

From: [REDACTED]
To: [Development Plan](#)
Subject: Follow-up Submission - Proposed Variation No. 1 to the Clare County Development Plan 2023–2029
Date: Friday 3 April 2026 21:26:37

**Follow up Submission to Clare County Council
Proposed Variation No. 1 to the Clare County Development Plan 2023–2029
Re: Proposed Amendment PA3a–23a – Rezoning of Site SR8 (Pairc na Coille) to Residential (R39)**

1. Introduction

This submission relates to the proposed rezoning of Site SR8 (Pairc na Coille, Drumbiggle, Ennis) from Strategic Residential Reserve to Residential (R39).

It is submitted that the proposed rezoning is not supported by the evidence base and is inconsistent with:

- Previous planning decisions relating to the site
 - Established flood risk concerns
 - Documented ecological constraints, including protected species
 - The proper application of the Development Plan strategy
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2. Conflict with Previous Planning Decisions

The subject lands have been comprehensively assessed under Planning Ref. P23/25, which resulted in refusal of permission, subsequently upheld on appeal.

The Planning Authority concluded:

“The proposed development would be premature... and would materially contravene the zoning objective of the site as ‘Strategic Reserve’.”

Furthermore, in its response to the appeal, the Planning Authority reaffirmed:

“It is not considered appropriate to now permit this development until such time as the specific provisions of the site zoning have been addressed... so that other development sites can be brought forward.”

These findings clearly establish that:

- The lands were not intended for short-term development
- Development would undermine the plan-led, sequential approach to land release

No material change in circumstances has been identified since these determinations. The proposed rezoning therefore represents a fundamental departure from the Planning Authority’s own recent and considered position.

3. Flood Risk and Infrastructure Constraints

The Environmental Assessment Officer's report identifies existing and unresolved flood risk issues associated with the site:

“The Cahercalla Stream... is piped... through Willsgrove... through a culvert... [which] is regularly blocked... resulting in road flooding at that location...”

This is a critical finding, demonstrating that:

- Flooding is already occurring within the receiving environment
- The drainage infrastructure is constrained and prone to failure
- The site contributes to an existing hydrological system that is not fully understood or adequately resolved

In this context, the rezoning of lands without first addressing these known constraints is not consistent with a precautionary or evidence-based approach to flood risk management.

4. Ecological Constraints – Lesser Horseshoe Bat

The ecological sensitivity of the site has been clearly established through multiple assessments.

The Department of Housing, Local Government and Heritage (Development Applications Unit) states:

“The bat surveys carried out have identified the usage of the site by the Lesser Horseshoe Bat... [the development] will result in... loss of... feeding habitat.”

The same submission highlights a key Development Plan objective:

“To ensure there is no net loss of potential Lesser Horseshoe Bat feeding habitats... within 2.5 kilometres of known roosts.”

In addition, the Environmental Assessment Officer concluded:

“The Lesser horseshoe bats recorded on site is of international importance...”

and further:

“The loss of vegetation, trees, scrub across this site would represent a significant loss...”

These findings demonstrate that:

- The site forms part of a sensitive ecological network
 - The habitat value is significant, potentially of international importance
 - Development would result in direct habitat loss and fragmentation
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5. Legal and Regulatory Considerations

The DAU further advised:

“Any potential derogation must necessarily be adopted before development consent is given.”

This reflects the requirements of the Habitats Directive and associated Regulations.

Rezoning land in advance of resolving such constraints introduces a clear risk that:

- Development facilitated by zoning may not be legally permissible
- The plan may not be capable of implementation without contravening environmental law

This raises serious concerns regarding the robustness of the proposed variation.

6. Inconsistency with Plan-Led Development

The Development Plan identifies Strategic Residential Reserve lands as part of a long-term, sequential approach to growth.

The Planning Authority has already determined that:

- These lands should not be brought forward ahead of other sites
- Premature development would undermine the Development Plan strategy

Rezoning the site at this stage, in the absence of any new supporting evidence, represents a clear inconsistency with this approach.

7. Conclusion

Having regard to:

- The Planning Authority’s previous refusal and stated reasoning
- Documented flood risk and infrastructure constraints
- Confirmed ecological sensitivity and protected species presence
- Applicable legal and policy requirements

It is considered that the proposed rezoning of Site SR8 to Residential (R39):

- Is not supported by sufficient or updated evidence
- Is inconsistent with previous planning assessments
- Conflicts with Development Plan objectives

Introduces avoidable environmental and legal risk

8. Recommendation

It is recommended that:

- The proposed rezoning of Site SR8 be **removed**, and
 - The lands be retained as **Strategic Residential Reserve**, or alternatively
 - Consideration be given to zoning that reflects the site's environmental and hydrological function
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Regards,

Seán Connolly