

**Submission to Clare County Council regarding**  
**RZLT Annual Draft Map for 2026**

**Name:** \_\_\_\_\_



**Address:** \_\_\_\_\_



**Concerning:** Lands at Oakleigh Wood, Tulla Road, Ennis

**Folio Ref:** CE2927F; CE2628F; CE30311F; CE35294F

**Date:** 1 April 2025

**Accompanying Documentation:**

- MAP 1 - Ordnance Survey Map for Landholding and surroundings - 1:5000 at A3
  - File Ref – *A3 Site Location map\_SITE.pdf*
- MAP 2 - Ordnance Survey Map overlaid with Zoning per Development Plan
  - File Ref – *A3 Zoning Map 1.pdf*
- MAP 3 - OS Map with Zoning and Landowner property outlined in BLUE
  - File Ref – *A3 Zoning Map 2.pdf*
- MAP 4 - Extract from RZLT Draft Map 2026
  - File Ref – *RZLT\_2026 Draft map\_Ennis\_Extract.jpg*
- MAP 5 - Extract from Clare County Council Development Plan Zoning Map
  - File Ref – *CCC\_Dev Plan 2023\_Extract Zoning\_Roslevan.pdf*
- MAP 6 - Full copy of Zoning Map at Low Resolution (for reference only)
  - File Ref – *CCC\_Zoning Map\_2023\_Lo Res.jpg*
  - Full Resolution Map available in the following document – Page 114
  - <https://www.clarecoco.ie/services/planning/clarecountydevelopmentplan23-2029/volume-3a-ennis-municipal-district-clare-county-development-plan-2023-2029-55989.pdf>

All Maps should be read as a part of the Submission.

We would like to submit the following two points on the RZLT Annual Draft Map for 2026

## **1.0 POINT 1 – Exclusion of the footprint of the route for the proposed Northern Inner Relief Road as it crosses our lands.**

**1.1 The Clare County Council Development Plan (2023-2029) Zoning Map (extract attached – MAP 5) identifies the ‘New Residential’ zoned lands in our control as ‘Site R2’.**

It also identifies the route of the proposed Ennis Northern Inner Relief Road (Gort Road to Tulla Road) as a grey dotted line across our lands. This is at least the third Development Plan to have the route of this proposed Link Road identified.

**1.2 The route of the proposed road is categorised as an ‘Infrastructure Safeguard’, which is set out in the Development Plan (Vol 3a) as follows:**

*“CCDP Volume 3 - Settlement Plan Objective*

*Objective - V3(a)16*

*It is an objective of Clare County Council:*

- a) To safeguard the routes of the proposed projects identified in Table 2 below for future development.*
- b) To provide and/or facilitate the projects identified in Table 2 and to ensure such road infrastructure is designed and constructed with the capacity to cater for cyclists; and*
- c) To implement the principles of ‘Design Manual for Urban Roads and Streets’ in the construction of new roads and streets and the upgrading of existing roads, roundabouts, junctions and streets in the plan area.”*

The first Item in Table 2 is ‘Gort Road (R458) to Tulla Road (R352)’

**1.3 Our submission here is that, given that this section of land is designated as an ‘Infrastructure Safeguard’, it is therefore not available to us for development as ‘New Residential’.**

**Therefore, we submit that the footprint of this Infrastructure Safeguard should be excluded from the RZLT chargeable area on the Draft Map**

**1.4 We note here also that the Development Plan that it is a Strategic Objective to provide this Key Infrastructure and Clare County Council propose that it should be ‘developer led’<sup>1</sup>.**

With this in mind, and in order to fulfil the mandate to lead this process, we have carried out the following actions:

1. We requested and attended a meeting between several local stakeholders in the proposed road with relevant members of the Local Authority.
2. We offered to transfer the necessary lands to the Local Authority free of charge.
3. We offered to make a reasonable contribution towards the cost of the road as it traversed our lands.
4. We offered to co-operate with the Local Authority by any means within our control in order to advance the development of the road.

