

Planning and Development Act 2000, as amended

Planning Authority: Clare County Council

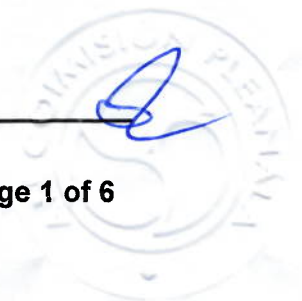
Planning Register Reference Number: 2560715

Appeal by Míceál Neylon against the decision made on the 23rd day of January, 2026 by Clare County Council to grant subject to conditions a permission to Ennis Vehicle Centre Limited in accordance with the plans and particulars lodged with the said Council

Proposed Development: (a) Reconfiguration and change of use of existing workshop building to accommodate updated HCV and LCV testing arrangements and machinery storage, (b) minor alteration/extension to entrance of HCV testing area, (c) provision of additional entrance/exit doors, (d) change of use of existing canteen to customer waiting area, (e) retention of and continuation of established vehicle testing operations (HCV and LCV) within existing facility, and (f) landscaping, delineated parking spaces and ancillary site works all at Lismulbreeda, Darragh, Ennis, County Clare.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.



Reasons and Considerations

Having regard to Section 6.21 (Rural Enterprise) of the Clare County Development Plan 2023-2029, to the permitted and established use of the subject site as a vehicle testing centre, to the nature and scale of the proposed development and development proposed to be retained including the internal reconfiguration of the existing workshop, the proposed cessation of vehicle repair function, and the modest extension to the existing structure to meet revised Road Safety Authority compliance standards for vehicle testing, without a material intensification of throughput or activity on site, and having regard to the planning history on the site and its environs, it is considered subject to compliance with the conditions set out below that the proposed development and development proposed to be retained would not seriously injure the amenities of the area or the amenities of property in the vicinity, and would be acceptable in terms of traffic safety. The proposed development and the development proposed to be retained, would, therefore, be in accordance with the proposer planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation, the Commission noted the Inspector's reference to the developer's Planning Support Statement setting out that no new lighting was proposed as part of the development. The Commission was satisfied on the basis of the information provided with the application and appeal, and also having regard to condition number 2 of this permission, that the proposed development and development proposed to be retained would not result in a risk of potential disturbance to bats associated with lighting operations, and that the possibility of significant effects on Knockanira House Special Area of Conservation (SAC) could be ruled out.

The Commission also noted the Inspector's concerns regarding the impact of the proposed development and development proposed to be retained on the existing on-site wastewater treatment system (WWTS), and compliance with

the Environmental Protection Area's Code of Practice for Domestic Wastewater Treatment Systems Single Houses (PE. ≤10) (2021). Having noted the nature of the proposed use, and that the proposed development and development proposed to be retained did not include a material intensification of activity, the Commission was satisfied that there was no evidence that the proposed development and development proposed to be retained would result in additional loading on the existing Waste Water Treatment System and the Commission did not share the Inspector's concerns that the proposed development and development proposed to be retained would give rise to negative impacts on groundwater quality, or a risk to public health. The proposed development and development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. No additional lighting is permitted within this permission.

Reason: In the interest of clarity.

3. Prior to the commencement of the development, the developer shall submit, for the written agreement of the planning authority, a revised Site Layout Plan which makes provision for the safe movement of pedestrians between the permitted parking area and the entrance to the test centre.

Reason: In the interest of pedestrian safety.

4. Details of the materials, colours and textures of all proposed external finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

5. Prior to the commencement of the development, the developer shall submit, for the written agreement of the planning authority, details for the management of all surface water generated within the site boundaries, which shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road, adjoining properties or into the wastewater treatment system.

Reason: In the interest of traffic safety, orderly development and to prevent pollution.

6. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

7. The site shall be landscaped as follows:

- (a) The full perimeter of the site shall be planted in accordance with the drawings and particulars received by the planning authority on the 20th day of November 2025.
- (b) This landscaping shall be implemented not later than the first planting season after commencement of the development. Any planting that is diseased or fails within two years of planting shall be replaced.

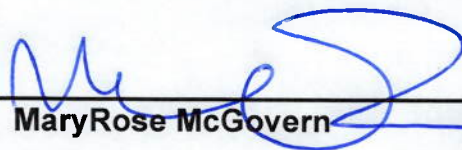
Reason: To protect the character of the rural area and to protect adjacent amenities.

8. The proposed development shall only operate between the hours of 0800 to 1800 Mondays to Fridays, and from 0800 to 1300 hours on Saturdays and not at all on Sundays and Public Holidays.

Reason: In the interests of adjacent amenities and orderly development, and to control the intensity of development on the site.

9. The developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the Planning Authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the Planning Authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under Section 48 of the Act be applied to the permission.


MaryRose McGovern

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



Dated this 22nd day of June 2026