

**From:** [REDACTED]  
**To:** [Development Plan](#)  
**Subject:** Submission to Variation No.1 to the Clare County Development Plan 2023-2029  
**Date:** Tuesday 7 April 2026 15:59:31  
**Attachments:** [REDACTED]

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Dear Sir/Madam,

I wish to make a submission regarding the proposed zoning of lands identified as R12 within the PROPOSED VARIATION NO. 1 TO THE CLARE COUNTY DEVELOPMENT PLAN 2023-2029 for Kilrush.

Please see attached the grounds on which this submission has been placed.

When will the decision be made on this variation to the Clare County Development Plan 2023-2029?

Thanks,  
Kind Regards,  
Lisa Whelan

The Planning Department,  
Clare County Council,  
New Road,  
Ennis,  
Co.Clare  
V895 DXP2  
07Apr2026

Re: Submission on Proposed Variation No. 1 To The Clare County Development Plan 2023-2029;  
Objection to Proposed Residential Zoning of R12, Kilrush

Dear Sir/Madam,

I wish to make a submission regarding the proposed zoning of lands identified as R12 within the Proposed Variation No. 1 To The Clare County Development Plan 2023-2029 for Kilrush.

My family and I are private residence living within the existing settlement town boundary line in 60 Beal an Inbhir, Leadmore West, Kilrush, Co.Clare. As a local resident, I have serious concerns regarding the proposed residential zoning of these lands. The proposed zoning appears to represent an unjustified extension of the settlement boundary, conflicts with the sequential approach to development required under national planning policy and appears to be inconsistent with the reasoning underpinning the Ministerial Direction issued in relation to lands in Kilrush R5.

This submission has been placed on the following grounds;

- I. Conflict with National Planning Policy and Compact Growth Objectives
- II. Failure to Apply the Sequential Approach to Development
- III. Inconsistency with Ministerial Direction Relating to Kilrush R5
- IV. Settlement Boundary and Compact Growth Considerations
- V. Tiered Approach to Land Zoning
- VI. Site Access and Traffic Safety
- VII. Loss of Native Species and Mature Trees
- VIII. Loss of Residential Amenity
- IX. Subsidence Issues
- X. Lack of Evidence Demonstrating Need
- XI. Request for Removal of Proposed Zoning
- XII. Referral to the Office of the Planning Regulator

These reasons are discussed in more detail in the proceeding pages. In summary I respectfully request that the lands identified as R12 be removed from residential zoning and retained as agricultural lands.

## I. Conflict with National Planning Policy and Compact Growth Objectives

Development Plans must be consistent with national planning policy, including the National Planning Framework, which requires planning authorities to prioritise compact growth and consolidation of existing settlements.

Compact growth requires that development occurs primarily:

- within the existing built footprint of settlements
- through infill and regeneration
- by utilising serviced and sequentially located lands

The proposed zoning of lands at R12 appears to extend the settlement boundary into peripheral lands rather than consolidating the existing urban structure of Kilrush. This approach risks encouraging urban sprawl, inefficient infrastructure provision and car-dependent development patterns, which conflicts with national planning policy objectives.

## II. Failure to Apply the Sequential Approach to Development

Planning policy requires that zoning follows a sequential approach, whereby development proceeds:

- within the town centre
- on infill or brownfield sites
- on lands adjacent to the existing built-up area
- and only then on outer greenfield lands where justified

The lands identified as R12 are located on the outer edge of the town and do not represent a logical sequential extension of the existing settlement structure. Land remains located closer to the town centre and within the existing settlement footprint that would appear more appropriate for residential development. The zoning of R12 therefore risks encouraging leap-frog development patterns, undermining the sustainable and compact growth of Kilrush.

## III. Inconsistency with Ministerial Direction Relating to Kilrush R5

It is particularly relevant that a Ministerial Direction issued under Section 31 of the Planning and Development Act 2000 on 3 August 2023 required that lands previously zoned as Kilrush R5 revert from Residential zoning to unzoned “white lands.”

