



An
Bord
Pleanála

Inspector's Report PL03.247276

Development

Change of use from a shop to a betting office and other associated site works.

Location

At the premises formerly Conway's (a protected structure) on the corner of Church Street, The Square, Ennistymon, Co. Clare.

Planning Authority

Clare County Council

Planning Authority Reg. Ref.

16/528

Applicant(s)

Bar One Racing

Type of Application

Permission

Planning Authority Decision

Refusal

Type of Appeal

First Party -v- Decision

Appellant(s)

Bar One Racing

Observer(s)

Paul Tully

Ennistymon Residents, Parents, and
Business Owners Group

Dr Michael Harty TD

Date of Site Inspection

24th November 2016

Inspector

Hugh D. Morrison

1.0 Site Location and Description

- 1.1. The subject buildings are located in the centre of Ennistymon on the eastern side of The Square and on the north eastern corner of the junction between The Square and Parliament Street. (The Square lies on the Main Street/Church Street through the town centre, which forms part of the N67). These buildings and their rear yard extend over an area of 0.0196 hectares.
- 1.2. The subject buildings are of three storey form. These buildings were originally three separate adjoining buildings with frontages onto The Square. They have been amalgamated at ground floor level to form a single shop and the two more northerly ones have, likewise, been amalgamated at first and second floor levels to provide associated storage spaces and offices. The remaining southerly building has a two-bed apartment on each of its two upper floors.
- 1.3. The shop front to the most northerly of the three buildings is an original traditional shop front. The shop fronts on the most southerly of these buildings to The Square and Parliament Street appear to be more modern replicas of this original traditional shop front. The middle of the buildings has a window in place of a blocked-up door.

2.0 Proposed Development

- 2.1. The proposal would entail the change of use of the shop to a betting office. At present this shop is vacant. Its ground floor extends over an area of 129.62 sqm. (The total floorspace of the subject buildings is 388.86 sqm).
- 2.2. The proposal would entail external and internal alterations to facilitate the new use. Thus, the existing projecting "Lottery" sign would be removed from the first floor level of the front elevation and a projecting sign for the betting office would be installed at this level on this elevation and at first floor level on the gabled side elevation to Parliament Street. The three existing shop front fascia signs would have their existing lettering removed and replaced with the lettering of the proposed betting office, i.e. "G. Conway" and "Conway's" would be removed from the original and replica shop fronts and replaced with "Bar One Racing". Three satellite dishes would be installed at second floor level on the rear elevations of the subject buildings, too.

- 2.3. Internally, the existing counter would be retained and the most easterly portion of the floorspace would be laid out to provide a staff office, toilet and tea and coffee area. The northernmost wall would be utilised to provide 5 TV screens, one of which would be set at an angle within the shop window. Counters and stools would be arranged to face these screens. A door in this wall to the hall and stairs to the upper floors would be blocked-up and the existing back door beside this wall would be set further into the floorspace to obviate a small recessed area.

3.0 Planning Authority Decision

3.1. Decision

Refused for the following reasons:

- 1. Having regard to the location of this prominent corner site in the centre of Ennistymon, the policies and objectives as set out in the Clare County Development Plan 2011 – 2017 (as varied) and the North Clare Local Area Plan 2011 – 2017, which seek to safeguard the existing character of Ennistymon town centre by permitting development that respects the existing built heritage and encourages regeneration through appropriate renovation and redevelopment of derelict buildings (Objective 6 NCLAP 2011 – 2017), to encourage the provision (where not already provided) of good quality convenience outlets capable of supporting a main food shopping trip in or on the edge of the town centre, and to support Ennistymon as an important centre for the balanced provision of convenience goods and retail services, it is considered that the proposed change of use to a betting office would contravene these policies and objectives and would have a negative impact on the viability and vitality of Ennistymon town centre. The proposed development would, therefore, be seriously injurious to the amenities of the area, depreciate the value of property in the vicinity, and be contrary to the proper planning and development of the area.*
- 2. It is an objective of the Council to ensure that all development proposals to protected structures within Architectural Conservation Areas ensure the protection of their character. Having regard to the use and nature of the proposed development and the consequent relationship with the Ennistymon Architectural Conservation Area, the streetscape, the designation of the premises as a protected structure (ref. 337), and the prominent location of the proposal site within*

Ennistymon Architectural Conservation Area, it is considered that the proposed development would have an adverse impact on the character of the protected structure and the Architectural Conservation Area, would be contrary to Development Plan Objectives CDP 18.1 and 18.2(a) of the Clare County Development Plan 2011 – 2017 (as varied) and therefore would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

See reasons for refusal.

