

**COMHAIRLE CHONTAE LUIMNIGH
LIMERICK COUNTY COUNCIL**

Údarás Pleanála,
(Planning Authority),
6-7 Sráid Phádraig,
(6-7 Patrick Street),
Cathair Luimnigh,
(Limerick City),

4th November 2014

To Each Member of the Municipal District of Adare-Rathkeale

Re: Proposed Adare Local Area Plan 2015-2021

A Chomhairleoir, a chara,

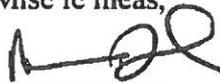
I enclose herewith a copy of the Manager's Report on the Proposed Adare Local Area Plan for your consideration.

The Proposed Local Area Plan was placed on public display from Saturday 6th September 2014 to Monday 20th October 2014 inclusive. During the statutory display period for the Proposed Local Area Plan a public information meeting was held on 16th September 2014. A total of 31 written submissions were received within the statutory timeframe. A report consisting of a summary of the submissions received, together with my recommendations are attached as required by Section 20 of the Planning and Development Acts, 2000-2014. The submissions can be inspected in the Forward Planning Section during normal office hours and copies of the original submissions will be available for inspection at the next meeting of the Municipal District of Adare-Rathkeale

The Members of the Municipal District of Adare-Rathkeale, at their November meeting shall consider the Manager's Report and decide whether to make or amend the Proposed Adare Local Area Plan. If the Council decide to amend the Local Area Plan, any material alterations will be put on public display for a further 4 weeks.

If you have any queries on the report please contact Maria Woods, Senior Executive Planner, on 061-407228

Mise le meas,



Pat Daly,
Director of Services,
Economic Development and Planning.

Adare Proposed Local Area Plan
2015 - 2021

Section 20(3)(c) Chief Executive's Report
to Members

4th November 2014



Forward Planning

Limerick City and County Council,
Economic Development and Planning Department,
7/8 Patrick's Street,
Limerick.

1. Introduction

1.1 This report presents the submissions made following publication of the Proposed Adare Local Area Plan (LAP) 2015 – 2021. It sets out the Chief Executive’s responses to the issues raised and any amendments to the proposed LAP. The report is part of the statutory procedure for preparing a new Local Area Plan (LAP) as set out in Section 20 of the Planning and Development Acts, 2000-2014.

1.2 The Proposed Local Area Plan was placed on public display from Saturday 06th September 2014 to Monday 20th October 2014 inclusive. A total of 31 written submissions were received within the statutory timeframe.

1.3 Structure of this report

Part A addresses each of the written submissions received within the statutory public display period. It includes the names and addresses of persons or bodies that made submissions, a summary of the issues raised and the response and recommendations of the Chief Executive on each submission.

Part B outlines the proposed amendments recommended to the text and/or maps of the proposed LAP in response to the Chief Executive’s recommendations on the submissions received. Any paragraph, policy or objective to be amended in the proposed LAP is reproduced in full with deleted text shown ~~struck through~~ and additional text shown underlined.

Part C is the Strategic Environmental Assessment Screening and Appropriate Assessment Screening of the amendments recommended to the Proposed Local Area Plan.

1.4 Progress to date and next steps

The steps in the process of preparation of the Plan for Adare, are shown in the following table.

Date	Stage
06 th May 2014	Formal notification of intention to prepare LAP and commence preparation of proposed LAP.
10 th May 2014 – 03 rd June 2104	Issues stage: Pre-draft submissions were invited.
06 th September 2014 – 20 th October 2014	Proposed Plan went on public display: Public submissions invited.
16 th September 2014	Public information evening on draft LAP.
The remaining stages of the Plan are as follows:	
11 th November 2014	Municipal District Meeting to consider this report and to make, revoke or amend the Plan. Any material alterations must be put on public display for another four weeks.
November/ December 2014	Material Alterations (if any) on display for a further 4 weeks. Public submissions to be made only on the

	alterations.
January 2015	Managers Report on Alterations to be prepared
February 2015	Final adoption of Plan
March 2015	Plan comes into force 4 weeks from the time of adoption

Following receipt of the Chief Executive's Report, the Members of the Adare/Rathkeale Municipal District have up to 6 weeks in which to consider the contents of this report and the proposed LAP. Members may then accept the proposed LAP and adopt it. Should amendments be proposed which would constitute material alterations to the proposed LAP, there is a further public display period (4 weeks) giving members of the public an opportunity to comment on the proposed amendments only. This is followed by the preparation of a second Chief Executive's Report to the Members on any submissions received on the proposed amendments.

Members may then decide to make the LAP with or without the proposed amendments or with modifications to the proposed amendments, subject to the provisions of the Planning and Development Acts, 2000-2014. The formal making of the LAP is by resolution of the Municipal District. During the LAP process the Council must consider the proper planning and sustainable development of the area, statutory obligations and any relevant plans and policies of the Government or any Minister of the Government.

2.0 Persons / Bodies who made submissions within the statutory timeframe

Sub. No.	Submission Received From
1	Dept of Environment, Community and Local Government
2	Office of Public Works
3	Environment Protection Authority
4	National Roads Authority
5	Geological Survey of Ireland, Dept of Communications, Energy and Natural Resources
6	Century Point Estate Limited c/o Harry Walsh, McCutcheon Halley Walsh, Ballincollig, Cork.
7	Tony Sexton, Ardshanbally, Adare
8	Ellen O' Brien, The Avenue, Adare
9	Bryan Murphy, c/o Richard Flynn, Flynn and Shaw, Sixmilebridge, Co Clare
10	James Cavanagh, Graigue, Adare
11	Andrew Timoney, Secretary, Adare Business Association
12	Mairead Horan, Beechlawn, Broad Street
13	Dunraven Estates Company
14	Henry Vokes (Adare Ltd) Main Street, Adare
15	Brendan Doran, MRIC, Avenue Road, Adare
16	Rosemary Purcell, Adare
17	Eleanor Purcell, Adare
18	Eleanor Purcell and Rosemary Purcell c/o Dianne McDonogh, Town and Country Resources Limited, 52 O' Connell St.
19	Specific Assets of Gerard O' Rourke (in receivership) c/o Paul O' Neill, GVA, Earlsfort Terrace, Dublin 2.
20	Marty Boylan, Graigue House, Cummeen, Adare
21	Jacqueline Hickey, Ardshanbally, Adare
22	Toomey Construction c/o Maria Lombard, RPS, Ballincollig, Cork
23	Adare Heritage Centre c/o Patricia Houlihan, Main street, Adare
24	Adare Community Council, c/o Eileen Kennelly, St Nicholas's House, Adare
25	John Bradley, bradleyj2002@eircom.net
26	Adare Vestry Committee, c/o John Bradley and Janet Bray
27	Noel G. D. Hogan, Lime Tree Lodge, The Avenue, Adare
28	Patrick Hogan, Ardshanbally, Adare
29	Patrick J. Hogan, Blackabbey, Main Street, Adare
30	Noelle Hogan Chambers, Blackabbey, Main Street, Adare
31	Eamon and Bernie Fitzgerald, Islandea, Adare

Part A

Submissions, Responses and Manager's Recommendation

1	Name/Group:	Dept of Environment, Community and Local Government
	Submission:	Response
	<p>(a) The Department notes that the Council has prepared a well prepared draft Local Area Plan. Inclusion of the section on the assessment of the past Local Area Plan, as per the recently published Local Area Plan Guidelines 2013, is welcomed.</p> <p>(b) The Department recommend that the Council should liaise with the OPW, the lead agency with respect to flood issues in the interests of compliance with the Planning System and Flood Risk Management 2009 Flood Guidelines specifically as amended by recent Department Circular PL 2/2014, dated 13 August 2014, with particular reference to section 4.27a <i>Existing, developed, zoned areas at risk of flooding</i>, which states: '... the plan must specify the nature and design of structural or non –structural flood risks management measures required ...' in the interests of the proper planning and sustainable development of the area.</p> <p>(c) Recommend that the Council liaise closely with DAGH regarding policy relating to protected structures as recommended in the SEA screening statement particularly as Adare is a heritage town and the Adare Manor and demesne is a defining aspect of the town.</p> <p>(d) The Department notes that Adare is a Tier 3 settlement within the County Development Plan hierarchy. Under the County Development Plan, it is classified as an <i>Area Under Strong Urban influence</i>, as mapped on Map 2.1</p>	<p>(a) Comments Noted</p> <p>(b) The council has spoken with the OPW in relation to flooding issues in Adare specifically and in the wider area. These meetings have confirmed the nature of the flood defences in Adare. Consultations have also taken place with area engineers and those in water services in the council who have been in position to help inform zoning decisions and the nature of flood defences in the town. It should be noted that in the proposed LAP the zoning layout has been substantially revised with flood risk a key determinant in the new zoning map.</p> <p>(c) The council liaises with the Department of Arts Gaeltacht and Heritage (DAGH) through its Conservation Officer who contributes to the making of the plan. The architectural and historical importance of Adare is recognised and specialist in house staff such as the Conservation Officer, the Heritage Officer and Executive Archaeologist are involved in both consultations with the local community and are also involved in assessing both plans and potential developments in the village.</p> <p>(d) Revised population figures were allocated to Adare as the 2011 census figure indicated that the population targets set out in the core strategy for other towns (i.e. Castleconnell and Caherconlish) had already been achieved. Therefore the 2022 additional population allocation was</p>

	<p>Core Strategy Map, chapter 2, Limerick County Development Plan. Under the County Development Plan 2010 – 2016, as varied, in Table 2.5: <i>2022 Core Strategy Table</i>, Adare is indicated as requiring an additional population of 1,398 by 2022, necessitating an additional 750 housing units. The Departments feels that is unclear from the draft local area plan, how the proposed additional population figure of 824 persons with a need for a proposed additional 442 housing units aligns with the County Development Plan, as varied, as it is noted that there is an extant permission for 420 housing units but it is not clear if this figure is included in the overall housing numbers proposed (442) or if this figure is in addition to the housing unit numbers proposed in the draft Local Area Plan. In this regard and where the above extant permissions are to be included in the overall figures for Adare, a Table should be provided to demonstrate how the figures adhere to the figures as set out in the Table 2.5 Core Strategy Table of the County Development Plan 2010 – 2016, as varied. Where the above extant permissions figure do not form part of the overall figures, a Table should be provided by Limerick City and County Council to demonstrate how the difference between the County Development Plan Core strategy figures and the draft Local Area Plan is to be made up, i.e. where the shortfall is to be provided for over the 8 no. Tier 3 settlements.</p>	<p>adjusted for the settlements of Castleconnell, Caherconlish, Abbeyfeale and Adare thereby ensuring that the total county figure for 2022 additional population remains unchanged and compliant with the Regional Planning Guidelines. This has previously been agreed with the DoEHLG during the preparation of the Castleconnell LAP. The lands on which the majority of the extant permission for the 420 housing units have been included in this LAP as residential zoned land – phase 1 and 2 and therefore in general, these permissions have been included in the overall housing numbers.</p>
	<p>Manager’s Recommendations:</p>	
	<p>No change</p>	