**1.5 As matters currently stand**

1. Clare County Council do not have the necessary funding to develop the road.
2. They are currently carrying out an Area Based Transport Assessment, and this is due to issue *‘in May or June of this year’*<sup>2</sup>. The outcome of this assessment will inform a proposal for the way forward to developing the road.
3. The road can not proceed until appropriate levels of funding can be sourced, and it would not be financially viable for any Developer to carry out these works single-handed.

**1.6 Reference to Section 653B of the Taxes Consolidation Act 1997**

The Section of the Act is quoted hereunder: -

***“653B.Criteria for inclusion in map***

***In this Part, a reference to land which satisfies the relevant criteria is a reference to land that—***

***(a)is included in a development plan, in accordance with section 10(2)(a) of the Act of 2000, or local area***

plan, in accordance with section 19(2)(a) of the Act of 2000, zoned—

- (i)solely or primarily for residential use, or
- (ii)for a mixture of uses, including residential use,

(b)it is reasonable to consider may have access, or be connected, to public infrastructure and facilities, including roads and footpaths, public lighting, foul sewer drainage, surface water drainage and water supply, necessary for dwellings to be developed and with sufficient service capacity available for such development, and

(c)it is reasonable to consider is not affected, in terms of its physical condition, by matters to a sufficient extent to preclude the provision of dwellings, including contamination or the presence of known archaeological or historic remains,

**but which is not land—**

(i)that is referred to in paragraph (a)(i) and, having regard only to development (within the meaning of the Act of 2000) which is not unauthorised development (within the meaning of the Act of 2000), is in use as premises, in which a trade or profession is being carried on, that is liable to commercial rates, that it is reasonable to consider is being used to provide services to residents of adjacent residential areas,

(ii)that is referred to in paragraph (a)(ii), unless it is reasonable to consider that the land is vacant or idle,

**(iii)that it is reasonable to consider is required for, or is integral to, occupation by—**

(I)social, community or governmental infrastructure and facilities, including infrastructure and facilities used for the purposes of public administration or the provision of education or healthcare,

**(II)transport facilities and infrastructure,**

(III)energy infrastructure and facilities,

(IV)telecommunications infrastructure and facilities,

(V)water and wastewater infrastructure and facilities,

(VI)waste management and disposal infrastructure, or

(VII)recreational infrastructure, including sports facilities and playgrounds,

(iv)that is subject to a statutory designation that may preclude development, or

(v)on which the derelict sites levy is payable in accordance with the Derelict Sites Act 1990.”

**1.7 We extract the BOLD sections from Section 1.6 above to read as follows:**

***In this Part, a reference to land which satisfies the relevant criteria is a reference to land that— [is.....]***

[List of inclusions for RZLT itemised]

***but which is not land— [List of exclusions follow]***

***(iii)that it is reasonable to consider is required for, or is integral to, occupation by—***

***(II)transport facilities and infrastructure***

**1.8 We take this to read that: -**

**Lands which are designated for use as transport infrastructure are a legitimate exclusion from the provisions of the RZLT.**

**We submit that this is the case for the ‘Infrastructure Safeguard’ for the Key Objective Northern Inner Relief Road in the Clare County Development Plan 2023-2029, and as such, we reiterate our case for having the footprint of this proposed road excluded from the RZLT Draft Map.**

## **2.0 POINT 2 – Exclusion of lands which would be serviced by the proposed Northern Inner Relief Road as set out in Point 1.**

2.1 Our Submission here is that the lands which may be serviced by the construction of the proposed Northern Inner Relief Road, as set out in Point 1 above, should be excluded from the RZLT Maps until the Road can reasonably be expected to be constructed.

2.2 We acknowledge here the efforts by Clare County Council to advance the construction of this road and recognise the process which must be followed.

2.2.1 We look forward to the publication of the Draft Area Based Transport Assessment in ‘*May or June of this year*’<sup>3</sup> [2025], and we trust that the requirement for this road will be reinforced by the assessment.