3.2.2. Other Technical Reports

Architectural Conservation Officer: Objection raised, as the proposal would remove a shop from the most prominent and vibrant location in the centre of Ennistymon, a historic market town, with potential adverse effect upon the character of the protected structure and the ACA.

3.3. Prescribed Bodies

- TII: Defers to the planning authority.
- An Taisce: Design, water management and public/road safety concerns raised.
- DAHRRGA: Attention is drawn to the more northerly of the single-bay buildings, which appears on the NIAH under reg. no. 20300206. The shop fascia sign on this building should be retained, as should other non-modern signs on the adjoining buildings. While the question of use and the safeguarding of prominent locations in the interests of regeneration is recognised as a valid concern for the planning authority, this question lies outside the remit of the Department.

3.4. Third Party Observations

See summary of observers' submissions.

4.0 Planning History

00/2500: Change of use of existing dwelling house to retail outlet, including associated shop fronts, store and two apartments: Permitted.

5.0 Policy Context

5.1. Development Plan

Under the Clare County Development Plan 2011 – 2017 (CDP), Ennistymon is identified as a service town and the more northerly of the three subject buildings is identified as a protected structure (RPS ref. no. 377). Objective 18.1 undertakes to protect all structures which are of special architectural, historical, archaeological, artistic, cultural, scientific, social, or technical interest and Objective 18.2(a) undertakes “To ensure that development proposals within ACAs protect their character.”

Under the North Clare Local Area Plan 2011 – 2017 (LAP), the subject buildings are shown as lying within the town centre ACA, which is zoned “mixed use”. Betting offices are deemed to be “open for consideration” therein. Objective 6 for Ennistymon undertakes “To safeguard the existing character of the town centres by permitting development that respects the existing built heritage and encourages regeneration through appropriate renovation and redevelopment of derelict buildings.”

5.2. Ecological Designations

The Inagh River, which flows through Ennistymon to the south of the subject buildings, forms part of the Inagh River Estuary SAC and the Inagh River Estuary NHA.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant sets out the background to the proposal. The subject building, which formerly comprised three separate buildings, has over time merged into one. It was refurbished externally and internally 15 years ago and its ground floor use was used up until April 2016 as a newsagent's.

The following grounds of appeal are cited:

(i) Land use planning policy and development objectives

- Under the County retail strategy, Ennistymon is a tier 3 level 2 town centre, which serves its own population and that of Lahinch and their collective hinterlands. The LAP addresses retailing in this town and the subject building, which lies in the town centre, is zoned for mixed use, i.e. a range of uses, making provision where appropriate, for primary and secondary uses, e.g. commercial/retail development as the primary use with residential development as a secondary use.
- While the use of a betting office is only acceptable in principle in commercial areas, neither the CDP nor the LAP have policies or objectives that either expressly or indirectly prohibit this use.
- Within the town centre there are in excess of 78 ground floor commercial premises. Only one of these premises is in use as a betting office and so the proposed addition of a second one would not, by any measure lead to an over concentration of this use. In this respect, there were formerly two betting shops in the town centre.
- In the light of the above, the proposed use would be appropriate in terms of land use and the policies and objectives of the CDP and LAP.

(ii) Vitality and viability of the town centre

- The town centre is undergoing a period of change that is typical of town centres elsewhere in the country. A health check of this town centre suggests that, while it may appear vibrant due to the presence of brightly coloured

buildings and traffic, of the aforementioned 78 premises, 25 are currently vacant. This figure represents a high vacancy rate of 32% and it indicates a lack of investment and commercial activity with no immediate prospect of significant reversal.

- Against the foregoing backdrop, the proposed betting office would contribute positively to the vitality and viability of the town centre. It would not lead to the loss of a retail unit as the ground floor of the premises are currently vacant and it would entail the welcome resumption of commercial activity in these premises, which would generate footfall. As a modern betting office, its presence would be bright and colourful and its interior would incorporate plasma screens and other high-technology devices.
- The concern that the proposed betting office would devalue properties in the vicinity is unfounded.

