding document is available, for download, from this Department's website www.education.ie.

Existing Educational Sites

The Department wishes to state that lands adjacent to existing schools should be where possible protected for possible future educational use to allow for expansion of these schools, if required, subject to site suitability and agreement of the various stakeholders.

If you have any queries in relation to the above or require any additional information please do not hesitate to contact me.

Yours sincerely,

Lorraine Brennan
Executive Officer,
Forward Planning Section.

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Email: Lorraine_Brennan@education.gov.ie



Planning and Enterprise Development Section,
Clare County Council,
Áras Contae an Chláir,
New Road,
Ennis,
Co. Clare.

29th February, 2016.

RE: Submission to the Draft Clare County Development Plan 2017 – 2023.

A Chara,

In accordance with Section 27(b) of the Planning and Development Act 2000 (as amended), the Southern Regional Assembly sets out below its observations on Draft Clare County Development Plan 2017-2023.

The Draft Clare County Development Plan 2017 - 2023 consists of the following:-

- Volume 1 Written Statement
- Volume 2 Maps
- Volume 3 Municipal District Written Statement & Settlement Plans
 - 3a Ennis Municipal District
 - 3b Shannon Municipal District
 - 3c Killaloe Municipal District
 - 3d West Clare Municipal District
- Volume 4 Record of Protected Structures
- Volume 5 Clare County Wind Energy Strategy
- Volume 6 Clare Renewable Energy Strategy 2017-2023
- Volume 7 Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary
- Volume 8 Mid-West Regional Retail Strategy 2010-2016
- Volume 9 Joint Housing Strategy for Clare Local Authorities and Limerick City & County Councils 2010-2017



Clár Chisti Eorpacha Struchturtha
agus Infheistiúchá na hÉireann
2014-2020

Comhaoinithe ag Rialtas na hÉireann
agus ag an Aontas Eorpach



An tAontas Eorpach
Ciste Forbartha
Réigiúnach na hEorpa

- Volume 10 Environmental Appraisal of the Plan
 - 10a Appropriate Assessment – Natura Impact Report
 - 10b(i) Strategic Environmental Assessment – Environmental Report
 - 10b(ii) Strategic Environmental Assessment – Non-Technical Summary
 - 10c Strategic Flood Risk Assessment

Legislative Context

Under Section 27B of the Planning and Development Act 2000 (as amended), the Southern Regional Assembly is obliged to prepare submissions/observations to be submitted to the relevant planning authority and copied to the Minister for Environment, Community and Local Government. A submission shall state whether, in the opinion of the Regional Assembly, the draft development plan and, in particular, its core strategy is consistent with the Regional Spatial and Economic Strategy (RSES) [or Regional Planning Guidelines (RPG) where RSES is not in place] in force in the area of the Development Plan. If, in the opinion of the Regional Assembly, the Draft Development Plan is not consistent with the RPG, the submissions/observations and report shall include recommendations as to what amendments, in the opinion of the Regional Assembly, are required in order to ensure that the draft development plan and, in particular, its core strategy are so consistent.

This report contains the opinion of the Southern Regional Assembly in relation to the above matters, in accordance with the Planning and Development Act 2000 (as amended).

Written Statement: Chapter 1

Chapter 1 sets out in a detailed manner the legislative framework and the framing documents that inform the dCDP. Chapter 1 sets out the form and general content of the dCDP and the strategic vision for the future of County Clare is clearly outlined with comprehensive Goals outlined to achieve the vision. The vision recognises the importance of sustainable economic development, protection of the environment and amenities of the County, a sense of place, building strong communities and neighbourhoods and social inclusion.

The chapter describes the public consultation process to date and the requirements for monitoring of progress in implementing the plan, when adopted.

Chapter 2

The Core Strategy sets out how the strategic vision for the County will be achieved in a way that is consistent with the *National Spatial Strategy (NSS)* and *Regional Planning Guidelines for the Mid-West Region 2010 – 2022 (MWRPG)*, where Ennis is designated a Hub within the region and Shannon Town forms part of the linked Limerick – Shannon Gateway.

R1

At Section 2.3.3 the Core Strategy includes details of plans and strategies to be taken into consideration and which list settlement plans, Local Area Plans and the Development Plans of adjoining Local Authorities. It would also be beneficial at this section or within the Core Strategy to make reference to the *Mid-West Area Strategic Plan 2012 – 2030* and the *Strategic Integrated Framework Plan* for the Shannon Estuary.

The Core Strategy sets out at section 2.4.1 a clear set of key objectives which will influence the overall policy and demonstrate consistency with the NSS and MWRPG.

Table 2.1 sets out the Settlement Hierarchy which classifies all settlements in the County into the following categories:-

- County Town/Hub
- Linked Gateway
- Service Towns
- Small Towns
- Large Villages
- Small Villages
- Clusters

The Core Strategy sets out the population breakdown for the County as derived from the zonal system of population allocation in the MWRPG. In this regard the population targets for the County are set out clearly in Core Strategy Tables 2.4 to 2.7, where the Core Strategy Tables provide the target populations, housing land requirements and service availability for each settlement.

With regard to the relationship of the population targets to those set out in the MWRPG, it is noted there are small variations indicated for 2023 in respect of Ennis and Shannon. In the case of Ennis, the difference for 2023 is +1097 over the RPG Target for 2022. In the case of Shannon, the 2023 population target of 12,931 is +2315 over the RPG Target for 2022 (although it is noted that population targets for Gateways are minimum targets).

In respect of the overall population for County Clare, the target population for 2023 is +2099 over the RPG Target for 2022. However, it is noted that the additional population for the County, which will be achieved incrementally over the lifetime of the Plan, relates closely to an additional year of population growth from 2022 to 2023.

R2

Annotated notes attached to each of the Core Strategy Tables assist in the understanding of the population targets but additional notes may be required to address the departures from the MWRPG population targets identified above and should provide a justification for any inconsistencies with higher level targets.

Volume 3 of the Draft Plan contains land use zoning maps which relate to the extant LAPs in the County. It is noted there are variations in the quantity of land zoned for commercial, enterprise and industrial uses relative to the size of settlement, with some small settlements, such as Scarriff/Tuamgraney, allocated a relatively significant quantity of land for such purposes.

R3

Having regard to the DECLG Best Practice Guidance on *Implementation of Regional Planning Guidelines*, the Planning Authority is requested to consider the inclusion of guidance statements in the draft Plan in relation to providing a quantum of lands zoned for commercial, enterprise and industrial that is commensurate with the size and/or function of the settlement.

Tables 2.4 to 2.7 indicate water and waste water services as being available for key settlements and, most notable, for Ennis and Shannon Town. In the SEA, where the report addresses current issues and problems, it is stated that 'there is insufficient wastewater treatment to cater for existing and projected population growth in the county' and 'there is therefore a need to provide additional wastewater treatment infrastructure/capacity'.

R4

Can the planning authority confirm that the issues of wastewater treatment capacity have been addressed for the County including Ennis, Shannon, towns and villages, such that the statement 'there is insufficient wastewater treatment to cater for existing and projected population growth in the county' does not apply to settlements where the anticipated services for settlements are stated to be available (Marked Yes in Tables 2.4 to 2.7).

The Core Strategy Map on page 36 shows all key settlements, road, rail and other key infrastructure. The Core Strategy map also places the County in the context of the wider region and shows adjoining counties and settlements.

Chapter 3 Urban and Rural Settlement Strategy

Chapter 3 provides a description of the function of different settlement types. The Development Plan Settlement Strategy includes important objectives to achieve strategic plan-led development with monitoring of development to ensure compliance with the strategy at Objective CDP 3.9 and promotes the sequential growth of towns and villages and restrictions on growth linked to capacity of physical and social infrastructure to cater for such growth at Objective CDP 3.10.

The Settlement Strategy seeks to distinguish between rural areas under strong urban pressure and rural areas that are structurally weak or with a strong agricultural economic base and sets out policies in relation to applications for single houses in the countryside accordingly. MWRPG policy at page 75 states that 'significant limitations/conditions have to

be placed on the extent of housing that is not settlement based'. The approach outlined for single houses in the countryside at Section 3.2.5 would be consistent, as far as is practicable, with RPG policy as outlined above.

Section 7.1 of the MWRPG at page 92 identifies areas of landscape importance in the Mid-West region including the Burren & Atlantic Coast and requires planning authorities to 'adopt common policies to be applied to areas that are of similar character that require protection'.

CDP 3.11 sets out criteria for planning applications for single houses in the countryside in areas defined as Areas of Special Planning Control. An examination of current issues and problems in the SEA (Section 3.8.1, page 33 of SEA Non -Technical Summary refers) looks at the character and landscape of seascapes and states that 'a failure to consider proposals in the context of potential cumulative effects on the landscape presents a serious threat to future landscapes' and that 'areas along the Fergus and Shannon Estuaries, along the west coast of Co. Clare and within the heritage landscape of the Burren and North Clare which experience one off houses and other urban type development are having adverse visual impacts on the landscape due to its low capacity to absorb development.'

R5

In parag. 3.8. 2 of the SEA Non- Technical Summary, it is stated that: 'The Plan will include objectives that provide for the preservation, protection and enhancement of the landscape as part of an integrated sustainable planned approach to future development in the plan area'.

In this regard, the Regional Assembly notes that while Policy 3.11 in the main written statement of the dCDP does address the issue of new single houses in the countryside within 'Areas of Special Control', the policy remains unchanged from the current Development Plan. The Planning Authority are requested to consider how this policy could be strengthened to address the issue of visual impact (including cumulative effects) of one off houses and other development in the countryside in the areas identified as being subject to threat from development in the SEA.

Chapter 4 Housing

Chapter 4 seeks to provide for the housing needs of the county including social and affordable housing and provision for different categories of housing need such as for travellers, older people and student accommodation. The Chapter underpins the Housing Strategy at Volume 9 of the draft Plan.

It is noted that the Housing Strategy, which is a strategy for the Clare and Limerick Local Authorities is for the period 2010 to 2017 and relies on data gathered from before the 2011 census.

R6

The Planning Authority is requested to clarify how it is intended to address current housing supply and demand issues having regard to the Housing Strategy, which is for the period 2010 to 2017.

Chapter 5 Community Development and Social Infrastructure

Chapter 5 sets out strategic aims for the county to promote social inclusion, community development and the development of strong, vibrant neighbourhoods. The Chapter recognises the importance of access to social and community infrastructure and also considers education, healthcare and other public services in the county.

The Regional Assembly notes and welcomes the Strategic aim to include community elements of the Local Economic and Community Plan.

Chapter 6 Economic Development and Enterprise

Chapter 6 sets out key strategic aims for the county identifying Ennis and Shannon as the economic drivers of the County. The Regional Assembly welcomes the objectives in the Chapter to implement actions from the Mid-West Regional Action Plan for Jobs and the Local Economic and Community Plan for Clare as part of the economic strategy within the County Development Plan. The strategy is also underpinned by the stated objective to work in partnership with IDA, EI and Third Level Institutions. Chapter 6 addresses all key economic sectors and identifies specific opportunity locations such as Ennis, Shannon and the University of Limerick – Clare campus.

Chapter 7 Retail

The Strategic Aims of Chapter 7 are to ensure the retail needs of the County's residents are met, to ensure that town and village centres are pleasant, safe, accessible and vibrant and fulfil their potential to provide retail services at an appropriate scale. The Plan also aims to bring forward development of town centre sites and achieve rejuvenation of underutilised, vacant or derelict town centre sites.

Chapter 7 sets out key policy objectives for retail development in line with the DECLG *Retail Planning - Guidelines for Planning Authorities* and Sections 7.3 and 7.4 set out the retail hierarchy and policy for the level and form of retail activity according to the position of a settlement within the Settlement Hierarchy. It is considered that the retail policy set out at Chapter 7 in the draft Plan would be consistent, as far as practicable, with the Settlement Hierarchy in the Core Strategy and with the Settlement Strategy for the region set out in the Mid-West Regional Planning Guidelines 2010 – 2022.

CH 8 Physical Infrastructure/Environment /Energy

This chapter places a strong emphasis on integrated land use and sustainable transport planning and support for implementation of the Mid West Area Strategic Plan 2012 – 2030. The Chapter includes policies to protect and improve the County's water resources and to meet the requirements of the Shannon and Western River Basin Management Plans. The

Chapter includes progressive policies to reduce waste and support for the development of energy and communications infrastructure.

MWRPG states at section 6.1.1 that 'it is important that the capacity and safety of the key national and regional road network is protected and that the strategic nature of such routes is required to be protected 'by severely restricting developments that require direct access to these routes. The DECLG Guidelines *Spatial Planning and National Roads: Guidelines for Planning Authorities* state that no access to the national network is permitted other than in exceptional circumstances. The requirements for exceptional circumstances are set out at Section 2.6 of the DECLG Guidelines, however, it is not clear if the less restrictive approach for access to national roads set out at Section 8.2.3.3 and Objective CDP 8.4 has been developed having regard to the procedures set out in Section 2.6 of the DECLG Guidelines.

R7

With regard to Section 8.2.3.3– Access onto National Roads and Objective CDP8.4, the Regional Assembly would refer the Council to Section 2.6.2 of 'Spatial Planning on National Roads: Guidelines for Planning Authorities' which states that where Planning Authorities wish to identify an area/national road where less restrictive approaches could apply in a development plan or local area plan they must:

- (a) Consult with the NRA at the earliest practicable stage in reviewing the development plan on the identification of areas and developments that the planning authority considers represents exceptional circumstances, taking account of specified criteria
- (b) Ensure that any submissions from the NRA have been fully and properly considered within the process of preparing the Plan
- (c) In relation to Section 8.2.3.4 and Objective CDP 8.5, the Assembly would refer the Council to MWRPG Section 6.1.1 with regard to development which requires direct access to strategic regional routes and request the planning authority to review objective CDP 8.5 in the light of the requirements set out at Section 6.1.1 of the MWRPG.

Chapter 9 Tourism

The Regional Assembly recognises the importance of tourism to County Clare and notes the strategic aim to maximise the potential of tourism as a pillar of economic growth for the County. With the development of the Wild Atlantic Way, the already significant tourism offering of the county have been enhanced by its success. The Chapter addresses key areas of the tourism sector with policies to support and promote sustainable and responsible tourism initiatives.