2	Name/Group:	Office of Public Works
	Submission:	Response
	<p>(a) OPW welcomes Limerick City and County Council's commitment to adhere to 'The Planning System and Flood Risk Guidelines for Planning Authorities' (November 2009)</p> <p>(b) The Guidelines place a firm onus on the Authority to follow the hierarchal order of avoid, substitute, justify, mitigate and (where the Justification Test has been passed) manage flood risks, and it details a flood zone system in order to allow planning decisions to be made with regard to these risks. OPW welcomes Limerick County Council's commitment to adhere to these Guidelines. There are four main sources of flood risk, namely, fluvial, pluvial, tidal and groundwater; where all exist, all must be addressed.</p> <p>(c) The OPW attends regular progress group meetings with Limerick County Council through the CFRAM (Catchment Flood Risk Assessment and Management) programme. The area is covered under the Shannon CFRAM programme with agreed programmes for delivery of the draft maps. The Shannon CFRAM study will, in improved detail, identify the fluvial flood zones for areas at significant risk and deliver draft flood maps appropriate to a Stage 2 Flood Risk Assessment (FRA). However, it remains the responsibility of the Local Authority to assign appropriate development in flood risk areas.</p> <p>(d) The particular risks within areas zoned for development in plans as</p>	<p>(a) Comments noted</p> <p>(b) – (h) The Council has taken the precautionary approach and has not zoned land for development where potential risk of flooding has been identified. The flood maps produced by JBA a company that specialises in flooding matters and used as part of this LAP correlate significantly with the OPW CFRAM preliminary flood risk indicative map, however the OPW CFRAM preliminary flood risk indicative map is for consultation purposes only at this stage. When the final OPW CFRAM map for Adare becomes available the local area plan shall be amended if there are significant discrepancies between the OPW preliminary flood risk indicative map and the final version. A Stage 2 FRA is not required as there are no lands zoned for development that may potentially be at risk of flooding, apart from which are already developed.</p>

part of this proposed local area plan mean that a Stage 2 level FRA is required. When there is zoning in the LAP included in the draft Local Area plan the OPW recommends that a Stage 2 level FRA is carried out as per the Guidelines for historically zoned areas, as well as those under consideration for future development, as this will establish the required three flood-zones that will, in turn, guide the Authority in its planning. Flood risk in terms of both flood extent and flood depth as well as, the flood velocities and flow paths need to be considered for a detailed flood risk assessment.

(e) Where appropriate, evidence of application of the Justification Test must be supplied. By utilizing the outputs from the Shannon CFRAM, it will be 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 along with the number of people that might be exposed to that risk will allow the Authority carry out its plans in accordance with the Guidelines and Health and Safety regulations, etc.

(f) The Catchment Flood Risk Assessment and Management (CFRAM) study will help identify the fluvial flood zones for areas at significant risk and deliver draft flood maps appropriate to a Stage 2 Flood Risk Assessment (FRA). Until then, it still remains the Local Authority's responsibility to assign appropriate development in flood risk areas.

(g) The Preliminary Flood Risk

Assessment (PFRA) used is a national, high-level screening exercise based on available or readily derivable information; please refer to the main PFRA draft report at www.cfram.ie/pfra/. As such, it required a simpler and less expensive process to prepare flood-mapping information compared to those now being employed in the CFRAM programme. It should be stressed that the PFRA maps are indicative, only. While this is acknowledged in the Important User note attached to the maps, it is necessary for OPW to reiterate it here. Use of the PFRA dataset is not sufficient for a Stage 2 FRA. The requirement remains for a Stage 2 FRA for the local area plans where zoning occurs. OPW recommends the carrying out of a [Stage 2 FRA](#) as per the Guidelines for historically zoned areas, as well as those under consideration for future development, as this will establish the required three flood-zones that will, in turn, guide the Authority in its production of the LAP. Simple measures can help define flood zones and provide the extra detail needed for a Stage 2 FRA, for example, taking onboard reliable local knowledge of past flooding extents and the source and direction of flood paths, and site walkovers by experienced personnel to identify vegetation associated with frequency of inundation. In addition, where confidence in the PFRA flood extent is low due to some complexity or severe restriction, numeric, hydraulic modeling can study flow conveyance performance and possible bypassing flow mechanisms at bridges and other pinch points.

	<p>These measures should be added to over time and will make the 2014 transition to the CFRAM maps less onerous.</p> <p>(h) In addition, where there is a suspected flood risk to a proposed development, the Authority should apply the appropriate level of assessment recommended in the Guidelines; in certain cases this may mean a Stage 3 FRA investigation to establish its specific exposure and, where appropriate, evidence of application of the Justification Test must be supplied.</p>	
	<p>Manager’s Recommendations:</p>	
	<p>No change</p>	

<p>3</p>	<p>Name/Group:</p>	<p>Environmental Protection Authority</p>
	<p>Submission:</p>	<p>Response</p>
	<p>(a) The Agency notes the comments made in their previous submission have been taken into account. They also acknowledge that specific environmental policies and objectives for the protection of water quality, designated sites, nature conservation, and provision of adequate and appropriate critical service infrastructure, compliance with Water Framework Directive and EIA Directives and climate adaptation have been included. The inclusion of specific objectives Objective IN 5: Flood Risk Management is also acknowledged.</p> <p>(b) Given the presence of an old landfill in the Plan area, they recommend that this be referred to in Chapter 7 Infrastructure. In addition, the EPA recommends that a commitment be given requiring the EPA Code of Practice: Environmental Risk</p>	<p>(a) Comments welcomed</p> <p>(b) The land fill has already been dealt with under the provisions of the historical land fill regulations dating from 2007. This work was carried out in 2012. The waste body has been sampled and found to be inert, while the site has been capped and vent pipes for the landfill gas have been installed. The site has also been landscaped and is being monitored by LCCC. An AA screening exercise was carried out by LCCC and was submitted to the NPWS. The site has also been rezoned as open space.</p> <p>(c) Initial investigation works on the land fill had been carried out in 2009 with the requirements of the Code of Practice: Environmental Risk Assessment for Unregulated Waste Disposal</p>

<p>Assessment for Unregulated Waste Disposal Sites (April 2007) to be implemented. In addition, any potential future rezoning/development proposals of these lands or adjoining land should be compatible with the previous historic landuse and any associated environmental risk.</p> <p>(c) Where the landfill meets the definition of a 'closed landfill' as defined in the Waste Management (certification of historic unlicensed waste disposal and recovery activity) Regulations 2008 (SI 524 of 2008) there may be merit in including a reference to the requirement for authorisation of the landfill by the Agency under those regulations.</p> <p>(d) Recommend that Limerick County Council should determine whether or not any future proposed Amendments/Variations would be likely to have significant effects on the environment. This assessment should take account of the SEA Regulations Schedule 2A Criteria (S.I. No. 436 of 2004).</p> <p>(e) Recommend that in proposing the Plan, and any related amendments, variations etc. of the Plan, and in implementing the Plan, adequate and appropriate infrastructure should be in place, or required to be put in place, to service any development proposed and authorised during the lifetime of the particular Plan.</p> <p>(f) States the Planning Authority's obligations with respect to national plans, national policies, EU environmental legislation, Appropriate Assessment and updated SEA regulations.</p>	<p>sites. An ongoing gas monitoring programme is in place and the landfill has been authorised with the EPA under the 2008 Historic Unlicensed Waste Disposal and Recovery Activity Regulations 2008.</p> <p>(d) All amendments to proposed LAP's are assessed as a matter of course by the Planning Authority in terms of their environmental effects, SEA and ecological effects as specified in Article 6 of the Habitats Directive.</p> <p>(e) Objectives IN 1 and IN 3 in chapter 7 of the LAP requires adequate infrastructure to be in place to serve proposed developments.</p> <p>(f) Comments noted</p>
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Manager's Recommendations:	
No change	

4	Name/Group:	National Roads Authority
	Submission:	Response
	<p>(a) In regard to the DoECLG publication the Spatial Planning and National Roads Guidelines for Planning Authorities (January 2007) the Authority welcomes the inclusion of Objective T6 to safeguard the capacity and strategic function of the N21, the inclusion of Objective T1 relating to the Adare bypass and the acknowledgement in section 6.1 that the local plan area is included within the study area for the Foynes to Limerick Road Improvement Scheme.</p> <p>(b) The Authority welcomes the close alignment of designated zoning objectives with speed limits applied to the N21, national primary road. However it is noted that the 'Special Control Area' zoning designation and the 'Agriculture' zoning designation adjoin the N21 to the north of the town where a 100kph speed limit applies. It is further noted that the zoning matrix indicates a limited variety of uses that maybe facilitated in the zoning designations concerned, including some rural housing categories. In the interest of consistency and adherence to official policy, the Authority would welcome a cross reference of such cases with section 6.2 of the Draft Plan confirming that direct access and intensification of direct access to the national road network where 100kph speed limit applies will not be permitted.</p>	<p>(a) Comments Noted</p> <p>(b) Paragraph 1 in Section 6.2 in this LAP states that direct access and intensification of direct access to the national road network where a 100kph speed limit applies will not be permitted in accordance with the provisions of Section 2.5 of the Spatial Planning and National Roads Guidelines for Planning Authorities (Jan 2012) and Policy 1N P9 of the County Development Plan, 2010-2016.</p>
	Manager's Recommendations:	
	(a) – (b) No change	

5	Name/Group:	Geological Survey of Ireland, Dept of Communications, Energy and Natural Resources
	Submission:	Response
	(a) Generic submission received in relation to geological heritage data. No specific reference made to Adare.	(a) Response noted
	Manager's Recommendations:	
	(a) No change	

6	Name/Group:	Century Point Estate Limited c/o Harry Walsh, McCutcheon Halley Walsh, Ballincollig, Cork
	Submission:	Response
	<p>(a) Request that lands located at Station Road and Blackabbey Road be zoned for residential development and open space and recreation - the southern portion of the land be zoned for residential development and the northern portion be zoned for open space and recreation. Also request that the 'indicative' line of the 'Proposed Link Road' is amended slightly in order to ensure the successful delivery of the proposed recreational amenity in conjunction with residential development.</p> <p>(b) They state that in granting permission for residential development on the land in 2012 Limerick County Council considered that the flooding issue could be addressed successfully and in accordance with the 2009 Flood Risk Guidelines. Condition 3 of 11/692 specified that 'prior to the commencement of development a detailed Flood Risk Assessment shall be submitted to the Planning Authority for written agreement taking into account the updated</p>	<p>See response to submission no. 2 above.</p> <p>Also the Flood Risk Assessment submitted suggests a compensatory flood storage area at the northern part of the site, however it lacks an outfall. This means that the volume of the proposed flood storage area is compromised by prior rain fall and in the absence of an outfall there is nowhere for any rain fall or ground water accumulations to go. The provision of an outfall would be problematic in any event, due to local topography and it would most likely have to drain to the Maigue via a sluice which would be closed at high tide, reducing opportunities for the flood storage areas to drain.</p> <p>It should also be taken into account that ongoing maintenance would be needed to ensure the viability of flood relief and storage measures in that the overall volume of these areas would gradually reduce due to sedimentation and the growth of vegetation.</p> <p>Discussions with local engineers have indicated that there</p>

