

REQUEST FOR REZONING AT FERGUS LODGE,
CLONROAD BRIDGE, ENNIS.

The attached map, APPENDIX 1 and shaded pink illustrates the boundaries of the present Commercial Offices and Carpark known as "Fergus Lodge", Clonroad, Ennis, which is in the ownership of [REDACTED]. Such Offices have existed since 1985 and the building and carpark are now at maximum capacity and requires to be extended.

However, due to the de-zoned open space boundaries imposed by the Council in the 2023 – 2029 County Development Plan, despite submissions from the Writer, any such extensions are largely constrained in an easterly direction. Refer to APPENDIX 2 map. There is ample scope to extend to the south and within the site boundary attached to the Office Building, but this alternative is also constrained due to the proposal by the Council in the Residential Zoned Land Tax Draft Map. Refer to APPENDIX 3 map.

Despite the open extent of adjoining lands in a most attractive setting, it is unreasonable that the Writer is left in the above position, despite the fact that it is the policy of the Council to encourage office development adjoining the Town Centre. The Council should therefore note that any expansion to Fergus Lodge will be extremely difficult to achieve without a change in zoning and /or a variation to the County Development Plan.

With reference to attached Hydrology Report from Hydro Environmental Ltd., it is contended that there is no logical reason for extending the open space into the curtilage of the office boundaries and thus restricting the proper planning of any Office development and car parking now or in the immediate future. There are up to 30 persons employed at the Fergus Lodge facility but such employment cannot be sustained without more working and carparking space being made available.

Under Section 19.5.5 "Land Use Zonings" in the County Development Plan, the Council clearly states that "it will consider reasonable extensions and improvements to premises that accommodate non-conforming uses provided that it would not be injurious to the amenities of the area and is consistent with the proper planning and sustainable development of the area." In this regard the Writer would contend that this request for re-zoning is certainly NOT unreasonable having regard to all of the foregoing circumstances. Furthermore, it is envisaged that any expansion proposed would continue to be of high quality functional design, given its attractive setting on Family Lands in terms of both natural and cultural heritage, its close proximity to the Town Centre, all of which would be in the interest of the proper planning and sustainable development of the area.

As a substantial Ratepayer to the Council, the Writer is greatly concerned at the planning restrictions being imposed upon him by reason of both the County Development Plan and the Land Tax Draft Map and would ask the Council to consider this request for re-zoning in a positive and sympathetic manner and as shown on the APPENDIX 1 Map, it being the curtilage of the Fergus Lodge property.

[REDACTED]