2.2.2 We understand that the next stage of the process will be to include the road in a Local Transport Plan and then onwards to seek the necessary permissions and fundings.

2.2.3 Planning Permission will be required for the new road under Part 8 of the Planning and Development Act 2000

2.3 Until this happens, we will continue to support and assist the Local Authority in any way within our control.

**2.4 In the meantime, we submit that the lands which are to be accessed to the north and west of the proposed Northern Inner Relief Road should be excluded from calculations for the purposes of the RZLT, as they cannot otherwise be developed.**

## **3.0 SUMMARY**

The two points submitted here are

### **3.1 SUBMISSION 1**

Lands which are designated for use as transport infrastructure are a legitimate exclusion from the provisions of the RZLT.

We submit that this is the case for the ‘Infrastructure Safeguard’ for the Key Objective Northern Inner Relief Road in the Clare County Development Plan 2023-2029, and as such, we reiterate our case for having the footprint of this proposed road excluded from the chargeable area of the RZLT Draft Map.

### **3.2 SUBMISSION 2**

We submit that the lands which are to be accessed to the north and west of the proposed Northern Inner Relief Road should be excluded from calculations for the purposes of the RZLT.

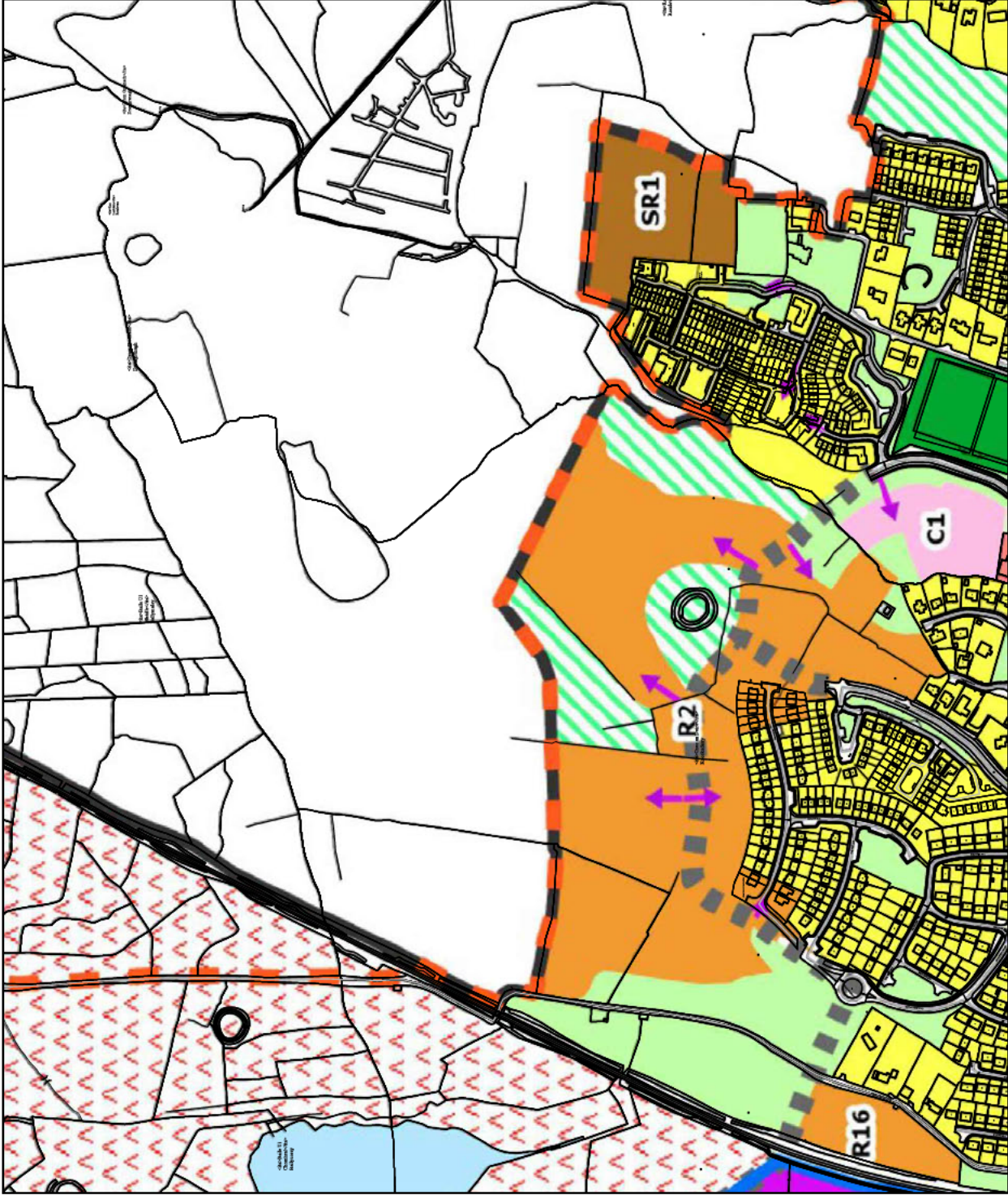
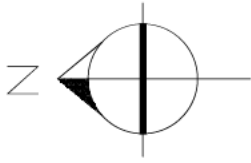
### **3.3 CLARIFICATION**

