



An
Coimisiún
Pleanála

Inspector's Report ABP-322311-25

Development

5 no. houses, on-site wastewater pre-treatment, connections to public services, access road & green space, entrances and all associated site development works.

Location

Holland Steet, Liscannor, Co. Clare

Planning Authority

Clare County Council

Planning Authority Reg. Ref.

25/60042

Applicant

John Vaughan

Type of Application

Outline Permission

Planning Authority Decision

Refuse Outline Permission

Type of Appeal

First Party

Appellant

John Vaughan

Observers

None

Date of Site Inspection

19th June 2025

Inspector

Ian Campbell

1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 0.47 ha. and is located on the northern side of Holland Street, Liscannor, Co. Clare. The appeal site is located c. 400 metres south-west of the R478/Main Street in Liscannor.
- 1.2. The main body of the appeal site is set back from Holland Street and is broadly rectangular in shape. The main body of the appeal site is connected to Holland Street by narrow strip of land (proposed access road), which also forms parts of the site. The appeal site is relatively flat.
- 1.3. The land (field) to the immediate north of the appeal site is undeveloped, beyond this are detached dwellings. A B&B is located to the west of the appeal site. Lands to the east are undeveloped but permission(s) exists for a number of detached dwellings. There are a number of detached dwellings along the southern side of Holland Street, opposite the appeal site. Liscannor National School is situated to the south-west of the appeal site. The adjoining area is residential in character.
- 1.4. The front of the appeal site is bound by a low rise stone wall. A narrow footpath extends along the front of the appeal site but terminates opposite Liscannor National School. The remaining stretch of road connecting to the main street has no footpath.

2.0 Proposed Development

- 2.1. The proposed development comprises (outline permission) for;
 - Construction of 5 no. detached houses (total floor area of houses stated as 515 sqm).
 - On-site wastewater pre-treatment (to rear of each house).
 - Connections to public services.
 - Access road, green space, entrance and associated site development works.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a Notification of Decision to **REFUSE** outline permission on the 21st of March 2025 for 2 no. reasons, as follows.

1. The subject site is located on lands that are zoned as 'Strategic Reserve' as per the Clare County Development Plan 2023-2029, which lands are identified for the long-term sequential expansion of Liscannor. The Planning Authority considers that the proposed development does not meet the criteria or exceptions as set out in the current Development Plan for the subject zoned lands and therefore the proposal would be premature by reference to the order of priority for development indicated in the Development Plan. The proposed development would materially contravene the zoning objective of the site for the zoning of land as 'Strategic Reserve' and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the information on file to date, the Planning Authority is not satisfied that the subject site can be serviced in terms of storm water management, foul services and water supply and as such the proposed development would be prejudicial to public health and contrary to proper planning and sustainable development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer generally reflects the reasons for refusal. The report also notes –

- the principle of the proposed development is not acceptable as the site is protected for the long-term expansion of Liscannor.
- the Board previously upheld the decision of the Planning Authority to refuse permission (PA. Ref. 22/777¹ refers) for a development due to the strategic reserve land use zoning of the site.
- whilst the Liscannor WWTP was completed in 2023, Irish Water correspondence on the file does not relate to the proposed development.

¹ See ABP-318171-23.

- a section of footpath is absent between the subject site and the junction with Main Street.
- the Planning Authority are not satisfied that the development of residential land is progressing faster than expected or that a shortage of available lands may arise. There are other residentially zoned lands north of the subject site and west of the church which have not been brought forward for development. Reference is made to PA. Ref. 22/796 (15 no. houses) and PA. Ref. 22/777 (43 no. houses) in this regard.
- it is not possible to assess residential amenity issues in the absence of house designs.
- houses which have been permitted along Holland Street have not been accurately indicated and separation distances to same cannot be verified.
- no details have been provided in respect of the treatment and disposal of surface water, save for reference to soakaways.
- if the development was granted a condition requiring archaeological monitoring or assessment would be required given that the site is within a Zone of Notification associated with the Castle Tower (CL015-078002) c. 88 metres from the subject site.

The report of the Planning Officer recommends that outline permission is REFUSED consistent with the Notification of Decision which issued.

Other Technical Reports.

3.2.2. West Clare Municipal Districts Office – report requests further information, specifically;

- overall surface water drainage design strategy, including design calculations;
- details of public lighting; and,
- the provision of footpaths on both sides of the internal access road and to the front of house no.'s 13, 14 and 15.