ITM CENTRE PT COORDS

534708,677883

DESCRIPTION

MAP SHEETS

1:1000

4322-04 4264-24



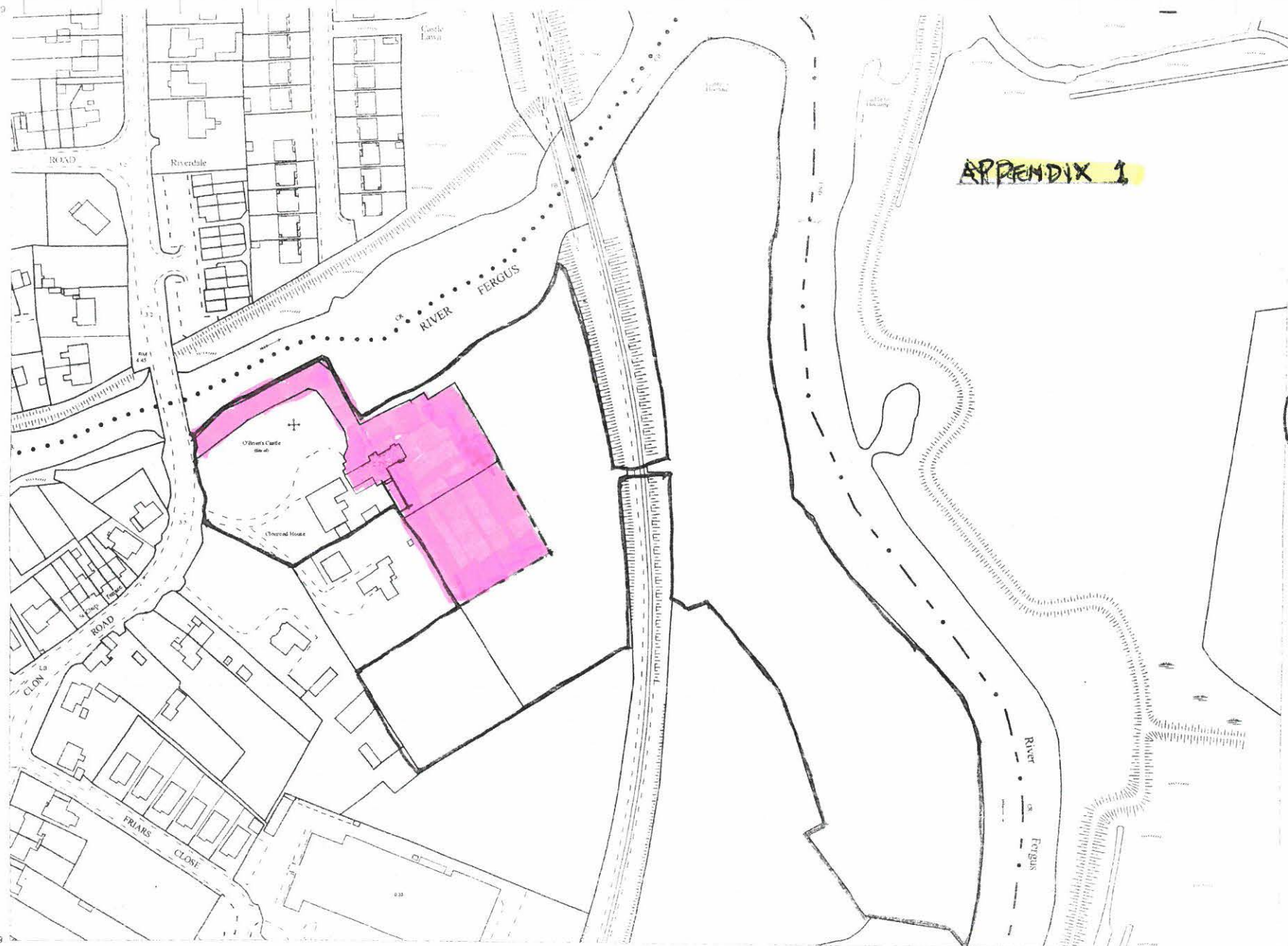
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APPENDIX 1



