



An
Coimisiún
Pleanála

Inspector's Report

PL-500832-MO-26

Development	Planning application for off-licence ancillary to existing retail premises.
Location	Sligo Road, Quignalecka, Ballina, F26 A3P4.
Planning Authority	Mayo County Council
Planning Authority Reg. Ref.	2560642
Applicant(s)	BEJM Ltd.
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	BEJM Ltd.
Observer(s)	None
Inspector	Conor McGrath

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1.0 Introduction

- 1.1. This is an appeal under s.48(13)(a) of the Planning and Development Act 2000, as amended, against condition no. 7 of the planning authority decision to grant permission for the proposed development, requiring the payment of a special development contribution under s.48(2)(c).

2.0 Site Location and Description

- 2.1. The subject site comprises an existing retail outlet within a petrol forecourt on the Sligo Road, approx. 1.5km northeast of Ballina town centre (Tolan Street). This triangular site is located at the junction of the Sligo Road (N59) to the north and Behy Road (L5132) to the south, which junction comprises a mini-roundabout. The premises provides retail use at ground floor with ancillary office and staff facilities at upper floor level. Apart from forecourt parking there is parking provision on the northern and eastern sides of the premises. Lands to the immediate east are in separate commercial use.
- 2.2. There are pedestrian facilities along part (eastern) of the N59 frontage of the site, after which pedestrian facilities continue along the northern / opposite side of the N59. There are pedestrian facilities on opposite side of the Behy Road (L5132).

3.0 Proposed Development

- 3.1. The proposed development is described as the provision of an off-licence to sell wine, beer and spirits ancillary to the main use of existing retail premises. The floorspace of the proposed off-licence development is stated to comprise 24.7-sq.m. contained within the existing retail unit.
- 3.2. During the course of the application, revisions to the overall layout of the service station were sought by the planning authority, including the continuation / provision of a 1.8m wide footpath along the overall service station frontage of the site.

4.0 Planning Authority Decision

4.1. Decision

The planning authority decided to grant permission for the proposed development subject to 8 no. conditions, including the following:

3. Net retail floor space shall not exceed 100m².
4. Within 3 months, the following shall be submitted on a revised site layout plan for the written consideration and agreement of the Mayo County Council Area Engineer and Mayo County Council:
 - The access, layout and geometry thereof showing, insofar as is practicable/possible, compliance with Section 7.13 - Petrol Filling Stations, Volume 2 of the Mayo County Development Plan 2022-2028. A vehicular access/egress at N59 Sligo Road and L5132 Behy Road having a clearly defined and protected pedestrian routing and segregation.
 - A new concrete footpath and kerbing, minimum 1.8m wide, on the Behy Road to the Eastern boundary.
 - Pedestrian desire lines associated with proposed pedestrian crossings, toward which a development contribution shall apply under **Condition no. 7** below.
5. Within 3 months of the final date of this grant of permission the developer shall arrange for Stage 2 Road Safety Audit / Quality Audit (DMURS Advice Note 4).
7. Unless otherwise agreed in writing and prior to re-opening of the facility, the developer shall pay a special financial contribution to Mayo County Council of €35,000 in respect of the provision of a controlled pedestrian crossings in the vicinity, which would benefit the proposed development, and which is not included in the planning authority's Development Contribution Scheme made under the Planning and Development Act 2000, as amended.

Reason: To contribute towards costs arising from maintaining public infrastructure serving the proposed development.
8. Unless otherwise agreed in writing and prior to re-opening of the facility, the developer shall pay a special financial contribution to Mayo County Council of

€2,000 in respect of the provision of a road line marking in the vicinity, which would benefit the proposed development, and which is not included in the planning authority's Development Contribution Scheme made under the Planning and Development Act 2000, as amended

4.2. In considering the application, the planning authority sought Further Information and Clarification of Further Information in relation to a range of matters, including:

FI

- The plans submitted differ to that granted planning and appear to be intensifying the use on the site. Confirm compliance with the Retail Planning Guidelines, particularly the provision a max net retail floorspace not exceeding 100m² (including proposed off-licence area).
- Details of works carried out on the site and of permission obtained therefor.
- Layout of forecourt area to establish compliance with 7.13 of Mayo County Development Plan 2022-2028 Volume 2.
- Submit Road Safety Audit, to be reflected on a revised site layout plan.
- Details of proposed boundary treatments with consideration for pedestrian movements.
- Details to confirm compliance with Development Plan Parking Standards.
- Details in respect of parking and loading operations.