(iii) Active frontage

- The proposal would not entail any alterations to the existing shop fronts to the subject building. The existing fasciae would be utilised for the purpose of signage.
- The concern over dead frontages is overdrawn as the existing shop fronts incorporate modestly dimensioned windows rather than large display windows.
- Signage could be controlled by condition.

(iv) Built and urban conservation

- Exception is taken to the Architectural Conservation Officer's comments. The proposal would not result in dereliction: quite the reverse as the resumption of an active use of the ground floor premises would fund the upkeep of the protected structure within the ACA and thus further relevant policies and objectives of the CDP and LAP in these respects.

(v) Established application of planning policy

- Attention is drawn to application 13/55 for the change of use of a shop to a betting office at 37 Lower Market Street, Ennis, Co. Clare. While the planning

authority refused this proposal, the Board, in accordance with its inspector's recommendation, granted permission (PL58.243317). The inspector's report is referred to as acknowledging that the proposed betting office would be a commercial use that would contribute to vitality of the town centre. The loss of an active frontage was weighed against the opportunity to resume the use of vacant premises and the prospect of an additional betting shop to the several that already exist was viewed in terms of free market competition. The applicant requests that the balanced approach exhibited in this case be replicated in their case, too.

6.2. **Planning Authority Response**

No further comments beyond those set out in the case planner's report and the reasons for refusal.

6.3. **Observations**

(a) Paul Tully

Attention is drawn to the observer's submission at the application stage, which raised the following points:

- Reference to the protected structure status is omitted from questions 9 and 17 of the completed application forms and question 15 and the questions in part 3 have been left unanswered.
- The proposal would lead to advertising posters and other paraphernalia in the windows of the protected structure.
- The proposal would lead to the loss of retail floorspace.
- There is an existing betting office 25m away.
- The proposed use would adversely affect the general ambience and character of the area and so deter other commercial and residential uses.
- There is a shortage of car parking spaces in the town centre.
- The proposed use would generate litter.

The observer responds to the above cited grounds of appeal as follows:

- The applicant's explanation for the subject buildings' vacancy is contested.
- In stating that the proposed use would be better than continued vacancy, the applicant is advocating that an expedient approach be adopted.
- The owner of a protected structure is obliged to maintain it in good order, regardless of its occupancy or otherwise.

(b) Ennistymon Residents, Parents, and Business Owners Group

Background

- The applicant refers to the relocation of Supervalu to explain the changing retail environment within which the subject building is found. This relocation occurred in 2008 and any effect upon this building needs to be weighed in the light of the fact that the vacated premises are 130m away and the new ones are 170m away.

(i) Vitality and viability of the town centre

- Attention is drawn to 18 new businesses that have begun in the town centre over the last 5 years, all of which are having a positive impact upon the town centre. The applicant accepts that the proposed use would be a "non-preferred use" and so against the backdrop of these new businesses there is no need to settle for this use as the prospect exists of the subject building being used for a preferred use, i.e. retail or eatery.
- Contrary to the applicant's position that the high vacancy rate in the town centre reflects a lack of interest, less than 5% of the 90 non-residential premises in this centre are presently on the market for either sale or rental and, of these, none would be comparable to the subject building in terms of its size and prominent street frontages.
- The applicant's contention that it would be difficult to find a retail use for the subject building is untried and tested insofar as this building has not been placed on the market for such reuse. Furthermore, two premises in its vicinity have been leased within the last year and another, recently refurbished one, is understood to be under offer.

- While the successful newsagent's in the subject buildings has now closed, the applicant held a pre-planning consultation with the planning authority before this happened and so their assertion that their proposal would not replace an extant retail use is disingenuous.
- The observer reports that the said newsagents was a popular shop prior to its closure, which was apparently prepared for by the running down of certain lines.
- Attention is drawn to Leader funding available from Clare Local Development Company to support business development and town centre regeneration.

(ii) and (iii) Active frontage/built and urban conservation

- The subject building lies in the town centre ACA, within which developments must make a positive contribution to the Area. This ACA is known for its traditional shop fronts, which, in their simplicity and symmetry, help shape its character.
- The said shop fronts are also known for the active content of their window displays. The proposed use would not lead to such content, as is evident from many examples of the applicant's betting offices elsewhere in the country. The design of the "shop fronts" to these offices is such as would not be appropriate within an ACA.
- The applicant's concern that, in the absence of the proposed betting office, the subject buildings would become physically or visually derelict is unsubstantiated and, in the light of recent experience in the vicinity, highly unlikely.
- The subject buildings, unusually for the town centre, maintain two long street frontages, i.e. 14.84m to Main Street and 13.16m to Parliament Street, whereas neighbouring buildings have frontages of only 3.92 and 5.32m. Thus, the blanked out windows and deadening effect upon the said frontages at this prominent location would have a disproportionately negative impact.
- The case cited by the applicant in Ennis differs from the current case insofar as the shop was vacant and on the market.