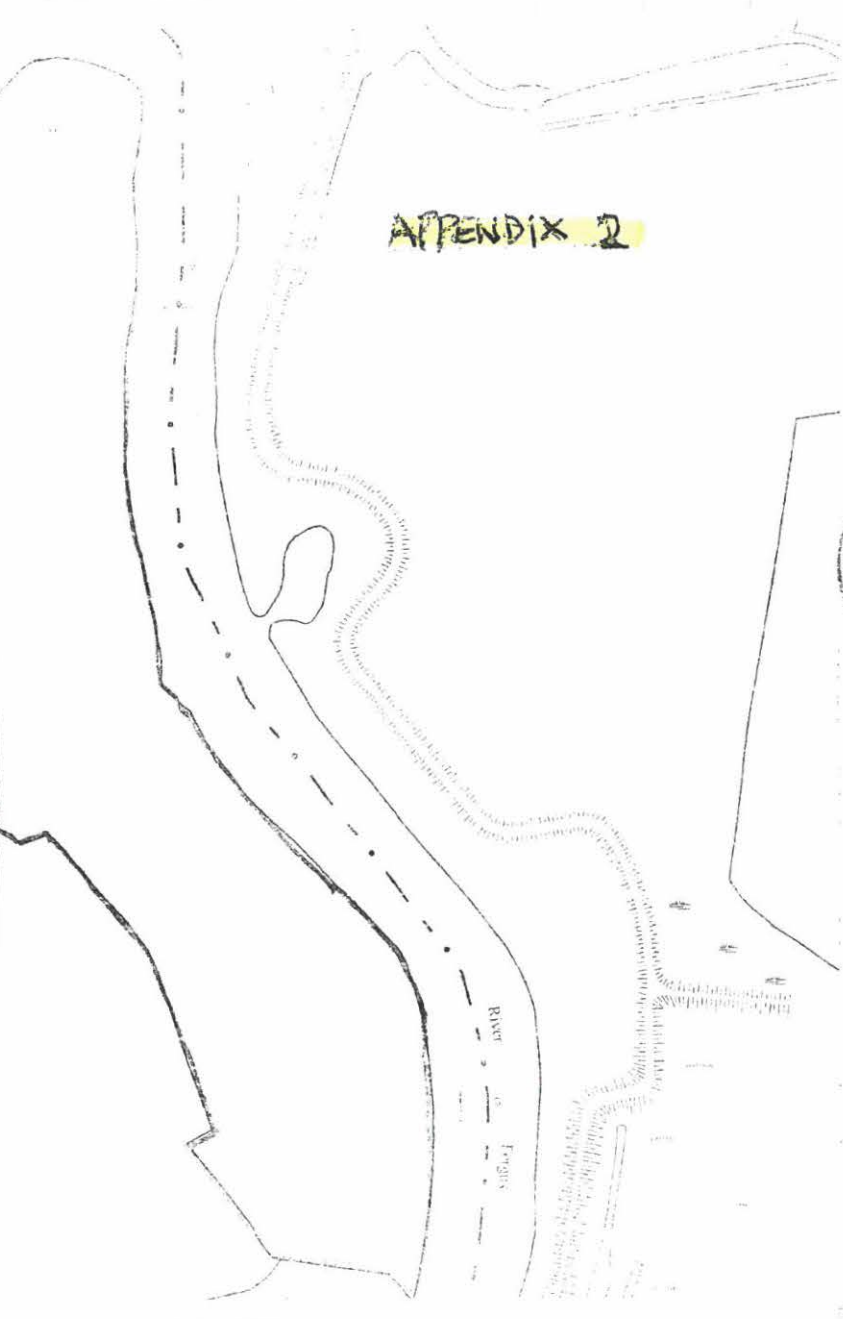
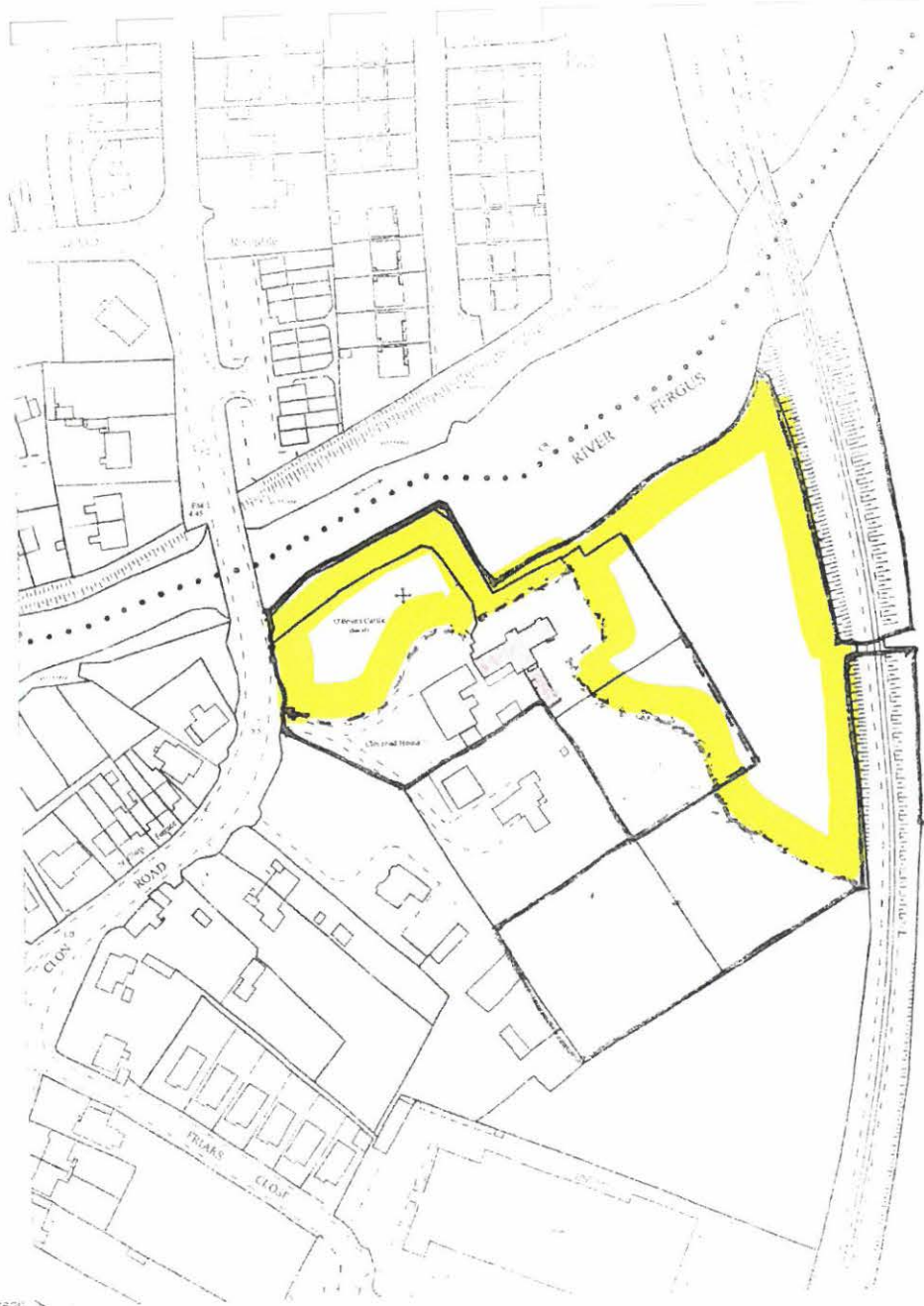
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0 50 100 150 200 250 Metres