Chapter 10 Rural development and natural resources

The Regional Assembly notes and supports the strategic aims of this chapter to reinforce the vitality and future of rural villages and settlements through social and economic development. The draft Plan seeks to promote sustainable development of rural communities including diversification of rural enterprises and opportunities to develop renewable energy and natural resources. The Regional Assembly notes the stated commitment at CDP 10.1 to implement the recommendations of the CEDRA report. The

Chapter includes policies which support the retention and enhancement of rural transport services and the extension of broadband.

Chapter 11 Shannon Estuary

Chapter 11 recognises the Shannon Estuary as a key asset for the County which provides an opportunity to diversify the economy through promotion of industry, business and employment, aquaculture, maritime activities, water-related activities and tourism. The chapter highlights the designation of the Shannon and Fergus Estuaries as European sites (SAC and SPA) which require the highest level of protection. Objective CDP 11.1 seeks to promote development and economic growth and employment in environmentally suitable areas along the Shannon Estuary by implementing the Strategic Integrated Framework Plan for the Shannon Estuary 2013 – 2020(SIFP).(included at Volume 7 of the Plan) The SIFP has been adopted by Clare, Limerick City & County and Kerry Local Authorities to facilitate and promote a balanced approach to the Estuary's growth potential while providing for the careful protection, management and enhancement of the Estuary's natural environment and resources. It is noted that the SIFP was prepared with full SEA and Habitats Directive Assessment. The Chapter identifies strategic development locations at Innismury/Cahiracon and Moneypoint and addresses different aspect of Estuary life and industry.

Chapter 12 Marine and Coastal Zone Management

This chapter addresses the potential of the 'blue economy' and seeks to provide for an integrated and collaborative approach to the management of coastal areas. This strategic aim aligns with the requirements of the Maritime Spatial Planning Directive (EU Directive 2014/89/EU) and Objective CDP 12.3 seeks to engage in the process of preparing and implementing a Maritime Spatial Plan for the coastal/marine areas of the county. The preparation of an Integrated Coastal Zone Management Plan for coastal and estuarine areas is also provided for at Objective CDP 12.4. The Chapter addresses all related coastal commercial, infrastructural and environmental issues as well as an objective for the protection and sustainable development of the islands.

Chapter 13 Landscape

Chapter 13 sets out the landscape character and designations and protections of the County, together with Seascape Character Areas, Views and Prospects to be protected and designated Scenic Routes. Three types of landscapes are identified in the County which are Settled Landscapes, Working Landscapes and Heritage Landscapes

Chapter 14 Biodiversity, Natural Heritage and Green Infrastructure.

Chapter 14 is a comprehensive section covering all aspects of natural heritage and biodiversity in Co. Clare. The draft plan is commended for its inclusion of a number of policies which promote raising awareness and working with communities to enjoy all aspects of the natural environment as an integral component of a good quality of life.

Chapter 15 Architectural, Archaeological and Cultural Heritage.

Chapter 15 sets out policies to protect and enhance the character of the built environment and the archaeological and cultural heritage of the county.

Chapter 16 Towns and Villages

Chapter 16 sets out the role of Ennis and Shannon as driving economic growth and the more diverse role of other towns and villages as important service providers for surrounding communities. The Regional Assembly welcomes the focus on the urban renewal of towns and villages and objectives to address urban dereliction and vacant sites and premises.

Chapter 17 Design and the Built Environment

The Regional Assembly notes and welcomes the focus on design and its contribution to enhancing the urban and rural environment and aim to create attractive spaces. The chapter also addresses the importance of good design for purposes of energy efficiency and sustainability.

Chapter 18 Climate Change Adaptation, Flood Risk and Low Carbon Strategy.

The Regional Assembly welcomes the core aims of Chapter 18 'to address climate change with an overarching policy objective to reduce carbon output and to minimise the level of flood risk to people, businesses, infrastructure and the environment. This is a comprehensive chapter with policies to support climate change adaptation and a low carbon strategy. Since the draft Plan was put on public display, COP21 (the 'Paris Agreement') has been agreed at international level and the Climate Action and Low Carbon Development Act 2015 passed into law. It is recommended that the text of the draft plan be reviewed and updated where necessary to have regard to COP21 (the 'Paris Agreement') and the Climate Action and Low Carbon Development Act 2015. The chapter also sets out the overall approach to flood risk management as well as addressing storm water management and the related issues of green infrastructure and river and waterway maintenance. The issue of flooding is addressed in detail in Volume 10b – Strategic Flood Risk Assessment.

R 8

It is recommended that the text of the draft plan be reviewed and updated where necessary to have regard to COP21 (the 'Paris Agreement') and the Climate Action and Low Carbon Development Act 2015.

Chapter 19 Land Use and Zonings.

The Regional Assembly notes the chapter on land use and zonings which sets out the legislative context for land use zoning and describes the nature of each of the zonings.

Chapter 20 Implementation and Monitoring

The Regional Assembly notes the comprehensive approach to implementation and monitoring across different categories of development plan objectives and particularly the

focus on the timely delivery of critical physical infrastructure. The implementation and monitoring of environmental and SEA objectives is also addressed and key performance indicators in relation to strategic aims are set out at Table 20.1

Appendix 1 Development Management Guidelines

Appendix 1 of the Plan contains Development Management Guidelines for the County. This appendix provides a detailed set of policy guidelines to deliver a safe and high quality built environment and addresses other requirements associated with planning applications.

Appendix 2 Land Use Zoning matrix.

This appendix provides clarity on whether uses in any given zone of the Development Plan would be acceptable in principle, open for consideration or would not be acceptable.

Appendix 3

Appendix 3 provides a list of Natural Heritage Sites in County Clare

Appendix 4

Appendix 4 provides a list of Architectural Conservation Areas

Appendix 5

Appendix 5 provides a list of Scenic Routes

Appendix 6

Appendix 6 provides a list of Public Rights of way

Appendix 7

Appendix 7 provides an overview of the Plans, Policies and Guidelines to which the Draft Development Plan must have Regard

Volume 3 Maps

Volume 3 Settlement Plans

Volume 3 contains settlement plans for the Ennis, Shannon, Killaloe and West Clare Municipal Districts. The Settlement Plans have a stated purpose of providing a visionary document and clear directions. The plans seek to identify and capitalise on the attributes of each settlement and set out objectives and zoning maps for each settlement.

Volume 4 Record of Protected Structures.

Volume 5 Clare County Wind Energy Strategy.

The preface to the Clare County Wind Energy Strategy states that: 'In accordance with the requirements of the Department of Environment, Community and Local Government as set out in Circular PL20-13, the previous "Clare Wind Energy Strategy 2011-2017" has not been reviewed as part of the preparation of this draft plan.' This statement is consistent with the present position of the Department of Environment, Community and Local Government as stated in Circular Letter Pl. 20-13 issued 20th December, 2013 in relation to review of wind energy and renewable energy policies in Development Plans.

Volume 6 Clare Renewable Energy Strategy 2017-2023

Volume 6 contains a comprehensive strategy to support renewable energy generation, energy efficiency and conservation and balanced social and economic development throughout the County and achieve full compliance with the requirements of all environmental legislation including the requirements of the Strategic Environmental Assessment Directive, Habitats Directive and Water Framework Directive. The Strategy seeks to assist in achieving Ireland's Green Energy target.

Volume 7 Strategic Integrated Framework Plan (SIFP) for the Shannon Estuary.

This strategy has been adopted by all Local Authorities along the Shannon Estuary and provides for a balanced approach to the Estuary's growth potential while providing for the careful protection, management and enhancement of the Estuary's natural environment and resources.

Volume 8 Mid-West Regional Retail Strategy 2010-2016.

This regional strategy has been adopted by all Local Authorities in the Mid-West SPA and its objectives have been integrated into the draft County Development Plan.

Volume 9 Joint Housing Strategy for Clare Local Authorities and Limerick City & County.

This regional strategy has been adopted by Clare and Limerick County Councils and its objectives have been integrated into the draft County Development Plan.

Volume 10 Environmental Reports

Volume 10(a) Natura Impact Report (Appropriate Assessment)

A Natura Impact Report (Appropriate Assessment) was undertaken for the draft Plan. The Regional Assembly notes the conclusion of the Natura Impact Report (Appropriate Assessment) that, 'assuming successful implementation of objectives in the written statement, compliance with the Municipal District Settlement Plans, compliance with mitigation measures in Table C2, there will be no adverse effects to the integrity of European sites in isolation or in combination with other plans and projects acting in the same area'.

Volume 10 (b and c) Strategic Environmental Assessment(SEA)

An SEA and Non-Technical Summary were prepared in tandem with the preparation of the draft Plan. The SEA examines current environmental issues in the county and concludes that 'subject to the full implementation of the mitigation measures outlined in the SEA Environmental Report and their incorporation into the Clare County Development Plan, it is considered that significant adverse impacts on the environment will be avoided'.

Volume 10(d) Strategic Flood Risk Assessment (SFRA)

The SFRA has been prepared having regard to Guidelines on the Planning System and Flood Risk Management issued by the DECLG, the requirements in relation to Flood Risk Management set out at Section 7.5 of the Mid-West Regional Planning Guidelines (RPGs) 2010 -2022 and data available from the Shannon CFRAM study, Irish Coastal Protection Strategy, OPW Preliminary Flood Risk

Assessment (PFRA) flood maps – Fluvial and other relevant studies. Where relevant the SFRA should also make reference to the Western CFRAM study. The SFRA details the different sources of flooding, an overview of flood risk and flood mitigation measures and provides for the influence of climate change in the assessment of future flood risk and mitigation measures. It is noted that the SRFA makes specific recommendations for rezoning of lands in settlements covered by extant LAPs where a flood risk is identified. It is further noted that the issue of flood risk is also addressed in the written statement, sections 12.3 and section 18. A reference to the 'Mid –West Regional Development Plan 2010 – 2020' at section 2.2.1 should be amended to the *Mid-West regional Planning Guidelines 2010 – 2022*.

R9

In relation to the consideration of data from the CFRAM reports, it is considered that reference should also be made to the Western CFRAM study where relevant. A reference to the 'Mid–West Regional Development Plan 2010 – 2020' at section 2.2.1 should be amended to 'Mid-West Regional Planning Guidelines 2010 – 2022'.

Conclusion:

The Regional Assembly welcomes the comprehensive and evidence based approach clearly evident in the draft Plan and its strategic focus, having regard to wider regional issues across the different chapters.

The Assembly has prepared comments and observations in a spirit of collaboration with the intention of assisting the next stages of the plan preparation process. The Regional Assembly considers that overall the draft Clare County Development Plan would be consistent, as far as is practicable with the Mid-West Regional Planning Guidelines 2010 – 2022. However, the Regional Assembly requests that the Planning Authority gives full consideration to the observations set out above, and to the Recommendations in particular.

Please contact Dominic Walsh, RPO on (087) 296 2561 should you wish to discuss any aspect of these observations further.

Is mise le meas,



Stephen Blair
Director



An Taisce

The National Trust for Ireland



The Clare Association of An Taisce

33, Ballycasey Crescent,
Shannon
County Clare
clare.antaisce@gmail.com

The Planning Office,
County Clare
New road,
Ennis,
County Clare

22nd February 2016

Contents:

1. Report Volume 10 on Housing, ATTACHED
2. Report on Vol 10c on Flooding ATTACHED
3. Public Walks and Paths
4. Vol3 A Ennis Municipal District.

Submission 3

There should be compliance with PL5/20-15 matters relating to National Waymarked Ways. These should include The Burren Way, the Mid Clare Way and the East Clare Way and others that are applicable. The compliance should be clear and marked on the maps.

Submission 4

Under section 1.5 and 1.7 the following services need to be increased if any economic development can be served in Ennis.

Increase park ^{ing} facilities in the centre or near the centre of town
Effective increase in public sewerage and water services
Broadband.

On behalf of the Clare Association of An Taisce planning Committee

Mrs Anny Wise

Submission of housing and housing estates in particular.

There is an element of uncertainty where the policy for provision of housing is concerned due to what may be an unstable economic situation as occurred during the last period of the County Development Plan, therefore we are recommending room for adjustment in the plan to allow for changes in demand. The number of zones and permission needs to be directly connected to the demand for housing style and numbers. Linking directly to demand is the only way to avoid another development housing bubble and this should be avoided by the wording of the policy to allow adjustments to fit into demand. You need to put "wiggle room" into policy.

Encouraging the development of high prices dwelling at times should be avoided especially when there are demands for:

- Affordable Housing due to Bank restrictions.
- Social Housing due to lack of home for those in need on housing lists.
- One or two bedroom dwelling for single people or couples.
- Existing ghost estates unfinished with suitable services connected.

There also needs to be some concerns about Climate Change and greenhouse gas emissions.

Mitigation of traffic congestion and emissions

Specific measures should be included to mitigate a car-dependence including a bus service at morning and evening peak times. A general transport 'mobility strategy' should be provided for the development as a whole, analogous to those provided for Business Park and industrial development. This will include specific measures to address school transport and encouragement of walking, cycling and car-pooling.

Energy Conservation

Specific measures should be taken to ensure that the development addresses the concerns of the requirements of the Kyoto Protocol and the EU Directive with regard to Energy Conservation, Directive 2002/91/EC of the European Parliament and of the Council of 16th December 2002 on the performance of buildings.

Environmental Sustainability of Building Materials

Specific provisions should be given to environmental sustainability and specification of building materials; in particular uPVC should not be used for doors, windows, fascias and soffits. The use of tropical hardwood from Third World clear-fell sources should also be specifically excluded. All timber should be subject to Forest Stewardship Council specification. Do not depend on building regulations and their enforcement.

How to deal with uncertainty with regard to flooding?

As we experience more rainfall, storms and flooding the County Development Plan must have room for changes in circumstances in the years ahead. Wiggle room.

They should have a policy that does not restrict action to existing line of flood area which more than likely will change over the years as new flood protection are developed and causes new areas to flood whilst protecting new one.

Precautionary Principles in 13 steps

These should become policy from National Level to all Local Authorities.

