

An  
Coimisiún  
Pleanála

Commission Order  
PL-500107-CE

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**Planning and Development Act 2000, as amended**

**Planning Authority: Clare County Council**

**Planning Register Reference Number: P24/60618**

**Appeal** by Mike Fitzpatrick and by Bunratty Local Development Association against the decision made on the 25<sup>th</sup> day of September, 2025 by Clare County Council to grant, subject to conditions, a permission to Crescent Homes Limited in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Development comprising the regeneration of an existing brownfield site at the site of the former Shannon Shamrock Hotel. A seven year planning permission is sought to demolish the existing hotel and ancillary outbuildings and to provide for the phased delivery of a mixed use development including provision of: (a) 67 number residential units comprising 20 number two bed houses and 47 number three 3 bed houses; (b) one number convenience retail store of 470 square metres (net) floor area; (c) six number retail/office units including four number units of 167 square metres (net) floor area and two number retail/office units of 231 square metres (net) floor area intended to accommodate Class 1 and Class 2 uses; (d) a bat house and (e) all ancillary site development works including (i) car and bicycle

parking; (ii) bin storage; (iii) signage; (iv) two number ESB sub-stations and (v) public lighting at Former Shannon Shamrock Hotel, Bunratty, County Clare, as amended by the further public notice received by the planning authority on the 1<sup>st</sup> day of August, 2025 as follows: the revised plans include for a reduction of residential units from 67 number units to 58 number units and includes for a revised NIS.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **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, 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.

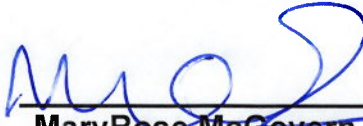
2. Volume 3(b) of the Clare County Development Plan 2023-2029, comprises settlement plans for the Shannon Municipal District, including the settlement of Bunratty, and sets out general objectives for the village including the maintenance and the enhancement of the role of Bunratty as a prime tourist 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 (for example 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.

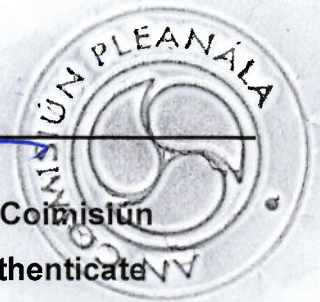


MaryRose McGovern

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate

the seal of the Commission.



Dated this 6<sup>th</sup> day of May 2026.