



An
Coimisiún
Pleanála

Inspector's Report PL-501456-CE-26

Development	Amalgamation of 3 no. ground floor retail units and all other site works.
Location	Ground Floor Retail Units, Heather Hill House, Limerick Road, Ennis Co. Clare
Planning Authority	Clare County Council
Planning Authority Reg. Ref.	2660152
Applicant(s)	Breda Connors
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Breda Connors
Observer(s)	Kay and Paul Ryan
Date of Site Inspection	28 th August 2026
Inspector	Ciara McGuinness

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1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.115 hectares, is located to the south of Ennis on the outskirts of the urban area. The appeal site is located on the western side of the R458 and short distance north of the N85. The appeal site is occupied by a mixed use development consisting of a two-storey structure divided into 4 separate retail/commercial units with office space and storage at first floor level. The two storey building is currently vacant. The appeal site also has a crèche building located to the rear of the site (west). The appeal site has an existing vehicular access off the R458 and there is a parking area located between the public road and the two-storey structure on site and to the rear of the two-storey structure adjoining the creche. Adjoining uses include a single-storey dwelling and outbuildings to the north, a detached single-storey dwelling to the south and a wooded area to the west.

2.0 Proposed Development

The proposed development comprises the amalgamation of 3 no. ground floor retail units to provide for a single retail unit with a c.966 sqm gross floor area, and a net retail sales area of c.672sqm, including an ancillary alcohol sales area (c.61sqm).

The proposal also includes minor external alterations to the elevations to include automatic sliding entrance door, new glazed shopfronts, vinyl window coverings and a screened plant area to the north of the unit, shopfront signage including a free-standing sign (5.7m x 2.1m) at the car park entrance, and replacement shutter and entrance door to the loading area.

A Planning and Retail report is submitted with the application.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority refused permission for the following reasons;

1. Having regard to the quantum of existing and extant retail provision within walking distance of the proposal site, the extent of floor space that will be provided by virtue of the proposed amalgamation, and the out-of-centre

location of the development which is separate from the identified neighbourhood centres in the Ennis area, and notwithstanding the “Mixed Use” zoning of the site, the Planning Authority considers that the proposed development would create an out-of-centre retail unit of a scale that would create a counter attraction to existing retail provision in town’s designated centres. The proposed development would, therefore, contravene the retail development policy as expressed in Volume 7 of the Clare County Development Plan 2023-2029, and the Retail Planning Guidelines for Planning Authorities, issued by the Department of the Environment, Community and Local Government in April 2012, and would be contrary to the proper planning and sustainable development of the area.

2. Having regards to the nature of the proposed development, the location on a busy regional route in close proximity to a junction with the national road network, the significant shortfall in parking on the site based on the Parking Standards set out in Volume 1 of the Clare County Development Plan 2023-2029, and in the absence of an updated Traffic and Transport Assessment and Road Safety Audit, it is considered that the proposed development would endanger public safety by virtue of traffic hazard, and would be contrary to the proper planning and development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner’s Report dated (05/05/2026) notes that the site is zoned as “Mixed Use” and that convenience retail uses are acceptable in principle on this zoning. It is noted that the amalgamation of 2 of the retail units at the site was permitted by An Bord Pleanála. However, in the intervening years there have been several grants of permission which have altered the retail landscape in which the proposed development is situated. The submitted Retail Impact Assessment is considered deficient as it did not consider the Apple Green service station, the Aldi store or the recently permitted Lidl and Polonez store, all within c. 1km of the site. The area is well-served in terms of retail provision. It is considered the proposal to amalgamate the existing units on the site, would create a large-scale, out-of-centre convenience

retail unit, contrary to the provisions of the Clare Retail Strategy as contained in Volume 7 of the County Development Plan and contrary to the Retail Planning Guidelines (2012).