Bring long term thinking and climate change into planning

1. Do not build on flood plains.
2. Rezone those areas for development which are on possible flood plains.
3. Register wetland and take away the drainage or filling of these wetlands. This will enable greater saturation at time of heavy rainfall and soft flood protection in storms.
4. The Local Authorities and councillors should help responsible for poor planning decisions that allowed for development in flood risk areas. In time when the insurances no longer pay out for these damages then it fall on the LA to compensate.
5. Plan for local Resilience Plans and audit for potential flood risks at a community level.
6. Call all agencies together to bring about a river catchment management plan RCM
7. Use soft engineering with local communities in the villages and small towns that are at risk.
8. Encourage the OPW to protect the towns and high population areas.
9. Restore Ecosystems such as marshes, wetland and bogs to make the land more resilient.
10. Stop the removal of scrub and hedgerows. Use native trees that absorb more water such as hardwoods into the forestry.
11. Stop clear felling and monoculture forestry as the felling and planting outweighs the benefit of carbonsequesting and flood prevention.
12. Make sure that drinking water and sewerage plans are not development on flood or wetlands.
13. Get all septic tanks on wetland safe.

**Planning & Enterprise Development
Clare County Council
Aras An Chontae
New Road
Ennis
Co Clare**

**Flood Relief Design Section,
Engineers' Branch,
OPW,
Jonathan Swift Street,
Trim, Co. Meath**



Telephone 046- 9426724
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Re: Draft Clare County Development Plan 2017-2023

(29/02/16)

Dear Sir/Madam

The following is Design Section's comments on the 'Draft Clare Development Plan 2017-2023'. Which is due for submission by 4pm on 29th February 2016.

'The Planning System and Flood Risk Management Guidelines for Planning Authorities' (November 2009), referred to here as the Guidelines, is a best practice document that allows a Local Authority fulfil its statutory obligations on matters relating to flood risk (including accounting for expected Climate Change). The Justification Test is provided to ensure transparency and a consistent approach where developmental needs are weighed against risk. OPW is pleased to provide advice to Local Authorities when producing a Spatial Plan, i.e. a Regional Planning Guideline, a County, City, Borough or Town Council Development Plan as well as a Framework or Local Area Plan or a Variation to a Plan. Individual development applications are a matter for the Planning Authority.

The Guidelines place a firm onus on the Authority to follow the hierarchal order of avoid, substitute, justify, mitigate. Evidence of application of the Justification Test must be supplied and (where passed) it details a flood zone system to allow planning decisions to be made with regard to these risks. The precautionary approach suggests that this should be carried out with due care for all development in outlined, known, or suspected flood risk areas, in other words, the Guidelines require that its processes be carried out for historically zoned areas, as well as those under consideration for future development.

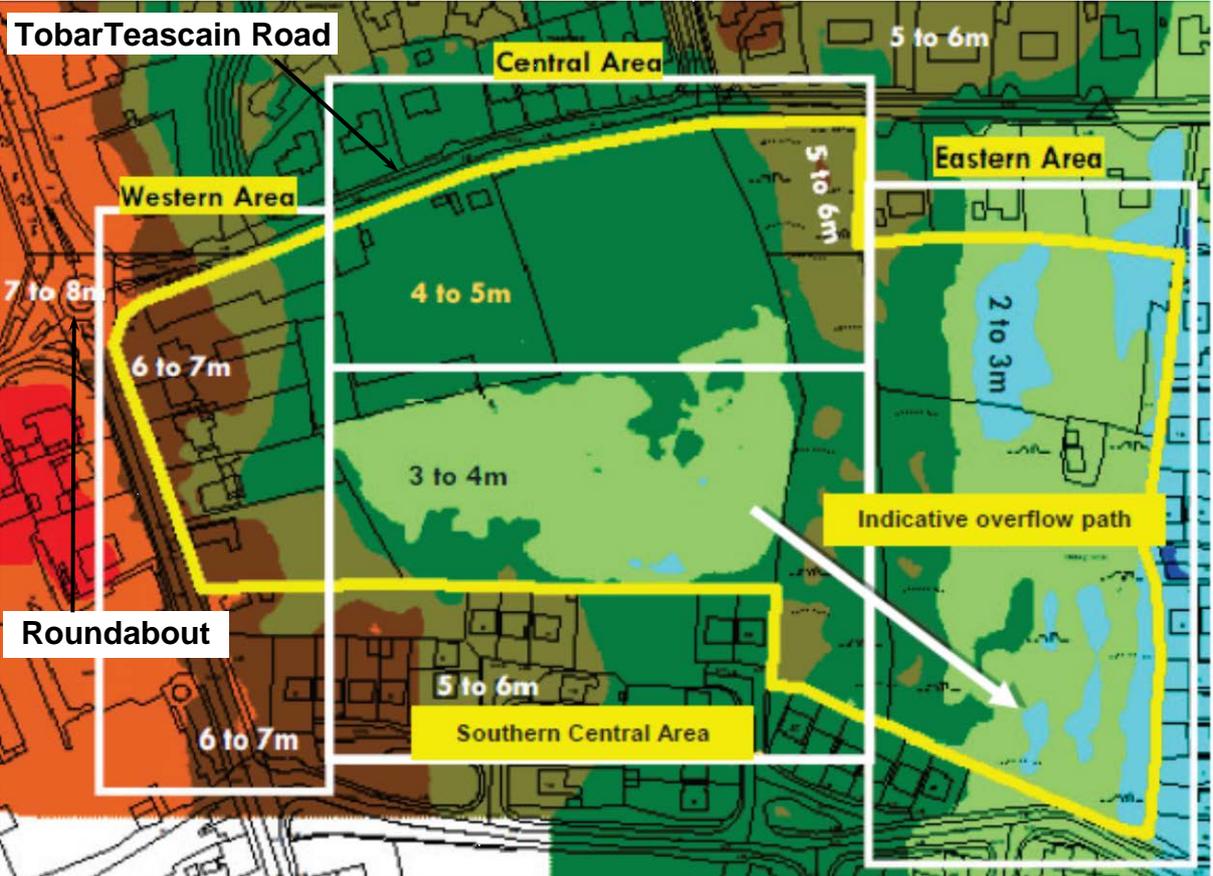
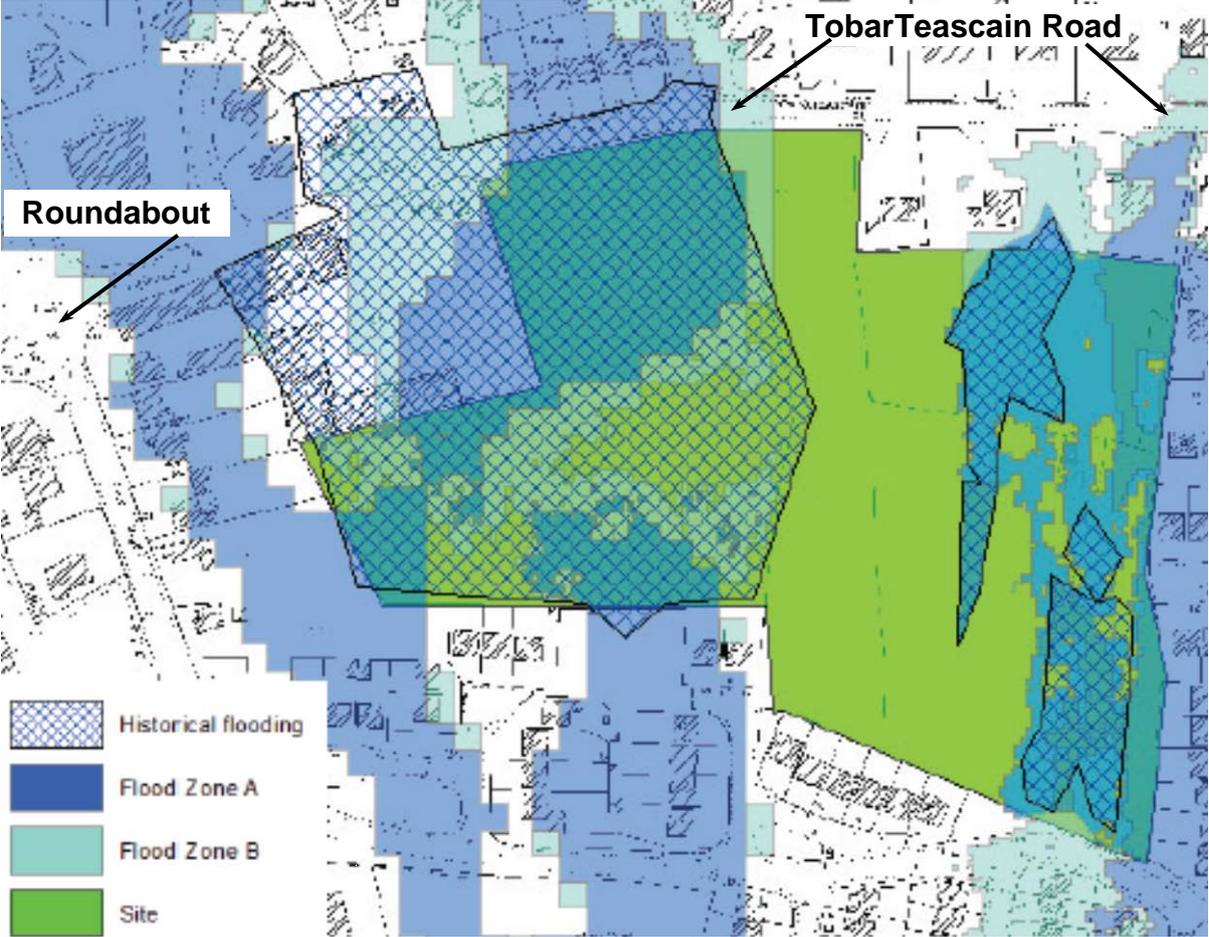
The OPW attends regular progress group meetings with Clare County Council through the CFRAM (Catchment Flood Risk Assessment and Management) programme and draft flood maps that cover the county have been delivered. These maps have, in improved detail, identified areas at significant risk and are appropriate for Stage 2 Flood Risk Assessments (FRA) required for each Local Area Plan (LAP); as per the Guidelines. Flood risk in terms of both flood extent and depth as well as, flow velocities and their paths need to be considered for such a detailed flood risk assessment. Having regard to the risks identified in these maps, it is the responsibility of the Local Authority to establish the required three fluvial flood zones for both historically zoned areas and those under consideration for future development and, based on this, to assign appropriate development.

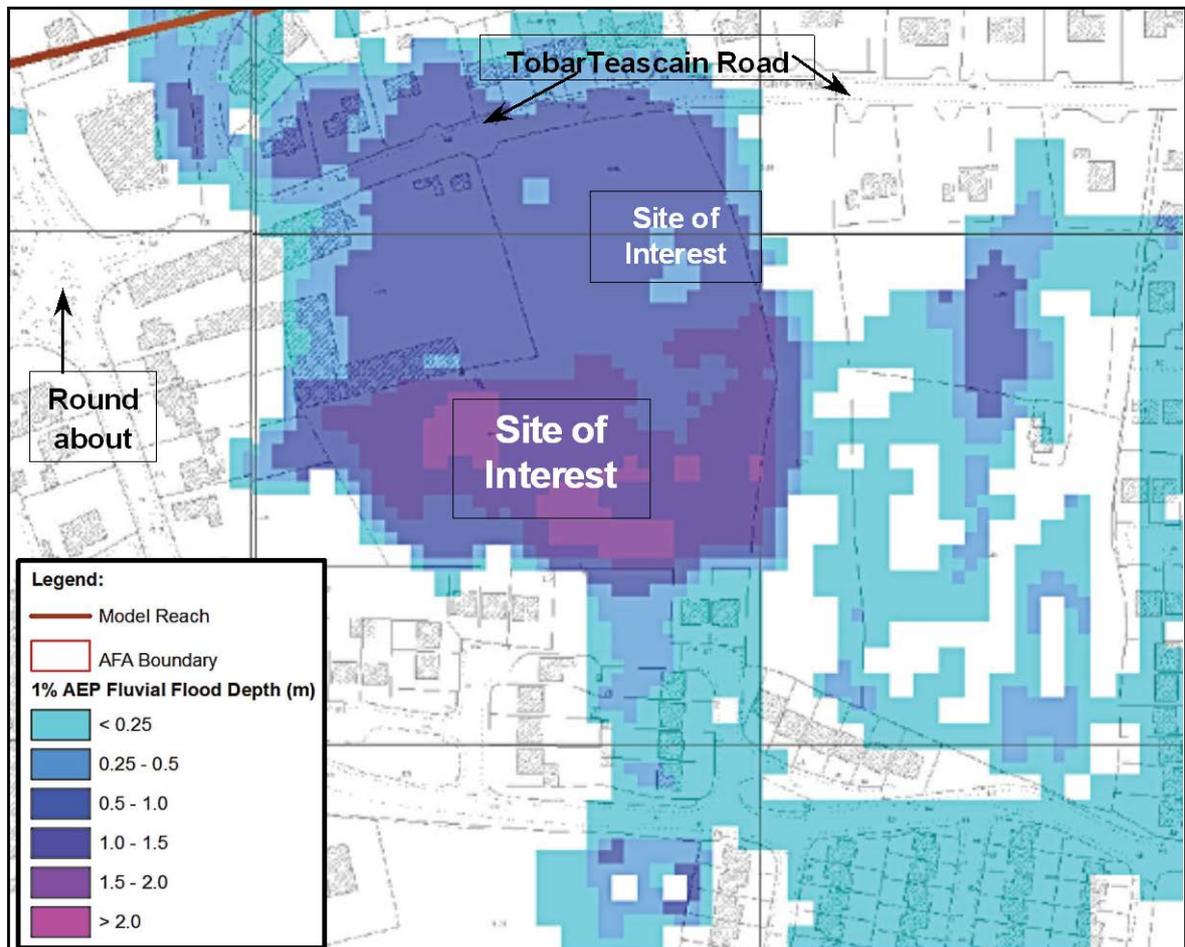
OPW welcomes the authority's commitment to adhere to these Guidelines by including a Strategic Flood Risk Assessment (SFRA) that highlights indicative flood risk areas within this County Development Plan. This is the appropriate Stage 1 FRA for such a Plan and the flood maps employed seem fit for purpose. These, though, do not seem to have sufficient flood mapping for the authority to finalise the required three flood-zones in at-risk areas. The draft CFRAM flood maps should be used to inform this Stage 2 FRA requirement.