<p>information (JBA Flood Maps and 2009 Flood Risk Guidance) which shall detail measures to minimise flood risk on and off site and up and down stream of the subject site.’ They acknowledge that the measures proposed to ensure that the flooding on and off the site are minimised contained proposals to increase the levels of the permitted development and reduce the levels of the northern portion of the landholding to provide for compensatory flood storage. They acknowledge that these proposals are considered to be outside the scope of the permission granted.</p> <p>(c) The lands have been zoned for residential development since the 2003 Adare LAP and given their proximity to the village centre could deliver a sustainable residential community within the life time of the proposed local area plan. It is located closer to the village centre than a number of other sites, which will aid the development of a more compact urban form. It will deliver required family homes in the area in the short term and contribute to the realisation of community recreation, amenity and biodiversity objectives contained in the draft plan.</p> <p>(d) A Flood Risk Assessment was prepared for the site which had full regard to the updated information including the JBA Flood Maps, 2009 Flood Risk Guidelines and the most recent flooding events. The Flood Risk Assessment is attached to the submission. They consider that the Flood Risk Assessment demonstrates that this area can be developed in a sustainable manner but will</p>	<p>are a number of issues associated with flooding and drainage issues in Adare generally and on this site. These include the movement of ground water which is tidally influenced as the Maigue at this stage is tidal and the incoming tides result in a raising of ground water levels. While tidal issues are acknowledged on page 5 of the FRA, the associated effects on the ground water regime is not dealt with, which given the local circumstances is a serious omission.</p> <p>Information provided locally has shown that tidal, fluvial ground water and pluvial factors all play a role in the potential flooding issues associated with this site and with development generally in Adare. It should be noted that in January of this year, the embankments which had been strengthened in 2007 were almost overtopped with flood waters reaching within 0.1m of the top of the embankment. Flash flooding also took place on station road. These factors were not adequately incorporated into the FRA furnished. The issue of run off and displacement in relation to the potential development of this site is still a factor.</p> <p>In short with risks posed by fluvial, pluvial and tidal flooding together with potential variations in ground water levels allied to the low-lying topography of much of Adare this area should not be zoned for development.</p>
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	<p>require the provision of additional compensatory storage.</p> <p>(e) Based on the recommendation of the Flood Risk Guidelines they consider that the planning authority were correct to reassess the zoning objective for the site in the context of preparing a new local area plan. However they consider that the proposal to dezone the entire landholding was unnecessary and the final decision on the appropriate zoning objective for the lands should be informed by detailed flood risk assessment attached.</p> <p>(f) They contend that the proposed population figures contained in the draft plan are not consistent with the County Development Plan Core Strategy. The draft plan proposes a revised figure of 824 persons a reduction of 41% of that contained in the core strategy for that period.</p> <p>(g) Addressing the flood risk issues on the site in a comprehensive fashion presents an opportunity to provide a valuable public wetland amenity space which will help formalise and extend the existing network of amenity spaces in the area, aiding nature conservation and biodiversity development. Attached to the submission is a landscaping plan which makes provision for the development of a 5 hectare public park in conjunction with the proposed residential development.</p>	<p>(f) see response to 1(d) above</p>
	<p>Manager's Recommendations:</p>	
	<p>(a) –(g) – No change</p>	

7	Name/Group:	Tony Sexton, Ardshanballa, Adare
	Submission:	Response
	<p>(a) Stated that there is an urgent need for a bypass and is disappointed that this LAP has to go ahead with no idea of where the bypass will go. Present bypass of Adare by Beabus is unfair to resident living there.</p> <p>(b) The Enterprise and Employment zoned land located beside the proposed link road should be replaced with residential zoned land given its location in proximity to the town centre.</p> <p>(c) Murphy's cross junction on the Rathkeale road needs to be made safe.</p> <p>(d) Much more off street parking required.</p> <p>(e) Welcomes the rezoning of the village hall to town centre commercial.</p> <p>(f) Footpath/cycleway from the village to the GAA field required.</p> <p>(g) Button press pedestrian crossing required.</p> <p>(h) 50km speed limit on kildimo road should be moved to beyond the railway crossing and on the Limerick road moved to Lantern Lodge side of the Adare Manor Golf Club.</p> <p>(i) The village hall being a protected structure needs a lot of financial support from the relevant authorities to prevent it from falling into disrepair.</p> <p>(j) Welcomes the development of the playground at the Manor fields.</p>	<p>(a) The need for a bypass is recognised in the proposed Local Area Plan (Objective T1 on pg39) but area specific allowances for it would be premature in the absence of any decision from the National Roads Authority on where the by-pass could or might need to go. Also page 39 of the proposed Local Area Plan states, in reference to a new study: "The Foynes to Limerick road improvement scheme will provide a high quality road connection between the port and Limerick. The Adare LAP area is included within the study area..." (p39-40).</p> <p>(b) The proposed LAP has zoned sufficient land to meet the population target for the proposed plan period. This means in effect that there has been a significant reduction of lands zoned 'residential' in the proposed Local Area Plan in comparison to the 2009 Local Area Plan. In accordance with the population projections set out in chapter three, 33.98 hectares of residential zoned land is required to accommodate the additional population up to 2021. The proposed plan has zoned 34.54 hectares in phase 1. Therefore there is no need to zone additional land for residential purposes over the plan period. Furthermore part of these lands were zoned for enterprise and employment in the previous LAP.</p>

		<p>(c) Junction improvements are proposed for Murphy’s cross. This is indicated on the zoning and in section 6.2 in Chapter 6 Transport.</p> <p>(d) The LAP has identified an area of land adjacent to the Heritage Centre car park as a possible overflow car parking area.</p> <p>(e) Comments noted</p> <p>(f) The Amenity map identifies a proposed pedestrian/cycle route link from Deerpark Housing estate to the GAA grounds. This is also referred to in Section 6.2 in Chapter 6 Transport.</p> <p>(g) The Traffic and Transport Dept of the council is currently developing a traffic management plan for the village which will look at traffic flows, junction improvements, pedestrian crossings etc</p> <p>(h) See (g) above</p> <p>(i) See 23(d) below</p> <p>(j) Comments noted</p>
	Manager’s Recommendations:	
	No change	

8	Name/Group:	Ellen O’ Brien, The Avenue, Adare
	Submission:	Response
	<p>(a) Adare bypass is urgently required.</p> <p>(b) Traffic lights should be installed at the Avenue junction.</p> <p>(c) Button press pedestrian crossing required. Also a pedestrian crossing is needed at the park/church section</p>	<p>(a) Objective T1 supporting the development of a bypass included in the plan.</p> <p>(b) – (d) see 7(g) above</p>

	of road (d) Adare is no longer pedestrian friendly and footpaths are covered with tables, chairs sandwich boards, posters on poles	
	Manager's Recommendations:	
	No change	

9	Name/Group:	Bryan Murphy c/o Richard Flynn, Flynn and Shaw, Sixmilebridge, Co Clare
	Submission:	Response
	(a) Request that the protected structure identified as 'Murphys' and described as an 'urban structure – commercial' in the current plan have its status remain.	(a) The property is a thatched house and is not in use as a commercial property. The last use was residential. Objective EH1 requires that the conversion to non-residential use of existing thatched dwelling houses within the village shall not be permitted. See also submission no 18 below.
	Manager's Recommendations:	
	(a) No change	

10	Name/Group:	James Cavanagh, Graigue, Adare
	Submission:	Response
	(a) A plan to be put in place to alleviate flooding so there is no reoccurrence of the 2014 flood risk in Adare (b) Request that the area at quays on station road be included as a designated area to develop an aqua sports area to further tourism development in the area.	(a) The Council has taken the precautionary approach and has not zoned land for development where potential risk of flooding has been identified. (b) The LAP as proposed would not preclude any proposals to develop aqua sports in this area.
	Manager's Recommendations:	
	(a) – (b) - No change	

11	Name/Group:	Andrew Timoney, Secretary, Adare Business Association
	Submission:	Response
	Objects to Objective H4 which proposes to restrict non-residential use of the thatched cottages. They request that this restriction be deleted from the proposed plan. The Adare experience would be enriched to residents and tourists alike if the visitors were permitted legal access to these as commercial entities. Their continued neglect by absent landlords will ultimately lead to further disrepair and needless deterioration.	See response to submission no 18 below
	Manager's Recommendations:	
	See submission no 18 below	

12	Name/Group:	Mairead Horan, Beechlawn, Broad Street.
	Submission:	Response
	<p>(a) The continued drive to add housing to this heritage village is a serious concern.</p> <p>(b) Request that an open space area to be provided adjacent to Broad Street.</p> <p>(c) The L1422 Blackabbey road does not have the capacity to handle additional traffic and the proposed link road from Rathkeale road to Kildimo station road should not have a junction to the L1422.</p>	<p>(a) The proposed LAP has zoned sufficient land to meet the population target for the proposed plan period. This means in effect that there has been a reduction of 14ha of lands zoned 'residential' in the proposed Local Area Plan in comparison to the 2009 Local Area Plan.</p> <p>(b) A significant amount of open space is zoned in the proposed LAP including 16ha to the north of the L1422 local road.</p> <p>(c) The Traffic and Transport Dept of the council is currently developing a traffic management plan for the village which will look at traffic flows, junction improvements, pedestrian crossings etc</p>
	Manager's Recommendations:	
	(a) – (c) No change	