3.2.3. Estates/Taking in Charge Team² – report requests further information, specifically;

² This report was not incorporated into the report of the Planning Officer however a copy of same is on the file.

- if the development is part of a phased proposal, the submission of a full site layout.
- provision of dropped kerbs and tactile paving.
- the provision of roads for future development.
- provision of turning area, with turning movements indicated, and catering for larger vehicles, i.e. refuse vehicles.
- consideration given to the provision of pedestrian crossing on public road.
- details of surface water drainage.
- details of public lighting.
- boundary treatment details.
- landscaping details.

3.3. **Prescribed Bodies**

None received.

3.4. **Third Party Observations**

None received.

4.0 **Planning History**

Appeal Site (recent/valid planning applications)

PA. Ref. 24/60113 – Outline permission REFUSED for 6 no. houses, on-site wastewater pre-treatment, connections to public services, public road & green space, entrances and all associated site development works.

Refusal reasons related to the Strategic Reserve zoning of the site, which the Planning Authority considered would be materially contravened by the proposed development, and having regard to the lack of information submitted in respect of storm water management, foul services and water supply.

Overlaps with Appeal Site

PA. Ref. 24/60129 – Permission REFUSED for a house, vehicular entrance, wastewater treatment system, connection to services & all ancillary site works.

Refusal reasons related to the Strategic Reserve zoning of the site, which the Planning Authority considered would be materially contravened by the proposed development, and having regard to the lack of information submitted in respect of storm water management, foul services and water supply.

PA. Ref. 21/846 – Outline permission GRANTED for 4 no. houses, on-site wastewater pre-treatment, connections to public services, public road, entrances and associated site development works on two adjacent sites of 0.1078 and 0.2036 ha.

In vicinity

Permission has been granted for a number of detached dwellings south of the appeal site fronting onto Holland Street, including under PA. Ref.'s 22/1140, 22/209, 23/60357, and 23/60355.

5.0 Policy Context

5.1. National Policy

5.1.1. National Planning Framework 'Project Ireland 2040'³

³ Revised NPF April 2025.

Relevant Policy Objectives include:

- **National Policy Objective 7:** Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.
- **National Policy Objective 12:** Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being..
- **National Policy Objective 22:** In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth..
- **National Policy Objective 43:** Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.
- **National Policy Objective 45:** Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.

5.2 Ministerial Guidelines

5.2.1 Having regard to the nature of the proposed development and to the location of the appeal site, I consider the following Guidelines to be pertinent to the assessment of the proposal.

- Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities (2021).
- Appropriate Assessment of Plans and Projects in Ireland, Guidelines for Planning Authorities (2010).

5.2.2. Other Relevant Guidance.

- Design Manual for Urban Roads and Streets (2019).

5.3. Development Plan

5.3.1. The Clare County Development Plan 2023-2029 is the relevant County Development Plan. The appeal site is zoned 'Strategic Residential Reserve' in the Clare County Development Plan 2022-2028.

5.3.2. The provisions of the Clare County Development Plan 2023-2029 relevant to this assessment are as follows;

Volume 1:

CDP 2.11 (Storm Water Management) –

It is an objective of Clare County Council: a) To ensure that adequate storm water infrastructure is in place to accommodate the planned level of growth in the Plan area; b) To require all new developments to provide a separate foul and surface water drainage system; c) To ensure the implementation of Sustainable Drainage Systems (SuDS) and in particular, to ensure that all storm water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved storm water system; and d) To request the submission of details regarding Surface Water Attenuation Systems that take account of the potential future impact of climate change for multi-unit development applications in the plan area. Development will only be permitted in areas where sufficient surface water capacity exists.

CDP 11.18 Design Manual for Urban Roads and Streets (DMURS) and Transition Zones to Towns and Villages on National Roads

It is an objective of Clare County Council: a) To implement the requirements and recommendations contained in DMURS in the assessment of development proposals, the preparation of design schemes and their implementation in the development of streets, roads and public realm improvement schemes in the county; and, b) To implement the requirements and recommendations contained in TII Publications Standard DN-GEO-03084 'The Treatment of Transition Zones to Towns and Villages on National Roads' in the assessment

of development proposals, the preparation of design schemes and their implementation in the development of streets, roads and public realm improvement schemes where applicable.