Other issues arising

Over concentration

- The applicant draws attention to the 4 fast food restaurants and 13 public houses in the town centre and they state that 2 betting offices would not, by comparison, represent over concentration. This comparison is contested on the basis that the said restaurants and public houses are part of the social fabric of a rural town like Ennistymon and they have a much wider customer base than that of betting offices.

Questions of public safety and criminal activity associated with betting offices

- Ennistymon is experiencing a high level of social deprivation, e.g. the National School is on the register of DEIS schools, and it is at risk of problem gambling. As with other addictions, there are attendant health and quality of life issues.
- Betting offices can create a threatening anti-social atmosphere, which could have an inordinately negative impact on the town centre. They can also be used to launder money.

Precedent

- Attention is drawn to the Boards' decision to refuse a change of use of a hair salon to a betting office on Wine Street in Sligo on the grounds that, due to the site's prominence and dual frontage on an important junction, the introduction of inactive frontages would detract from surrounding redevelopment and the amenities of the area. Other Board decisions of relevance are included in an accompanying appendix.

(c) Dr Michael Harty TD

- Supports the planning authority's decision.
- Attention is drawn to the negative social and economic impact of gambling upon especially young people. The subject building is beside a drop off and collection point for local schools.
- Ennistymon already has a betting office, which suffices for the small population that the town centre serves.

6.4. Further Responses

None

7.0 Assessment

I have reviewed the proposal in the light of the CDP and the LAP, relevant planning history, and the submissions of the parties, including the observers. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Land use,
- (ii) Conservation, and
- (iii) AA.

(i) Land use

7.1.1 Under Part 4 of Schedule 2 to Article 10 of the Planning and Development Regulations, 2001 – 2015, shops and betting offices are categorised separately under, variously, Classes 1 and 2. Consequently, in moving from the former to the latter Class, a material change of use occurs for planning purposes and so the need for planning permission arises.

7.1.2 Under the CDP, Ennistymon is identified as a service town and, under the LAP, the subject buildings are shown as lying within the town centre, which is zoned for “mixed use”. Shops are permissible within this zone and betting offices are “open for consideration”. This latter term is elucidated as follows: the proposed use will be subject to particular considerations, for example, compatibility with adjoining uses, scale or whether or not it would be prejudicial to the amenities of adjoining properties.

7.1.3 The planning authority refused permission for the proposed betting office for two reasons. The first of these cites the LAP’s retail objectives “To encourage the provision (where not already provided) of good quality convenience outlets capable of supporting a main food shopping trip in or on the edge of the town centre” and “To support the town as an important centre for the provision of

convenience goods and retail services.” The reason states that these objectives would be contravened.

7.1.4 The applicability of the first of the aforementioned objectives is unclear, as the former retail use of the shop was that of a newsagent’s. Furthermore, its relevance to the future use of this shop is not immediately relevant, as this objective appears to refer to the location of a new foodstore in the town, something that was considered under appeal PL03.245262.

7.1.5 The citation of the second of the aforementioned objectives appears to be a reference to the risk that the proposed betting office would unbalance the mix of convenience goods and retail services in the town centre, by introducing an over concentration of betting offices. At present, there is one existing betting office in Ennistymon, although the applicant reports that there was formerly a second one, which closed some time ago. Thus, the proposed opening of a second betting office would not *prima facie* appear to risk an over concentration.

7.1.6 Observers think otherwise. They draw attention to how, unlike restaurants and public houses which are well represented in the town centre, betting offices do not draw upon a wide customer base and so the addition of a second one would not be comparable to the addition of another restaurant or public house, in terms of the activity that would be generated and the consequent enhancement of the town’s vitality and viability.

7.1.7 While I recognise the distinction that observers make between the proposed betting office and restaurants and public houses, I do not consider that, in principle, a second betting office would unbalance the mix of land uses in the town centre by leading to an over concentration of this use.