13	Name/Group:	Dunraven Estates Company
	Submission:	Response
	<p>(a) Objects to the council's objective to provide an overflow carpark on land in their ownership. This land forms part of semi natural area in the two previous Adare plans and during verbal correspondence in the years between 2001 and 2005 it was agreed between the Planning Section of the Council and the Dunraven Estate Company that this area would remain denoted semi-natural in all subsequent area plans.</p> <p>(b) The Dunraven Estate company suggest that the land within the 2015 plan zoned residential development area phase 1 on the Blackabbey road should be altered to become a car park.</p> <p>(c) Dunraven Estate Company objects to the proposed estimate of increased population and by default therefore objects to the amount of residential development proposed. They suggest that Limerick County Council look more closely at other towns in the county which would be more suitable to the enormous development that is proposed for Adare. Adare must sustain its status as a small Heritage Village.</p>	<p>(a) There is a serious need for additional car and bus parking within or close to the village centre. The area identified in the LAP as a possible car park is adjacent to the existing Heritage Centre car park and is centrally located.</p> <p>(b) The most appropriate location for additional car parking for the village is that identified in the plan and is centrally located. However this does not preclude the development of a car park at an alternative location should an appropriate site become available.</p> <p>(c) See 12(a) above</p>
	Manager's Recommendations:	
	No change	

14	Name/Group:	Henry Vokes (Adare Ltd) Main Street, Adare
	Submission:	Response
	<p>(a) Concerns raised in relation to flooding in Adare village between the old court house and entrance to the car park. No action to resolve this problem seems imminent. Also wastewater/sewage backing up from the main local authority drain in this area is an issue.</p>	<p>(a) Flood relief measures will be dependent on the final OPW CFRAM report which is due out next year.</p>

Manager’s Recommendations:	
(a) No change	

15	Name/Group:	Brendan Doran, MRICS, Avenue Row, Adare
	Submission:	Response
	(a) Objects to the proposed rezoning to ‘open space and recreation’ of the land on Main Street bounded by Stacpooles and Adare Pharmacy on the Main road and the Park. He notes that Limerick County Council had agreed some years ago to acquire this site of approximately 2.9 acres for housing including social housing, a small playground and an extension to the park. Such a development would be far more desirable than the proposed rezoning.	(a) See response to submission no 27 below
	Manager’s Recommendations:	
	(a) See response to submission no 27 below	

16	Name/Group:	Rosemary Purcell, Adare, Co Limerick
	Submission:	Response
	(a) Objects to Objective EH1 and Objective EH4(c) of the proposed plan. As co-owner of Katies Cottage she feels that the prohibition on commercial development for the duration of the plan will be detrimental both to the cottage and the village. (b) The cottages are unfit for modern living and without imaginative planning and development will continue to deteriorate. They cannot afford the ongoing upkeep of this building without it having a commercial use. Inclusion of the above objectives prevents the development of any sustainable plan for the cottages and will condemn them to a further 6 years of dereliction.	See response to submission no. 18
	Manager’s Recommendations:	
	See response to submission no. 18	

17	Name/Group:	Eleanor Purcell, Main Street, Adare
	Submission:	Response
	<p>(a) Objects to Objective EH1 and Objective EH4(c) of the proposed plan. The councils position seems to be based on the erroneous position quoted in the draft plan that 'the houses were constructed as dwellings and most still perform this function.' In fact only one of the cottages is in residential use. This means that each of the other cottages that are not in commercial use are empty for most of the year.</p> <p>(b) In 2013 she states that she employed architects and conservation experts who have presented very detailed study of Katie's Cottage and an excellent proposal for its sustainable future in keeping with best practice in the area of heritage buildings.</p>	See response to submission no. 18
	Manager's Recommendations:	
	See response to submission no. 18	

18	Name/Group:	Eleanor Purcell and Rosemary Purcell c/o Dianne McDonogh, Town and Country Resources Limited, 52 O'Connell Street, Limerick
	Submission:	Response
	<p>The submission relates to a property known as 'Katie's Cottage,' situated in a terraced row of five thatched cottages on the south side of Main Street. They request that the restriction on change from residential to commercial use in this Architectural Conservation Area be lifted, as the client's house is no longer a practical proposition as a family home, while on the other hand, a suitable tourist/retail use would help pay for its full and sensitive restoration. The cottage it is claimed, is too small for modern residential requirements, it only has 47 m² in floorspace and this includes one extension at the back. An additional contention is that the privacy and</p>	<p>The physical fabric is not the sole determinant of the character of buildings or an area to which it belongs; the use of these buildings and that area must be considered part of that character as well. For both visitors and for occupants alike, the 'feel' of an area comes from the presence of people, patterns of its use, and how these uses are spatially demarcated and reflected in design. In this area, the original use of this terrace of buildings was residential, except for the tobacco factory (the only building in the terrace which is not thatched). The feel of being in a residential</p>

<p>security of residents is undermined by regular and daily encroachment by tourists into the front garden of the premises. For these two reasons 'it is proving very difficult for the current owners to maintain a residential presence'. One consequence is that 'the ongoing vacancy is having a damaging effect on the condition of the building'. The clients have commissioned Healy and Partners Architects to undertake a full appraisal of the cottage, including a feasibility assessment of a retail use. A copy of the proposal is attached with this submission, the idea is to have a retail use with a residential component, accommodating one person to live in the cottage as a caretaker. The submission requests the following six changes to lift the restriction on change of use to non-residential uses:</p> <ul style="list-style-type: none"> • Delete the following two objectives that state '<i>The conversion to non-residential use of the existing thatched dwelling houses within the village shall not be permitted</i>' (Objective H4 c; Objective EH1). • Delete the phrase (S8.2.3) '<i>Incompatible changes of use or proposals for dual residential/commercial/office use...</i>' • Remove the anomalies between references to 'Village Centre' in the text (Section 10.3 and Section 10.4) and 'Town centre' in the zoning map, substituting 'Town Centre' for 'Village centre' in the Land Use matrix. The 'Town Centre' zone includes the terraced cottages in question. In the Land Use Matrix retail uses are referred to as being 'generally permitted'; this should continue to be the case but should 	<p>neighbourhood is an essential component in making this terrace what it was, and what it should be. While only half of the properties remain in residential use (7 out of 14), it is all the more important to prevent changes of use to non-residential of those properties remaining residential.</p> <p>As a residence this building clearly demonstrates to Adare's inhabitants and visitors alike the objectives and philosophies of the 'Improving Landlord' class of property owners who sought to provide quality housing for their tenants while also enhancing their neighbourhoods. Occupancy as a dwelling means that the building is 'alive' throughout the day and night, year round - thereby adding to the ambience of the Architectural Conservation Area for those availing of the hostelry and restaurant facilities for which Adare is noted. A change of use may mean that consequential efforts to comply with the provisions of the building control legislation could damage the character and fabric of the building's interior.</p> <p>A document by English Heritage 'Heritage Works: The Use of historic buildings in regeneration' was cited in the submission: "To break the vicious circle of decline, changes may be needed in occupation and use". It is essential to establish a viable use, but this does not necessarily mean that this should be a non-residential use. The options for its adaptation and extensions to ensure a viable residential use need to be explored. A measure that could be suitable, as a possible compromise, would be the operation of the building as a holiday rental through a specialised agency such as The Irish Landmark Trust. It is</p>
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	unambiguously apply to the entire 'Town Centre' as zoned.	recommended that the text on the zoning map is amended as suggested to state 'village centre' instead of 'town centre.'
Manager's Recommendations:		
	Overall no change Text corrected on the zoning map so that 'town centre' is replaced with 'village centre'	

19	Name/Group:	Specific Assets of Gerard O' Rourke (in receivership) c/o Paul O' Neill, GVA, Earlsfort Terrace, Dublin 2
	Submission:	Response
	<p>(a) The site concerned is a 5.05 acres site on the Blackabbey road to the west of the town centre (map attached to submission). The site was previously zoned for residential, serviced sites and open space. The de-zoning is premature as it is only based on a preliminary assessment by OPW of flood risk. While it is possible to amend the zoning objective as part of a Local Area Plan variation, if the area of risk is significantly different in the final outcome, this could be legally problematic as this or any other amendments introduced for this reason could conflict with the Core Strategy in the County Development Plan. Any uncertainty pending the final outcome of the CFRAMS study would better be addressed in the development management process by incorporation of a site specific flood impact assessment.</p> <p>(b) Four alternative options are identified in the submission to ensure the site is used to its full potential:</p> <ul style="list-style-type: none"> Retention of previous zoning: The main line of argument is that the alternative being considered, zoning most of the land as open 	<p>(a) Apart for a portion (1.3 ha in extent) that is zoned for Serviced sites Phase One this site is proposed to be zoned 'open space and recreation.' The Council has taken the precautionary approach and has not zoned land for development where potential risk of flooding has been identified. The Government's Flood guidelines recommend a precautionary approach, in which Planning Authorities should not zone the most vulnerable classes of use, of which housing is part, on high Flood Risk Zones, unless an overriding public interest is served (in which case a Flood impact assessment and Justification Test is required). The flood maps produced by JBA a company that specialises in flooding matters and used as part of this LAP show a significant proportion of this site located in Flood Zone A. When the final OPW CFRAM map for Adare becomes available the local area plan shall be amended if there are significant discrepancies between the OPW preliminary flood risk</p>

<p>space amenity, would render the other objective of the Council to bring a distributor road through these lands difficult if not impossible to achieve. Instead, the current zoning should be retained, so that there is sufficient development to justify a developer led road or to support the Council building such a road through development contributions.</p> <ul style="list-style-type: none"> • Zoning of lands for residential development (not serviced sites) and in 'phase one'. This corresponds to all lands on the site which are not deemed to be subject to a flood risk, according to the CFRAMS preliminary assessment. In support of this, the submission claims that the higher density of the site than proposed would make more efficient use of land in a location which is closer to the town centre than lands which are already proposed to be zoned 'Residential Phase 1' to the south of the town centre. • Zoning for a less sensitive development on the lands which contain a predictive flood risk designation, the type to accord with the Government's Flood Risk Management Guidelines (2009). An 'enterprise and employment' use is cited in the submission as an example of a development type that is less sensitive to the effects of flooding. • Allow for more uses on the Open Space and Recreation zoning, including for example changing room facilities, a coffee shop, etc. 	<p>indicative map and the final version. However it should also be noted that there is sufficient land zoned for residential use to meet the population projections within the plan period.</p> <p>(b) In respect of the four alternative options suggested:</p> <ul style="list-style-type: none"> • Retention of previous zoning: while an appropriate mechanism must be sought to help realise the objective of a distributor road, it would be wrong to rely on private development that is unacceptable in principle, to secure that piece of infrastructure. • Rezoning of lands from serviced sites to Residential development area Phase one: The balance between residential development areas and serviced sites was carefully calibrated to keep Adare as close as possible to Core Strategy targets set for the settlement in the County Development Plan. Having regard to the location of the site and the need to provide serviced sites it is considered appropriate to retain serviced site zoning at this location. • Rezoning of lands to less vulnerable uses: Sufficient lands are already zoned for enterprise and employment off the Blackabbey road to its south in an area that has no flood risk. The key message from the Government's guidance on flood risk it must be noted, is to avoid development in areas at risk from flooding, and only if it is not possible to do so, to then consider substituting a land
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		<p>use that is less vulnerable to flooding.</p> <ul style="list-style-type: none"> • Allow for more uses on the open space and recreation zoning. It is considered important to retain these areas for amenity and recreation use.
	Manager’s Recommendations:	
	(a)-(b) No Change	