19.4 (Nature of Zonings) - Strategic Residential Reserve –

Strategic Residential Reserve lands have been identified across serviced settlements to facilitate longer term growth needs across the county. These lands comprise infill or contiguous sites or in some cases there is an on-site planning history of residential use. These lands are considered as the most appropriate site for the long-term sequential expansion of the relevant settlement. These Strategic Residential Reserve lands, in general, will not be brought forward for development within this plan period, with the following exceptions:

- 1. Non-residential development that is considered to be appropriate to the site context.*
- 2. In addition to protecting these lands for the long-term expansion of these settlements, consideration may be given to the development of some of the strategic residential reserve lands before the end of the current plan period. The residential development of such lands will only be considered from the beginning of year four of the Plan (April 2027) in order to give an opportunity for zoned land to be brought forward for development. It will also be a requirement that the proposed 'Strategic Residential Reserve' lands can be serviced and can offer a reasonable substitute in terms of being delivered within the lifetime of the plan and are sequential lands within the settlement with good connectivity and access to services and amenities.*

In its assessment of such proposals, the Planning Authority must be satisfied that the development of residential zoned land is progressing faster than expected and a shortage of available lands may arise or that residential zoned land is not being brought forward as expected and a shortage may arise which would hinder the delivery of residential units to meet demand during the plan period. The assessment will also be subject to compliance with the Core Strategy, and that the development permitted will not prejudice the future use

of the remaining Strategic Residential Reserve lands for the longer-term growth needs of the plan area.

5.3.3. There is a Recorded Monument (Ref. CL015-078002 – Castle - Tower House) c. 90 metres south-east of the appeal site.

5.4. Natural Heritage Designations

- Inagh River Estuary SAC (Site Code: 000036) – c. 1.7 km east.
- Inagh River Estuary pNHA (Site Code: 000036) – c. 1.7 km
- Cliffs of Moher SPA (Site Code: 004005) – 3.8 km north-west.

5.5. EIA Screening

(See Form 1 and Form 2 attached to this report) Having regard to the limited nature and scale of the development and the absence of any significant environmental sensitivity in the vicinity of the site, as well as the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001, as amended, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first-party appeal against the decision to refuse outline permission. The grounds for appeal may be summarised as follows;

- The access road was requested by the at further information stage under PA. Ref. 21/846 to provide access to the rear and to support planned future development. The applicant is now being penalised by providing this road which was requested by the Planning Authority, and it has delayed the development of the lands and created a false back land development. The applicant can provide this access road which will provide for the development of the lands to the north.

- Correspondence submitted from Irish Water⁴ in respect of a number of previous planning applications, specifically connection agreements, including on the appeal site (i.e. PA. Ref. 21/846); adjacent lands (i.e. PA. Ref. 23/60355 and 21/1284)⁵.
- Liscannor WWTP has been completed and pre-treatment will now not be required, as proposed under PA. Ref. 21/846, and set out under condition no.'s 7 (a), (b), (c) and (d). Under PA. Ref. 24/60399 connection to the upgraded WWTP was allowed.
- The appellant disagrees with the assertion of the Planning Authority that the site cannot be serviced in terms of storm water, foul sewer and water supply, and as indicated above, a number of other permissions have been granted with connection to the upgraded WWTP.

6.2. Planning Authority Response

The Planning Authority submitted a response in respect of the first party appeal submission, summarised as follows;

- The appellant's assertion that he has been penalised for providing the access road to the lands to the north fails to acknowledge the change to the land use zoning on foot of the new Clare County Development Plan 2023-2029, and the subsequent planning history in the vicinity. The request of the Planning Authority under PA. Ref. 21/846 to provide road access to the adjoining lands to the north was made in the context of the previous Clare County Development Plan 2017 – 2023, and associated land-use zoning.
- The correspondence submitted from Uisce Éireann does not relate to the subject development.
- The issue of surface water management at this location is problematic, as evidenced in the planning history of adjoining sites. A storm water strategy, including design calculations for the site are required, however the appellant has only referred to the provision of soakaways.

⁴ now Uisce Éireann.

⁵ Correspondence attached with the appeal submission pertains to 2 no. connection agreements.

- The level of information submitted is not sufficient to enable the Planning Authority to determine the proposed development.