As such, where the Plan refers to any individual LAP, it should use its Stage 2 FRA.

In addition, in certain proposed development cases, the Guidelines recommend a Stage 3 FRA investigation, to establish its specific flood risk exposure; this should use maps developed from a specialist study that can be verified as being of greater quality than the draft CFRAM flood maps or and fit-for-purpose.

For example, the flood-extents map for the site at Toberteascain in Ennis included in the SFRA (see below) seems to conflict with the contour map from the "Draft Ennis and Environs Local Area Plan 2015-2021" (also included below).





The draft CFRAM map (which also provides the estimated flood depths, see above) seems to give a better representation of the 100-year flood extent for this area. Here, the part of TobarTeascain Road within the 5m contour shows significant flooding and that flooding then extends throughout much of the site (including to the east): this is sensible; as it agrees with the contour map. Such facts require careful consideration; given that any development here would require a site specific flood risk assessment (a Stage 3 FRA investigation).

For areas such as this, it needs to be remembered that a County Development Plan provides the overall context while the appropriate LAP should contain more detailed information; as such, once it has been formalised, the expected Draft Ennis and Environs Local Area Plan 2017-2023 should take precedence. In karst areas (like this), a site specific Stage 3 FRA should also investigate the risk of collapsing underground caverns by surcharging with infill materials. This would alter underground flow routes and would likely worsen flooding of third party properties and expose the authority and developer to litigation and financial loss.

By utilizing the maps from the Shannon CFRAM, it is possible to quantify and illustrate flood risk in terms of its frequency and duration of occurrence, depth, flow velocity and flood hazard. Knowledge of risk level and the increase in that risk brought about by an increase in the number of people that might be exposed to that risk (by living in or working in, or needing to travel through, the floodplain) will allow the Authority carry out its plans in accordance with the Guidelines and Health and Safety regulations, etc.

While OPW recognises that a balanced view of land use and flood risk should be taken, it considers that this can be achieved in full compliance with the Guidelines.

Paul Kiernan

Paul Kiernan, Chartered Engineer,
Flood Relief Design Section, 29-02-2016

Submission to Draft Clare County Development Plan

by Fáilte Ireland



Fáilte Ireland

National Tourism Development Authority

Introduction

This submission has been prepared by Fáilte Ireland, the National Tourism Development Authority, in response to the public display of the Draft Development Plan for County Clare for the period 2017 – 2023.

The Authority welcomes the opportunity to engage with Clare County Council on the emerging Plan for the County and to build on the well-established relationship between the Authority and the County Council working together in one of Ireland's prime tourism counties.

The preparation of this submission comes at a time when Fáilte Ireland is emphasising the need for land use plans to manage all land uses and economic drivers – of which tourism is but one, in a more holistic, strategic and spatial manner to maximise the efficient use of resources and the achievement of greater outcomes for society at large.

We appreciate this opportunity to take part in shaping the Plan for the County and hope that this submission can represent a first step in a collaborative process that culminates in the adoption of the new Development Plan.

The objective of this submission

Fáilte Ireland has prepared this submission to support and assist Clare County Council in the formulation of planning policies and frameworks for the period 2017 – 2023.

Fáilte Ireland are seeking to enhance the partnership approach between the County Council and the National Authority and ensure that the expertise of both organisations is shared.

The submission seeks to enhance the policy coverage in the new Development Plan to ensure a meaningful framework is established for the enhancement of tourism in the County, and the wider Region, during the Plan period. It has been prepared with inputs from professional planners as well as various strands within Fáilte Ireland. It provides the Council with a concise single submission from the Authority dealing with all aspects of tourism – from strategic planning, to visitor experience and destination management.

The submission has been prepared having regard to the tourism profile of the County; the existing policy context in the Draft County Development Plan; and the established template for sustainable tourism policies being used by Fáilte Ireland to guide Planning Authorities.

Structure of the submission

For ease of reading, we have structured this submission as follows:

- **Commentary on the Draft Plan;**
- **Proposals for the Clare County Development Plan as it is finalised;**

Commentary on the Draft Plan

The Authority is generally supportive of the Draft Plan and again welcomes the opportunity to assist the County Council in the important area of policy preparation. The Authority is acutely aware of the complex range of issues that a Development Plan must tackle. It is also mindful of both the responsibilities and limitations of the prevailing legislation and the role that the Development Plan plays in a statutory context. Our submission has been fully informed by these considerations.

The key comments the Authority would like to make in respect of the current plan are as follows:

1. Tourism is recognised as one of the key goals in attaining the Vision for County Clare - *A County Clare in which tourism growth continues to play a major role in the future development of the county, adapting to the challenges of competing markets by maximising the development of a high quality, diverse tourist product.*
2. The Draft Plan provides a positive framework for tourism in the County. Fáilte Ireland welcomes the inclusion of a dedicated chapter on tourism and the recognition provided for the tourism sector as a key economic driver. The range of policies currently set out in Chapter 9 – Tourism – of the Development Plan are comprehensive and Fáilte Ireland is generally supportive of these.
3. The inclusion of detailed Municipal District and Settlement Plans for the Towns and Villages of the County is particularly welcome as Clare’s towns and villages are focal points for tourism and economic activity.
4. The review of the Clare County Development Plan comes at a time when there are significant opportunities to harness the positive impacts of a growing tourism sector as a driver for overall enhancement of the County – both as a place to visit and to live. We hope to assist the Council in ensuring the Plan realises those opportunities.

Commentary on the Draft Plan,

continued

5. The Clare County Development Plan should be implemented in the context of a revision of the 2010-2014 Clare County Council Tourism Strategy for the County. This is the most meaningful way to ensure that infrastructure and resources are used rationally and economically and the real dynamics of the market are harnessed.
6. There is additional scope for the Clare County Development Plan to ensure that tourism is managed as a dynamic economic force – particularly in the context of wider interactions with County and National services such as transport, touring routes including the Wild Atlantic Way, support infrastructure, etc. Mapping tourism resources would ensure this.
7. Fáilte Ireland would like to commend the Council on the inclusion of a stand alone ‘Tourism’ chapter in the Draft Plan. The tourism industry is a strong economic force and the County Development Plan must contain appropriate planning policies to manage interactions with other land uses.
8. The policy objectives for tourism as set out in Chapter 9 address the individual and specific aspects of the tourism industry in general the policies are comprehensive and aim to protect and enhance much of what is special and unique to County Clare. This is extremely positive from the point of view of the County’s tourism resource. We have included a number of additional recommendations to the text, where we feel that any gaps exist in the protection of this resource.

Proposals for the Clare County Development Plan

We have prepared this part of the submission drawing on existing strategies for the enhancement and management of tourism in the County and wider Shannon Region.

Proposed statements are based on identified gaps in policy coverage and recommended good practice in the area of sustainable tourism. We have set out explanatory text for discussion among the plan-writing team and then included boxed text intended for consideration as a direct insert to the Plan itself.

Recognition of the tourism product

County Clare has a significant and well established tourism industry based primarily on its natural advantages as a coastal county; its proximity to Shannon Airport and the City's of Limerick and Galway.

The Plan recognises the economic importance of tourism to the County – in terms of contribution to the local and regional economy and also as a sector that employs a significant number of people – both directly and indirectly. Fáilte Ireland would welcome the inclusion of a more robust statement to truly capture the importance of tourism to the County in economic terms.

Proposed Text: - to be included in the first paragraph in section 9.0 - Introduction

County Clare is one of the leading tourist counties in Ireland and attracts significant domestic and foreign investment annually. In 2014, overseas revenue for the tourism sector in County Clare was worth 201 million euro, as 561,000 visitors came to the area from an overall overseas visitor number of 7.1 million to Ireland. An additional 321,000 domestic visitors (including visitors from Northern Ireland), generating a further 75 million euro also came to the County in that period (1).

Fáilte Ireland estimates 7.9 million overseas visitors will have come to Ireland in 2015 – a 11% increase over the same period in 2014. Based on these figures, the final data for 2015 will show considerable growth in the performance of County Clare as a tourism centre - a growth which is expected to continue during the life of this Plan in keeping with tourism being a key economic pillar for the County for the duration of this Plan.

References: (1) Fáilte Ireland Tourism Facts 2014

Recognition of the tourism product

In terms of the identification of hubs of tourism activity in the County, Fáilte Ireland would welcome a statement that identifies the County's key tourism attractions as this would assist greatly in the emergence of more spatially relevant policies throughout the County Plan. Ideally these features would be indicated on a suitable map.

Fáilte Ireland recognises the tourism product available in the County through its natural landscape and historical sites in particular. There is significant potential for the County to capitalise on the 1.2 million visitors to the Cliffs of Moher annually. We support the potential for the County to harness the revenue available from this visitor population and to enhance the dwell time and visitor spend throughout the County as a whole.

Fáilte Ireland would like the Plan to promote the key principle that recognition of the needs of visitors, and investment in the visitor sector, complements the County Council's commitment to enhancing the County for residents and visitors alike.

Proposed Text: - new text to be included after 9.3.3

Infrastructure –

The Council reaffirms its commitment to making County Clare a nice place to live, work and visit and is particularly committed to ensuring that investment in infrastructure meets the needs of both resident and visitor populations. Like the long term project the Wild Atlantic Way as it is a valuable resource to County Clare.

Recognition of the tourism product

As currently written Chapter 9 - Tourism outlines a number of individual objectives based on the various strands of the tourism sector. Fáilte Ireland would support the inclusion of a number of strategic objectives that are more reflective of overall tourism product of the County.

Proposed Text: - to be inserted as a second paragraph in Section 9.3 - Strategy

The Council will continue to collaborate with Fáilte Ireland and other tourism development partners to adopt joint objectives for the development of the County's tourism sector during – and beyond, the lifetime of this Plan . These will include:

- Defining the tourist experience and developing a clear tourism identity for County Clare in partnership with Clare Tourism and recognising the significance of the Clare Tourism Forum;
- Improving the visitor experience to ensure that all visitors to the County – whether domestic or overseas, enjoy the unique experience of enjoying County Clare and all that it has to offer;
- To capitalise on the County's identified nodes along the Wild Atlantic Way (such as 'Signature Points, 'Discovery Points, etc.);

Fáilte Ireland would recommend a more detailed commentary on the profile of the visitor market. In particular we would like the Plan to recognise both the observed patterns and the prioritised markets identified by Fáilte Ireland for the period covered by this Plan.

Proposed Text: - to be inserted in 9.3.1 Tourism Promotion

Fáilte Ireland and other partners in the tourism sector have identified the primary target markets for the period to 2020. Ireland is being particularly promoted as a destination in the core overseas markets of the Britain, France, Germany and the US. The County Council is also aware of the significant contribution of the domestic market to the County's tourism sector.

Additional Policy Coverage

Having regard to the strategic objectives of both the County Council and Fáilte Ireland for the development of the sector, the Plan needs to provide additional policies in a number of areas, namely:

- Wild Atlantic Way
- Strategic Planning
- Landscape and Natural Environment
- Signage and Wayfinding
- Transport and Access
- Accommodation
- Towns and Villages
- Heritage and Culture / Festivals and Events
- Business and Education Tourism

Additional Policy Coverage - Strategic Planning

Tourism is a significant contributor to the economy of County Clare. The Clare County Tourism Strategy 2010-2014 recognises the Council's commitment to harnessing this potential. Fáilte Ireland would welcome a commitment to the timely revision of this Strategy which would define, promote and facilitate the tourism market for the County over the medium to long term.

Proposed Text: - to be inserted at 9.3

To support the preparation, adoption and implementation of a strategic regional plan for tourism for County Clare and the wider Shannon Region, to provide a framework for the sustainable and efficient provision and management of the tourism resource.

***Note:** Strategic objectives of the County Tourism Strategy must align with the policy objectives of the CDP.*

Where policy statements have been developed and adopted – such as in the case of the 'Wild Atlantic Way' - there is a need to ensure such strategies do not stand in isolation from the Plan and indeed to knit the details of those frameworks into the spatial strategies of the Plan. Fáilte Ireland commends the Council on the inclusion of a number of excellent objectives for the WAW in the Draft Plan.

Proposed : -

Map 2A identifies the route of the Wild Atlantic Way. It is recommended that the locations of the 'Signature Points' and 'Discovery Points' are also included.

Additional Policy Coverage – *Landscape and Natural Environment*

Fáilte Ireland acknowledges that County Clare is a well established tourism area; a major tourism county with a surrounding attractive region. It has an extensive Atlantic seaboard coastline (53%), which includes 9 Blue Flag beaches and the remaining estuarine and freshwater coastline includes Ireland's largest estuary, the Shannon Estuary.

County Clare has a strong natural heritage. The Burren and Cliffs of Moher Geo-park UNESCO site is one of the most distinctive natural landscape regions in Ireland is considered to be one of the best preserved agricultural landscapes in Europe. The County boasts many geologically special Sea Cliffs along the west coast, including the Cliffs of Moher and the blanket bogs of Slieve Bearnagh and Slieve Aughty display a myriad of colour and wildlife activity. Lough Derg, the River Shannon and the Atlantic coast all offer significant marine and watersports activity locations.

The County coastline contains areas of Heritage Landscape, outstanding natural beauty and designated SAC 's and SPA's. Many opportunities exist for access to the heritage sites, the coast and inland landscape features. Further development of heritage trails, marine sports, golfing, walking, cycling, etc. will provide for greater public and visitor enjoyment of the natural environment. Good Planning will build on the capacity of the landscape to provide for open space, recreation opportunities and green corridors to enhance quality of life for all.

Complimentary to the natural landscape there are unique man-made landscapes including the county town of Ennis and an established network of towns and villages. There is a broad appreciation of the heritage value and tourism potential of these sites within the local community as evidenced in the County's strong performance in the National Tidy Towns Competition and the International Entente Florale.

Additional Policy Coverage – *Landscape and Natural Environment, continued*

The Draft Plan includes a number of excellent objectives for the management, development and enhancement of the landscape as a tourism resource. Fáilte Ireland would like to see support for key landscape objectives included in the maps of the Development Plan.

Proposed insertions to the Plan:

- To promote the ongoing development of trails (walking, cycling, etc.) and collaboration with the National Trails Office to provide up to date information trail locations and routes.

