

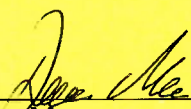
An
Coimisiún
Pleanála

Direction
CD-020244-25
ABP-322152-25

The submissions on this file and the Inspector's report were considered at a meeting held on 15/07/2025.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning Commissioner:


Declan Moore

Date: 17/07/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. The existing public wastewater treatment plant serving Ennistymon Town (D000081) does not meet its emission limit values as required in its licence and, therefore, poses a threat to the water quality of the transitional waterbody of the Inagh Estuary. Notwithstanding the applicant's proposal to install a wastewater treatment plant on site to treat the effluent before it reaches the public sewer network, and a Confirmation of Feasibility received from Uisce Éireann, the public network as indicated in the latest Annual Environmental Report (2023) is failing to work efficiently and is not compliant with the ELVs as set out in the wastewater discharge licence. Having regard to the foregoing and based on the most up to date scientific evidence, the Commission is not satisfied that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on the water quality of the Inagh River and Estuary.

2. Having regard to the location and scale of the proposed development, and the linked Service Town designation of Ennistymon/Lahinch in the Clare County Development Plan 2023-2029, and the Retail Planning Guidelines for Planning Authorities (2012), it is considered that the Retail Impact Assessment submitted with the planning application has not assessed the impact of the proposed development on the towns within the Ennistymon catchment area, as identified in the Retail Strategy for the county, and that the need for an additional convenience store for Ennistymon Town at this location has not been justified and has not assessed its impact on the vitality and viability of the Ennistymon catchment area, which would be contrary to the Retail Planning Guidelines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note

While the Commission had regard for the amended drawings submitted on appeal by the applicant with respect to the achievement of 70 metre visibility splays at the access/egress with the national road, the Commission noted that the works required to implement the proposed solution, and a likely requirement for changes on the national road to facilitate safe traffic movements, would require landowner consent, but given the substantial reasons for refusal determined not pursue this matter.