CFI:

- In relation to FI point 1, submit a revised floor plan to demonstrate compliance with the net retail floor space definition of the Retail Planning Guidelines and a justification for large deli and seating area.
- In relation to FI point 2, clarification how the proposed alterations to the forecourt granted under P16/253 complies with 7.13 of CDP and confirm the width of access from the N59 as part of it appears to be outside of the site boundary.
- The Road Safety Audit is dated 2016 and relates to the layout in planning 16/253. Submit a current RSA and clarify vehicular and pedestrian movements on the site.

- Clarify details of footpath along N59 including dropped kerbs and tactile paving and boundary treatment along L5132 Behy Road.

4.3. Planning Authority Reports

4.3.1. Planning Reports

(04/11/25): The applicant proposes to create an off-licence within a retail unit. From reviewing the floor plans of P16/253 and floor plans associated with this application it is considered that the internal layout is different to that previously permitted and therefore the development as proposed is contrary to the Retail Planning Guidelines. It is considered that the development is an intensification of the use, it will be necessary to seek further information in this regard.

It appears works have been carried out on the subject site, clarification shall be requested in this regard. No details have been provided in relation to bin/ recycling storage area, boundary treatment or if any additional signage shall be required, further information shall be requested in this regard. The report of the District Engineer was noted and FI was recommended.

The development was screened out for EIA and AA.

(11/12/2025): Further information was submitted on the 18/11/25. It is necessary to clarify information to ensure compliance with Retail Planning Guidelines (2012) and road/ traffic safety issues. CFI requested.

(19/01/2026):

CFI Point 1: Revised plans and particulars demonstrate compliance with the Retail Planning Guidelines and justification has been provided for the large deli and sit down area. In this instance the Planning Authority deem it to be acceptable.

CFI Point 2: The response stated that this application relates to an existing petrol filling station and does not propose any alteration to the existing forecourt layout or an intensification of its operational capacity. Planning permission is not being sought for works to the forecourt. The existing development predates the current Mayo County Development Plan, and accordingly the applicant is not required to retrofit the forecourt to meet contemporary standards where no material alteration is proposed.

A report returned by MCC Area Engineer has reviewed content submitted and recommends conditions in the event of planning permission being granted.

CFI Point 3: The applicant has stated that the development complies with the recommendations of that the RSA undertaken for P16/253, as illustrated on 968-PL-02(a)'. The Planning Authority notes the response and the comments by MCC Area Engineer requiring a Stage 2 RSA / Quality Audit (DMURS Advice Note 4). Matters raised under this point can be satisfactorily addressed by condition.

CFI Point 4: The cover letter submitted states that it is proposed to construct a concrete footpath around the perimeter of the site as shown on Drawing No 968-PL-02(a). The Planning Authority notes the response of the applicant and report returned from MCC Area Engineer. Matters raised under this point can be satisfactorily addressed by condition.

Development Contributions: There is no increase in floor area as a consequence of the proposed development. It is therefore considered that development contributions would not be applicable for the proposed development.

However, a report returned from MCC Area Engineer has requested a special development contribution towards the cost of providing controlled pedestrian crossings in the vicinity of the proposed development shall be made in the amount of €35,000. A further development contribution for line marking shall be made in the amount of €2,000.

4.3.2. **Other Technical Reports**

Ballina Municipal District Engineer

(14/10/2026): Further information sought on a range of matters, and generally reflected in the PA request for FI.

(30/10/2025): In addition to (FI) comments, "please note that I consider that the provision of an off-license at this location will lead to an intensification of use as this particular service is not currently available in this area. Currently those requiring an Off license have to travel further into town to avail of the service. The intensification of use will impact on road safety."

(05/12/2025): FI not fully addressed

- Condition footpaths N59 & Behy r (sic) connect to existing footpath on Behy Rd.
- Out of date RSA?
- Levy for cost of crossings
- FI 3 states petrol pumps capacity not increased no need for pp but Layout shows more pumps than 2016 layout 8 vs 6
- How will 8 vehicles circulate/exit at pumps?
- How will lay out work multiple access/ open access to local road
- Width of entrance on N59 shall be 4m to comply with RSA
- Provide defined exit on Behy Road currently vehicles can exit at multiple locations with no restrictions see image below
- Petrol interceptor
- Bulk fuel delivery manoeuvres
- No plans to change boundaries no control on vehicular exits.