In relation to traffic, it is noted that the development has the potential to create a high level of additional traffic movements in the area, and it is considered that an updated TTA and Road Safety Audit are required in respect of the proposed development. Having regard to the proposed gross floor area and the stated proposed number of staff, there appears to be a significant shortfall in available parking to serve the proposed development. The applicant is required to demonstrate how the parking standards as contained in Volume 1 of the Clare County Development Plan 2023-2029 will be met in this development. Until such time as the above issues are satisfactorily addressed, the Planning Authority have serious concerns that the proposed development may result in the creation of a traffic hazard in the area. A refusal of permission is recommended.

3.2.2. Other Technical Reports

Ennis Municipal District Office - There is no allowance made for pedestrian access/egress to this development. A Pedestrian Crossing approx. 100m north of this development has been identified in the Limerick/Clare Rd Active Travel Scheme. A contribution €45,000 should be sought based on similar projects being delivered in the past 12 months.

Road Design Office -

Road Layout and Specification - The proposed signage should not impact on available sightlines exiting the development.

Cycle Layout - The proposed development lies within the extents of the proposed Clare / Limerick Rd Active Travel Scheme under which it is proposed to include a ramp at the entrance /exit of this development for the improved permeability of pedestrians and cyclists.

Parking - Further information required in relation to covered and secure cycle parking. All developments should provide facilities for the charging of battery-operated cars at a rate of up to 20% of the total car parking spaces. The layout provided does not appear to reference parent and child parking. The applicant

should be asked to clarify if the entire current parking provision is available for use by customers of the proposed development.

Footways - Road Design recommends that raised crossings are installed at each junction.

Waste - All waste generated and transported off site during the construction phase shall be managed in accordance with the relevant provisions of the Waste Management Act 1996 and associated amendments and regulations thereof. Only appropriately permitted waste contractors and destinations for waste materials shall be used.

Landscaping - Landscaping and planting is not to interfere with any sighting distances required at junctions.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

Two third party observations were received by the Planning Authority. The issues raised in the observations relate to scale and intensification of use, non-compliance with the retail strategy, traffic and road safety, impacts on residential and visual amenity.

4.0 Planning History

PA Reg. Ref. No. 2360582 - Permission was granted in March 2024 for revisions to the existing Mixed-Use Development previously approved under Reg. Ref. 19/206 and 19/586 (ACP-305572-19). The proposed development consisted of the change of use of the first floor from offices to 4 no. apartments and 1 no. office; internal alterations to first floor, minor alterations to both the rear fenestration and outdoor terrace to provide for dedicated private and communal open space areas; provision for bike and bike stores and alterations to previously approved internal layout at ground floor.

PA Reg. Ref. No. 19/586 (ABP Ref. No. 305572) - Permission was granted in January 2020 for the removal of the internal partition wall between Retail Unit No. 1 and the Off-Licence Unit No. 2.

PA Reg. Ref. No. 19/206 - Permission was granted in June 2019 for revisions to the existing approved Mixed-Use Development including the change of use of the first-floor from office/medical to office/storage ancillary to Unit No. 1; minor extension of the gross floor area of Unit No. 1 into Unit No. 2 by 20sq.m; the change of use of Unit No. 2 to use as an off-licence; change of use of Unit No. 4 to coffee shop; and minor revisions to elevational signage.

PA Reg. Ref. No. 11/507 - Permission was granted in September 2011 to Extend the Appropriate Period of Planning Permission (by a two year period) in relation to Planning Application Reg. Ref. No. 05/102 to demolish the existing house and for the erection of Office/Medical centre over shop units to front and for a stand alone creche building to rear with associated car parking.

PA Reg. Ref. No. 05/102 - Permission was granted in July 2006 for the development of an office/medical centre above shop units, as well as a creche to the rear and associated car parking for the site.

5.0 Policy Context

5.1. Clare County Development Plan 2023-2029

The proposal relates to retail development on land zoned 'Mixed Use' in the Ennis town plan. 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.

The Clare Retail Strategy, a contained as Volume 7 of the Clare County Development Plan 2023-2029 and Chapter 7 Retail of Volume 1 of the Clare County Development Plan 2023-2029 as relevant to the assessment of this application.