- The basis of the submissions refers to the fact that the proposed Relief Road (per Clare County Development Plan) will form the access to the zoned lands, and until this access is constructed, the lands may not be developed.
- If the lands can not be developed, then they should not be liable for RZLT.



## **4.0 REFERENCES**

1. Minutes of Ennis Municipal District Meeting March 2024 – Item 6
2. Telephone call with Clare County Council Forward Planning Office -  
26/3/25
3. Telephone call with Clare County Council Forward Planning Office -  
26/3/25



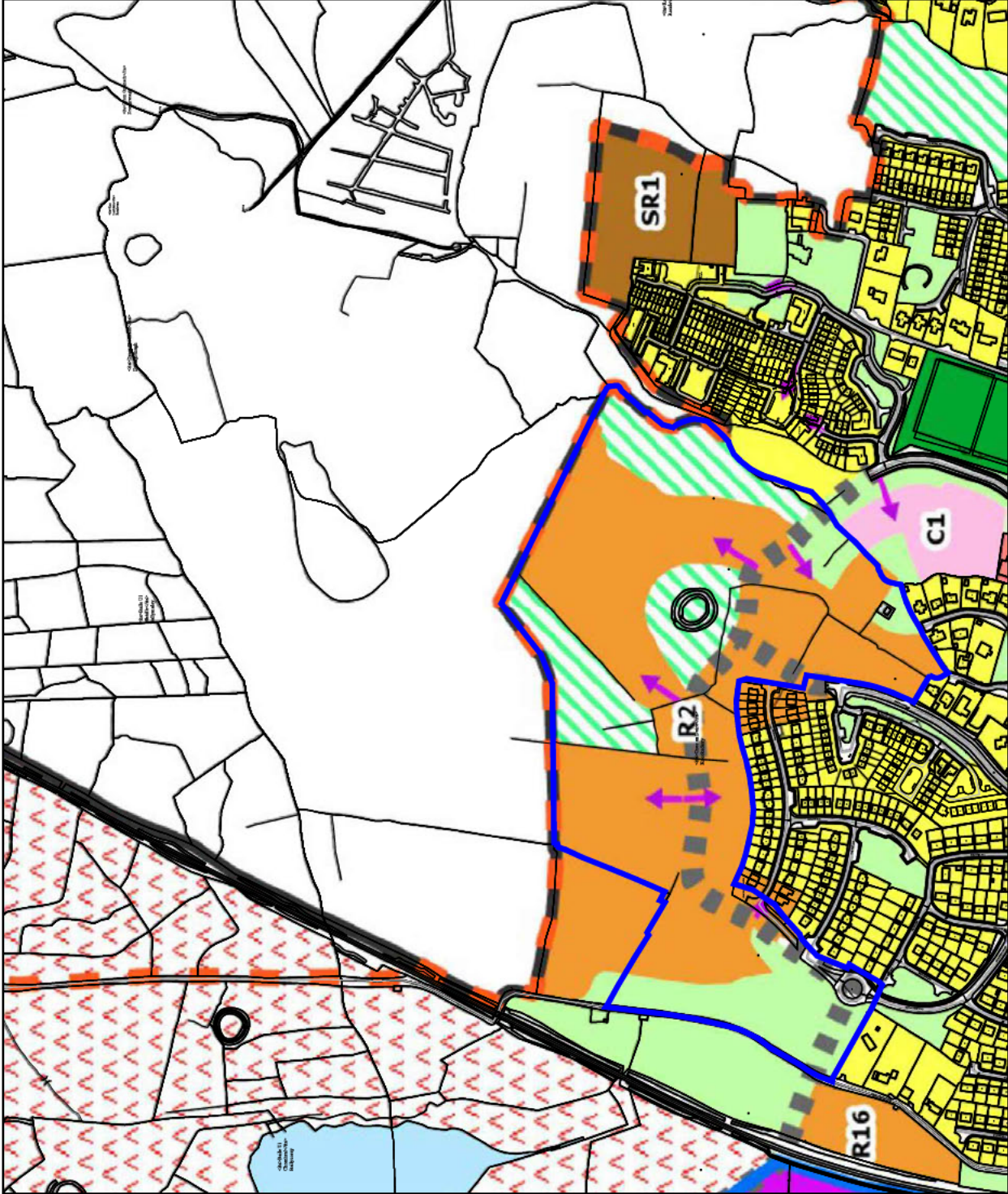
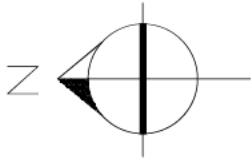
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**SITE LOCATION - Zoning Map 1**  
Scale 1:5,000 @A3



