



An
Coimisiún
Pleanála

Inspector's Report

ABP-322944-25

Development	Retention of alterations to pre-existing shopfront at 18 O'Connell Street, Ennis, which is in use as a shop.
Location	18 O' Connell Street, Ennis, Co. Clare.
Planning Authority	Clare County Council.
Planning Authority Reg. Ref.	2560197
Applicant(s)	Ginos Italian Limited.
Type of Application	Retention Permission.
Planning Authority Decision	Refuse Retention Permission.
Type of Appeal	First Party.
Appellant(s)	Ginos Italian Limited.
Observer(s)	None.
Date of Site Inspection	13-08-2025.
Inspector	Adam Kearney

1.0 Site Location and Description

- 1.1. The subject property is a 71m² ground floor retail unit in a terraced 3-storey building located at No. 18 O Connell Street in Ennis Town Centre. The existing shop front consists of a red timber surround with some traditional features and signage. The shop entrance is full length with Bi-folding white PVC doors in the fully open position during operating hours and with a short stainless-steel ramp along the shop frontage. The upper floors are not in use. Adjacent to the subject property are a diverse mixture of units including restaurants, public houses, phone shops, boutiques etc.

2.0 Proposed Development

- 2.1. The Applicants are seeking to retain the modified shop front where folding white PVC doors close flush with the front elevation and where this arrangement allows for a completely open retail unit during business hours.

3.0 Planning Authority Decision

3.1. Decision

Refuse Permission

The retention of the unauthorised alterations to the existing shop front, which formerly comprised a more traditional shop front design, would result in unacceptable development by reason of the introduction of an entirely open shop front, located in the town centre of Ennis and within an Architectural Conservation Area. In addition, the development would be out of character with the surrounding area and existing traditional shop front styles of units in the town centre, particularly having regard to the display window style, materials used and proportional entrance size. The development would therefore be contrary to policy objectives CDP 7.1 and CDP 16.5 of the Clare County Development Plan and would set an undesirable precedent for similar alterations to shop fronts within the town.

3.2. Planning Authority Reports

3.2.1. Planning Report - Summary

- The property lies within Ennis town centre's *Architectural Conservation Area* and close to a recorded monument.
- Proposed works, notably the open-fronted, glass/PVC shopfront deemed visually intrusive and at odds with ACA design policies in the County Development Plan.
- Lighting and the facade style were considered to diminish the character of the streetscape and risk setting a precedent.
- Environmental screening confirmed no significant impacts on nearby designated sites; EIA not required.
- Planning refusal recommended as shopfront design runs contrary to policy objectives CDP 7.1 and CDP 16.5 of the Clare County Development Plan

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

Subject Site – None

5.0 Policy Context

5.1. Clare County Development Plan 2022 – 2028

5.1.1. The site is zoned 'Mixed Use'

5.1.2. 'Mixed Use'

The use of land for 'mixed use' developments shall include the use of land for 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. Secondary uses will be considered by the local authority having regard to the particular character of the given area. On lands that have been zoned 'mixed-use' in or near town or village centres, a diverse range of day and evening uses is encouraged and an over-concentration of any one use will not normally be permitted.

5.1.3. CDP7.14 Shop Fronts

5.1.4. It is an objective of Clare County Council

a) To encourage the use of traditional shop front designs, materials and signs and to seek the repair and retention of shop fronts of architectural interest, where appropriate; and

5.1.5. b) To ensure that new shop fronts and the fronts of other commercial buildings:

- Display a unity with the building of which they are part, including the use of appropriate materials;
- Reflect the scale and proportion of existing shopfronts on the adjoining buildings and the street scene as a whole; and
- Are of a format and design using appropriate colouring and lettering, which complement the visual amenities of the surrounding buildings and locality.

5.2. CDP16.1 Architectural Heritage

It is an objective of Clare County Council:

- a) To ensure the protection of the architectural heritage of County Clare through the identification of Protected Structures, the designation of Architectural Conservation Areas, the safeguarding of historic gardens, and the recognition of structures and elements that contribute positively to the vernacular and industrial heritage of the county; and
- b) To ensure that the archaeological and architectural heritage of the county is not damaged either through direct destruction or by unsympathetic developments.
- c) To support and promote architectural vernacular skills training and facilities in the county

5.3. CDP16.5 Architectural Conservation Areas (ACAs)

5.3.1. It is an objective of Clare County Council:

- a) To ensure that new developments within or adjacent to an ACA respect the established character context of the area and contribute positively to the ACA in terms of design, scale, setting and material finishes;
- b) To protect from demolition or removal and non-sympathetic alterations, existing buildings, structures, groups of structures, sites, landscapes and features such as street furniture and paving, which are considered to be intrinsic elements of the special character of the ACA;
- c) To ensure that all new signage, lighting, advertising and utilities to buildings within an ACA are designed, constructed and located in a manner that does not detract from and is complementary to the character of the ACA; and
- d) To ensure that external colour schemes in ACAs enhance the character and amenities of the area and reflect traditional colour schemes.

6.0 Natural Heritage Designations

- 6.1. There are no Natura 2000 sites within the boundary of the appeal site nor are there any Natura 2000 sites directly abutting the appeal site or within the immediate

context of the site. The closest sites and those within the zone of influence of the proposed development is the Lower River Shannon SAC circa 150m.

7.0 EIA Screening

- 7.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. Refer to Form 1 in Appendix 1 of report.