Include text at CDP9.7

- To support the development and funding for general enhancements along trails – e.g drying rooms for walkers and canoeists, repair facilities for cyclists, equipment drying and storage facilities for angling/fishing and surfing enthusiasts.

A key area of planning that can impact on tourism is wind energy planning. Fáilte Ireland is aware that the Department of Environment, Community and Local Government have advised that the existing Wind Energy Strategy will remain as the policy and objectives document governing wind energy in the county until the completion of the national policy review of Wind Energy Development Guidelines and the Renewable energy Export Policy and Development Framework.

Additional Policy Coverage – *Signage and Wayfinding*

The Draft Development Plan provides excellent coverage of policies dealing with protection and enhancement of the public realm in general. Fáilte Ireland is wholly supportive of these for the enhancement of the visitor experience.

Proposed Text: - to be inserted as a new objective for *Tourism Signage CPD9.19*

To support the provision of accurate and easy-to-use roadside information including:

- Integrated signage plans throughout the county to improve navigation and visual impact.
- To support the development of the digital platform to disseminate information to visitors.

Fáilte Ireland supports the Development Plan objective to implement the signage plans that have been prepared for the Lough Derg and Burren Areas. We would like to ensure their timely implementation and suggest that this is reflected in the policy wording.

Proposed Text: - to be inserted as a new wording for objective CDP9.19 a)

To implement the signage plans that have been prepared for the Lough Derg and Burren areas *during the lifetime of this plan.*

Additional Policy Coverage – Wild Atlantic Way

Fáilte Ireland acknowledges the value of the key partnership with Clare County Council in the development of the Wild Atlantic Way. We also acknowledge the excellent objectives in CDP9.5 relating to the Wild Atlantic Way. It is proposed that additional descriptive text is included in the Plan in order to provide a more comprehensive overview of the project.

Proposed Text: - to be inserted as a new paragraph in Section 9.3.5

The Wild Atlantic Way is the longest defined coastal touring route in the world stretching 2,500km from the Inishowen Peninsula in Donegal to Kinsale in West Cork. The geography of the Wild Atlantic Way encompasses the coastline and hinterland of the nine coastal counties of the West of Ireland. The immediate catchment of the Wild Atlantic Way is the area surrounding the spine of the route itself, the landmass to the west of the route as far as the coast (and the islands) and immediate landmass to the east of the route. The route itself is a magnet or calling card to gain the attention of the international visitor and acts as a device to entice people to the West of Ireland. Once there, visitors are encouraged to further explore and engage with tourism experiences and communities in the wider geographical area.

The overall objective of the Wild Atlantic Way project is to grow the economic contribution of tourism to the nine coastal counties of the West of Ireland by increasing international bednights and revenue and by sustaining and creating employment in the geography. A key element of the project is the identification of Discovery Points and Embarkation Points which have been identified as ‘must see’ destinations. A total of 188 such locations have been identified along the route and these locations are being enhanced to improve the visitor experience

Note:

It is acknowledged that Map 2A identifies the route of the Wild Atlantic Way. It is recommended that the locations of key nodes such as ‘Signature Points’ and ‘Discovery Points’ are also included.

Proposed Text: - to be inserted as a new objective for *Wild Atlantic Way CDP9.5*

- The Council will work with Fáilte Ireland on any further development and implementation of the Wild Atlantic Way branding strategy. As part of that process Clare County Council will liaise with the Authority on the further development of the over arching strategy, as well as any smaller scape plans or programmes that are prepared to give effect to that strategy. The Council will consult with the Authority as required, on the assessment of any such plans, programmes or policies to ensure they are adequately screened or assessed in full compliance with Directives including the SEA Directive and the Habitats Directive.
- To develop the potential of Loop Head as a key node along the Wild Atlantic Way route.
- To support the environmental monitoring of key sites along the Wild Atlantic Way.

Additional Policy Coverage - Transport and Access

County Clare's location on the Atlantic periphery of Europe places transport and access at the top of the development agenda. Shannon International Airport is a key hub for both national and international air travel and is a valuable asset to the wider Shannon Region.

Many visitors travel to Clare by car after arriving to Dublin, Shannon and Cork Airports. The County is well served by the national motorway network. Improvements in the regional and local road network would enhance the accessibility and connectivity of the more remote areas of the county.

Ennis is connected by rail to Limerick and Galway and further throughout Ireland from these transportation hubs. Regular bus services serve Ennis from Shannon Airport, Limerick, Cork, Galway and Dublin. There are a number of private bus companies offering tours of the County. A community transportation group also operates a demand service throughout east Clare.

While many visitors travel throughout the County by car, Fáilte Ireland would like to see tourism specific policy with regard to alternative forms of transport, particularly public transport. This accords with the move towards more sustainable forms of travel.

Proposed Text: - to be inserted as a new policy

To support sustainable travel in the tourism sector by the promotion of public transport use and by undertaking enhancements to overall accessibility thereby making the County easier for visitors to navigate.

Additional Policy Coverage - Accommodation

There is a good variety of accommodation in County Clare, particularly in the key gateway towns like Ennis. Fáilte Ireland's new welcome standards have incorporated a wider variety of accommodation types include glamping, campsites, B&B's, guesthouses, hotels and holiday homes. It is important that a wide range of accommodation options are available to ensure that the County is an attractive location in which to spend increased amounts of time for a wide range of visitors.

The Draft Plan includes a number of good objectives for Visitor Accommodation.

Fáilte Ireland would like to see the inclusion of additional drying and storage facilities for tourists at appropriate accommodation locations.

Proposed Text: - to be inserted at CDP9.4 *Tourist Accommodation*

Provision of additional facilities for tourists at appropriate accommodation locations including, drying rooms for walkers and canoeists, repair facilities for cyclists, equipment drying and storage facilities for angling/fishing and surfing enthusiasts.

Additional Policy Coverage – Heritage, Festivals and Cultural Events

County Clare has a particularly strong heritage with a diverse range of sites and attractions. Recognition for these sites in the Development Plan would be welcomed by Fáilte Ireland.

The inclusion of key attractions in the CDP mapping would increase the awareness and facilitation of important trails and routes in strategic planning for the County.

Proposed Text: - to be inserted

- Heritage Sites (text previously suggested on page 9 of this submission)

Proposed Text: - to be inserted at CDP9.15

- To protect and enhance the County's heritage features and the improve access to these features for improved interpretation and understanding;
- To develop a management plan for specific busy tourist sites in order to facilitate the effective accommodation of large numbers of tourists at sensitive locations;
- To identify trails (walking, cycling, and driving) providing access to and linking heritage sites and features;
- To facilitate funding for general enhancements along these trails including the provision of parking, toilet and picnic facilities where appropriate, as well as interpretive signage providing information on specific sites and also the network of sites along a trail;

Additional Policy Coverage – Heritage, Festivals and Cultural Events, *continued*

County Clare has a rich cultural heritage and is well known for its legacy of traditional Irish music and storytelling. A large number of events take place annually throughout the County centred around the arts, music and literary traditions. Doolin’s annual writers weekend, Lisdoonvarna’s international matchmaking festival and the Fleadh Cheoil na hÉireann, all attract large numbers of visitors to the county.

Fáilte Ireland looks forward to welcoming the 2016 Fleadh Cheoil to Ennis and will work with the county council to offer business supports and mentoring where necessary to ensure the success of such a major cultural event.

Fáilte Ireland would welcome the facilitation of festivals and events at an international and national scale as these increase the dwell time and spend of tourists to the region.

Proposed Text: - to be inserted as a new policy at CDP9.14 Festivals and Events

- To Promote the development of new festivals and sporting events to increase the profile of the County as a key tourism destination and fun place to be.
- To promote of a variety of activities to cater for a wide range of needs through the application of flexible policies in relation to festivals and entertainment activities in order to accommodate and promote innovation in this area of the market.

The profile of the County as a centre for high quality food and hospitality is growing with a number of Food Festivals and Craft Beer Festivals also taking place annually throughout the County. In addition a number of sporting festivals are also developing, focusing on surfing, boating, angling, running and cycling.

The development of new events based around these attractions is encouraged and supported by Fáilte Ireland.

Additional Policy Coverage – Towns and Villages

The towns and villages of the County are significant attractions because of their locations and settings and also due to the unique range of options that they offer including heritage features and outdoor pursuits.

Ennis, the County town, is an independent tourist destination as well as the hub for the wider tourism product in the County. It is known as the Boutique capital of Ireland. Shannon also acts as a tourism hub for the South of the County with Bunratty Castle, hotels, golf courses and retail facilities available in the vicinity. Its proximity to Shannon Airport increases its connectivity to other tourism hubs around the county and country.

The coastal towns including Kilkee, Doonbeg, Doolin, Lahinch and Ballyvaughan are well located and benefit from the rich tourism resource of the geography of the area. Tourism has been growing steadily in west Clare and has recently received a number of accolades including *'The Best Place to Holiday in Ireland'* - Loop Head , *'Best Cultural Heritage Attraction'* – Loop Head Peninsula Trail and *'European Destination of Excellence'* – Loop Head Penninsula.

Additional Policy Coverage – Towns and Villages

continued

Within the County Plan there needs to be a strong commitment to place-making and the long term enhancement of localities in a way that respects the traditions of the area and reflects the need to protect and enhance the qualities that give the county distinction and identity. It is also necessary that landscape designations and development zoning, while designed to protect the most sensitive areas of the county, do not impose unreasonable blanket bans on social and economic activity in designated areas.

There are a number of excellent objectives in the Draft Plan for each of the sub-county tourism areas of the County. It may however, be beneficial to insert a number of additional policies at *Urban Tourism CPD9.13*

Proposed Text: - to be inserted as a new policy at CDP9.13

- To implement appropriate guidelines in order to ensure that development and maintenance of viable rural communities can continue within landscape designations and that these designations do not impose unreasonable blanket bans on social and economic activity within the designated areas.
- To identify the tourism functions of settlements throughout the County and to assess the functional and planning impacts of these.
- To promote tourism features in the wider western tourism region via maps, tourism literature, integrated tourism signage and information points in local towns and villages.

Additional Policy Coverage – Islands

As identified in the Draft Plan section 9.4.6, the Shannon Estuary islands, Scattery Island, Holy Island and Lough Derg are generally underutilised from a tourism perspective and offer a major opportunity to grow the tourism industry and encourage visitors to Clare.

Fáilte Ireland acknowledges the partnership with the key stakeholder, the OPW and encourages the ongoing collaboration between the relevant agencies to enhance the opportunity for the further development of Scattery Island as a valuable tourism resource.

Proposed Text: - to be inserted as a new policy at CDP9.26 Tourism and the Islands

- To identify the tourism function of the Islands and address the functional and planning impacts of additional visitors in order to facilitate increased access to the islands in a sensitive and appropriate manner.
- To work with the relevant agencies for the provision of improved infrastructure and transportation required to enhance Scattery Island's tourism resource.

Proposed Text: - to be inserted as a new text at Section 9.4.3 – East Clare

Fáilte Ireland supports the development of Lough Derg as a tourism destination and would welcome future collaboration with the Council in the further development of a Plan for the area.

Additional Policy Coverage – Business Tourism

The further development of the conference and event market is an area of particular focus for tourism in County Clare. There is an increasing trend among professionals to add additional days onto a business trip. National connectivity via the motorway network and international connectivity via Shannon airport provide an opportunity for the County to maximise on this growing trend.

County Clare experiences many day trippers to the Cliffs of Moher, etc. from Dublin in particular. There is potential for the County to capitalise on this interest and to expand on its own ability to attract conference and business visitors to the region. Fáilte Ireland would support the development of suitable facilities to accommodate this market in local / urban hubs within the County and to capitalise on the associated dwell time.

The development Plan outlines the Council's commitment to working with hotels in the County that offer conference facilities, with the Shannon Region conference and sports bureau and with internationally-branded hotel chains, to ensure that the development of the County as a conference and business tourism destination, capable of competing with the Capital City, is facilitated and promoted.

Spatial Planning

Fáilte Ireland encourages proactive planning for tourism as a dynamic land-use that is inherently linked with infrastructural provision, general settlement patterns, strategic planning objectives and the environmental protection policies built into the Plan.

The Draft Clare County Development Plan provides comprehensive cross referencing between tourism policy objectives and other chapters of the development plan. The Municipal District and Settlement Plans also provide comprehensive policy objectives for tourism in each settlement area and recognise the contributory role of tourism to the economy. Fáilte Ireland welcomes the inclusion of projects such as the West Clare Railway Greenway on the Settlement Plan Mapping in the Draft Plan.

County Clare's location on the periphery of Western Europe presents as its major strength in terms of its landscape and natural heritage features and its challenge in terms of access.

It is recommended that the policies of the Development Plan as a whole:

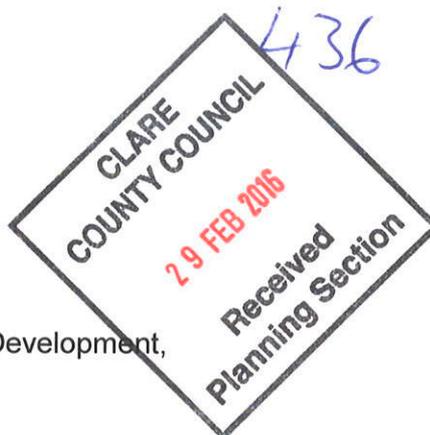
- encourage clustering of products and services within identified local centres and districts to increase linkages within and reduce leakage from, the local economy;
- improve links to the existing air infrastructure at Shannon, Cork, Dublin and Belfast airports through investment into the existing transportation links, signage and information infrastructure;
- evaluate public transport provision and where appropriate provide support for alternatives to the use of private cars to access visitor attractions; and
- build on the Mid-West taskforce's work on the development of jobs in the region.

Concluding remarks

We wish to take this final opportunity to commend Clare County Council on the Draft Development Plan for the County. The development objectives for tourism have been thoroughly considered and cross referenced throughout the chapters of the Draft Plan.

The Draft Plan and associated Municipal District and Settlement Plans have a clear understanding of the economic benefits to be enjoyed by the proper planning and sustainable development of the tourism product in County Clare and the planning objectives and policies outlined in these Plans provide a solid framework to manage the interaction of tourism with other land uses.