0 100 200 300 400 500 Feet

Plot Ref No. 1C86706_1_5
Plot Date 01-MAR-2006





ITM CENTRE PT. GOORDS
534708,677383

APPENDIX 2

DESCRIPTION

MAP SHEETS

1:1000
4322-04 4264-24



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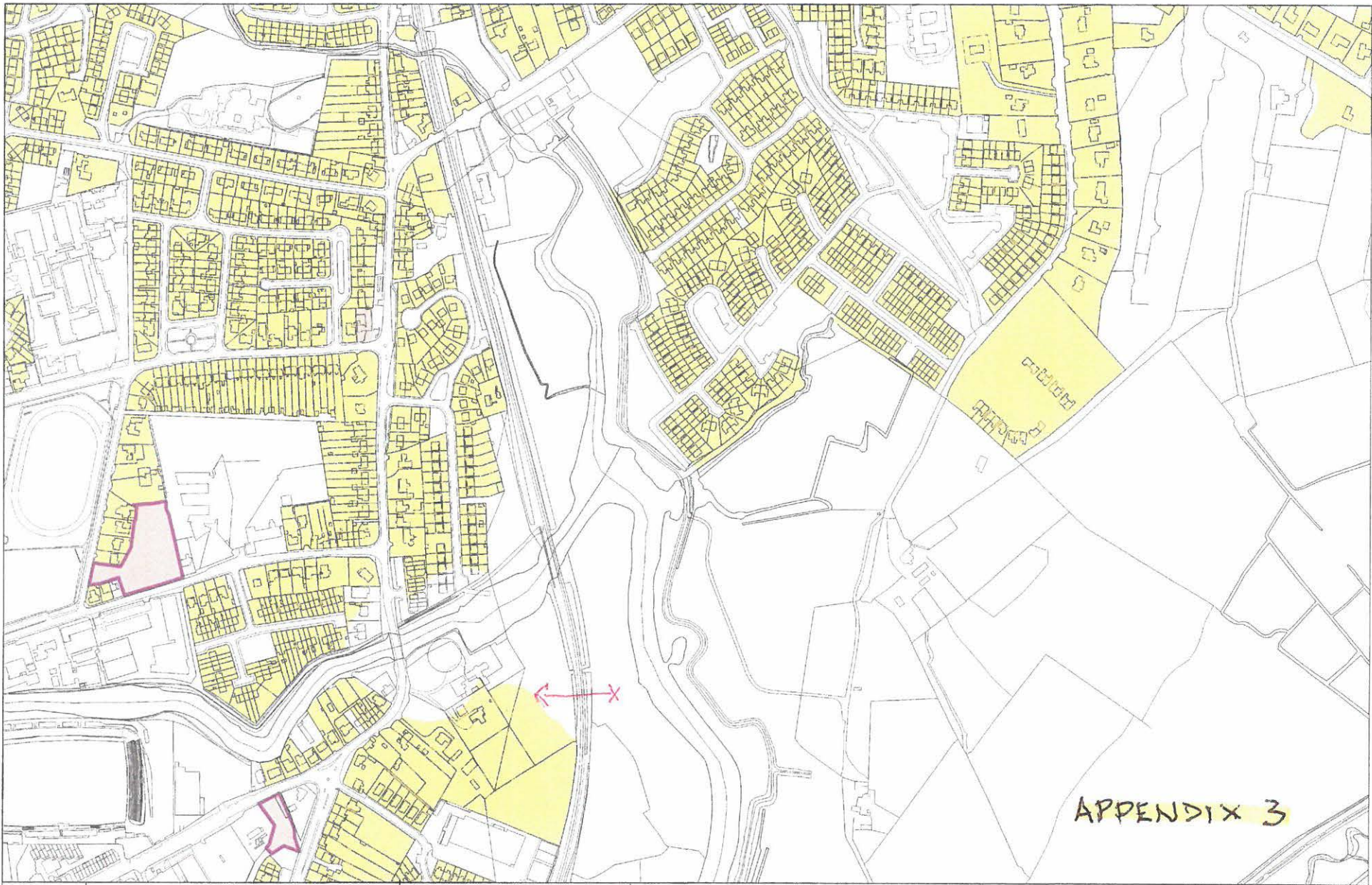
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7 CHANES