8.0 The Appeal

8.1. First Party Grounds of Appeal

Summary of Main Points

- Shopfront is an attractive design of a type which has been in use throughout the country in similar Architectural Heritage Areas and has been found to be acceptable.
- A previous Shopfront that was removed was of little architectural merit, having been installed within the last 20 years and consisting of plywood sheets and softwood framed windows.
- Architectural Heritage Areas should make room for differentiation and expression of contemporary norms provided these are done in a sensitive manner.

8.2. Planning Authority Response

- 8.3. In correspondence dated the 25/07/2025 the Planning Authority's appeal response emphasises that while it values the active commercial use of a town-centre unit, the retained shopfront featuring an entirely open frontage with a white PVC sliding door with bright internal lighting conflicts with the Clare County Development Plan's objectives for shopfronts and the protection of ACA's. It was judged visually intrusive, unsympathetic to the historic streetscape, and contrary to specific heritage and

shopfront design policies (CDP7.14, CDP16.1, CDP16.5, and Development Management Standard A1.7.1), with concern over the precedent such alterations could set. The PA indicated that revisions using more traditional or muted materials could be acceptable. The PA requested that the Bord uphold the refusal or alternatively request appropriate alterations to the frontage of the unit by way of condition.

9.0 Assessment

- 9.1. I have visited the site and reviewed the application and appeal documents and consider the points made in the appeal submission and the reason for refusal as the primary issues. There are no new substantive matters.
- 9.2. The retail unit is located on O' Connell Street in the core commercial area of Ennis where the use designation is 'Mixed use'. The unit was formerly a video game store and has now transitioned to a retail unit selling ice cream. The wider street has a diverse range of retail offerings. The use of the unit for retail is established and the creation of a custom designed shop front for the new enterprise is acceptable in principle.
- 9.3. The appellant makes the case that the design is attractive and has been used without issue in other Architectural Heritage Areas. The CDP provides a robust policy on shop front design under Section CDP7.14 that sets out how the use of materials, colour, scale and need for unity with the receiving building and neighbouring buildings as an important consideration.
- 9.4. In this instance, the shop front design departs from the previous use that the appellant deemed of 'little architectural merit' and which used plywood and softwood materials. While the quality of the material used may have been less than optimum, I would consider the configuration was more in keeping with the retail offerings of the area and was in tune with the more traditional shop front normally associated with ACA's. While I would not find the subject shopfront overly offensive from a design perspective I feel that its homogenous design and use of white PVC folding doors is more of a functional response to the business model rather than an effort to integrate

with the surrounding area, where more traditional designs are evident and which contribute to the attractiveness of the street in combination with a successful pedestrianisation scheme.

- 9.5. The appellant also states that there should be scope for differentiation and while I accept this point to a degree there is sufficient differentiation allowable through the use of varying proportions of glazing height, stallriser height, material used, colour and signage etc to allow for any business to put their own individual stamp on a shopfront appearance.
- 9.6. The facade of the upper floors of the building although poorly maintained has white windows and a lilac painted render with quoins and window reveals that offer some character. The subject shopfront pays minimal attention to the buildings existing finish utilising a bright red surround that is minimal in the use of material and minimalist in terms of cornicing, fluting of pilasters etc. That said I consider the simplicity of the surrounding frame and signage would be acceptable if combined with some element of fixed glazing and minimal stallrisers. This would also allow for a wider than normal door opening of circa 2m width and that would avoid the use of white PVC and a stainless-steel ramp in favour of a darker neutral colour and a more traditional timber or concrete ramp
- 9.7. Alterations such as the foregoing would address the PA reason for refusal, who in their assessment were not in favour of the open and non-traditional nature of the shop front. I am satisfied therefore that the proposal for retention subject to conditions that would ameliorate the existing shopfront design would be acceptable and would conform with policy objectives CDP 7.1 and CDP 16.5.

10.0 AA Screening

I have considered the retained shopfront in light of the requirements S177U of the Planning and Development Act as amended. The subject site is not located within or immediately adjacent to a European site.

Having considered the nature, small scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have an appreciable effect on a European site. The reason for this conclusion is as follows:

- The small scale of the development.
- The location of the development in a serviced town centre/urban area

I consider that the proposed development would not be likely to have a significant effect individually or in-combination with other plans or projects, on a European site and appropriate assessment is therefore not required.

11.0 Recommendation

11.1. I recommend that planning permission be Granted

11.2. Reasons and Considerations

Having regard to the nature and scale of the proposed development, the provisions of the Clare County Development Plan 2022-2028, including the zoning objective for the site and the established pattern of development in the ACA town Centre area, it is considered that, subject to compliance with the conditions set out below, the proposed development would represent an acceptable shop front design and would be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	<p>The proposed development shall be carried out 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 proposed development shall be carried out and completed in accordance with the agreed particulars</p> <p>Reason: In the interest of clarity</p>
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2.	<p>The doorway access to the retail unit shall be reduced from its current width to a maximum width of 60% of the available shop frontage, with design details to be agreed in writing with the Planning Authority prior to works being undertaken.</p> <p>Reason: In the interests of visual amenity.</p>
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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.

Adam Kearney

Planning Inspector

19th August 2025

Appendix 1

Form 1

An Bord Pleanála Case Reference	ABP-322944-25		
Proposed Development Summary	Retention of Shopfront Alterations		
Development Address	18 O' Connell Street, Ennis, 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			Proceed to Q3.
No	X		No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required

No			Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No		Pre-Screening conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: Adam Kearney

Date: 19-08-2025