(10/12/2025): Clarification of further information sought, generally reflected in the PA request for CFI.

(13/01/2026): Conditions recommended, which reflect those attached to the decision to grant permission.

4.4. Prescribed Bodies

No submissions on file.

4.5. Third Party Observations

No submissions on file.

5.0 Planning History

PA ref. 25/60719: Withdrawn application for retention & completion of alterations to the external elevations of existing retail / convenience store premises.

PA ref. 16/253: Permission granted for change of use of existing car showroom to incorporate deli, storage area, off-licence and enlarged service station shop together with all associated site works, subject to conditions. Conditions included:

5. The existing footpath shall be extended along the entire N59 frontage.
6. The net retail sales ancillary to service station use shall not exceed 100-sq.m.
11. General Financial Contributions.

6.0 Policy Context

6.1. Mayo County Development Plan 2022-2028

Integrated Land Use and Transportation Objective

MTO 1: To prepare and commence implementation of, Local Transport Plans (LTP), in conjunction with the National Transport Authority and relevant stakeholders, for Ballina, Castlebar and Westport, and other settlements, where appropriate.

Sustainable Mobility Objectives

MTO 5 To retrospectively provide public transport, walking and cycling infrastructure and facilities in existing development areas to achieve growth in sustainable mobility.

Pedestrian and Cyclist Policies and objectives:

MTP 11 To support safer cycling/walking routes to encourage people to be more physically active for transport and leisure purposes.

MTP 12 To promote the design and construction of new developments to create low carbon, walkable neighbourhoods and workplaces containing high quality green and blue infrastructure

MTO 8 To encourage and facilitate the maintenance and further development of the public footpath network, walking and cycling routes and associated infrastructure and where possible the retrofitting of cycle and pedestrian routes into the existing urban road network.

Vol 2 Development Management Standards

7.13 Petrol Filling Stations

The layout and design of petrol filling stations shall be accordance with the following criteria. A one-way system shall be used, in one way and out the other way with an entry and exit width of 10m onto National, Regional and local Roads.

Minimum standards are set out in Table 10 Filling Station Layout Dimensions

6.2. Ballina Local Area Plan 2024-2030.

The application site is zoned Existing Residential. Lands to the immediate east are zoned Enterprise and Employment.

Chapter 7 deals with Transport and Movement, with an aim to promote and develop a sustainable, integrated transport system for Ballina that prioritises walking, cycling and public transport, and provides an appropriate level of road infrastructure, road capacity and traffic management to support future development and enhance connectivity to and from regional towns and cities.

In compliance with objective MTO 1 of the CDP and regional policy objective RPO 6.17 of the RSES, a Local Transport Plan (LTP) has been prepared for Ballina (Ballina LTP), and forms part of the LAP.

7.5.4 Ballina LTP Strategy

The Ballina LTP is comprised of 6 proposed schemes, which cover the overall development of transport in Ballina. The schemes have been developed to achieve the objectives set for each transport mode accompanied by a set of goals for each

mode category. Each scheme is comprised of a schedule of physical measures aimed at facilitating shift away from unnecessary car-based travel to more sustainable modes of travel. The measures have been categorised based on the delivery time framework as follows:

- Short-term: 2-3 years
- Medium-term: 3-5 years
- Long-term: 5+ years

Proposal 3 relates to lands in the vicinity of the appeal site, described as Medium term.

It is an Objective of the Council to:

MTP 8 Support the delivery of the active travel and demand measures identified in the Local Transport Plan (Appendix 2) and require proposals for new development to compliment and demonstrate how they will integrate with the provisions of the Local Transport Plan.

It is an Objective of the Council to:

MTO 9 Support, encourage and promote modal shift in Ballina to meet mode share ambitions set out in Table 7.3 (Ballina LTP Mode Share and Modal Shift Ambitions to 2029) (including but not limited to by specified measures).

MTO 10 Support and facilitate the implementation of but not limited to the following proposed LTP measures: (full range of measures are listed in Ballina Local Transport Plan).