20	Name/Group:	Marty Boylan, Graigue House, Cummeen, Adare
	Submission:	Response
	<p>Submission is in respect of a site at Graigue, 6.89 hectares in extent, to complement an earlier submission made at pre-draft stage, a copy of which is also enclosed. The submission requests that we reconsider the phasing and make provision for a temporary access as pertained in the 2009 Local Area Plan. The points made in support of his claim are:</p> <ul style="list-style-type: none"> • The need to house people who live in Adare but who work further to the west; • The value of serviced sites; • The value of the site in defining an urban edge to the town; • The need for consistency between plans to maintain investor confidence; • The site is not currently accessible from the mains sewer; Initiative 2 of the Policy on Serviced sites in towns and villages (2008) can provide a temporary solution, that is the initiative which allows for housing to be developed in two phases, the first phase to be dependent on proprietary wastewater treatment systems, the second phase to be developed as part of a larger scheme involving neighbouring third party lands, also zoned residential, phase one, and for which there is outstanding planning permission. 	<p>5.15 hectares is proposed to be zoned residential serviced sites. Most of this, 4.56 hectares is zoned phase 2. Overall in this LAP the Council is proposing to make generous provision for serviced sites in a number of different locations at the edge of the village. Phasing has been introduced, this is in part to comply with the Core Strategy, as those that are zoned Phase one are sufficient to meet needs up to 2021 according to the Core Strategy. The most peripheral locations in the town were selected for Phase two, including most of the subject site. A small portion of the subject site, 0.6 hectares in extent is zoned Phase one serviced sites.</p> <p>The site is positioned such that it is only accessible from either the Ballingarry road to the west or to the Adare Manor junction to the east. The plan states (p27) “the land zoned serviced sites phase 2 to the east of Ballingarry road, R519, shall be accessed through the serviced sites and residential phase 1 land and no vehicular access permitted onto the Ballingarry road”. In the 2009 Local Area Plan allowance was made that a temporary vehicular access for up to ten units would be possible from the Ballingarry road. However during an outline planning</p>

		<p>application for serviced sites (ref 11/506), the roads section recommended refusal as the development's reliance on vehicular access to the Ballingarry road would cause an unacceptable traffic hazard. This application was subsequently withdrawn.</p> <p>The reference made to a problem with access to the mains sewer from the lands, a problem which it is claimed that serviced sites, under Initiative Two, could address on a temporary basis. This initiative was designed purely as an interim measure, to accommodate development of villages and towns where there is inadequate capacity and where there are definite plans for improvement. Wastewater treatment capacity is not a pressing issue in Adare. The problems alluded to are site specific, and can only be resolved by a concerted approach with the neighbouring landowner.</p>
Manager's Recommendations:		
No change		

21	Name/Group:	Jacqueline Hickey, Ardshanbally, Adare
	Submission:	Response
	<p>The submission proposes an additional residential zone in Deerpark, 15.01 hectares in extent, with 7.33 hectares of these being serviced sites in the southern half (map attached to submission). This would replace the proposed agricultural zone of 10.34 hectares, and the enterprise zone of 4.66 hectares. The enterprise zone it is suggested could be relocated adjacent to the residential zone further to the west. The area for open space and recreation of 1.21 hectares should remain as is in the proposed Local Area Plan. The site borders Rathkeale road on its south and relies on an existing access road in front</p>	<p>In the current Local Area Plan 2.1 hectares of the site in the north is zoned residential serviced sites and 8.4 hectares is zoned for Enterprise and Employment. The site is part of a historic demesne, and is lightly wooded with mature deciduous trees. The extended western boundary of development land, where the enterprise zone is proposed in the submission, borders one significant portion of the proposed Natural Heritage Area of Adare Woodlands. In order for Adare to comply with the core strategy there is no scope to revise</p>

<p>of a housing scheme and via 'Flynn's corner' to get access to the L1422, to the north. The arguments put forward in support of this proposal can be summarised as follows:</p> <ul style="list-style-type: none"> • The site avoids areas of flood risk, areas which are prevalent around the town. • The site is in close proximity to the village centre, it is also in easy walking distance from schools and amenities. The radial distance from the village hall is less than other proposed residential zones. • Development of the site would facilitate the development of the distributor road link proposed in the proposed Local Area Plan. • Enterprise and employment can be provided for in the site, to the same extent as in the proposed Local Area Plan, although further to the west. • The scenic location of this site means there is long term potential for further development of the entire area of Deerpark as a recreational amenity for the public. 	<p>upwards the amount of land for new residential development. In relation to the points made in the submission the following should be noted:</p> <ul style="list-style-type: none"> • Flood risk is not the only criterion not to zone residential land. • It is acknowledged that the site is slightly closer to the village centre and to the school than two other sites which are being proposed for residential serviced sites –phase 2. However in order to make the most sustainable use of land, serviced sites which are of a lower density are generally provided at the edge of settlements. It must also be borne in mind that there are factors other than distance in site selection, and the site in Deerpark was omitted partly to minimise impact on this special landscape and also as there is already an economic and enterprise zone over 5 hectares on it. • Facilitation of a distributor road is not always a sufficient reason to zone surrounding land for development. In any event, the indicative route for its entire length traverses or borders land zoned for residential to the east of the subject site, and land proposed to be zoned for economic and enterprise in the subject site. • By relocating the enterprise zone as well as providing 15 hectares for residential in this location, c 20 hectares of
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		<p>development would be eating into a demesne landscape, and also abutting a proposed Natural Heritage Area.</p> <ul style="list-style-type: none"> Residential development is not essential to the development of Deerpark as a public amenity, which in any event should be low-key, given its importance for nature conservation.
	Manager's Recommendations:	
	No change	

22	Name/Group:	Toomey Construction c/o Maria Lombard, RPS, Ballincollig, Cork
	Submission:	Response
	<p>The submission concerns one small site, 375 sq metres in area, located on the corner of Avenue Row just off the Rathkeale road and Limetree Avenue which has been zoned open space and recreation in the proposed plan. This represents a change from the current zoning in the 2009 Local Area Plan, in which this site was zoned 'Established Residential Area.' The main point of the submission is that the subject site, unlike the two other areas zoned 'Open Space/Amenity' in the same housing scheme, is not a public open space serving the development, nor was it ever required for this purpose. The site came into being through being part of an application site for four houses adjacent to it (reference 98/1141). The applicant Toomey Construction Ltd. proposed this site be set aside for car parking but the Planning Authority insisted that parking be provided elsewhere in the application site and that the subject site instead be designated as private open space. The site has in the intervening 14 years been sealed off as a private open space not</p>	<p>The site in question was intended to be the private car parking area for 4 houses developed under planning ref 98/1151. The area was never developed as such and is not public open space. The area is fenced off and is well maintained. As the area was part of the development permitted under 98/1151 and is not public open space it should be rezoned as existing residential.</p>

<p>attached to any house and serving no function. The submission argues that it should be developed as a house site. This would be a far more efficient use of land, it is large enough for a house site, and could, with good design enhance the character of this residential neighbourhood.</p>	
<p>Manager's Recommendations:</p>	
<p>Change the zoning of this area of land from 'open space and recreation' to 'existing residential'</p>	

<p>23</p>	<p>Name/Group:</p>	<p>Adare Heritage Centre c/o Patricia Houlihan, Main street, Adare</p>
<p>Submission:</p>		<p>Response</p>
<p>(a) Parking facilities to the rear of the Heritage Centre should be extended into the natural open space area.</p> <p>(b) Natural open space area between Heritage Centre and Maigue should also be developed to facilitate river based amenities. Access to Heritage centre should also form part of these plans.</p> <p>(c) Regarding traffic and traffic safety: By pass is urgently needed Suggest a one way traffic system to facilitate access to and from Adare Heritage Centre Reduce width of footpaths and extend parking restrictions along Station road to address traffic congestion.</p> <p>(d) Regarding built and natural heritage: The Court house should be renovated. Develop a footpath from the village to the castle. Facilitate the use of one of the thatched cottages as an interactive craft centre. Improve signage, informational and directional. Lack of directional signage to car park creates</p>		<p>(a) The proposed LAP includes an objective for a car parking area adjacent to the Heritage Centre car park.</p> <p>(b) The area referred to is zoned 'Semi-natural Open Space'. The principal purpose of this zoning objective is to protect this area for its value as a setting for Adare, and as a riverside habitat and buffer zone adjoining the river Maigue Special Area of Conservation (SAC).</p> <p>(c) See submission 7(a) and 7(g) above</p> <p>(d) Grants were available under the Built Heritage Job Leverage Programme operated by the Dept of Arts, Heritage and Gaeltacht and administered by Limerick City and County Council for works to assist with the repair and conservation of protected structures in 2014. Its is not yet known if these grants will be available in 2015</p> <ul style="list-style-type: none"> • A proposed pedestrian link to the Desmond

	<p>confusion. Suggests use of globally recognised icons for information signage.</p> <p>(e) Tourism</p> <ul style="list-style-type: none"> • Stressed importance of proper road linkages to Foynes, and Wild Atlantic corridor. • Stressed importance of proper broadband, which in the contention of submission, can only be delivered by optic fibre and not by wireless transmission. Notes with concern that Adare is not on the Eircoms ‘roadmap’ (May 2015) for NGA fibre broadband; nor is it on the indicative list of locations for optic fibre roll-out by Minister for Communications. • Development of a new cycleway linking the Great Southern Trail with Patrickswell-Limerick cycleway. • Improvements to the Heritage centre are being planned, these will include a plaza to the front of the centre, and reconfiguration of the historical exhibition. The plaza should also be able to accommodate outdoor concerts/weekly food markets 	<p>castle is shown on the Amenity map in the LAP.</p> <ul style="list-style-type: none"> • See response to submission no 18 • See response to 7(g) <p>(e) This is covered in Section 6.1 of chapter 6 Transport.</p> <ul style="list-style-type: none"> • Section 7.8 in the LAP recognises the importance of broadband infrastructure and Objective IN8 seeks to ensure that all new developments incorporate broadband service on an open access basis. • The railway line cannot be used for this, as it an objective of the County Development Plan and this LAP to protect it for revival of use by passenger as well as freight train traffic between Limerick and Foynes. • The village centre zoning is appropriate to the stated intended uses.
	<p>Manager’s Recommendations:</p>	
	<p>No change</p>	