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Plot Ref. No. 1086708_L_5
Print Date: 01-MAR-2006

177620



APPENDIX 3

	<p>RESIDENTIAL ZONED LAND TAX ANNUAL DRAFT MAP</p>	<p>Ennis - Map 10</p>	<p>Map Legend:</p> <ul style="list-style-type: none"> Settlement Boundary 	<ul style="list-style-type: none"> Residential Mixed Use 	<ul style="list-style-type: none"> Residential Proposed to be excluded Mixed Use Proposed to be excluded 	<ul style="list-style-type: none"> Residential Proposed to be included Mixed Use Proposed to be included 	<p>Date: 1st Feb 2024</p>	<p>Scale: Not To Scale</p>
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APPENDIX 4



12th December 2022

Flood Risk Assessment Note for [REDACTED] at Clon Road, Ennis co. Clare

Introduction

Anthony Cawley of Hydro Environmental Ltd. was requested by [REDACTED] to prepare a hydrological technical note regarding flood risk of his families lands at Clonroadmore where its is proposed to rezone a considerable section of the lands from Low density Residential in the previous plan to Open Space in the proposed plan based on flood risk. The lands are referred to in the development plan as LDR2 lands and are bounded to the north by the River Fergus and to the east by the Galway Rail-Line. Road access to these lands is off the Tulla road adjacent to Knox's Bridge. This entrance has served the existing residential house and commercial offices to date.

Hydrological Setting

The lands at "LDR2" range in land-use from existing low density residential in the western section bounding the Clonroad to undeveloped open grassland bounding on to the ralline embankment to the east. The majority of these lands are undeveloped open grassland. The lands typically fall north eastward towards the Lower River Fergus. The elevation based on the OPW Fugro Survey carried out in 2011 as part of the CFRAM study ranges from 8.5m OD Malin in the southmost corner of the lands to 1.5 OD Malin in the north at the river-bank edge.

The River Fergus flows eastward along the sites north boundary under the rail bridge before heading south towards Clarecastle. Only the very north corner of the lands is below the 3m OD Malin contour adjacent to the River Fergus. Based on the Doora Bridge Gauge which recorded a historical maximum flood level of 2.998m OD Malin on the 1st Feb 2014 this small area at the far north corner of the lands may have flooded based on the Lidar information which has an accuracy of +/- 150mm.

These lands are in the Ownership of the [REDACTED] since 1959 and [REDACTED] has both lived and worked there for the past 63 years. Over that period there has been no physical evidence of any flooding, apart from a small section to the north east adjoining the railway bridge and portion of the SAC lands to the east of the railway line"

Flood Risk and Flood Risk Zones

The flood risk Information used to inform this technical note and the past and also used in the current draft strategic Flood Risk Assessment for the Development Plan of Ennis Town is based on the CFRAM study, published in 2015/2016 and its associated flood extents mapping based on the aerial Lidar Survey. This CFRAM study identifies fluvial and coastal flood risk associated with the Clarecastle tidal Barrage constructed in 1959 by the OPW to protect Ennis Town from tidal flooding.

The Fergus lower which is the lower reach impounded reach downstream of Knox's Bridge to the Fergus Barrage is a strategic tidal flood storage area for the River Fergus, while the sluice gates in the tidal barrage at Clarecastle are closed against high tides. This storage area has been identified worst case to flood to 3.2m OD which inundates substantial lands in the Doora/Gaurus and Bunnow Floodplain areas. For this Lower Reach which applies to the [REDACTED] Lands the predicted 100year and 1000year flood levels from the published CFRAM study are 2.99m and 3.15m OD Malin respectively. The Ennis Flood Relief scheme identified all lands in the Fergus Lower below 3.2m OD as potential strategic floodplain storage lands necessary for the Clarecastle barrage operation.