2023.08.03-S.-31-Final-Direction

The Direction identified concerns regarding the zoning of peripheral lands and the need to ensure that Development Plans align with national planning policy and the sequential development of

settlements. It is important to note that the lands previously zoned as R5 are located closer to the town centre than the lands now proposed as R12. In this context, it is difficult to understand how lands located further from the town centre can now be considered appropriate for residential zoning, when lands in a more central location were previously required to revert to unzoned status. This raises concerns regarding the consistency of the proposed zoning with the reasoning underpinning the Ministerial Direction.

#### IV. Settlement Boundary and Compact Growth Considerations

The proposed zoning of lands at R12 appears to represent a significant outward extension of the settlement boundary into open countryside, rather than a logical consolidation of the existing built form of Kilrush.

Guidance from the Office of the Planning Regulator emphasises that settlement boundaries should reflect:

- the existing built footprint of a town
- compact and logical growth patterns
- the avoidance of premature or peripheral expansion

The proposed zoning appears to push the settlement boundary further outward into undeveloped lands, which raises concerns regarding urban sprawl and inefficient settlement structure.

#### V. Tiered Approach to Land Zoning

The National Planning Framework requires planning authorities to apply a tiered approach to land zoning, whereby lands zoned for residential development should be capable of being serviced and developed within the lifetime of the Development Plan.

Given the peripheral location of the lands identified as R12, it is unclear whether these lands can be considered Tier 1 lands capable of immediate development, or whether they would require significant additional infrastructure investment.

Zoning lands that are not demonstrably serviceable within the lifetime of the plan would be inconsistent with national planning policy and the tiered approach to land zoning.

#### VI. Site Access and Traffic Safety

This site occupies a key location to the entrance to Kilrush from the road or the water via the Marina. The design and layout of future housing in this area must create an attractive entrance to the town from the West. Housing must address the public road and proposals to enhance the roadside open space area, must also be included in the application. Dependent on the proposed site and development layout, pedestrian access point may be required to provide convenient pedestrian connectivity to the town centre and encourage sustainable travel options.

The proposed development would add traffic to an area in which there are already many complex movements which occur in a narrow section of road. Any proposed vehicular access on this development would lead to major traffic issues in the area as the road adjoining this site is a secondary road which doesn't have the width for two vehicles to pass when in motion. This area isn't suitable for residential zoning due to the lack of pedestrian footpaths between the proposed development site and the town centre.

CDP A1.6.1 of the Draft Clare County Development Plan 2023-2029 states that:

Cycle Routes, Footpaths and Roads, Walking and Cycling

*“To promote the modal shift away from the private car to more sustainable modes of transport a central element of the design of any new development, including new road infrastructure, shall be walking and cycling facilities that are well connected, safe, attractive and accessible. Footpaths shall be designed to allow pedestrians pass each other in comfort, and shall accommodate persons with mobility issues and visual impairments”*

In addition residential development of this site which borders the graveyard for the settlement area of Kilrush is not future proofing, the inevitable graveyard expansion.

## VII. Loss of Native Species and Mature Trees

There are mature trees to the West of this agricultural zone which would potentially be felled if development were to occur in this land currently zoned as agricultural land. I understand that these trees provide habitat for Bats which are protected species under the Wildlife Acts 1976-1990. I reside adjacent to this land and have witnessed Bat actively at this location during the Summer months. To interfere with the habitat of such a protected species is an offence under the Wildlife Acts. The loss of the mature trees in this area will inevitably result in the loss of the Bats habitat.

CDP 15.19 of the Draft Clare County Development Plan 2023-2029 states that:

*It is an objective of Clare County Council:*

*c) To protect individual or groups of trees within the Plan area which are important for environmental, recreational, historical, biodiversity and/or aesthetic reasons or by reason of contribution to sense of place, including groups of trees which correspond with protected habitats, or which support protected species, under the Habitats Directive;*

The above mentioned mature trees which provide a habitat for the Bats are thus protected under the Plan.

In addition to Bat activity, high level of other wildlife activity such as hedgehogs, moles and birds have been noted in this area. One bird species of particular interest noted in this area is the endangered Hen Harrier. The Hen Harrier is a fully protected species in Ireland under the EU Birds Directive and under the national Wildlife Act 1976 & Amendment Act 2000.