24	Name/Group:	Adare Community Council, c/o Eileen Kennelly, St Nicholas’s House, Adare
	Submission:	Response
	<p>(a) Urgent need for by-pass. Temporary diversions, which are often needed as N21 is frequently blocked, are themselves unsatisfactory.</p> <p>(b) Would welcome footpath-cycleway between village hall and GAA for training and matches.</p> <p>(c) Suggest green area in front of Desmond Drive should be zoned open space and recreation instead of ‘Existing Residential’.</p> <p>(d) A secondary school should be considered in the Educational Community zoning by Manor Fields.</p> <p>(e) A number of detailed points from pre-planning submissions, namely:</p> <ul style="list-style-type: none"> • Improve broadband • Recycling centre to be expanded • A series of recommendations concerning traffic and traffic safety: • Extend 50 kph speed limits along L1423 beyond the railway crossing and quay wall; and • Along the N21 at least 100 metres to the east of the Adare Manor Golf club entrance. • Drive on the left signs should be prominently displayed at exits of both golf clubs and the heritage centre. • button-press pedestrian crossings required on main street crossings, for full inclusivity and safety. • Roundabout at centre of village should be made more prominent. • Suggest flashing parking signs with arrows to Heritage centre car park. 	<p>(a) See response to 7(a) above</p> <p>(b) Proposed cycleway/footpath is already included in the Plan from Deerpark Housing estate westwards along the L1422 as far as the GAA grounds.</p> <p>(c) Change strip of open space in Desmond Drive from existing residential to open space.</p> <p>(d) There is adequate scope to accommodate a post-primary school within the Educational-Community zoning. There is approx 34 hectares of land zoned Education-Community in the Manor Fields.</p> <p>(e)– (g) Many of the points raised, while worthy of consideration, are at too detailed a level for the Local Area Plan. Decisions on two button pedestrian crossings for example can only be made as part of specific schemes. The purpose of this Local Area Plan is to provide a statutory framework for development management, amenity, conservation and infrastructure designations and priorities specific to the area; setting it within a broad context of strategic policies and priority needs. With this qualification in mind, the relevant departments will certainly be consulted on matters raised. See also response submissions no 7(g) and 23(d)</p>

	<ul style="list-style-type: none"> • Secure parking for bikes should be introduced aswell as cycle-ways. <p>(f) Following buildings in need of repair/refurbishment:</p> <ul style="list-style-type: none"> • The Courthouse • The Village Hall (urgently) <p>(g) A series of recommendations to improve public amenity and safety of the river, town centre and town park:</p> <ul style="list-style-type: none"> • Public toilets needed for access outside of Heritage Centre opening hours. • At least 4 to 5 more life buoys • Safe entry and exit points to improve facility for water sports • River bank control of Gunnera (giant rhubarb). • Suggest a new pedestrian bridge aligned to the current road bridge. • More public seating and picnic areas areas are required both on the River Walk and in the Park. 	
	<p>Manager’s Recommendations:</p>	
	<p>(a) – (b) No change</p> <p>(c) - Change strip of open space in ‘Desmond Drive’ from existing residential to open space</p> <p>(d)-(g) No change</p>	

25	Name/Group:	John Bradley, bradleyj2002@eircom.net
	Submission:	Response
	<p>(a) The plan is being prepared in a strategic policy vacuum; traffic congestion can only be properly dealt with by agreed strategic road corridors; this will determine both the correct location and extent of development; in the absence of such a context much of the zoning is premature.</p> <p>(b) there is a need to stimulate employment in the village for the village's residents to reduce need for commuting;</p> <p>(c) There is a need to provide more options for affordable housing and serviced sites.</p> <p>(d) While welcoming reduction of zoning in comparison to 2009 Plan, further reductions in residentially zoned lands are called for, as well as relocation of some zoning, to minimise the addition of extra traffic and facilitate required infrastructure. The following comments are made:</p> <ul style="list-style-type: none"> • The 15 sites of existing houses to the east of the Maigue should be zoned 'Existing Residential', it would be better than creating additional zoned lands which are not as well located visa vis the village centre. • Backlands parallel to the N21, zoned phase one, at Graigue, in the south-west of the village should be omitted as their development would exacerbate congestion on the junction between the N21 and the Ballingarry road. • Development of Blackabbey lands close to GAA pitch should be omitted to reduce traffic congestion experienced in the 	<p>(a) The Planning Authority is statutorily obliged to review the Local Area Plan at this stage as more than five years has elapsed since the previous Local Area Plan. It is not expected that a bypass would impact on the zoned land as the zoned land is located within and surrounding the core of the village.</p> <p>(b) There is adequate provision for employment and economic activity within the scope of the Local Area Plan with the zoning for enterprise and employment, extension of car park and provisions for mixed use/village centre to consolidate the existing village core.</p> <p>(c) The zoning for Serviced sites is provided up to the maximum recommended in the guidance 'Sustainable Residential Development in Urban Areas (DoEHLG 2009) for this category in rural towns, that is 20%. In relation to social and affordable housing the Planning Authority is obliged to comply with the Joint Housing Strategy, so that each scheme should have to provide, as first preference, 10% social housing in situ under Part V of the Planning and Development Act.</p> <p>(d) There is no need to zone the existing houses east of the river Maigue as 'Existing Residential' as their existing uses rights are respected</p>

<p>village.</p> <ul style="list-style-type: none"> • It would be desirable for additional lands to be identified for development in the vicinity of Station road to enable an alternative access to the village, [instead of zoning it all as Open space]. <p>(e) Need to promote a wider commercial base along Station road.</p> <ul style="list-style-type: none"> • The zoning of the thatched cottages should be changed from residential to commercial, under strict conditions provided for in the ACA. • The established commercial uses in the three sites of O'Doherty's Farm Machinery, Old Creamery, and the petrol filling station should be reflected in zoning, instead of the 'Existing Residential' use currently proposed as none of these sites are suited to conversion to residential. <p>(f) Consideration should be given to improving both the design and management of the intersection between Station road and the N21.</p> <ul style="list-style-type: none"> • Additional off street parking provision is an urgent requirement. • The preservation of the existing rail route is supported. <p>(g) A special designation should be afforded to the key listed monuments or protected structures in the plan.</p> <ul style="list-style-type: none"> • Consideration should be given to an 'Ecclesiastical Trail' (see also Select Vestry submission). <p>(h) Latest CFRAM data and mapping</p>	<p>within the overall zoning objective of Agriculture. The emphasis on this side of the Mague is to prevent urban sprawl, protect the setting of Adare and therefore any new housing will only be accepted for the long term habitation needs of farmers or their sons or daughters.</p> <p>The lands concerned at Graigue are zoned for Serviced sites, which are low density and located at the periphery of the village in order to retain land closer to the village centre for future higher density development.</p> <p>The vacant lands on station road cannot be zoned for residential as this is a vulnerable use, and the area is assessed in the JBA study as having a high risk of flooding.</p> <p>(e) The overall approach taken to zoning for retail in this LAP is that purported by the Retail Planning Guidelines (April 2012) with a renewed focus on the maintenance and renewal of an attractive, competitive and consolidated village centre.</p> <p>The buildings in this Architectural Conservation Area consist of thatched cottages and one former tobacco factory in a unified 'English cottage' or nee style, one of Adare's 'Unique Selling Points' (see page 52). The thatched cottages were built as dwellings and their use for dwellings is essential to the character of this ACA</p>
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	<p>should be incorporated in the plan, to replace the JBA maps used up to this point.</p>	<p>true to their original purpose, while retaining their life and authenticity. The terrace of thatched cottages is zoned 'Village centre' in recognition of their location and the fact that existing commercial uses are interspersed with the terraced dwellings.</p> <p>In relation to the 3 existing commercial properties these sites are located in predominantly existing residential areas. Section 5.4 in Chapter 5 Economic Development makes specific reference to these 3 sites and state that any redevelopment of these areas should not impact adversely on the village centre or adjoining properties</p> <p>No need for change in zoning, as in the 'Existing Residential' zoning local shops and small scale commercial uses are 'Open for Consideration', and the zoning does not suggest that where there existing use rights, the continued commercial use would 'normally not be permitted'.</p> <p>(f) See response to Submission no 7(g)</p> <p>(g) See response to Submission 26(a)</p> <p>(h) The CFRAMS maps are only for internal discussion at this stage, they are not yet ready for public consultation. Therefore the Planning Authority is not yet in a position to replace the JBA flood maps.</p>
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	Manager's Recommendations:	
	No change	

26	Name/Group:	Adare Vestry Committee, c/o John Bradley and Janet Bray	
	Submission:	Response	
	<p>(a) Request the provision of a designated 'Ecclesiastical Conservation Area for Holy Trinity, St.Nicholas Church, Adare Rectory and associated graveyard areas.' (map attached). The rationale would be to attract national or European funding for appropriate conservation and development measures. A Heritage Management Plan by the Vestry has already been approved by the Heritage Council as a template of best practice. Suggests ecclesiastical trail to be included, linking all sites and buildings of religious significance as identified on map, to promote conservation, tourism, educational and ecumenical objectives. Clare County Council has a similar model for such a trail in Ennis.</p> <p>(b) Request that the zoning of the 15 existing house plots east of the Maigue, also owned by the Representative Church Body (RCB) be changed from agricultural to 'residential' to recognise their existing use. As they only have limited redevelopment potential this zoning would not materially impact on the Core Strategy. These sites should also be linked to future waste water treatment services for Adare area. Sites subject to flooding adjacent to the Maigue as identified in CFRAM should be reserved for open space use and form part of an ecological system supporting environmental designations.</p>	<p>(a) The stated sites are already protected structures and within Architectural Conservation Areas. The objectives and policies contained in both the Tourism subsection (s5.5) and the built environment section (s8.2) cover the same ground as the submission. Adding a new layer of designation onto structures that already enjoy statutory protection would be both superfluous and confusing.</p> <p>There is an anomaly between the numbering system used in Map no.4 and the reference system from RPS as shown in Appendix 4. The protected structure and ACA map (Map 4) shall be revised so that the protected structure listed in appendix 4 correlate correctly with Map no 4.</p> <p>(b) There is no need to zone the existing houses east of the river Maigue and north of the Adare bridge, as 'Existing Residential' when in any case their existing use rights are respected within the overall zoning objective of Agriculture. Extension of mains sewers to un-serviced sites in unzoned land would normally not be a priority for any Local area Plan, unless there were clear-cut environmental reasons for doing so.</p> <p>(c) See response to submission</p>	

	<p>(c) St.Nicholas church complex has been subject to two flood events in recent times, the most recent being responsible for extensive damage. Serious attention should be given to ensure that in relation to lands lying to the south of this site, land uses and remedial works would be such as to prevent future flood events.</p>	<p>no 2. Remedial flood works are a matter to be taken up with OPW during the forthcoming public consultation process as part of the current CFRAMS study; priorities for bank reinforcement, other flood relief drainage works are contingent on strategic plans based on comprehensive and accurate assessment of risks at a catchment and county level.</p>
<p>Manager's Recommendations:</p>		
	<p>(a) The protected structure and ACA map (Map 4) shall be revised so that the protected structures listed in appendix 4 correlate correctly with Map no 4.</p> <p>(b) – (c) No change</p>	