The following Development Plan Objective relates to retail activity;

Development Plan Objective: Retail Activity CDP 7.2

It is an objective of Clare County Council:

- a) To ensure that sufficient lands are appropriately zoned for retail development in each settlement of County Clare to support a level, quantum, and form of retail activity that is appropriate to the position of the settlement in the Settlement Hierarchy for the county;
- b) To have regard to the guidance set out in Retail Planning – Guidelines for Planning Authorities (2012) in the assessment of development proposals for retail development;
- c) To improve the physical appearance, vitality and vibrancy of town centre and village locations through collaboration with retail traders' associations and other key stakeholders in regeneration/public realm projects and other measures;
- d) To ensure that retail development is focussed in town and village centres with the application of a sequential approach to consideration of retail development which does not fall into this category; and,
- e) To support the Clare Economic Taskforce to pursue further economic development opportunities for the county, recognising the clear beneficial relationship between towns and the surrounding rural areas.

5.2. Retail Planning Guidelines for Planning Authorities – Department of Environment Community and Local Government (April 2012).

The Guidelines acknowledge that the retail sector is a key element of the national economy in terms of employment, economic activity and the vitality of cities and towns. A key aim of the Guidelines is to promote and support the vitality and viability of city and town centres in all their functions.

Section 4.4 contains guidance on the sequential approach to retail development. It outlines an order of priority for retail development, directing that retail development

should be located in city and town centres (and district centres if appropriate) and that edge-of-centre and out-of-centre locations should only be considered where all other options have been exhausted.

The guidelines define a supermarket as a single level, self-service store selling mainly food, with a net retail floorspace of less than 2,500sq m.

5.3. Natural Heritage Designations

Lower River Shannon SAC – c.850m to the east of the site.

6.0 EIA Screening

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 (or Part V of the 1994 Roads).

7.0 The Appeal

7.1. Grounds of Appeal

The appeal is a first party appeal against the Planning Authority's decision to refuse permission. The appeal submission includes a Retail Report and a Transport Response prepared by SYSTRA. The grounds of appeal can be summarised as follows;

- The decision to proceed directly to refusal and not request further information placed that applicant at a disadvantage noting the limited statutory timeframe available within the appeals process to address technical matters.
- The proposed development does not result in a new retail destination or any increase in retail floorspace. The proposal merely rationalises the configuration of the existing permitted units in response to modern retailer operational requirements and market demand.
- The proposal is compatible with the Mixed-Use zoning objective for the site.
- The Planning Authority characterises the proposed development as a large-scale out of centre convenience store capable of materially competing with

Ennis Town Centre. This characterisation does not reflect the scale or nature of the development proposed.

- The gross floor area of the amalgamated units extends to c.966sqm, the net retail sales area available to customers is substantially lower at c.672sqm. A store of this scale would operate as a local convenience shop rather than a destination supermarket for 'trolley shops'. The proposed development would cater for basket shopping, top up shopping and day-to-day convenience purchases.
- The refusal does not have regard to the absence of additional retail floor space, the established retail planning status at the site, the longstanding vacancy affecting the units, the neighbourhood scale of the proposed convenience offering or the submission of a retail study with the planning application.
- The previous decision by An Bord Pleanála for an earlier amalgamation proposal was considered to represent only a modest alteration to an already permitted development and was considered acceptable. The Inspector acknowledged the principle of retail development on the site was already established with no physical increase in floor area, and any increase in net retail floor space would be modest and negligible in impact and would not affect the town centre. The inspector considered that the amalgamation amounted to approximately 636sqm and concluded that this level of retail provision was 'equivalent of a local shop'. The current proposal with a 672sqm net retail sales area is consistent with a neighbourhood-scale retail function.
- The principle of retail traffic generation associated with the site has already been established as per the original development. It is considered that 3 no. independently operating retail units are capable of generating comparable levels of vehicle trips and parking demand to a single consolidated convenience retail unit.
- The proposed development would operate as a neighbourhood scale convenience store and would not provide the range or operational characteristics generally associated with larger destination supermarkets.