MTO 11 Actively seek funding for investment in active travel and public transport in the town in line with the provisions of the LTP as outlined in Appendix 2 (and any review thereof).

MTO 12 Achieve the modal shift target as set out in the LPT (Appendix 2) through collaboration with the community and transport sectors over the lifetime of this LAP.

6.3. Ballina Local Transport Plan 2025

Section 6.4 of the plan, *Network Development by Mode*, notes that the potential development of active travel facilities along the N59 from the roundabout at N59 / Quignalecka / Behy Road towards Creggs Cross (northeast), in consultation with TII and in accordance with TII publication DN-GEO-03030, is considered a long-term objective of LTP. This will require land take and appropriate set-backs.

Appendix 3: Non-Motorised Road User Accessibility Assessment.

The purpose of this NMU Accessibility Assessment is to identify gaps in the existing non-motorised road user provisions in Ballina, including cycle lanes / tracks, greenways, footpaths and crossings from the perspective of all users, including people with disabilities, and to recommend improvements where considered appropriate.

4.2 Location-Specific Findings

4.2.2 N59 Sligo Road Roundabout

The existing Sligo Road (N59) / Quignalecka / Behy Road junction consists of a mini-roundabout with four approach arms.

There are no pedestrian crossings or cyclist facilities on any of the arms at the junction, creating difficulties for the mobility-impaired and visually-impaired in navigating the road layout. Similarly, less confident cyclists may not be able to navigate the heavily-trafficked roundabout.

Suggested Treatment

The road layout at the junction should be amended to include facilities, including crossings, catering for non-motorised road users.

4.2.3 Service Station, Sligo Road (N59)

The footpath on the northern side of the N59, north of the Sligo Road (N59) / Quignalecka / Behy Road mini roundabout, terminates abruptly without any crossing to the footpath on the opposite side of the road.

Similarly, the footpath on the opposite side of the road terminates at the entrance to the service station forecourt. Both footpaths terminate flush with the carriageway,

without any tactile paving, which could result in visually-impaired pedestrians entering the carriageway inadvertently where they are at risk of being struck.

There is no footpath across the entrance to the forecourt, exposing pedestrians travelling along this side of the road to vehicles turning into/out of the petrol station.

Suggested Treatment

The entrance and exit area of the service station should be rationalised and continuous footpaths should be provided across the entry/exit. Pedestrian crossings should be provided from the new/extended footpath along the southern side of the N59 and the existing footpath on the opposite side of the road.

6.4. Mayo County Development Contribution Scheme

The scheme applies to the entire county area.

3.0 Aim of the Development Contribution Scheme

When new development occurs, it impacts on the capacity of existing infrastructure thereby placing a greater demand on the services provided by a local authority.

Accordingly, it is equitable that developers contribute to the funding of essential physical and social infrastructure that support the implementation of development plans of local authorities and the overall development of the county.

4.0 Types of Development Contribution Schemes

4.2 Special Development Contribution Scheme

A Planning Authority may, in addition to the terms of a General Development Contribution Scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by a Scheme are incurred by the Local Authority in respect of public infrastructure and facilities which directly benefit the proposed development.

9.0 Level of Contributions – this section sets out the basis for development contributions on a per-square metre basis for commercial development.

6.5. Development Management Guidelines for Planning Authorities

7.12 '*Special*' contribution requirements in respect of a particular development may be imposed under section 48(2)(c) of the Planning Act where specific exceptional costs not covered by a scheme are incurred by a local authority in the provision of public infrastructure and facilities which benefit the proposed development.

A condition requiring a special contribution must be amenable to implementation under the terms of section 48(12) of the Planning Act; therefore it is essential that the basis for the calculation of the contribution should be explained in the planning decision. This means that it will be necessary to identify the nature/scope of works, the expenditure involved and the basis for the calculation, including how it is apportioned to the particular development. Circumstances which might warrant the attachment of a special contribution condition would include where the costs are incurred directly as a result of, or in order to facilitate, the development in question and are properly attributable to it. Where the benefit deriving from the particular infrastructure or facility is more widespread (e.g. extends to other lands in the vicinity) consideration should be given to adopting a revised development contribution scheme or, as provided for in the Planning Act, adopting a separate development contribution scheme for the relevant geographical area. Conditions requiring the payment of special contributions may be the subject of appeal.