Finally, we reiterate the commitment of Fáilte Ireland to working with the Authority on achieving the Plan objectives over the coming years.



Our Ref: 16_IW_FP_58

Mr. Brian McCarthy,
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Planning and Enterprise Development,
Clare County Council,
County Hall,
New Road,
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Irish Water
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26th February 2016

Re: Draft Clare County Development Plan 2017-2023

Dear Mr. McCarthy,

Thank you for your notice of the 7th December 2015 regarding the preparation of the Draft Clare County Development Plan 2017-2023. We are pleased to make the following submission in relation to the development of the Plan.

We refer to our submission of the 9th of March 2015 on the review of the existing Clare Development Plan 2011-2017 and the preparation of the new Clare County Development Plan 2017-2023 and to our subsequent liaison with the Council in relation to the current availability of water services in the county.

We include in this submission a summary of the current position of water services in the county in relation to catering for the settlement and core strategies identified in the Draft Plan.

Irish Water face significant challenges in balancing our commitments and available funds to achieve the objectives on service, quality, regulation, environmental compliance and growth identified in our current Water Services Strategic Plan which was approved by the Minister of Environment, Community and Local Government in October 2015. We will invest in the development and expansion of the water and wastewater infrastructure to achieve these objectives in line with our investment programme and connection policies which are subject to the approval by the Commission for Energy Regulation (CER).

All capital investment beyond the Proposed Capital Investment Plan 2014-2016 is subject to the agreement of CER. Irish Water is currently in the process of preparing a submission to the CER on the national investment programme for the next Investment Plan (2017 - 2021) which will be submitted in March 2016. Investment in eleven wastewater project in County Clare has been identified in the Emerging Investment Plan which has been released for public consultation. In addition, a number of national programmes on water supply are included which will benefit water supply in Clare. These include a national programme to reduce leakage of treated water from distribution networks and a national programme to improve water treatment resulting in improved drinking water quality.

Irish Water has a suite of policies/objectives which we can suggest to the Council for inclusion in the development plan in relation to protecting Irish Water service assets and the environment for the benefit of current and future populations served by public water services networks. We have attached these policies/objectives to this submission.

Irish Water is available to discuss this submission with the Council and any other issue with respect of water services within our remit.

Yours sincerely,

Suzanne Dempsey
Spatial Planning Strategy Specialist

Menu of appropriate Objectives/Policies for Water Services in development plans

General Policies in relation to Water Services

- a) To work closely with Irish Water to identify and facilitate the timely delivery of the water services required to realize the development objectives of this plan;
- b) When identifying areas for development, to ensure that full consideration is given to the level of investment that will be required in the provision of water services – particularly in environmentally sensitive areas - to ensure that the provision of water services does not negatively impact on habitat quality, species diversity or other environmental considerations
- c) To facilitate the provision of integrated and sustainable water services through effective consultation with Irish Water on the layout and design of water services in relation to the selection and planning of development areas and the preparation of master plans and SDZs;
- d) To maximise the use of existing capacity in water services in the planning of new development;
- e) To ensure that adequate water services will be available to service development prior to the granting of planning permission for those developments and to require developers to consult Irish Water regarding available capacity, prior to applying for planning permission;
- f) To protect existing way leaves and buffer zones around public water services infrastructure through appropriate zoning and to facilitate the provision of appropriate sites for required water services infrastructure as necessary;
- g) To ensure that development proposals comply with the standards and requirements of Irish Water in relation to water and wastewater infrastructure to facilitate the proposed developments

Water Supply

- h) To protect both ground and surface water resources and to work with Irish Water to develop and implement Water Safety Plans to protect sources of public water supply and their contributing catchment;
- i) To minimise wastage of water supply by requiring new developments to incorporate water conservation measures;
- j) To promote water conservation and demand management measures among all water users;

Wastewater Services

- k) To ensure that the Local Authority provides adequate storm water infrastructure in order to accommodate the planned levels of growth within the plan area and to ensure that appropriate flood management measures are implemented to protect property and infrastructure;
- l) To require all new development to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems;
- m) To prohibit the discharge of additional surface water to combined (foul and surface water) sewers in order to maximise the capacity of existing collection systems;
- n) To support Irish Water in the promotion of effective management of trade discharges to sewers in order to maximise the capacity of existing sewer networks and minimise detrimental impacts on sewage treatment works;
- o) To refuse residential development that requires the provision of private waste water treatment facilities, other than single house systems;
- p) To ensure the changeover from septic tanks to collection networks in all cases where this is feasible (subject to connection agreements with Irish Water) and that all new developments utilise and connect to the public wastewater infrastructure. The provision of individual septic tanks and treatment plants in the plan area will be strongly discouraged to minimise the risk of groundwater pollution. Where such facilities are permitted, full compliance with the prevailing regulations and standards, including the EPA's Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (PE. ≤ 10) (EPA 2009), as may be amended, will be required;
- q) To ensure that private wastewater treatment plants, where permitted, are operated in compliance with their wastewater discharge license, in order to protect water quality;
- r) To require existing developments that are in close proximity to a public sewer to connect to that sewer, subject to a connection agreement with Irish Water;

Water Services availability in County Clare

Hub town, service towns, small towns and large villages.

Date: 25th February 2016

Water Services Infrastructure

The responsibility for the provision and management of water services (water supply and wastewater but excluding storm/surface water other than where sewage has been combined with surface water) was transferred to Irish Water on the first of January 2014. It is Irish Water's objective to provide strategic infrastructure capacity to facilitate the core (residential) strategies identified in this county development plan, subject to the availability of funding and environmental constraints.

Irish Water is currently analysing water services infrastructure needs at a national level and identifying priority projects for inclusion in the next Investment Plan (2017-2021). Priorities must include investment to ensure acceptable service levels to existing customers and achieving regulatory compliance. Requirements to catering for future growth are also being considered. The Investment Plan will be evaluated by the Commission for Energy Regulation who will approve or otherwise the budget presented by Irish Water for capital investment in infrastructure.

Water Supply

Irish Water is currently carrying out a strategic review of water supply in the Mid-West Region. Initial indications are that the Clareville Water Treatment Plant in Limerick, which currently serves Limerick City and its environs, has the capabilities to supply a large regional area within in the Mid-West. This could include augmentation of the Shannon/Sixmilebridge and Ennis Water Supply Schemes, utilising the existing pipe network installed on the N18 and N85.

In general, there is sufficient water supply treatment capacity in the county to meet the needs of the target population identified in the core strategies. Many of the water treatment plants supply water to a number of settlements in a "Water Supply Zone"(WSZ) and WSZs may be linked together to form a water resource zone. It is Irish Waters objective to interlink WSZs, where appropriate, to increase the resilience (reliability) of the water supply system. Network reinforcement is likely to be required to ensure that water supply can be moved around the network to where it is needed. In addition, many of the water treatment plants in the county need upgrading in order to ensure that water is produced to the required standards as set out in the relevant Drinking Water Regulations.

Wastewater

Wastewater services tend to be associated with individual settlements/agglomerations and there are significant service and compliance issues in many existing wastewater systems in Clare.

Hub Town

Ennis (including Clarecastle)

Ennis is identified as a Hub town in the National Spatial Strategy and the Core Strategy of the County Development Plan sets a population target of 33,479 for Ennis and Environs by 2023. An increase in population and the associated growth in the local economy will increase demand for water and waste water services. A high quality, effective and reliable water services infrastructure is essential to accommodate future economic development and population growth in Ennis. The Plan area is currently served by two waste water treatment plants, a public water supply and storm water network (combined).

Water Supply & Conservation

Ennis's water supply is derived from the natural resource of groundwater, at Drumcliff Springs, located on the north side of Ennis town. At present, the Drumcliff water treatment plant supplies Ennis and surrounding settlements (Clarecastle, Crusheen, Barefield and Clooney) with approximately 15,500 cubic metres of water a day. The current population served by this scheme is circa 30,000 and the population target for Ennis and these surrounding settlements is circa 40,000 in 2023.

In order to meet demand for water of the target population it is imperative that water storage is enhanced, water is conserved and pipe network repairs are implemented. Augmentation of supply may also be required in the future to ensure security of supply.

There is approximately 18km of water mains network in the Ennis area and some 65% of treated water produced at the water treatment plant is currently "unaccounted for" being lost through leaking pipes, faulty appliances or unaccounted for usage. – As part of Irish Water's mains renewal programme Ennis Mains Rehabilitation Scheme is currently under construction and is expected to be completed by the end of 2016.

Subject to the completion of the above and additional demand management measures, Irish Water considers that there will be sufficient treatment capacity available to serve the population targets in Ennis. Network reinforcement may be required in some areas to cater for specific developments and can be provided subject to the requirements of Irish Water's connection policy.

To ensure future security of supply Irish Water is investigating augmenting the Ennis water supply – by bringing water from Clareville Water Treatment Plant in Limerick city

Wastewater Treatment

In terms of wastewater treatment, the Ennis area is served by treatment plants at Clonroadmore and Clareabbey. The estimated capacity requirement to service the target population associated commercial and institutional demand and current industrial requirements are circa 40,000 population equivalents.

Irish Water is progressing the following works to ensure that wastewater services are available to meet this requirement;

The upgrading of the existing waste water treatment plant at Clonroadmore from 17,000PE to 31,500PE, together with upgrades of its main feeder pumping stations at Tulla Road and Francis Street is currently underway and is due for completion in 2016.

The WWTP at Clareabbey provides treatment for the Clareabbey and part of the Clarecastle area. However, untreated sewage from some of Clarecastle currently discharges to the Fergus Estuary at Clarecastle. The existing Clareabbey WWTP has

sufficient capacity to cater for the current and projected load from the Clareabbey area. A study is being progressed by IW to determine if the current load being discharged untreated at Clarecastle should be treated at Clarecastle or conveyed to Clareabbey for treatment. Based on the outcome of this study any requirement upgrade the Clareabbey WWTP will be determined. The upgrading of sub-standard parts of the existing sewer network to eliminate or reduce, insofar as possible, the inflow of surface water and infiltration of groundwater into the sewer network is also being considered.

Linked Gateway/Service Towns

Kilrush

Water Supply

At present, Kilrush town's daily water demand is in excess of 1200 cubic metres and is supplied from the West Clare Regional Water Supply –(new) Doolough Treatment Plant. This treatment plant also provides water to a significant number of towns and villages in the surrounding area, many which have a large seasonal holiday population.

The capacity of the water supply is sufficient to meet the town's projected population increase.

Wastewater Treatment

Kilrush town's wastewater is collected via gravity sewers and four pumps (located at Merchants Quay, Leadmore, Moyne Court Ballynote and Cappa) and a rising main network and is held at the Kilrush Sewerage Pumping Station (Tidal Holding Tank). Currently the wastewater is discharged from this tank to the estuary without treatment. It is Irish Water's objective to provide wastewater treatment at Kilrush by the end of 2021 subject to availability of funding. The achievement of this objective is included as a target in our Water Services Strategic Plan approved by the Minister in October 2015 and the project will be included in Irish Water's Investment Plan 2017 to 2021 which will be submitted to the Commission for Energy Regulation, Irish Water's economic regulator, in March 2016.

Ennistymon/ Lahinch

Water Supply

Water is supplied to the towns of Ennistymon and Lahinch from the Ennistymon Regional Water Supply (RWS) and the Ballymacraven water treatment plant (WTP). This treatment plant also provides water to a significant number of towns and villages in the surrounding area, many which have a large seasonal holiday population. The Ballymacraven WTP is currently at capacity and will need to be upgraded in order to meet the target population of Ennistymon and towns and villages connected to the Regional Water Supply. Irish Water is also investigating the possibility of augmenting the water supply through connecting the Regional Water Supply to the New Doolough Treatment Plant.

Wastewater

Lahinch

Lahinch wastewater treatment plant (WWTP) has sufficient capacity (8400 p.e. design capacity) to meet the needs of the target population. However, there is significant hydraulic overloading on the plant due to infiltration in the network. Irish Water

intendsto review the current issues with the network and treatment plant and implement a solution through minor works.

Ennistymon

The existing plant at Ennistymon is marginally overloaded although it currently complies with its Wastewater Discharge Licence. IrishWater is examining the requirements for the upgrade / expansion of the treatment facilities to cater for projected growth over the life of this plan including seasonal variations in load. A new treatment plant may be required on a new site.

Scarriff Tuamgraney

Water Supply

Water is supplied to Scarriff from the Scarriff Public Water Supply fed from a groundwater source. There is a significant amount of water currently being lost from the network. If this loss can be reduced by 10% then there will be sufficient treatment capacity to serve the needs of the targeted population.

Wastewater

Wastewater treatment facilities serving the town have been upgraded in recent years and there should be sufficient capacity at the treatment plant to cater for the target population.

Small Towns

Killaloe

Water Supply

Water is supplied to Killaloe from the Killaloe Public Water Supply which is fed from a groundwater source. There is a significant amount of water currently being lost from the network. If this loss can be reduced by 10% then there will be sufficient treatment capacity to serve the needs of the targeted population. Irish Water is currently investigating the possibility of connecting Killaloe to the Newport Water Treatment Plant in Tipperary via Ballina to ensure security of supply.

Wastewater

Waste water from Killaloe is treated in Ballina in Co. Tipperary. The existing waste water treatment plant is currently operating at hydraulic capacity and cannot accommodate any further significant development. Network improvements and improved operational control of pumping stations are required to reduce hydraulic overloading. Proposals to upgrade the Ballina WWTP are being developed by Irish Water having regard to the significant seasonal load to the treatment plant and the requirements of the Waste Water Discharge License issued by the EPA on 13 Aug 2015.

Sixmilebridge

Water Supply

Water is supplied to the town from the Shannon/Sixmilebridge Regional Water Supply Scheme (RWSS) with a surface water source at Castle Lake. This scheme also supplies water to a number of settlements in the area. The water treatment plant at Castle Lake

is currently operating at near capacity and is unlikely to be able to meet the required demand should all of the settlements it supplies meet their target population objectives. As with other water supplies in Clare, there is a significant unaccounted for/loss of water across the supply network. Irish Water is investigating feasible ways of augmenting the supply to the RWSS, possibly from Limerick City, and reducing losses of treated water from the network.