The Planning Authority request that the Board uphold their decision to refuse outline permission.

6.3. **Observations**

None received.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including the appeal, submission of the Planning Authority and having inspected the site, and having regard to the relevant national and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Refusal Reason 1 (zoning/principle of development)
- Refusal Reason 2 (drainage, inc. surface water)
- Issues Arising
- Appropriate Assessment

7.2. **Refusal Reason 1 (zoning/principle of development)**

7.2.1. The first reason for refusal cited by the Planning Authority concerns the land-use zoning of the appeal site. The appeal site is zoned 'Strategic Residential Reserve' in the Clare County Development Plan 2022-2028, and the appeal site/adjoining lands are identified for the long-term sequential expansion of Liscannor. The refusal reason states that the proposed development does not meet the criteria or exceptions set out in the Development Plan and that the proposal would be premature by reference to the order of priority for development indicated in the Development Plan. The refusal reason states that the proposed development would materially contravene the zoning objective of the site.

7.2.2. The crux of the appellant's case in relation to the first refusal reason is that he was requested to provide an access road to serve the lands to the north/the appeal site

under a previous planning permission (i.e. PA. Ref. 21/846)⁶, and that he is now being penalised for doing so. In their response to the appeal, the Planning Authority note that this request for an access road into the adjoining lands was made in the context of the previous Development Plan, where the lands were subject to a different land use zoning⁷.

7.2.3. The proposed development comprise outline permission for 5 no. houses on lands which are zoned 'Strategic Residential Reserve' in the Clare County Development Plan 2022-2028. Section 19.4, Volume 1 of the Clare County Development Plan 2022-2028 states that residential reserve lands are intended to facilitate longer term growth needs across the county. Section 19.4 provides that Strategic Residential Reserve lands, in general, will not be brought forward for development within this plan period, save for specific exceptions. The first exception is where the proposal concerns non-residential development appropriate to the site context. The second exception states that consideration may be given to the development of some of the strategic residential reserve lands before the end of the current plan period, but will only be considered from the beginning of year four of the Plan (April 2027)⁸ in order to give an opportunity for zoned land to be brought forward for development. The Development Plan provides that consideration under this criterion will also be dependent on the lands in question being serviced, sequentially located, connectivity, and access to services and amenities. The Planning Authority must also be satisfied that development of residential zoned land is progressing faster than expected, with potential for a shortage of available lands hindering the delivery of residential units; compliance with the Core Strategy; and the non-prejudicial nature of the proposal in relation to the remaining Strategic Residential Reserve lands.

7.2.4. As the proposed development is for residential development the first criterion provided under Section 19.4 is not relevant. In relation to the second criterion, Section 19.4 is clear in that consideration may only be given to the development of the strategic residential reserve lands from the beginning of year four of the Plan (i.e. April 2027) to

⁶ The development permitted under PA. Ref. 21/846 has not been implemented.

⁷ Under the previous Clare County Development Plan 2017 – 2023 the lands associated with PA. Ref. 21/846, and also the lands associated with the appeal site, were zoned 'Low Density Residential'.

⁸ My emphasis.

allow zoned land to be brought forward for development. The proposal to bring the appeal site forward for development has been made in advance of the fourth year of the Development Plan. The Planning Authority note that development in the vicinity is not being progressed faster than expected, with the potential for a shortage of development land hindering the delivery of housing. In any event I note that consideration of same at this stage in the life of the Development Plan is moot given that consideration may only be given to the development of the strategic residential reserve lands from the beginning of year four of the Plan (i.e. April 2027).

7.2.5. In summation, having regard to the 'Strategic Residential Reserve' zoning of the appeal site, and to the criterion 2 set out in Section 19.4, Volume 1 of the Clare County Development Plan 2022-2028 in respect of proposals for development on lands zoned same, and to the timing of the proposed development, in advance of the beginning of year four of the Plan (i.e. April 2027), I agree with the contention of the Planning Authority that the proposed development would materially contravene the land use zoning of the appeal site as set out in the Clare County Development Plan 2023-2029. The first reason for refusal should be upheld in my opinion.

7.2.6. In refusing outline permission for the proposed development the Planning Authority stated that the proposed development, if granted, would materially contravene the zoning objective of the Development Plan. As such the Commission are constrained by Section 37 (2) (b) of the Planning and Development Act, 2000, as amended, should it wish to grant outline permission for the proposed development.