- The submitted SYSTRA Transport Response outlines that this type of development typically generates shorter customer dwell times and more dispersed traffic movements throughout the day when compared to larger supermarkets.
- The assessment also notes that a proportion of trips are likely to comprise pass-by trips for existing movements along the R458, rather than wholly new vehicular trips on the surrounding road network.
- The refusal does not provide any detailed or quantified parking assessment demonstrating that the proposal would give rise to a severe parking deficiency or unacceptable operational impact.
- It is submitted that the parking demand associated with a c.670sqm net convenience retail unit catering for basket and top-up shopping is materially different to that associated with larger destination supermarkets or comparison retail formats.
- Tesco, the intended operator, has confirmed that the existing level of parking provision on site is considered appropriate for the proposed store format and model.
- Demand for parking would generally occur during evening and weekend periods when demand associated with the existing creche and office uses within the development is lower. This complementary pattern of activity assists in ensuring a more balanced and efficient use of the existing parking provision across the development.
- A comparable neighbourhood-scale Tesco store in Navan operates successfully with 71 no. spaces serving a retail unit of c.980sqm GFA together with additional medical and retail uses of approx. 500sqm.
- The parking provision serving the subject site was previously accepted by the Planning Authority as part of the mixed-use development and continues to serve the extant permitted retail floorspace.
- The proposed development would ensure the long-term occupation of units which have remained vacant since construction.

7.2. Planning Authority Response

The Planning Authority's response refers the Commission to the considerations set out in the Planners Report and respectfully requests that An Coimisiún Pleanála uphold the Council's decision in this instance.

7.3. Observations

An observation was received by the Commission from Kay and Paul Ryan of Ryan's Centra, Clonroadmore, Ennis. The observation can be summarised as follows;

- The proposal is contrary to established retail hierarchy. The scale of the proposed unit is significant and exceeds what would reasonably be considered neighbourhood scale provision.
- The application fails to demonstrate compliance with the sequential approach or justify why a retail unit of this scale should be permitted in this location rather than within or adjacent to the town centre.
- The application fails to consider identified town centre opportunity sites, such as Site OPR1 (Former Boys National School), which is specifically identified for redevelopment within the County Development Plan.
- The proposal represents a fundamental change to the approved mixed-use development. The proposal would remove the diversity of the mixed-use development and replace it with a single dominant retail use.
- Scale is the critical issue. Retail use is permissible on mixed-use lands. Permission was refused because the proposed quantum of retail floorspace would create an out-of-centre retail destination inconsistent with the retail hierarchy.
- The application does not satisfactorily address the traffic and transport consequences of intensifying three separate vacant units into one supermarket-style unit. The lack of a Traffic and Transport Assessment is a significant deficiency with the application.
- The site is located in a predominantly residential area. The proposed development has the potential to impact residential amenity with increased

vehicle movements, customer activity, delivery operations, trolley movements, plant noise, refrigeration equipment noise, external lighting and general disturbances.

- The inclusion of alcohol sales further increases the destination nature of the proposed development and reinforces concerns regarding the scale and intensity of use.
- The previous appeal decision is not directly comparable. The previous proposal related to a smaller-scale retail configurations and did not involve the creation of a single retail unit approaching 1,000sqm gross floor area.

7.4. Further Responses

None.

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report/s of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Retail Impact
- Traffic
- Other Issues

8.2. Retail Impact

8.2.1. The specific nature of the development is for the amalgamation of 3 no. ground floor retail units to provide for a single retail unit. The units are existing and are currently vacant having been previously permitted and therefore my assessment must only consider the scope of the current application which is to amalgamate them.

8.2.2. The key issue in this appeal relates to level of retail floor space that is permitted and what is sought in this case. I note the planning history of the site is outlined in full above in Section 4. I note that no changes are proposed to the first-floor level as part

of the proposed development. I note that the most recent application on the site, PA Reg Ref no. 19/586 / ABP Ref. No. 305572, amalgamated unit no 1 (521sqm) and unit no. 2 (115sqm), with the amalgamated unit to be used as a convenience store with the area of unit no. 2 dedicated to the off-licence portion of the store. The total net retail floor space area provided under this application is 636sqm.