Figures 1 and 2 present the 100year and 1000year flood extents from CFRAM for fluvial and coastal flood sources at the [REDACTED] lands which show potentially a triangular section of the site located within Flood Zones A or B (high and medium flood risk) and to the south of this, a substantial portion of the site in flood Zone C (low flood risk) and suitable for residential and mixed use development. Figure 3 presents the strategic 3.2m OD contour on the [REDACTED] lands based on the available OPW lidar mapping from the CFRAM study. Similar to the CFRAM zones all lands south of this contour would be considered hydrologically suitable for development and would not impact flood risk through urban development.

It is important to point out that this extent of flooding in the north corner west of the Rail line embankment has never been observed by the [REDACTED] over the past 63years of ownership and that these flood contours are based on Lidar data which typically has a vertical accuracy of +/- 150mm but can be poorer based on vegetation cover.

It is also important to identify that the present access road off the Clonroad Road is not shown to be within the Flood Zone area and this is important as this is currently the only feasible access route that services the lands within LDR2 area.

The proposed amendment dated November 2022 shows a considerably larger area of lands to be rezoned as open space which includes much of the area to be within low flood risk Zone C lands on the site, particularly the existing entrance roadway and car parking areas. Based on the OPW lidar used in the flood extents mapping for Ennis the zoning on the land seems to follow approximately the 5m OD Contour. It is not at all clear as to the rational of this 5m OD level, in respect to flood risk, and its use is not at all consistent with other zoned development lands within the Lower Fergus and Gaurus areas of Ennis, which allow development zoning at lower ground levels.