7.3. Refusal Reason 2 (drainage, inc. surface water)

7.3.1. The second reason for refusal concerns the information submitted with the application. Based on the information submitted, the Planning Authority is not satisfied that the site can be serviced in terms of storm water management, foul services and water supply, and that consequently the proposed development would be prejudicial to public health. The concerns of the Planning Authority appear to arise from the absence of a storm/surface water strategy for the site, including the absence of calculations. I note that there is nothing on the file to suggest that water supply is constrained within Liscannor.

- 7.3.2. The applicant has indicated the provision of soakaways to the rear of the proposed houses and within the internal access road. No details have been submitted in relation to SuDS or design calculations to demonstrate how surface water is to be addressed within the site. Notwithstanding that the application is for outline permission I agree with the position of the Planning Authority that the planning application is deficient in relation to information to allow for a robust determination on drainage. I do not consider that it would be appropriate to require this information by way of planning condition as it may have implications for the layout of the proposal. CDP 2.11 (Storm Water Management) of the Clare County Development Plan 2023 – 2029 seeks to ensure that adequate storm water infrastructure is in place, and to ensure the implementation of Sustainable Drainage Systems (SuDS). In the absence of information in relation to surface water I consider that the proposed development would be contrary to CDP 2.11 (Storm Water Management) of the Clare County Development Plan 2023 – 2029, and would be prejudicial to public health.
- 7.3.3. The proposal includes on-site waste water pre-treatment systems to the rear of each house. No details in respect of these systems have been provided. I note however that the Liscannor WWTP is complete and as such I consider it unlikely that there is a requirement for pre-treatment prior to discharge to the public foul network. However, in the absence of a submission for Uisce Éireann it is not possible to be conclusive on this issue and should the Commission be minded to grant outline permission for the proposed development it may wish to consider requesting Uisce Éireann's view on this matter. I also note that the correspondence submitted by the appellant from Uisce Éireann relates to different sites/developments and not the subject development.
- 7.3.4. In summation, having regard to the scale of the proposed development and the level of information provided in the application, and having regard to the provisions of the Clare County Development Plan 2023 – 2029, specifically CDP 2.11 (Storm Water Management) of the Clare County Development Plan 2023 – 2029, I consider that the second refusal reason should be upheld.

7.4. **Issues Arising**

- 7.4.1. Access and traffic safety – the report of the Estates – Taking in Charge Team note the requirement for details in relation to turning movements within the appeal site. This

issue has not been included as a reason for refusal however in my opinion it is a pertinent issue. The applicant has not submitted details of vehicular movements (e.g. Autotrack analysis) within the site and it is therefore unclear, based on the information submitted with the application, whether the proposed layout can cater for HGV's, including refuse vehicles, or whether these types of vehicles can be catered for within the scheme without resulting in pedestrian conflicts, or safety issues in the vicinity of the area of open space where children would play. In addition, the information submitted does not allow for an assessment of the proposal against DMURS, which seeks to place pedestrians at the top of the user hierarchy. From reviewing the site layout I note footpath provision is limited to one of the internal access road. There is no provision for pedestrian crossings within the scheme. On the basis of the information submitted with the application, the applicant has not demonstrated how the proposed scheme would cater for the safe turning/manoeuvring of larger vehicles within the site, or how safe pedestrian movement can be accommodated within the site. In my view, these issues are required to be addressed prior to any grant of outline permission. Should the Commission be minded to grant outline permission for the proposed development I recommend that this issue is addressed in advance of any grant of outline permission.

- 7.4.2. Institutional Investment - the Section 28 Guidelines, Regulation of Commercial Institutional Investment in Housing, Guidelines for Planning Authorities (2021), issued by the Department of Housing, Local Government and Housing, applies to developments comprising 5 or more houses or duplex units. Having regard to the Section 28 Guidelines in respect of 'Commercial Institutional Investment in Housing', I consider that the development, comprising/including 5 or more own-door units and falling within the definition of structure to be used as a dwelling to which these guidelines applies, should include a condition to restrict the first occupation of these units as outlined by the Guidelines. In the event that the Commission are minded to grant permission for the proposed development I recommend that 'Condition RCIIH1' as per the wording provided in the Guidelines is used as it enables the developer to carry out any enabling or preparatory site works, unlike condition RCIIH2, and as the effect in respect of the residential component is the same.