27	Name/Group:	Noel G. D. Hogan, Lime Tree Lodge, The Avenue, Adare
	Submission:	Response
	<p>(a) The site concerned is 1.3 hectares (3 acres) adjacent to the town park to its east and to the village centre to its north and west. The submissions state that in recent years the Council had expressed an interest in acquiring the site for a social housing project, playground and extension to the town park. Mr. Hogan claims that he was willing to enter terms with the Council itself, at a lower price than was being offered at the time by rival bidders. The Council's procrastination has also indirectly resulted in his brother Paddy not being able to build two houses for which he had planning permission, upheld by An Bord Pleanala in the south of the site. The direct cause for the development not going ahead was a writ issued on behalf of Dunraven Estates Company</p>	<p>(a) The site is proposed to be zoned open space and recreation; this represents a change from the current zoning of the 2009 Local Area Plan of town centre/mixed use and from the previous 2002 Local Area Plan. The reason for the change is that according to the JBA flood risk assessment maps, the entire site is now considered to have a greater than 1:100 chance of an annual flood event. According to Government guidance, in such cases, vulnerable uses, of which housing is one, should not normally be permitted in such areas. The JBA Flood maps correlate with the preliminary OPW CFRAM maps.</p>

<p>preventing them using what they claim is a section of their lands, for access to the site.</p> <p>(b) De-zoning is premature, the CFRAMS flood risk assessment for the OPW is only preliminary. The proposed de-zoning is therefore premature pending the final outcome of the CFRAMS process. Any uncertainty in the interim would better be addressed using site specific flood impact assessments as part of any application for planning permission.</p> <p>(c) De-zoning is inconsistent with both established patterns of development in areas which are subject to the same flood risk according to the CFRAMs assessment (most of the village centre) and with planning decisions allowing houses to be built on a 'very substantial aquifer that was tested some years back' (Noel Hogan, 4th paragraph).</p> <p>(d) Need for affordable housing. There is an urgent need of quality affordable housing in Adare which this site could help address, a point implicitly acknowledged by the Council itself in entering into negotiations with Mr Hogan as landowner.</p> <p>(e) The a-priori value of undeveloped locations close to and within town centres for infill development. The location of the site adjacent to the village centre should be taken into account, in terms of sustainable patterns of development.</p> <p>(f) The small scale of the site. The scale of the site is small and any raising of levels if necessary to mitigate flood risk, need not have</p>	<p>(b) The Government's Flood guidelines counsel a precautionary approach, in which Planning Authorities should not zone the most vulnerable classes of use, of which housing is part, on high Flood Risk Zones (ie with a greater than 1% risk of an annual flood event), unless an overriding public interest is served (in which case a Flood impact assessment and Justification Test is required). If as a result of the CFRAMS process, the subject site or any part thereof is not deemed to be of high flood risk, then the zoning of this site or part of it will be revisited as an amendment to the Local Area Plan.</p> <p>(c) It is acknowledged that some lands which are identified at risk of flooding remain zoned. However these are lands on which development already exists. While assessing the development potential of undeveloped land the precautionary approach was used.</p> <p>(d) In relation to social and affordable housing the Planning Authority is obliged to comply with the Joint Housing Strategy 2011, so that any proposed housing scheme should have to provide, as first preference, social housing in situ under Part V of the Planning and Development Act. The Local authority itself owns 6.5 hectares of residentially zoned land; the decision to build houses rests with the Local Authority in its capacity</p>
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	<p>a significant impact on flood risk on vulnerable areas elsewhere.</p>	<p>as a housing authority, working under the Housing Strategy and Government guidance. While the Planning authority has reduced the amount of land zoned for new residential development in order to comply with the Core Strategy incorporated into the County Development Plan in 2011, the amount of land should be still sufficient to meet Adare's housing needs.</p> <p>(e) See response to submission 27(a) and 27(b) above.</p> <p>(f) The site is only 1.3 hectares in extent, but it is not a foregone conclusion that development of this site, which may require a raising of levels to avert floods, would not in the process divert the flood waters to heighten the risk of damage to neighbouring properties, already built upon for mixed commercial and residential uses.</p>
	<p>Manager's Recommendations:</p>	
	<p>(a) – (f) – No change</p>	

28	Name/Group:	Paddy Hogan, Ardshanbally, Adare
	Submission:	Response
	See submission No 27 above	See submission No 27 above
	Manager's Recommendations:	
	See submission No 27 above	

29	Name/Group:	Patrick J Hogan, Blackabbey, Main Street, Adare
	Submission:	Response
	See submission No 27 above	See submission No 27 above
	Manager's Recommendations:	
	See submission No 27 above	

30	Name/Group:	Noelle Hogan Chambers, Blackabbey, Main Street, Adare
	Submission:	Response
	See submission No 27 above	See submission No 27 above
	Manager's Recommendations:	
	See submission No 27 above	

31	Name/Group:	Eamon and Bernie Fitzgerald, Islandea, Adare
	Submission:	Response
	<p>(a) The submission relates to a property in Islandea. The property is at the edge of Adare along the west of Station road, adjacent to the housing schemes of Abbey View and opposite the housing area of Manor Court. It consists of one detached house and an adjacent area of land covered in scrub. The submission requests the correct boundary to their lands be shown in the LAP (map attached).</p> <p>(b) Request that their land zoned existing residential in the proposed plan as it forms and has always formed part of the lands their house is built on. Two flood report from landowner's either side of their property submitted. The Fitzgeralds state that they wish to build two houses on this land for their children, which is why they bought the land. There was indeed outline planning permission, granted in 1994, for three houses over all of this land. Only one house, the house the Fitzgeralds live in, was built on foot of that. A subsequent application for planning permission for two houses in the subject site was refused as by that time, the area was deemed to fall within the area that might be required for the Adare by-pass (ref 99/852), a proposal which is now defunct.</p>	<p>(a) Site boundary should be shown on zoning map as requested.</p> <p>(b) The Planning Authority is obliged to be consistent in land use zoning and other objectives in response to the best available assessments of flood risk. The Council has taken the precautionary approach and has not zoned land for development where potential risk of flooding has been identified. The stated lands are located in an area shown as liable to flooding.</p> <p>(c) The dwelling and curtilage of the dwelling is shown zoned as 'existing residential.' The purpose of this zoning is to ensure that new development is compatible with adjoining uses and to protect the amenity of existing residential areas. It applies to the curtilages of existing houses and infill sites between houses. The area in question does not fall into either of the above categories and is attached to the end of a terrace. Also the principal responsibility for managing land and securing boundaries rests with the landowners</p> <p>(d) See point (a) above</p>

	<p>(c) The Fitzgeralds claim in support of their submission that the proposed zoning prevents them from being able to develop their lands for housing for their two children, and may even prevent them from being able to build an extension to their own house. Furthermore as open space zoning extends all the way to the side boundary of their house, they are left with no defensible space between the side of their house and long garden and this large undeveloped area to the northwest, which brings with it attendant dangers of anti-social behaviour.</p> <p>(d) In relation to the reason for the open space amenity zoning, which was indeed because of a new assessment of flood risk (by JBA consultants), the Fitzgeralds claim that this could be addressed in the same manner as some recent applications referred to, by mitigation measures on foot of flood risk assessments (three of which were attached with the application).</p>	
	<p>Manager’s Recommendations:</p>	
	<p>(a) Site boundary to be shown on zoning map</p> <p>(b) – (d) No change</p>	

Part B

Proposed Amendments to Proposed Adare Local Area Plan 2015 - 2021

(To be read in association with Part A)

Omit wording ~~struck through~~ and insert wording underlined. Where policies or objectives are proposed to be included or amended the policy / objective numbers of those existing may need to be revised.

Amendments to Map 1 Zoning Map

'In the legend of zoning map 'town centre' has been replaced with 'village centre'.

An area zoned open space and recreation, 375sqm in size, located on the corner of Avenue Row just off the Rathkeale road and Limetree Avenue has had its zoning changed to 'existing residential.'

The site boundary of a property in the townland of Islandea has been delineated on the zoning map.

An area of open space zoned as 'existing residential' at 'Desmond Drive' changed to 'open space and recreation.'

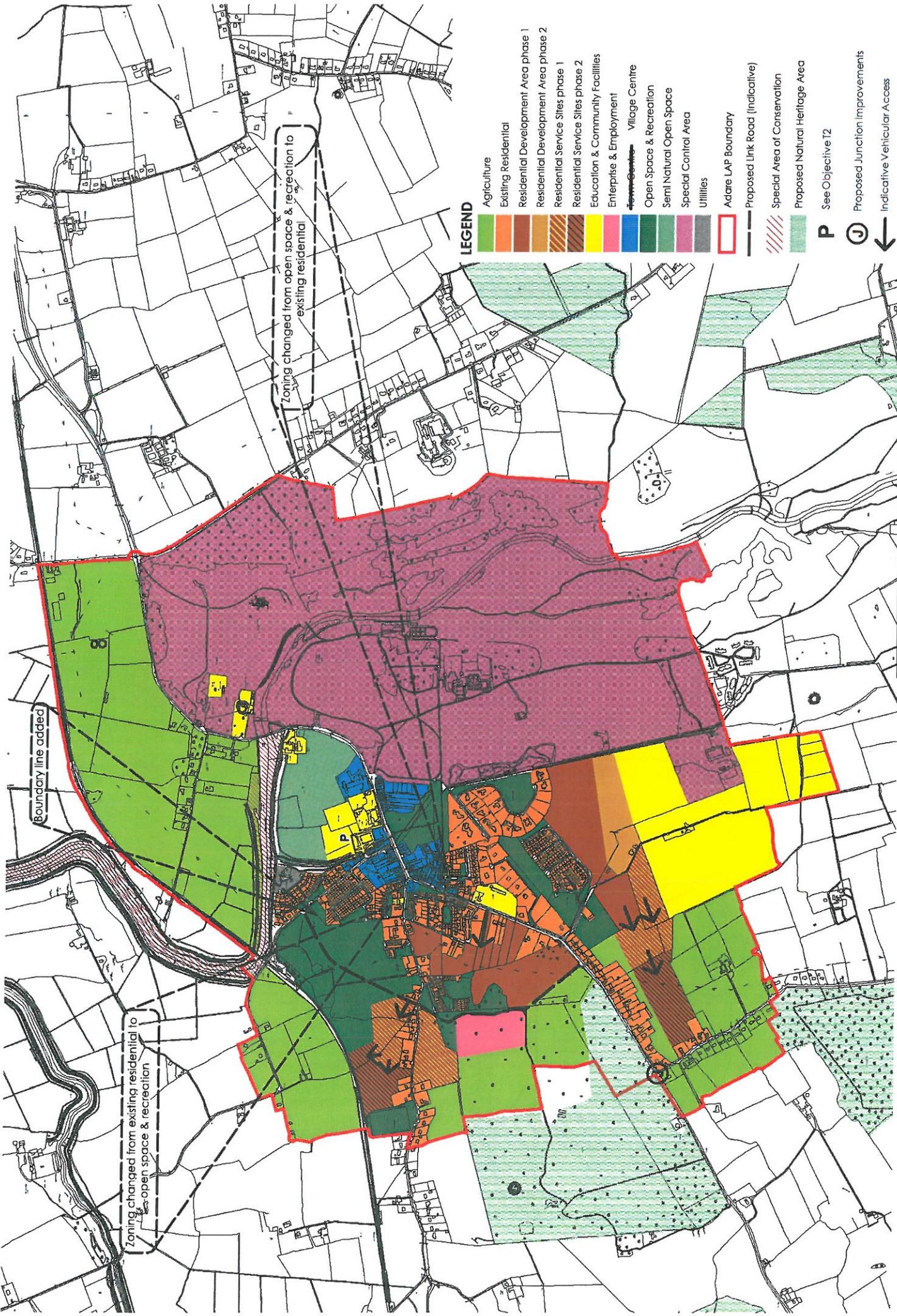
Amendments to Map 4 Protected Structure and Architectural Conservation Area Map