7.1.8 The parties discuss the state of the town centre’s economy. The applicant contends that the high vacancy rate of shop units at 32% indicates that the town centre needs new investment/economic activity, such as that which would be represented by the proposed betting office. The observers contend that many of these vacant units are not on the market and that with 18 new businesses over the last 5 years the town centre’s prospects are good and so there is no need to entertain the proposed betting office, which as a “non-

preferred use” would be sub-optimal. (Both parties use the term “non-preferred use”. I consider that, insofar as shops would be permissible uses under the mixed use town centre zoning and betting offices would be “open for consideration”, this term has validity. Interestingly, restaurants and public houses are “open for consideration”, too).

7.1.9 During my site visit, I gained the impression that there is a high vacancy rate in the town centre and that the absence of some vacant shop units from the market is suggestive of a depressed market. That said, the pattern of vacancy revealed by the applicant’s survey shows that rates are higher towards the extremities of Main Street/Church Street and on Parliament Street. By contrast, there are relatively few vacant shop units along the majority of Main Street/The Square/Church Street, which encompasses the subject buildings.

7.1.10 The CDP refers to the scale of a proposed use as being relevant to whether or not it would be acceptable. The shop in question has a floorspace of 129.62 sqm, which is relatively large for a shop in Ennistymon town centre. Observers draw attention to the lengthy double frontage of this shop onto The Square (14.84m) and Parliament Street (13.16m). They and the planning authority, too, also draw attention to the prominent location of the subject buildings within the town centre.

7.1.11 During my site visit, I was able to confirm the validity of the aforementioned floorspace and frontage observations. I was also able to observe that The Square is the effective focal point of the town centre and the subject buildings form the majority of the eastern side to this space. Thus, their prominence and importance to the town centre is self-evident.

7.1.12 The proposed betting office would utilise the ground floor of the subject buildings. This floor is served by 3 “shop fronts”, each of which contains a door and a window, and a further 3 windows, 1 onto The Square between two of the three “shop fronts” and 2 beyond the “shop front” onto Parliament Street. Thus, the combined frontages would contain 6 windows, 5 of which would be large enough to contain window displays. Betting offices, typically, have windows that are filled with advertising posters or information panels and

so they neither afford views into the interior nor displays that would animate the street and, thereby, attract the interest of passers-by.

7.1.13 Observers draw attention to the tradition of window displays in Ennistymon shops, examples of which I was able to observe during my site visit. They express concern that the use of the ground floor of the subject buildings as a betting office would entail the forfeiture of an opportunity for such displays within the prominent frontages of the subject buildings. I share this concern and that of the associated decline in footfall that arises from “dead frontages” and the adverse impact that this has on the vitality and viability of the adjoining and adjacent ground floor uses on the associated streets.

7.1.14 The parties cite previous Board decisions. Thus, the applicant refers to PL58.243317 for the permitted change of use of the shop at 37 Lower Market street, Ennis to a betting office and observers refer to PL77.234480 for the refused change of use of a hair salon at Units 1 & 2 Wine Street Car Park, Sligo to a betting office. I have examined both appeals and I note that, whereas the former entailed a 55 sqm shop on a narrow cross street within Ennis town centre, the latter entailed a 90 sqm double fronted hair salon on a strategic corner of a redeveloped block beside the town’s central car park. I, thus, consider that the latter rather than the former is comparable to the present case.

7.1.15 I conclude that, while the proposed betting office would not, in principle, warrant objection on land use grounds, its utilisation of the ground floor shop of the subject buildings would, due to the prominent and important location of this shop at the focal point to the town centre, its size, and its lengthy double frontages and considerable window space, lead to the creation of inactive frontages that would depress localised footfall and thus fail to promote the vitality and viability of Ennistymon town centre.

(ii) Conservation

7.2.1 The more northerly of the three subject buildings is a protected structure (RPS ref. no. 377) and all three lie within the town centre ACA. Objectives 18.1 & 2(a) of the CDP undertake to protect the character of both protected structures and buildings within ACAs, when proposals for the same are being assessed.

Objective 6 for Ennistymon in the LAP undertakes “To safeguard the existing character of the town centres by permitting development that respects the existing built heritage and encourages regeneration through appropriate renovation and redevelopment of derelict buildings.”