- 7.4.3. Indicative layout – the report of the Planning Officer notes that the applicant has shown the layout of permitted houses to the south of the appeal site indicatively and not as permitted, making it difficult to determine separation distances. Having reviewing the permitted site layout drawings associated with the houses which have been permitted south of the appeal site I agree that an accurate reflection of these houses would allow for a more accurate assessment of the proposal. Should the Commission be minded to grant outline permission for the proposed development this issue could be addressed in advance of any grant of outline permission.

7.5. **Screening for Appropriate Assessment**

- 7.5.1. I have considered the proposed development at Holland Street, Liscannor, Co. Clare in light of the requirements S177U of the Planning and Development Act, 2000, as amended. The subject site is located c. 1.7 km west of Inagh River Estuary SAC (Site Code: 000036) and c. 3.8 km south-east of Cliffs of Moher SPA (Site Code: 004005).
- 7.5.2. The proposed development comprises outline permission for the construction of 5 no. dwellings and associated site works.
- 7.5.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is based on the following;
- The distance from nearest European Site(s) and absence of connectivity between the development site and European Sites.
 - The nature and scale of the proposed development, and location of the proposed development within an existing developed/urban site.
 - The proposal to connect to the existing public sewer at operational phase.

- 7.5.4. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act, 2000) is not required.

8.0 Recommendation

- 8.1. Having regard to the above it is recommended that outline permission should be refused for the reasons set out below.

9.0 Reasons and Considerations

1. Having regard to the Strategic Residential Reserve (SRR) zoning objective of the site, which precludes consideration of residential development on such lands until the beginning of year four of the development plan (i.e. April 2027), the proposed development of 5 no. residential dwellings would materially contravene the zoning objective indicated in the Clare County Development Plan 2023-2029. The proposed development would, therefore, be contrary to the proper planning and sustainable development.
2. Having regard to the absence of information regarding the treatment and attenuation of surface water, design calculation specific to the proposed development and the site, and details of the incorporation of SuDS (Sustainable Urban Drainage Systems) into the proposed scheme, the proposed development would be contrary to Objective CDP 2.11 (Storm Water Management) of the Clare County Development Plan 2023 – 2029, which seeks to ensure the implementation of Sustainable Drainage Systems (SuDS) and in particular, to ensure that all storm water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved storm water system. The proposed development would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Ian Campbell
Senior Planning Inspector

2nd July 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Coimisiún Pleanála	ABP-322311-25		
Case Reference			
Proposed Development Summary	Outline permission for 5 no. houses, on-site wastewater pre-treatment, connections to public services, access road & green space, entrances and all associated site development works		
Development Address	Holland Street, Liscannor, Co. Clare		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Part 2, Sch. 5, Class 10, (b), (i) Part 2, Sch. 5, Class 10, (b), (iv)	Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No	X		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Class 10, (b), (i) (threshold is 500 dwelling units) – proposal is for 5 no. dwelling units. Class 10, (b), (iv) (threshold is 2 Ha.) – site area is 0.47 ha.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: Ian Campbell

Date: 2nd July 2025

Form 2

EIA Preliminary Examination

An Coimisiún Pleanála Case Reference	ABP-322311-25
Proposed Development Summary	Outline permission for 5 no. houses, on-site wastewater pre-treatment, connections to public services, access road & green space, entrances and all associated site development works
Development Address	Holland Street, Liscannor, Co. Clare
<p>The Commission carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</p>	
<p>Characteristics of proposed development</p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The proposed development comprises the construction 5 no. houses. The site is located on a greenfield site within an urban area.</p> <p>The proposed development will not give rise to the production of significant waste, emissions or pollutants.</p>

<p>Location of development</p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The development is located in an urban area on a greenfield site. The site is c. 1.7 km from a European Site. Following screening for Appropriate Assessment, it has been ascertained that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.</p> <p>Given the scale and nature of development there will be no significant environmental effects arising.</p>
<p>Types and characteristics of potential impacts</p> <p>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).</p>	<p>During the construction phase noise, dust and vibration emissions are likely. However, any impacts would be local and temporary in nature and the implementation of standard construction practice measures would satisfactorily mitigate potential impacts.</p>
Conclusion	

Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	No
There is a real likelihood of significant effects on the environment.	EIAR required.	No

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)