Wastewater

The existing WWTP serving the town has a design capacity of 6,000 PE with an average loading of less than 2,500 PE. There is significant spare capacity available to service the needs of the target population and for future development.

Tulla

Water Supply

The town is served by the Broadford Public Water Supply which imports water from the Shannon/Sixmilebridge RWS. As such, water supply is constrained as per Sixmilebridge, subject to the identification by Irish Water of a method reducing the loss of water from the supply network and of augmenting the RWS to cater for future demand.

Wastewater

The existing WWTP serving the town has a design capacity of 2,000 PE with an average loading of less than 468 PE. There is significant spare capacity available to service the needs of the target population and for future development.

Newmarket on Fergus

Water Supply

Water is supplied to the town from the Shannon/Sixmilebridge Regional Water Supply Scheme (RWS) with a surface water source at Castle Lake. As such, the water supply is constrained as per Sixmilebridge, subject to the identification by Irish Water of a method for reducing losses from the supply network and of augmenting the RWS.

Wastewater

While the WWTP has been upgraded and has capacity to cater for future development, the treated effluent is discharged to Lough Gash turlough. Monitoring of the treated effluent discharge and receiving waters to assess the impact on ground water in the area is ongoing. This monitoring will be undertaken for an extended period and depending on the outcome further upgrade works and /or relocation of the existing outfall may be required and any such works could impact on the capacity of the plant to cater for future development.

Miltownmalbay and Spanish Point

Water Supply

These towns are supplied with water from the West Clare Regional Water Supply (Old) and Miltownmalbay Water Supply scheme with water treatment plants Old Doolough and Rockmount. Irish Water proposes to abandon the Rockmount supply and link the network to the treatment plant at Doolough. The Regional Water Supply also serves Mullagh and Quilty. There is sufficient capacity to at the treatment plant to cater for the target population that would be served by this supply.

Wastewater

The existing WWTP serving the Miltownmalbay is in very poor condition and there are issues with capacity of the receiving water to assimilate the discharge from the plant. The treatment plant does not have the capacity to accommodate the target population. Significant capital investment is required to upgrade the wastewater facilities to an acceptable standard. Depending on conditions set in the pending Waste Water Discharge Licence(WWDL) when issued, a new site or discharge location may be required.

There is currently no public WWTP serving Spanish Point. Irish Water will investigate the feasibility of connecting a number of existing private WWTP, which are in poor condition, to the WWTP at Miltownmalbay – depending on the capacity of that plant to comply with its licence conditions.

Lisdonvarna

Water Supply

Water is supplied to the town from the Ennistymon Regional Water Supply and is subject to the constraints of that scheme – reduction of current losses from the supply network and future augmentation of the scheme.

Wastewater

The Lisdonvarna WWTP has a designed for 5,000 PE but is currently receiving a load in region of 2,500 PE. The plant has sufficient capacity to accommodate the target population identified in the core strategy.

Kilkee

Water Supply

Drinking water is supplied via the West Clare Regional (New) (Doolough Lake) water supply and also from Kilkee's own source at Lisluinaghan, which has its own treatment plant. The West Clare RWS also supplies a significant number of settlements in the area.

There is currently spare capacity in the system to cater for population targets but the treatment plant may need to be upgraded in the future.

Wastewater

There is currently no adequate wastewater treatment in Kilkee. It is Irish Water's objective to provide appropriate treatment for sewage from Kilkee by 2021 and is currently progressing a study to determine the options to provide for secondary treatment as required by the WWDL within the period 2017 - 2021

Large Villages

Ardnacrusha and Parkroe

Water Supply

The village is served by a public water main (Limerick City Council RWS via the Roo West reservoir) with adequate capacity for existing development and the target population.

Wastewater Supply

The villages are not served by a public sewage system. While Parkroe has a treatment plant that has not been taken in charge.

Athlunkard

The village is served by a public water main (Limerick City Council RWS) and its sewage collection system is connected to the Limerick Main Drainage public sewerage system which has sufficient capacity to cater for the target population.

Ballycannon north

Water Supply

The village is served by a public water main (Limerick City Council RWS supply Roo West reservoir).

Wastewater

There is an existing WWTP at Ballycannon Heights in Meelick Village. This WWTP only serves the housing estate built by the Rural Resource Development Ltd. The load on this WWTP is approximately 188 PE and the design is 295 PE. However, this plant is in poor condition and Irish Water is investigating the feasibility of connecting the load to Elton Court PS which pumps into the Limerick Main Drainage scheme. Bunlickey WWTP in Limerick, has capacity to cater for the projected target increase of 124 PE in Meelick in addition to the 189 PE from Ballycannon Heights.

Ballyvaughan

Water Supply

Water supplied to Ballyvaughan is from the Ennistymon RWS and is subject to the constraints of that supply.

Wastewater

The current public wastewater infrastructure in the village consists of a collection system and tidal holding tank located in the foreshore area. Wastewater is discharged untreated to the sea. It is an objective of Irish Water to provide appropriate treatment to this settlement by the end of 2021. The WWDL issued for the current discharge requires treatment of the discharge to at least primary treatment by 31 Dec 2015. The existing site of the tidal holding tank is not suitable for expansion. IW is progressing a study to determine the requirements for current and projected loading and a suitable site and outfall. Depending on the outcome of this study the sewage from Ballyvaughan may have to be pumped to another WWTP for treatment which could restrict capacity to cater for development.

Barefield

Water Supply

Water is supplied to Barefield from the Ennis Public Water Supply. A mains rehabilitation project is currently underway to reduce leakage in the supply network and it is expected that there will be sufficient water supply to serve population target for Barefield.

Wastewater

Barefield is not currently served by a public wastewater system operated by Irish water. The provision of such a system would be subject to the constraints of Irish Water's capital investment programme and New Connections Policy.

Broadford

Water Supply

Water is supplied to Broadford through the Broadford Public Water Supply which is now connected to the Shannon Sixmilebridge Regional Water Supply System. As such, water supply is constrained as per Sixmilebridge, subject to the identification by Irish Water of a method to reduce losses from the supply network and of augmenting the RWSS to cater for future demand.

Wastewater

Broadford is not currently served by a public sewage system operated by Irish Water. The provision of such a system would be subject to the constraints of Irish Water's capital investment programme and New Connections Policy.

Bunratty

Water Supply

In respect of water, Bunratty is served by the Shannon Sixmilebridge RWSS. As such, water supply is constrained as per Sixmilebridge, subject to the identification by Irish Water of a method to reduce losses from the supply network and of augmenting the RWSS to cater for future demand.

Wastewater

The area is served by the Shannon wastewater treatment facility. This facility is currently not complying with EPA discharge licence requirements and requires upgrading. Upgrading works will commence before the end of 2015.

Carrigaholt

Water

The town is connected to the West Clare Regional Water Supply (New) and while there is existing capacity to meet population targets this capacity may need to be upgraded in the future.

Wastewater

Carrigaholt is not currently served by a public sewage system operated by Irish Water. The provision of such a system would be subject to the constraints of Irish Water's capital investment programme and New Connections Policy.

Corrofin

Water Supply

Water supply is provided by the Corrofin Public Water Supply. While the supply capacity is sufficient to meet the target population there are current issues with water quality. Irish Water may consider connecting the supply to a larger supply system to increase quality and resilience.

Wastewater

A new wastewater treatment plant has been built recently in Corrofin with sufficient capacity to accommodate the population target.

Cooraclare

Water Supply

Cooraclare is connected to the West Clare Regional Water Supply (New) and while there is existing capacity to meet demand this capacity may need to be upgraded in the future.

Wastewater

Currently, there is no sewage treatment system serving the village. The provision of such a system by Irish Water would be subject to the constraints of Irish Water's capital investment programme and New Connections Policy.

Cratloe

Water

Cratloe is served by Shannon/Sixmilebridge Regional Water Supply Scheme. As such, water supply is constrained as per Sixmilebridge, subject to the identification by Irish Water of a method to reduce losses from the supply network and of augmenting the RWSS to cater for future demand.

Wastewater

There is no public wastewater treatment plant. The provision of sewage system by Irish Water would be subject to the constraints of Irish Water's capital investment programme and New Connections Policy.

Clonlara

Water

The village is served by Limerick City water supply with adequate capacity to accommodate future development.

Wastewater

The former public wastewater treatment plant has now been decommissioned and Clonlara is connected into Limerick Main Drainage sewerage system.

Crusheen

Water Supply

Crusheen is connected to the Ennis Public Water Supply. While the treatment plant is currently at capacity the current mains rehabilitation project should provide sufficient capacity in the network to accommodate the target population. Augmentation of the supply may be required in the future.

Wastewater

The Crusheen public sewage system has sufficient treatment capacity to accommodate the proposed population target.

Doolin

Water Supply

Doolin is connected to the Ennistymon Regional Water Supply and as such is subject to the constraints of that scheme.

Wastewater

There is no public waste water treatment plant at present in Doolin and existing development is currently serviced by individual wastewater treatment units. The provision of sewage system by Irish Water would be subject to the constraints of Irish Water's capital investment programme and New Connections Policy.

Doonbeg

Water Supply

Doonbeg is connected to the West Clare Regional Water Supply (New) and there is sufficient capacity to cater for population targets.

Wastewater

The village is served by an existing public waste water treatment plant which has sufficient treatment capacity to cater for the target population.

Feakle

Water Supply

Feakle has its own Public Water Supply and treatment plant which is currently working at near to its capacity. While there is sufficient capacity to cater for the target population, no additional development could be accommodated.

Wastewater

Feakle has a newly constructed waste water treatment facility and has the capacity to accommodate the target population.

Inagh

Water Supply

Water supply is sourced through the Inagh-Kilmaley Group Water Scheme. The DoEHLG has approved funding for the upgrade of the Inagh-Kilmaley Group Water Scheme.

Wastewater

Inagh has a public sewage system with sufficient treatment capacity to serve the target population.

Killadysert

Water Supply

Public water is supplied by the Killadysert Public water supply sourced from Gortglass Lough/ Cloonsnaghta Lough. There is sufficient treatment capacity to cater for the target population

Wastewater

Kildysert has its own wastewater treatment plant but an upgrade is required in order to accommodate future development.

Kilmihil

Water Supply

Kilmihil is connected to the West Clare Regional Water Supply and there is sufficient capacity to cater for the population target.

Wastewater

Kilmihil is served by its own wastewater treatment Plant. While the treatment plant has a design capacity of 500 PE and reported loading of 360 PE the sewage networks is a combined system and during storm event the plant is hydraulically overloaded. New storm tanks and modifications to inlet works are required to prevent hydraulic washout. The treatment plant discharges to the Doonbeg river which is a designated Freshwater Pearl Mussel water and thus the assimilative capacity of receiving waters shall be the controlling factor in any works that are proposed for the area.

Kilfenora

Water Supply

Kilfenora is connected to the Ennistymon Regional Water Supply and as such is subject to the constraints of that scheme. **Wastewater**

The existing treatment plant is overloaded and treated effluent is discharged to ground via a swallow hole. IW is progressing a study to develop options for the required capacity upgrade and treated effluent discharge options. At this stage it is not possible to say that the existing infrastructure will be upgraded to cater for future development within the life of this plan.

Kilkishen

Water

Kilkishen is connected to the Shannon/Sixmilebridge Regional Water Supply and as such is subject to the constraints of that scheme.

Waste Water

Kilshen is served by a public sewage system. The WWTP has the capacity to cater for the target population.

Kilmurry

Water

Kilmurray is connected to the Shannon/Sixmilebridge regional Water Supply and as such is subject to the constraints of that scheme.

Wastewater

The village has no public sewage system. The provision of sewage system by Irish Water would be subject to the constraints of Irish Water's capital investment programme and New Connections Policy.

Kilmaley

Water Supply

Water supply is sourced through the Inagh-Kilmaley Group Water Scheme and has capacity to accommodate growth.

Wastewater

The village does not have a wastewater treatment. There is an identified need for provision of a sewerage scheme as part of a Mid-Clare Grouped Sewerage Scheme. The provision of sewage system by Irish Water would be subject to the constraints of Irish Water's capital investment programme and New Connections Policy.

Labasheeda

Water Supply

Labasheeda is connected to the West Clare Regional Water Supply and there is sufficient capacity to cater for the population target.

Wastewater

Labasheeda has no public wastewater treatment apart from the local authority housing scheme, which is served by its own system. The remainder of the village is served by individual septic tanks or discharge direct to the foreshore.

Preliminary work has been carried out on a proposed wastewater treatment scheme, which may be implemented within the lifetime of the plan subject to funding. The provision of sewage system by Irish Water would be subject to the constraints of Irish Water's capital investment programme and New Connections Policy.

Lissycasey

Water Supply

Lissycasey has its own private group water scheme,

Wastewater

There is currently no public waste water treatment system in the village. The provision of sewage system by Irish Water would be subject to the constraints of Irish Water's capital investment programme and New Connections Policy. The assimilative capacity of receiving waters is likely to be the controlling factor.

Mullagh

Water Supply

Water is provided by the West Clare Regional Water Supply and there is sufficient capacity to cater for the population target.

Wastewater

Mullagh is currently connected to the Quilty wastewater treatment system, which will facilitate the target population.

Mountshannon

Water Supply

The village is served by a public water supply which has sufficient capacity to cater for the target population.

Wastewater

There is a public waste water treatment facility in the village. The design capacity of the plant is unknown and upgrading of the treatment plant to accommodate storm flows and future development may be necessary, given the sensitivity of the waters to which the treatment plant discharges to.

O'Briens Bridge and Bridgetown

Water Supply

Bridgetown and O'Brien's Bridge are served by a public water supply. This supply is currently at capacity and would need to be upgraded or augmented to cater for the target population.

Wastewater

There is no public sewage system in O'Briensbridge. The provision of sewage system by Irish Water would be subject to the constraints of Irish Water's capital investment programme and New Connections Policy.

In terms of Bridgetown, the existing wastewater treatment plant will require upgrading in the future, and this will have a bearing on the extent of future residential development in the village. Bridgetown has a well in the centre of the village.

Parteen

Water Supply

The village is served by the Limerick City Public Water Supply which has adequate capacity to cater for the target population.

Wastewater

The village is connected to the Limerick Main Drainage Sewerage Scheme which has adequate capacity to serve the target population in the village.