7.2.2 Under the current proposal, external and internal alterations would be made to the subject buildings. Thus, externally, an existing projecting sign would be removed and two new projecting signs would be installed at first floor level on, variously, The Square and the Parliament Street elevations. The lettering on the three shop front fascia signs would be replaced and three satellite dishes would be installed at second floor level on the rear elevations. Internally, the layout of the shop would be reorganised to facilitate the use of the space as a betting office.

7.2.3 During my site visit, I inspected the protected structure. I noted that at ground floor level this structure has been amalgamated with the ground floors of the two other subject buildings and the resulting space modernised to facilitate the last use of the same as a newsagent's. I noted, too, that at first and second floor levels it has been amalgamated with the corresponding floors in the adjoining subject building and the resulting space, likewise, modernised to facilitate the provision of ancillary office and storage space.

7.2.4 The current proposal relates to the ground floor only and so the upper floors described above would remain vacant. From a conservation perspective, a piecemeal approach to the reuse of the protected structure is unsatisfactory, as it may inadvertently preclude possible future uses that would require both ground floor and upper floor space. Beyond this concern, I consider that the conservation interest of the protected structure and the two other subject buildings, all three of which are in the ACA is attendant upon their streetscape elevations.

7.2.5 I welcome the applicant's proposed removal of the existing first floor projecting sign. However, the installation of two new projecting signs at first floor level would be out of character with the host buildings. While projecting signs at first floor level are not wholly absent from Ennistymon town centre, the applicant has not brought forward any examples of historical precedent for such signage

on the subject buildings. In the absence of the same, I consider that objection is warranted.

7.2.6 The applicant proposes to apply replacement lettering to the shop front fascia signs. The detailing of such lettering would need to be attended to, if a convincing outcome is to be achieved. Observers draw attention to unsympathetic examples of the applicant's signage to betting offices elsewhere in the country. Accordingly, there is an onus on them to demonstrate that they could work satisfactorily within the said fasciae alone.

7.2.7 I conclude that from a conservation perspective a piecemeal approach to the reuse of the protected structure is unsatisfactory. I conclude, too, that the applicant's proposed new first floor projecting signs should be omitted and that their proposed replacement fasciae lettering would need to be detailed in a sympathetic manner. Accordingly, if the Board is minded to grant permission, then the former signs should be omitted by condition and the latter ones should be the subject of a condition precedent.

(iii) AA

7.3.1 While the subject buildings do not lie within a Natura 2000 site, they do lie near to one, i.e. the Inagh River Estuary SAC. However, the proposal is for the reuse of the ground floor of these buildings only and so existing mains service connections to the same would be availed of. Accordingly, no Appropriate Assessment issues arise.

7.3.2 Having regard to the nature and scale of the proposal, no appropriate assessment issues arise and it is not considered that the proposal would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

In the light of my assessment, I recommend that the proposal be refused.

9.0 Reasons and Considerations

1. The subject buildings occupy a prominent corner site at the intersection of The Square with Parliament Street, which is the focal point to Ennistymon town centre. Their combined frontages to The Square and the further frontage, which the more southerly of these buildings has, to Parliament Street are lengthy, with the former containing three shop significant windows and the latter two.

The use of the ground floor of the subject buildings as a betting office would lead to the sterilisation of the aforementioned shop windows and so the opportunity that they present to animate the surrounding streets by means of views into the ground floor space and window displays would be lost.

Consequently, the potential that these windows afford to generate interest and attract passers-by would not be realised and so the resulting inactive frontages would have a depressing effect on the vitality and viability of the focal point to the town centre. Accordingly, to permit this use would frustrate the North Clare Local Area Plan 2011 – 2017, which seeks to promote Ennistymon town centre and, as such, it would be contrary to the proper planning and sustainable development of the area.

2. The proposed betting office would entail the reuse of the ground floor only of the subject buildings. Under the Clare County Development Plan 2011 – 2017, the more northerly of these buildings is a protected structure (ref. no. 377) and its first and second floors were last used to provide ancillary space to the ground floor use. Accordingly, the proposed betting shop would separate the use of the ground floor from these floors and so it would represent a piecemeal approach to the reuse of the protected structure as a whole. Such an approach risks prejudicing options for the future use of the upper floors and, as such, it fails to accord with good conservation practise. To permit the betting office would thus be contrary to the proper planning and sustainable development of the area.

Hugh D. Morrison
Planning Inspector

17th December 2017