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Coimisiún  
Pleanála

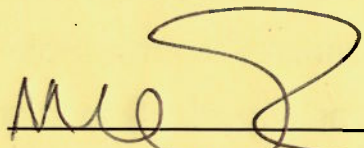
**Commission Direction**  
**CD-000431**  
**PL-500107-CE**

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The submissions on this file and the Inspector's report were considered at a meeting held on 15 April 2026.

The Commission decided to refuse permission for the following reasons and considerations.

**Planning Commissioner:**

  
**MaryRose McGovern**

**Date:**

**6<sup>th</sup> day of May 2026**

### **DRAFT WORDING FOR ORDER**

#### **Reasons and Considerations**

1. Bunratty Castle is included in the list of Protected Structures in the Clare County Development Plan 2023-2029 (RPS No. 260) which it is an objective of the planning authority to protect from unsympathetic development. It is considered

that, due to the nature of the proposed development and its proximity to the curtilage of Bunratty Castle, that the proposed development would materially affect the context and setting of the structure, and would have a significant negative impact on views of the protected structure from the north-west along the L3126, and would therefore be contrary to Objective CDP16.2 (Protected Structures) of the Clare County Development Plan 2023-2029.

2. Volume 3(b) of the Clare County Development Plan 2023-2029, comprises settlement plans for the Shannon Municipal District, including the settlement of Bunratty, and sets out general objectives for the village including the maintenance and the enhancement of the role of Bunratty as a prime tourist destination in the County, and support for the appropriate redevelopment of the subject site, part of the former Shannon Shamrock Hotel site Opportunity Site (OP1), where the plan states that an opportunity exists to establish a mix of uses which consolidate Bunratty and support its tourism function. In addition, the subject site is zoned for "Mixed Use" development in the Clare County Development Plan 2023-2029, which requires the inclusion of a range of uses, making provision, where appropriate, for primary and secondary uses, having regard to the particular character of the given area. The Development Plan goes on to state that, on lands that have been zoned 'mixed-use' in or near town or village centres, a diverse range of day and evening uses is encouraged, and an over-concentration of any one use will not normally be permitted. Having regard to the nature and land-use mix of the proposed development, it is considered that the proposal for 71% residential use and 29% retail/office use on this mixed-use village centre site abutting the curtilage of Bunratty Castle, would undermine the establishment of a mix of uses which consolidate Bunratty and support its tourism function at this

village centre location, as required by the site's Opportunity Site designation in the Clare County Development Plan 2023-2029. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the layout of the proposed development, including residential units with limited depth of private amenity space, and residential units with rear gardens defined on one side by the external wall of an adjoining property, the Commission was not satisfied with the coherence of the design and considered that the proposed layout would result in sub-standard levels of privacy and residential amenity for the future occupants of the proposed scheme and would be contrary to the standards set down in Appendix 1 (Development Management Guidelines) of the Clare County Development Plan 2023-2029 in relation to Space Around Buildings and Rear Garden lengths. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission did not share the Inspector's opinion that the proposed development would be in keeping with the provisions of the Clare County Development 2023-2029, and did not agree that it would not detract from the setting of Bunratty Castle or the character of the area. The Commission considered the proposal to be unsympathetic to the distinctive historic character of the area, and to the context of the subject site abutting the curtilage of an iconic protected structure which is a national monument.

In terms of layout and design, the Commission noted the Inspector's concerns in relation to the proximity of proposed units 29, 30, 38 and 48, to the rear boundary of their respective sites, giving rise to direct overlooking of private garden areas opposite. The Commission shared the concerns of the Inspector regarding the first-floor windows of these units which were proposed to be some 3-6m from the boundaries of other properties, and agreed with the Inspector that an adequate level of privacy would not be afforded to the overlooked gardens. The Commission agreed that suitable privacy measures had not been designed into this scheme but did not agree that this matter could be addressed by way of condition. The Commission also noted the observation of the Inspector regarding the issue of the future access and maintenance requirements for occupants of units (eg unit 41) proposed to have an external wall defining the private amenity space of a separate adjacent unit, (unit 40). The Commission did not share the opinion of the Inspector that this was not a planning consideration to be assessed in the context of the proposal.

**Note:**

Notwithstanding the comment of the Inspector that residential and retail uses are acceptable in principle on the subject site zoned "mixed use", the Commission noted from the Indicative Land Use Zoning Matrix at Appendix 2 of the development plan, that although "Residential – single dwelling" will normally be acceptable in principle on a site zoned for mixed use, nevertheless "Multiple Residential Units" are instead "open for consideration", so that a proposed use of that nature will be given consideration, *"subject to particular considerations for example, compatibility with adjoining uses, scale or whether or not the proposal is*

*prejudicial to the amenities of an area or the residential amenities of an adjoining property.”*

The Commission also noted that there are 69 permitted residential units which are currently under construction on R2 lands, and it had concerns as to whether the subject proposal would align with the core strategy of the development plan for Bunratty, which sets out a housing unit target of 41, with an allocation of 12 housing units for compact growth/infill/brownfield sites.

The Commission also noted that the archaeological feature/monument on the south eastern boundary of the site which was proposed to provide a focal point for the residential development, was not included in the open space calculation, but it had concerns regarding the usability of the green buffer area of open space around the monument, and the additional green space primarily comprising stands of mature trees.

Although ordinarily these matters might warrant further consideration and a request for further information, in this instance given the substantive reasons for refusal above, it was decided not to pursue these matters under the current appeal.