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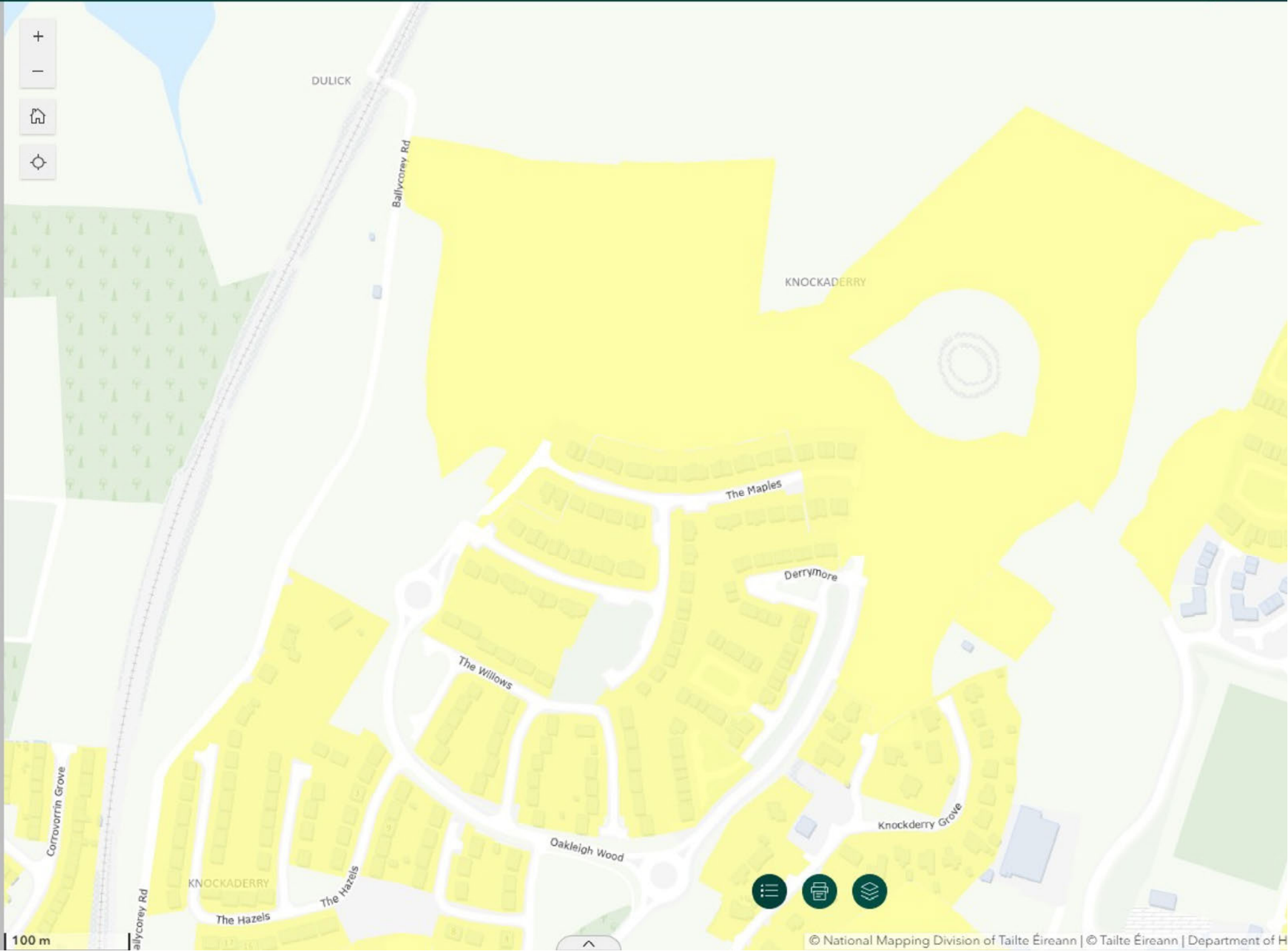
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**SITE