Quin

Water Supply

Quin is connected to the Shannon/Sixmilebridge Public Water Supply and as such is subject to any constraint on this scheme.

Wastewater

The existing wastewater treatment plant is operating at capacity and funding for work to upgrade the treatment plant have been secured and work will commence shortly on designing the upgrade to the plant. These works will primarily aim to ensure that effluent discharges are in accordance with the required standards, but will also provide capacity to cater for the target population.

Quilty

Water Supply

The village is connected to the West Clare Regional (Old) Water Supply and there is sufficient capacity to cater for the target population.

Wastewater

The village is served by the Quilty/Mullagh sewage scheme which also serves the Kilmurry Ibrickane agglomeration. The design capacity of this WWTP is 1,365 PE which is sufficient to cater for the current and load to the plant and the target population.

Whitegate

Water Supply

Whitegate is serviced by a public water supply which has sufficient capacity to cater for the target population.

Wastewater

Whitegate is served by a public sewage system and while the treatment plant should have the capacity to cater for the target population, a new storm water holding tank is required to control discharges.

Small Villages

Liscannor

As with the larger seaside resorts, Liscannor experiences a significant increase in population during the peak holiday months which can place a considerable strain on the village infrastructure.

Water Supply

The village is connected to the Ennistymon Public Water Supply and as such is subject to any constraints on that scheme.

Wastewater

There is a public sewer network in Liscannor which discharges via a holding tank on the beach and an outfall pipe to Liscannor Bay. A new WWTP is required. Irish Water is currently progressing a study to determine the options to provide for secondary treatment as required by the current Wastewater Discharge Licence for the outfall. It is Irish Water's objective and target to provide this WWTP by within the period 2017-2021.

Additional Small Villages

Water Supply

Fenor - connected to Ennistymon PWS

Kilimer, Kilbaha & Doonaha – connected to West Clare Regional Water Supply (New)

Belharbour – connected to Turlough Public Water supply – sufficient capacity to meet population target

Spanish Point – connected to the West Clare Regional Water Supply (Old)

Waste Water

Irish Water have no EPA agglomeration codes for any of these settlement. It is not clear if the reason is that there are no IW wastewater assets in these locations or if there are LA assets serving less than 50 PE and no Certificate of Authorisation has been submitted. Other than Spanish Point and the potential to combine with an upgraded Miltown Malbay WWTP none of these settlements are being considered for inclusion in the new Capital Investment Plan.

20160229-03-CDP

Planning and Enterprise Development Department
Clare County Council
Aras Contae an Chlair
New Road, Ennis
Co. Clare

29.02.16

Email: forwardplan@clarecoco.ie

RE: Submission on Draft Clare County Development Plan 2017-2023

Sir/Madam,

Thank you for referring the above to An Taisce for comment. We would like to make the following comments, which we request the Planning Authority (PA) take into consideration in the finalisation and adoption of the CDP, including the accompanying Strategic Environmental Assessment (SEA) and Article 6 Habitats Directive Assessment (HDA).

We would also request that the PA make An Taisce known of any further consultation periods regarding the making of this CDP and issue An Taisce with notification of any future proposed amendments to the Draft CDP and notification of the final adopted CDP.

Ian Lumley

Built Environment Office
An Taisce – The National Trust for Ireland

**Submission on the Draft Clare
Development Plan 2017-2023**

1.0 General Comments

The new CDP will provide a key policy document of central importance for a critical period in Irish society and will form a contract between the PA and the local community embodying a promise to regulate land use in accordance with its policies and objectives.

It is now over two decades since the 1992 Earth Summit in Rio de Janeiro when scientists warned humanity that ‘no more than a few decades remain before the chance to avert the threats we not confront will be lost and the prospects for humanity immeasurably diminished’. The worldwide response to these messages from those in a position to bring about change has been almost nil. It is now, therefore, imperative that the new CDP set out a clear, rational, evidence based and plan-led strategy for the future spatial development of the locality to address critical emerging global challenges, most importantly energy scarcity and climate change, and is grounded in the principles of sustainable development.

The new CDP should have due regard to the Climate Action and Low Carbon Development Act. Section 15(a) under ‘Duties of Certain Bodies’ states that:

“A relevant body shall, in the performance of its functions, have regard to:

- (a) the most recent approved national mitigation plan;*
- (b) the most recent approved national adaption framework and approved sectoral adaptation plans;*
- (c) the furtherance of the national transition objective;*
- (d) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the state.”***

In addition to the Climate Action and Low Carbon Development Act 2015, regard should be given to Section 10(n) of the Planning and Development Act 2010 as amended, which states that:

“A development plan shall set out an overall strategy for the proper planning and sustainable development of the area of the development plan and shall consist of a written statement and a plan or plans indicating the development objectives for:

The promotion of sustainable settlement and transportation strategies in urban and rural areas including the promotion of measures to –

- i. Reduce energy demand in response to the likelihood of increases in energy and other costs due to long-term decline in non-renewable resources*
- ii. Reduce anthropogenic greenhouse gas emissions, and*
- iii. Address the necessity of adaptation to change;*

In particular, having regard to location, layout and design of new development.”

The objective for those preparing the new CDP should be conciseness, clarity and simplicity in use of language, and that planning terms be explained in an appending glossary. The excessive flexibility inherent in many CDPs is a key factor in the long delays experienced in the planning process. The flexibility is evidenced both by vagueness and by ‘let-out’ clauses which causes interpretation problems for the developer, the Councilors, the public, and even the officials.

- The PA is requested to review the plan ensuring any vagueness and ‘let-out’ clauses are removed;
- The PA is requested to explain planning terms in an appending glossary

2.0 Specific Comments

2.1 Settlement Hierarchy and Strategy (3.2.2) Development Plan Objectives

An Taisce submit that the objectives included under this section for Ennis, Shannon, Service Towns, Small Towns, Large Villages, Small Villages, Clusters should each include objectives relating to:

- Sustainable transport and mobility objectives in order to ensure the implementation of ‘Smarter Travel: A Sustainable Transport Future’.
- Protection and enhancement of distinctive town centres
- Ensure a good quality environment, through the provision of public transport and ensuring a high quality of life.
- Appropriate zoning and land use

2.2 Housing for Older People

“Older people have certain housing requirements relating to access, medical care, security and personal safety, amongst other issues. While the majority of older people own their own homes, some may find that their accommodation is not entirely suitable for their needs. The demographic profile of County Clare indicates that the number of older people per head of population is increasing which results in a growing need to provide assisted housing which is suitable for older people”

It is stated that *‘one of the key aims of the development plan is to ensure that County Clare becomes synonymous with a high quality of life based on healthy, **accessible and inclusive communities**’* pg.67 (Emphasis Added)

Having regard to the ‘aging’ population, there is a need for the development plan to include specific objectives relating to the location of housing for older people in order to ensure that such locations are appropriate for their needs. As such, An Taisce submit that the council need to recognize that the provision of

residential /day care and nursing homes is an essential community requirement. It is recommended that the following objective be incorporated:

“There is a need to ensure that such facilities are successfully integrated into the community and allow residents full access to goods and services outside of the facility”

“Such facilities should be required to locate in existing towns or villages, located in close proximity to shops and other community facilities required by the occupants and shall be easily accessible to visitors, staff and servicing traffic”

By implementing such objectives, the development plan would contribute the the objective of inclusive communities.

2.3 Primary and Secondary School Facilities

“New residential communities can generate a demand for a significant number of new school places, particularly where families area attracted to the area. In such cases, it is vital to the process of supporting sustainable communities that the planning system facilitates the timely provision of new school building”

The CDP should have regard to the Department of Educations and Skills Technical Guidance Document (TGD -027) *“Identification and suitability of sites for Post Primary Schools”* and the Department of Education and Skills Technical Guidance Document (TGD-020 *“General Design Guidelines for Schools (post and primary)”* which states:

Safe access for all as well as circulation to public roads approaching the school site and safe internal and on-site circulation should be considered. All traffic management and mobility issues should be considered during site identification and assessment. This will include appropriate provision for school buses, pedestrian and bicycle access, staff and visitor parking, car set down and pick up provision. The site should accommodate, where possible, approaches from a number of directions to facilitate and promote diversity of modes of transport thereby reducing vehicular congestion, reducing the need for excessive vehicular infrastructure (roads, parking, set down, etc.) and thereby focusing on land use directly associated with educational function. Consideration should be given to Government policy on Transport. (Useful references include the Department of Transport’s current transport strategy; the National Transport Authority’s publication Tool Kit for School Travel, Smartertravel and An Taisce’s Green School Initiative.)

As such, objectives should be included in the CDP that supports the above and ensure appropriate location, design and access for post and primary schools.

2.4 Retail

Strategic Aims (7.1)

An Taisce submit that the strategic aims for retailing should include the following:

- 1) The promotion of retailing within the core retail areas/ existing town and village centres and therefore in accordance with the sequential approach to retail
- 2) Accessibility in terms of ease of walking/cycling and use of public transport.

Level and Form of Retail activity (7.4)

It is an objective of the development plan: (a) to ensure that sufficient lands are zoned for retail development in the settlements of County Clare to support a level, quantum and form of retail activity that is appropriate to the position of the settlement of the Settlement Hierarchy for the county.

An Taisce recommends the following addition to the above objective: *“to ensure that sufficient lands are **appropriately** zoned...”*

Ennis (7.4.1)

“It is not anticipated that there will be any requirement for new edge –of-centre or out-of-centre bulky, convenience or comparison floorspace in the Ennis area during the lifetime of this plan”

Also stated: *“There is an identified need for additional convenience and comparison floorspace in the Ennis area during the lifetime of this plan.”*

In order to ensure that such development is sustainable, the new CDP should include a strong objective that outlines a general presumption **against** out-of-town shopping facilities. Furthermore, an additional objective should be outlined to promote and facilitate the development of retail development in a sustainable manner.

Neighbourhood centres in Ennis

An Taisce recommends the inclusion of an objective specifying the need to protect neighborhood centre services and facilities which provide for the **day to day needs** of the local community.

Additional Points

Overall, the new CDP should include retail policies that:

- 1) Facilitate measures to improve accessibility through the development of pedestrian and cycle friendly environments.

2) Ensure the protection and promotion of town centre vitality and viability through the zoning of land, avoiding out of centre and edge of centre locations and through the implementation of the sequential approach

3) To control the provision of non retail uses at ground floor level in the principal shopping streets of centres, in order to protect the retail viability of centres and to maintain the visual character of streets.

In relation to fast-food development, An Taisce submit that an objective should be included that takes into account the siting of such development. It is recommended that fast-food/takeaway outlets should not be permitted within 400m of the gates or site boundary of schools, parks or playgrounds and that there should be a general avoidance on 'drive-through' take away facilities as it promotes car dependency.

2.5 Landscape

The new CDP should include objectives and policies pertaining to the protection of sensitive landscapes, biodiversity and the county's heritage.

Development proposals should have regard for the value of the landscape, its character and distinctiveness.

As such, An Taisce recommends that the new CDP should include objectives pertaining to the following:

- 1) Protect the visual and scenic amenities of the built and natural environment of County Clare.
- 2) Ensure the protection of skylines and ridges
- 3) Development proposals should have high regard to the environment and heritage – as such, the council should discourage development proposals that would result in the removal of extensive amounts of trees, hedgerows and historic elements of the landscape.
- 4) Ensure that new development proposals are of high standard, siting and design.

2.6 Architectural, Archaeological and Cultural Heritage

Protected Structures (15.3.1)

“An alteration to a protected structure may alter an entire streetscape or rural scene. Therefore, protected structures should not be viewed in isolation, but should be considered as part of a larger architectural picture”

An Taisce recommend the inclusion of the additional objectives in order to ensure the protection of the Co. Clare's Protected Structures.

The council should:

- a) Ensure the character and special interest of Protected Structures
- b) Resist demolition of Protection Structures
- c) Ensure the works on the site of a Protected Structure are carried out using best heritage practices.

Architectural Conservation Area (ACA)

The council should ensure the architectural detailing on buildings should be retained and that the siting of new buildings should be in scale with the adjoining buildings in order to ensure the protection of ACAs.

Developments within or adjacent to ACAs should not detract from the overall character.

2.7 Climate Change and Energy

The development of Solar PV should be strongly encouraged within the new County Development Plan. Clare County Council should use this as an opportunity to encourage the development of renewable solar energy in a manner that is not to the detriment of surrounding landscape and good tillage land in tandem with new development proposals.

Suitable lands for large scale Solar PV development need to be identified in order to ensure that any such development would be well screened and not injure the visual amenity, land use quality and biodiversity value of an area.

An Taisce recommend that a strong emphasis is placed on reducing energy demand on all building, with particular emphasis on new commercial/warehouse/industrial developments.

An Taisce recommend the inclusion of CoP21 and EU2030. Following on from CoP21, at which Ireland accepted an obligation to take action to limit global temperature rise below 2 degrees celcius above pre-industrial levels and notably 'to limit that to 1.5 degrees celcius', it is now imperative that such action is taken in order to ensure Ireland's contribution to decarbonisation and limit global temperature increases. The importance of emissions reductions is growing and Ireland has a legally binding obligation under EU 2020 and EU 2030 to commit to a 20% cut in greenhouse gas emissions from 1990 levels by 2020 and a commitment to continue reducing greenhouse gas emissions and setting reduction targets by 40% by 2030 relative to 1990 levels respectively.

3.0 Conclusion

The key priority of the CDP must be transition to a low-carbon society and economy and to mitigate the significant risks associated with rising energy costs and climate change adaptation. Business as usual is no longer an option, we can no longer afford to continue the pursuit of the failed short-sighted policy approaches of the past and that our collective future must be different.

The international and national economic recession has provided a narrow window of opportunity to take action to concentrate investment and focus policy on the transition to a post-oil low-carbon locally resilient society. This is the major challenge of our time and will require urgent understanding of the nature of the challenges; no shortage of decisive political leadership, a radical change of direction together with robust and, in some instances, policy implementation which will be politically unpopular in the short-term. The statutory planning system, through the regulation of physical development and land use, has the most critical role to play in facilitating this transition. The success or otherwise of the draft CDP can only be judged against verifiable and implementable criteria which are subject to ongoing monitoring.

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