6.6. Natural Heritage Designations

The site is not within or immediately adjoining any designated nature conservation site. The closest sites are:

- Killala Bay/Moy Estuary Special Area of Conservation / Proposed Natural Heritage Areas – approx. 400m to the west.
- Special Area of Conservation River Moy, approx. 380m to the south.

7.0 EIA Screening

7.1. This case relates to a first party appeal against a special financial contribution condition attaching to the planning authority decision to grant permission. Having regard to the nature of the appeal and the provisions of s.48(13)(a), I conclude that

the appeal does not come within the definition of a 'project' for the purposes of EIA, that is, it does not comprise construction works, demolition or intervention in the natural surroundings. Refer to Form 1 in Appendix 1 of this report.

8.0 The Appeal

8.1. Grounds of Appeal

The first party make the following points in their appeal against condition no. 7:

- The condition is unreasonable, excessive, insufficiently justified, contrary to s.48(2)(c).
- The condition does not provide any itemised cost estimate, description of the nature or extent of works or explanation of how the sum has been calculated.
- Previous, cited, High Court judgments found that contributions must be clearly justified, rationally connected to the development and proportionate, and their basis transparent and reasoned.
- The subject contribution is arbitrary and unsupported.
- The development is not of a nature that could necessitate a controlled pedestrian crossing of the scale implied by the contribution sought. The contribution is disproportionate when assessed against its limited pedestrian impacts.
- A pedestrian crossing at this location is not required for the proposed development and would serve existing road users and the wider public, being of a general rather than development specific benefit.
- Special Development contributions are intended to address exceptional costs not covered by the General Contribution Scheme.
- No exceptional circumstances have been identified and it has not been established that the general development contribution scheme is not sufficient.
- No justification for this disproportionate cost has been established.
- The requirements of s.48(2)(c) have not been met.

8.2. Planning Authority Response

No response to the first party appeal was received from the planning authority. Further, the planning authority did not provide a response to a subsequent s.132 request in respect of the grounds of appeal.

9.0 Assessment

9.1. This is a first party appeal under S.48(13)(a) against a special development contribution condition (no. 7) attaching to the planning authority decision to grant permission. I note that there is no first party appeal against condition no. 8 which also relates to the payment of a s.48(2)(c) special development contribution. There has been no other third-party appeal against the decision, or observations thereon. In this regard and in accordance with s.48(13)(a), this report confines its consideration to the matters under appeal only (condition no. 7).

9.2. Section 48(2)(c) of the Planning and Development Act 2000.

This sub-section of the act provides that payment of a special contribution may be required in respect of:

- (a) a particular development, in circumstances where,
- (b) specific exceptional costs are incurred in respect of public infrastructure and facilities which benefit the proposed development, and where,
- (c) these costs are not covered by a scheme made under this section.

Section 48(12)(a) provides that where payment of a special contribution is required in accordance with subsection (2) the condition shall specify the particular works carried out, or proposed to be carried out, by any local authority to which the contribution relates.

9.3. Nature of the proposed development:

The proposed development comprises the provision of an off-licence (24.7-sq.m.) ancillary to the existing retail outlet on this site. Notwithstanding the nature of the development under appeal, revisions to the overall service station layout were sought by the planning authority or subject to condition.

Net retail use originally permitted on the site under PA ref. 16/253 was restricted to 100-sq.m. At clarification of further information stage in the current application, the applicants confirmed that the net retail area does not exceed 100-sq.m., inclusive of the proposed off-licence. The planning authority report dated 20/01/026 concluded that the development does not result in an increase in floor area and that general development contributions would not be appropriate.

9.4. Scope of public infrastructure and facilities:

Condition no. 7 requires the payment of a special development contribution of €35,000 in respect of the provision of a controlled pedestrian crossing in the vicinity, which would benefit the proposed development, and which is not included in the planning authority's Development Contribution Scheme. The stated reason is to contribute towards costs arising from maintaining public infrastructure serving the proposed development.

Condition no. 4 also requires that revised layout plans be agreed, to include pedestrian desire lines associated with proposed pedestrian crossings the subject of development contributions under Condition No. 7. While condition no. 4 refers to "proposed" pedestrian crossing, neither the subject application documentation nor the RSA associated with 16/253 proposed the provision of such facilities.