- 8.2.3. The concerns raised by the Planning Authority relate to the intensification of retail activity and the amount of retail floor space being provided. I note that the proposal provides for no physical increase in the shopping floor area above what was permitted previously on site. I would question whether the amount of additional net retail floor space to be provided would be that significant in scale above and beyond what was permitted under the most recent application. As outlined above, PA Reg Ref no. 19/586 permitted 636sqm of retail floor space in the amalgamation of Unit 1 and Unit 2. I further note that Unit 3 and Unit 4 comprised 137sqm and 143sqm of retail floor space respectively. This resulted in a retail floor space of 916sqm for the entirety of the ground floors of the units.
- 8.2.4. The current application indicates that the gross floor area of the amalgamated units extends to c.966sqm, however the net retail sales area available to customers is substantially lower at c.672sqm with the remainder of the area becoming a 'back of house' area. I consider that this level of net retail floor space is the equivalent of a small supermarket found in a local centre or neighbourhood centre and is of a similar scale to that permitted under PA Reg Ref 19/586. I consider that the proposed development entails a modest increase in net retail floor space, however I would also note that unit 3 and 4 would be part of the amalgamated area, and in this regard the level of net retail floor space would in fact be reduced when taking into consideration the entirety of the ground floor retail space.
- 8.2.5. The reason for refusal notes that the proposal development would create an out-of-centre retail unit of a scale that would create a counter attraction to existing retail provision in the town's designated centres. I would emphasise that the proposal is a modification of an established and permitted development. I would note that although the development appears to have never been occupied, the principle of such is established and must be taken into account. I note the proposal does not comprise the introduction of a new retail location or expansion into an undeveloped out of centre site, but rather the viable occupation and reconfiguration of existing

authorised retail floorspace. On this basis I do not accept that the proposal would be detrimental to the vitality or vibrancy of the town centre or impact the status of any designated neighbourhood centres in the vicinity. I would note that the proposed development is existing retail space that is vacant itself. I would consider that the occupation of the development would be a positive factor and does not deviate from the established principle on site. I would consider that a condition should be applied confining net retail floor space to the ground floor area shown on the submitted plans. Based on the aforementioned assessment I would consider that the proposal would be acceptable in the context of proper planning and sustainable development of the area.

8.3. Traffic

- 8.3.1. The second reason for refusal considers that having regards to the nature of the proposed development, the location on a busy regional route in close proximity to a junction with the national road network, the significant shortfall in parking at the site, and in the absence of an updated Traffic and Transport Assessment and Road Safety Audit, that the proposed development would endanger public safety by virtue of traffic hazard.
- 8.3.2. I note that the access to the development and parking was previously permitted as part of the overall development and no changes are proposed in this application. The parking provision was considered in the assessment of the original proposal and deemed acceptable. There are no issues within the current proposal that would warrant a reconsideration in this regard. Given that the use of the unit would not change from convenience goods and given that there is no overall increase in retail floorspace, (only an amalgamation and classification of gross and net retail floor area) I consider the existing access and parking to be acceptable. However, I note that the applicant has provided further evidence with the appeal to demonstrate that the proposed development will not result in a traffic hazard, which I discuss in the following paragraphs.
- 8.3.3. The report prepared by SYSTRA as part of the appeal has set out a vehicle trip generation assessment which estimates the levels of traffic generation from the site of the proposed development. The assessment has considered current and proposed arrangements on site and carried out the assessment in the context of the

'local shop' type units being replaced with a convenience retail store. The assessment has also considered the existing office and creche uses at the development site which will remain. The traffic impact of the proposed convenience retail unit is predicted to be relatively modest, resulting in an addition of 1 vehicle entering and leaving the site each minute in peak hours (17:00-18:00 weekday and 15:00-16:00 weekend). I am satisfied that the applicant has demonstrated that the proposed development will not result in a significant intensification of traffic above what could be potentially generated from the established nature of the retail use on site.