LOCATION - Zoning Map 2**  
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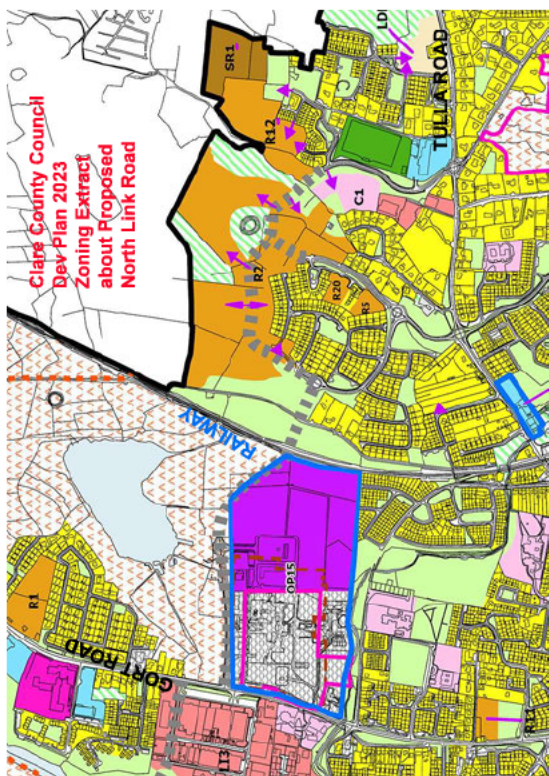
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