The basis for the contribution arises from the reports and recommendations of the Municipal District Engineer. It appears from reports of the Municipal District Engineer that the rationale for the contribution is that "the provision of an off-license at this location will lead to an intensification of use as this particular service is not currently available in this area. Currently those requiring an Off license have to travel further into town to avail of the service. The intensification of use will impact on road safety."

The reports do not provide a detailed breakdown of the stated cost (€35,000), nor is the form or location (either N59 or Brehy Road) of the controlled pedestrian crossing

identified. It is unclear whether the contribution is to the full or partial cost of the crossing. It is unclear from the reports on file whether the use is anticipated to give rise to an increase in pedestrian or vehicular movements, or both.

There was no further detail was provided by the planning authority in response to the grounds of appeal or in response to the Commission's s.132 request in this regard.

9.5 Development Contribution Scheme

Section 7.0 of the Mayo County Development Contribution Scheme sets out the basis for determining the contributions to be paid in respect of public infrastructure and facilities, having regard to (inter alia):

b) the estimated cost to the Council in the period 2023 to 2028 of providing further public infrastructure and facilities as set out in the objectives outlined in the Mayo County Development Plan and associated Urban/Local Area Plans and the Capital Programme.

Appendix 2 notes that 40% of contributions will be ring-fenced for Roads, Public Infrastructure (footpaths, public lighting and active travel measures).

9.6. S.48 Compliance

I am satisfied that the contribution does relate to a specific development and that the works referenced in condition no. 7 are specific enough to meet the requirements of s.48(12)(a) of the act.

The service station and retail use is long established at this location and it is clear that the overall permitted development already generates traffic movements / potential movements. The subject development will provide for improvements to pedestrian facilities along the frontage of the site which reflect the requirements of the previous permission under PA ref. 16/253. While improvements to pedestrian facilities were proposed in that application, the Road Safety Audit undertaken in respect thereof did not identify a requirement for a controlled pedestrian crossing, and such was not sought in that instance by the planning authority.

As noted above, the development does not involve any increase in retail floor area on the site, rather a change in the nature of that use. I am not satisfied that there is a basis to conclude that the subject development will result in a material increase in either pedestrian or vehicular movements such as to warrant the provision of a controlled pedestrian crossing in the vicinity. Such facilities may therefore have a wider benefit than the subject development.

I am satisfied that the studies undertaken in support of the Ballina LTP (Appendix 3: Non-Motorised Road User Accessibility Assessment) established that the need for pedestrian crossing facilities at this location already exists and does not arise from the proposed development. Further I am satisfied that it is not otherwise required to facilitate the development.

I do not consider therefore that the circumstances prevailing can be described as exceptional or can be assigned to the proposed development so as to satisfy the requirements of S.48(2)(c) of the act in this regard.

10.0 AA Screening

10.1. The appeal has been made under the provisions of section 48(13)(a) of the Planning and Development Act, 2000, as amended. The Commission shall therefore determine only the matters relating solely to a condition dealing with a special development contribution. As such, the requirements S177U of the Planning and Development Act 2000, as amended, do not apply.

11.0 Water Framework Directive

11.1. The appeal has been made under the provisions of section 48(13)(a) of the Planning and Development Act, 2000, as amended. The Commission shall therefore determine only the matters relating solely to a condition dealing with a special development contribution. As such, the requirements under the Water Framework Directive do not apply in this instance.

12.0 Recommendation

12.1. Having regard to the foregoing I recommend that the planning authority be directed to omit condition no. 7.

13.0 Reasons and Considerations

Having regard to the permitted use on the site, to the nature and scale of the proposed development comprising the provision of an ancillary off-licence with no net increase in commercial floor area on the subject site, the Commission is not satisfied that the public infrastructure and facilities the subject of the special development contribution condition are so exceptional as to meet the requirements of the section 48(2)(c) of the Planning and Development Act 2000, as amended. The planning authority are therefore directed to remove condition no. 7 from the decision to grant permission.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Conor McGrath

ADP

21/05/2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	
Proposed Development Summary	Planning application for off-licence ancillary to existing retail premises.
Development Address	Sligo Road, Quignalecka, Ballina, F26 A3P4.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input checked="" type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.	State the Class here

<p>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</p>	
<p><input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<p>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</p>	
<p><input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR</p>	<p>State the Class and state the relevant threshold</p>

If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Conor McGrath Date: 21/05/2026