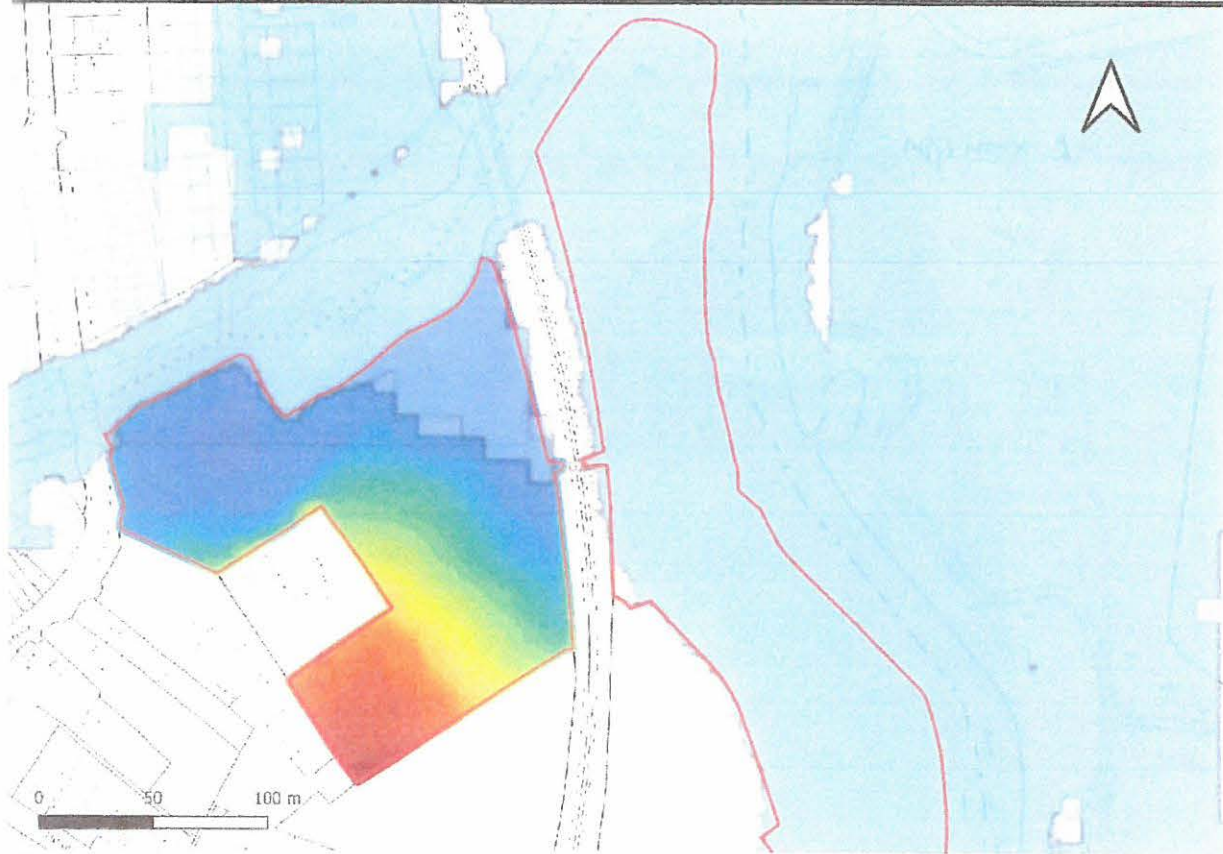


Figure 1 Fluvial Flood Risk Mapping of site based on CFRAM Assessment

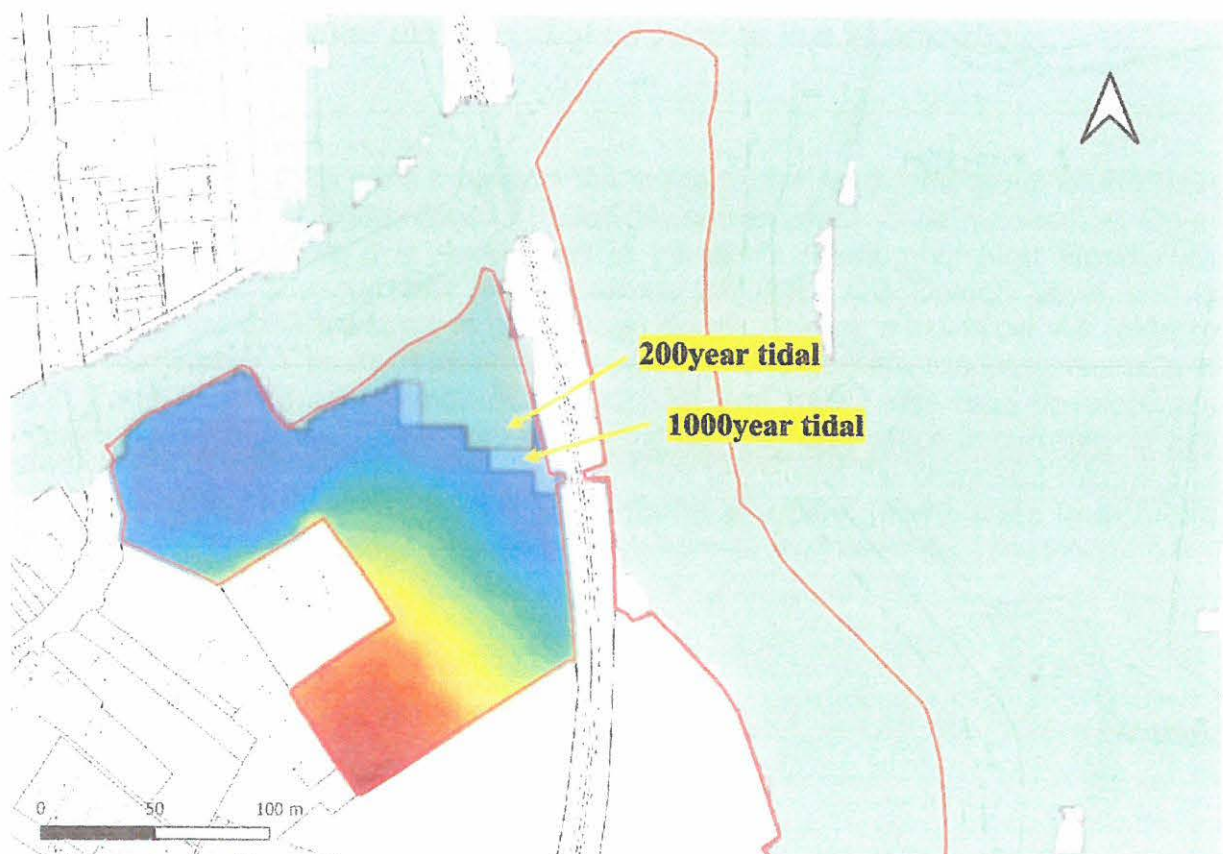


Figure 2 Coastal Flood Risk Mapping of site based on CFRAM Assessment

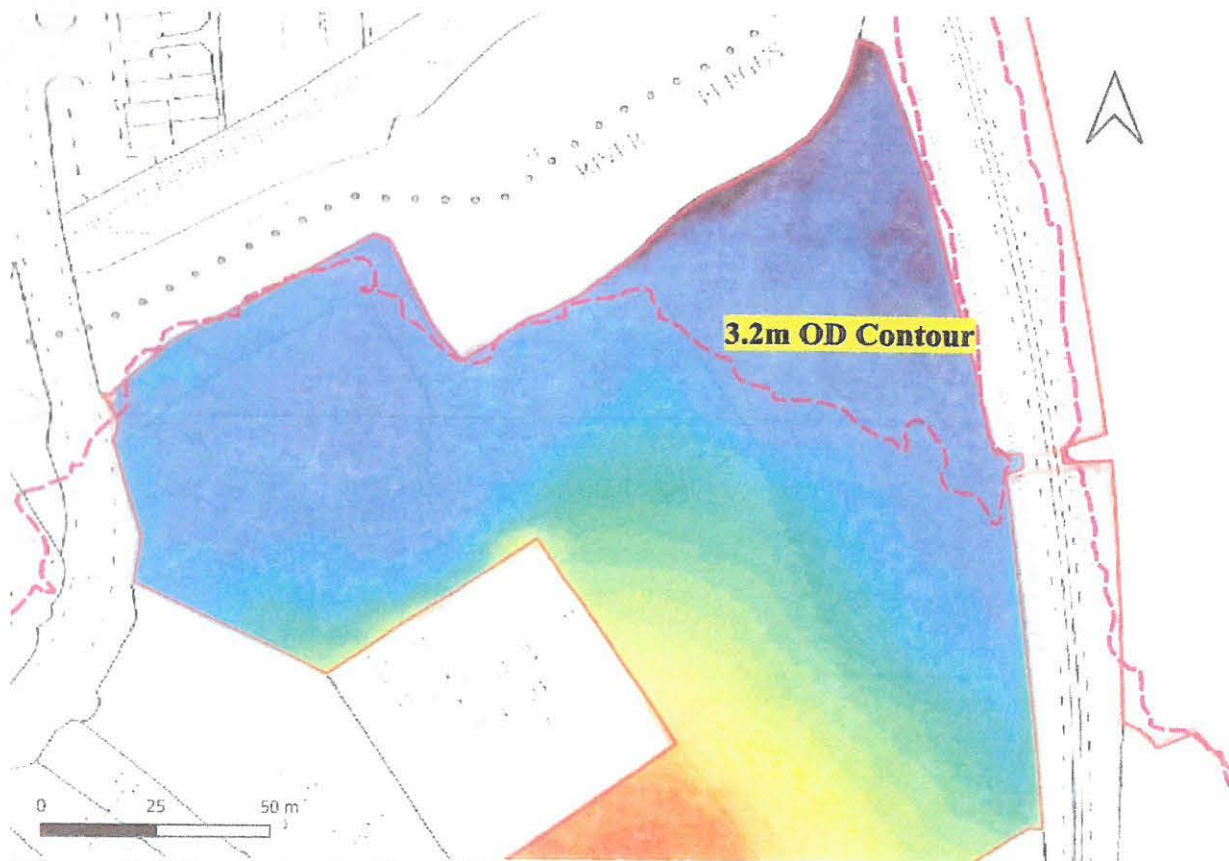


Figure 3 The strategic Flood Storage on the lands for the River Fergus Lower is located to the north of the 3.2m dashed contour line shown above

The access road which runs bounding the lands to the north and much of the land immediately south of it is proposed under the current draft to be rezoned as Open Space, suggesting that it is considered to be within medium or high Flood Risk Zones. This road is currently located above the 3.2m OD Contour level and is identified by the CFRAM study to be in Flood Zone C having a low flood risk (refer to the above figures 1 to 3). Under the flood risk Management Planning Guidelines flood Zone C lands are suitable for residential and mixed use type development including access to such developments. This access road which is currently in use represents the only feasible access to the [REDACTED] lands and the proposed rezoning to open space could have the impact of sterilising all of the [REDACTED] lands from future development.

Yours sincerely

Anthony Cawley B.E. M.Eng.Sc (Hydrology) C.Eng. M.I.E.I.
Consulting Hydrologist
On behalf of Hydro Environmental Ltd.