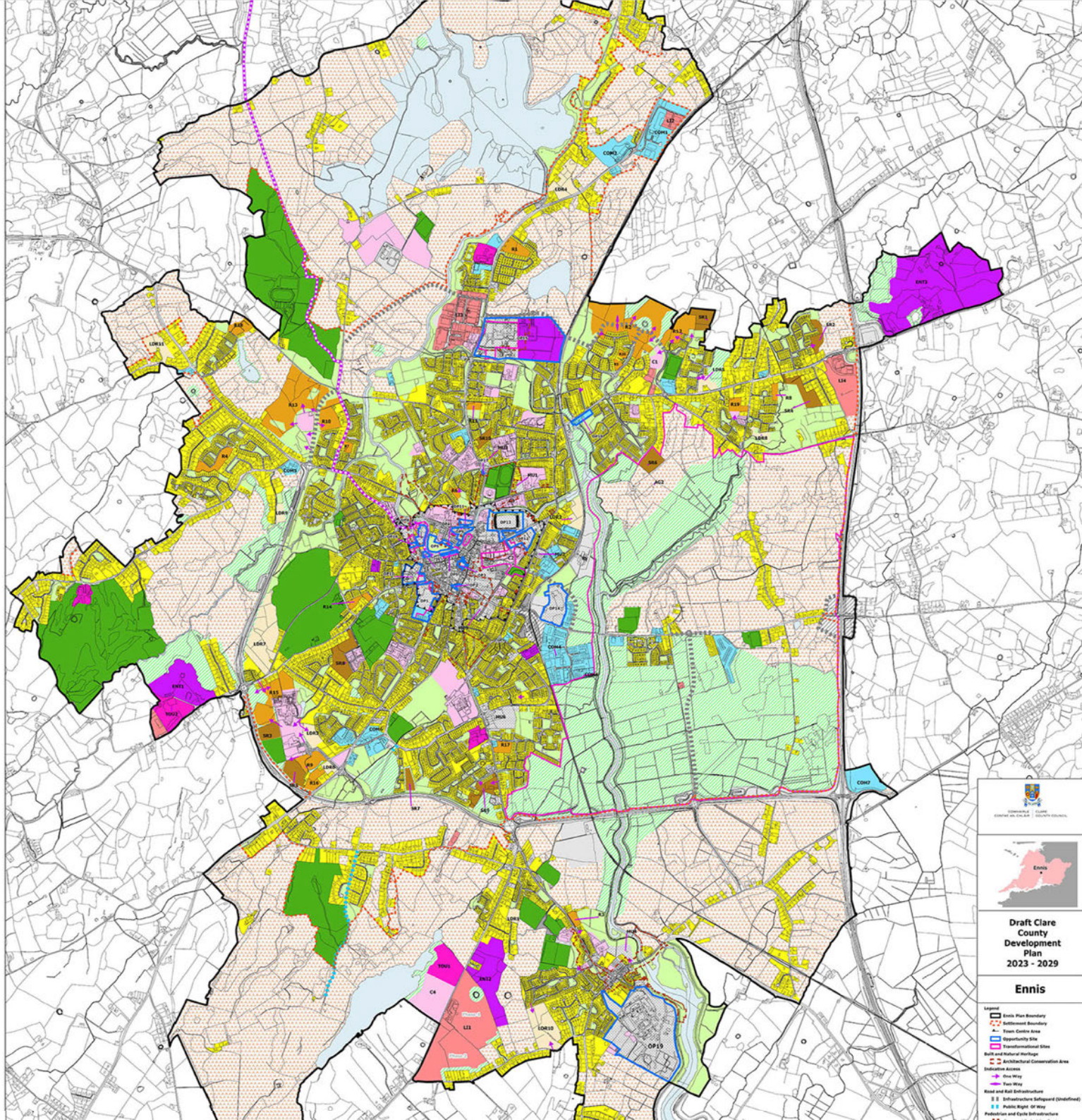
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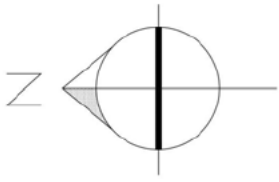