CDP 3.1 of the Draft Clare County Development Plan 2023-2029 states that:

It is an objective of the Clare County Council:

*a) To require compliance with the objectives and requirements of the Habitats Directive, specifically Article 6(3) and where necessary 6(4), Birds, Water Framework, and all other relevant EU Directives and all relevant transposing national legislation;*

*b) To require project planning to be fully informed by ecological and environmental constraints at the earliest stage of project development and any necessary assessment to be undertaken, including assessments of disturbance to species, where required;*

*c) To protect, manage and enhance ecological connectivity and improve the coherence of the Natura 2000 Network;*

Has any detailed environmental assessment of the wildlife in this agricultural area, lands marked "R12" been performed since this amendment to the PROPOSED VARIATION NO. 1 TO THE CLARE COUNTY DEVELOPMENT PLAN 2023-2029?

#### VIII. Loss of Residential Amenity

The zoning of this agricultural land will potential seriously impact our residential amenity. The proximity of the proposed development to my property will potentially result in noise and air disturbance during the proposed development, noise from increased traffic and affect the quality of day light due to overshadowing. The topography of the adjoining field site will inevitably negatively affect our privacy and thus result in a loss of residential amenity in this picturesque location.

Due to the lack of a master plan or any specific details regarding the style and density of this proposed development, it is difficult to state whether our residential amenity will be protected as per CDP14.2 of the Draft Clare County Development Plan 2023-2029 if this land is zoned.

CDP14.2 states; It is an objective of Clare County Council:

*"To permit development in areas designated as 'settled landscapes' to sustain and enhance quality of life and residential amenity and promote economic activity subject to:*

*I. Conformity with all other relevant provisions of the Plan and the availability and protection of resources;*

*II. Selection of appropriate sites in the first instance within this landscape, together with consideration of the details of siting and design which are directed towards minimising visual impacts;*

*III. Regard being had to the need to avoid intrusion on scenic routes and on ridges or shorelines. Developments in these areas will be required to demonstrate: - a) That the site has been selected to avoid visual prominence*

*b) That the site layouts avail of existing topography and vegetation to reduce visibility from scenic routes, walking trails, water bodies, public amenities and roads.*

*c) That design of buildings and structures reduces visual impact through careful choice of forms, finishes and colours, and that any site works seek to reduce visual impact".*

#### IX. Subsidence Issues

The rezoning of this agricultural land will potential seriously impact our residence and site due to the topography of the adjoining land. The site our house is built on is infilled land which borders the existing town boundary line. There is approximately 3.5 meters between the location where our house is placed on our site and the adjoining land which consequently will have major drainage and subsidence issue if development happens in this area.

## X. Lack of Evidence Demonstrating Need

Planning authorities are required to ensure that zoning decisions are evidence-based and aligned with realistic population and housing projections. There does not appear to be clear evidence demonstrating that the zoning of lands at R12 is required to meet housing demand within Kilrush during the lifetime of the Plan, without such evidence, the zoning of additional peripheral lands risks contributing to over-zoning and unsustainable development patterns.

## XI. Request for Removal of Proposed Zoning

In light of the issues outlined above, I respectfully request that the planning authority, remove the proposed Residential zoning (R12) from these lands and retain the lands as agricultural lands or strategic reserve lands pending future review.

This approach would support the sustainable and compact development of Kilrush, consistent with national planning policy and the sequential approach to development.

## XII. Referral to the Office of the Planning Regulator

Should the proposed zoning of R12 proceed despite the concerns outlined above, I intend to refer this matter to the Office of the Planning Regulator for review.

Given the previous Ministerial Direction relating to Kilrush R5 and the apparent inconsistency between that Direction and the proposed zoning of lands further from the town centre, it is important that the matter be examined to ensure that the Development Plan is fully consistent with national planning policy and statutory planning obligations.

The proposed zoning of lands identified as R12 represents an unjustified extension of the settlement boundary and appears inconsistent with:

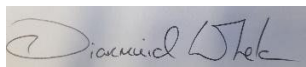
- the compact growth objectives of the National Planning Framework
- the sequential approach to development
- the tiered approach to land zoning
- the reasoning underpinning the Ministerial Direction relating to Kilrush R5

Accordingly, it is respectfully requested that the proposed zoning be removed prior to the adoption of the Plan.

Please do not hesitate to get in touch if you have any queries on my submission.

Kind Regards,

Signed   
Lisa Whelan

Signed   
Diarmuid Whelan