The protected structure numbering listed on this map has been amended so that they correlate correctly with protected structure numbers in Appendix 4.

Part C

Strategic Environmental Assessment Screening and Appropriate Assessment Screening

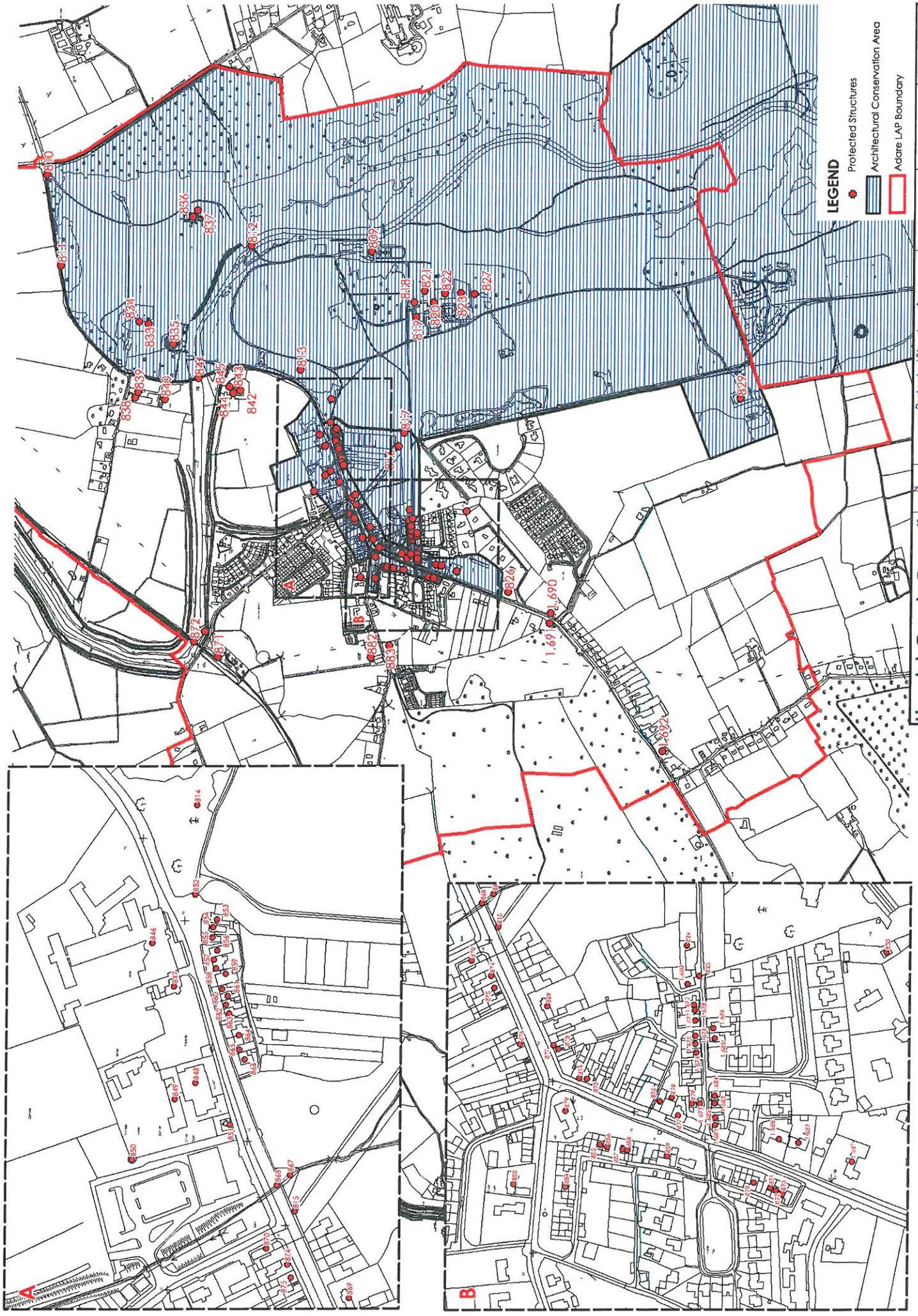
The changes proposed are not significant and therefore alterations to the Environmental and Appropriate Assessment screening report are not required.

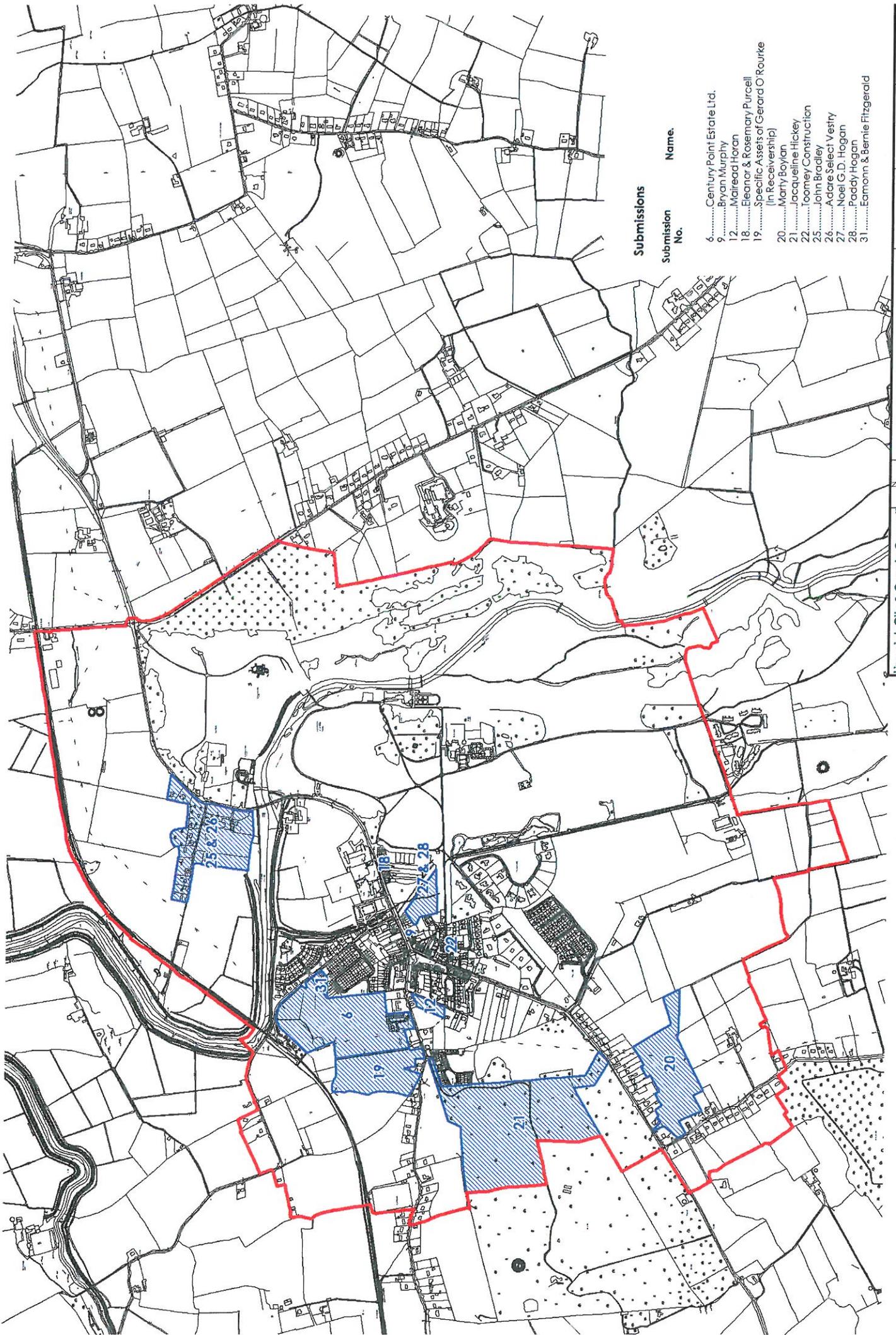


LEGEND

- Agriculture
- Existing Residential
- Residential Development Area phase 1
- Residential Development Area phase 2
- Residential Service Sites phase 1
- Residential Service Sites phase 2
- Education & Community Facilities
- Enterprise & Employment
- Village Centre
- Open Space & Recreation
- Semi Natural Open Space
- Special Control Area
- Utilities
- Adare LAP Boundary
- Proposed Link Road (Indicative)
- Special Area of Conservation
- Proposed Natural Heritage Area
- P** See Objective T2
- J** Proposed Junction Improvements
- Indicative Vehicular Access

Limerick City & County Council Proposed Adare Local Area Plan 2015-2021	Adare Zoning Map Ordnance Survey Ireland CCMA Limerick City & County Council
Proposed	November 2014
	Map No. 1





Submissions

Submission No.	Name.
6	Century Point Estate Ltd.
9	Bryan Murphy
12	Mairead Horan
18	Eleanor & Rosemary Purcell
19	Specific Assets of Gerard O'Rourke (In Receivership)
20	Mary Boylan
21	Jacqueline Hickey
22	Toomey Construction
25	John Bradley
26	Adare Select Vestry
27	Noel G.D. Hogan
28	Paddy Hogan
31	Eamonn & Bernie Fitzgerald