**Draft Clare County Development Plan 2023 - 2029**

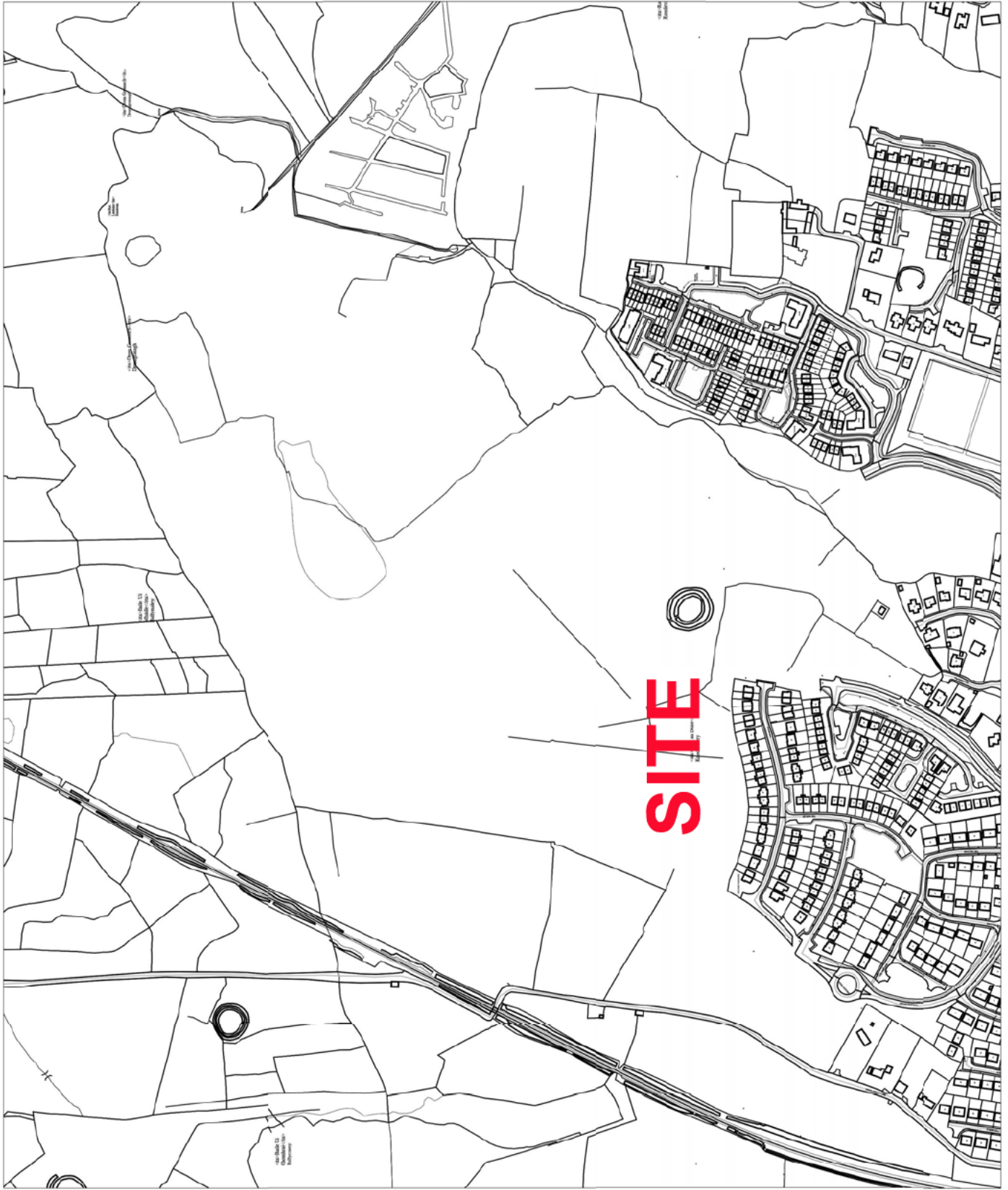
**Ennis**

- Legend**
- Ennis Plan Boundary
  - Settlement Boundary
  - Town Centre Area
  - Opportunity Site
  - Transformational Sites
  - Built and Cultural Heritage
  - Architectural Conservation Area
  - Inductive Areas
  - Gas Main
  - Sewer Main
  - Road and Rail Infrastructure
  - Infrastructure Served (Undefined)
  - Public Right of Way
  - Pedestrian and Cycle Infrastructure



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