

An
Coimisiún
Pleanála

Commission Order
ABP-317144-23

Planning and Development Act 2000, as amended

Planning Authority: Clare County Council

Planning Register Reference Number: 22709

APPEAL by Sean Walzer of 4 Greenpark, Ennis, County Clare, Health Service Executive, Estates West care of Tom Phillips Associates of 80 Harcourt Street, Dublin, and by Others against the decision made on the 28th day of April 2023, by Clare County Council to grant, subject to conditions, a permission for the proposed development.

Proposed Development: Construction of a part two storey, part single storey 100 bed residential community nursing unit (CNU) including, main entrance foyer block; production kitchens; offices; plantroom; courtyard gardens with ancillary support accommodation and an enclosed gated delivery yard incorporating a maintenance building and generator. The development will also consist of the provision of a vehicular, pedestrian and cycle entrance and access road off the Turnpike Road into the site, installation of new services and drainage, provision for roof mounted photo voltaic panels, the provision of a sustainable urban drainage system and new access roads, cycle lane and footpaths with associated hard and soft landscaping, boundary walls and fencing, siteworks, cycle bays and parking for 101 cars (inclusive of EV and disabled spaces) and set down for an ambulance all at lands at Clonroadmore, South-East of Turnpike Road and North-West of Saint

Flannan's College, Ennis, County Clare as amended by the further public notices received by the planning authority on the 21st day of February 2023 and by An Coimisiún Pleanála on the 11th day of July 2025.

Decision

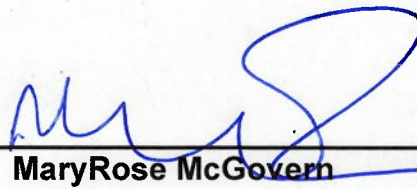
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

Having regard to the information on file, including the applicant's submission dated the 3rd day of June 2025, including drawing number G2029DR0002 Rev P03, of the proposed re-designed foul drainage layout to the west of the site, and in the absence of detailed information regarding the proposal to discharge to a private-side pump station, to facilitate connection to the wastewater network, along Turnpike Road/Collins Park, the Commission is not satisfied that the applicant has clearly demonstrated that the proposed arrangements for wastewater disposal from the proposed development, including the manner of the connection to Uisce Éireann infrastructure, are adequate to cater satisfactorily for the proposed development.

The Commission is satisfied that Uisce Éireann, as the competent authority, provided a Confirmation of Feasibility to the applicant, regarding the preferred connection point to the west, for wastewater discharge from the proposed development. Nevertheless, in the absence of detailed information regarding the redesigned proposal to discharge to a private-side pump station, to facilitate connection to the wastewater network, inadequate information is available regarding revised site layout, pump specifications, pump noise levels, odours, or storing of waste prior to pumping, and an assessment of their potential impacts, in order for the Commission to be satisfied regarding

the proposed redesigned wastewater strategy. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



MaryRose McGovern

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 8th day of December 2025.