- 8.3.4. I note the refusal reason has referenced the significant shortfall in parking. I note however that no qualitative assessment was undertaken in the Planner's Report. The relevant parking provisions for convenience retail in the Development Plan are 5-7 spaces per 100m² in town centres (dependent on-site characteristics) and 8 spaces per 100m² in other areas. However, I consider that the standards in the Development Plan in relation to parking offer considerable flexibility. It is noted that *'In town centre locations, in mixed use development proposals, consideration will be given to dual parking usage, where peak times do not coincide'*. The report prepared by SYSTRA as part of the appeal has set out that there are 3 different uses (creche, office and retail) within the development which will have different parking profiles and peak periods. Furthermore, the Development Plan notes that applicants may propose an alternative parking arrangement from the standards set out for the agreement of the Planning Authority. Where a deviation from the standards is proposed the applicant/developer shall submit details of the predicted parking requirements associated with the proposed development and the capacity of the proposed onsite provision to accommodate this demand, including at peak times. The SYSTRA report has set out there is a total of 81 no. car parking spaces serving the overall development. The larger car park to the west of the retail units (adjacent the creche and office units) contains 36 standards spaces, 2 accessible spaces and 3 drop-off spaces. The second car park to the east of the retail units adjoining the R458 contains 31 spaces and 2 accessible spaces. The analysis presented in the report considers that the available quantum of parking at the site is suitable to accommodate a convenience retail of the scale proposed. The analysis shows there is a steady stream of arriving and departing vehicles, but weekday car park

occupancy remains between 19 and 29 vehicles between 09:00 and 18:00, within the 33-space capacity to the east. This is considered consistent with short-duration basket and top-up shopping trips with customers remaining in store for 10-15 minutes. It is considered that beyond these hours the creche and office car parking would be expected to be empty and available for use. For weekend parking there is also expected to be a slight breach in capacity within the car park to the east between 14:00 and 16:00, however the creche and the office car park will be largely empty and available to accommodate overspill. I am satisfied that the existing quantum of parking at the site is sufficient to accommodate the proposed development.

- 8.3.5. I note also that the report has also outlined the accessibility of the site with residents in south Ennis and north Clarecastle within walking distance of the proposed development site. Having regard to the above assessment, I do not consider that the proposed development would result in a significant intensification of traffic above what could be potentially generated from the established nature of the retail use on site. I consider that the existing access arrangement and the quantum of the existing on-site parking provision is acceptable and is considered sufficient to cater for the proposed development.

8.4. Other Issues

Residential and Visual Amenity

The observation on the appeal has raised a number of residential and visual amenity concerns. The site is located within the built-up urban area of Ennis and is not regarded as being of particular visual sensitivity. The proposed development will not alter the footprint or height of the existing building. The proposed changes are primarily to the internal layout of the units. Any proposed external works are minor in nature will improve the appearance of the currently vacant units. I do not consider that there would be any visual impact as a result of the development. Having regard to the location of the development within the urban area of Ennis, the established principle of retail use on the site, and the nature of the changes proposed, I do not consider that there would be any noise, lighting or other nuisance impacts which would be of a magnitude to affect the local residents in the area. I note that there were no other local third-party submissions in this regard.

9.0 AA Screening

I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located approximately 850m to the west of the Lower River Shannon SAC (Site Code 002165).

The development description was set out within Section 2 of the report above.

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows;

- The small scale and nature of the development
- The separation distance from the nearest European site and the lack of direct hydrological or ecological connectivity to any Natura 2000 site.
- Taking into account screening determination by LPA.

I conclude, 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 (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive.

Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive.

Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

11.1. I recommend that permission is GRANTED for the following reasons and considerations, and subject to the conditions set out below.

12.0 Reasons and Considerations

Having regard to the nature and scale of the development to be retained, the planning history and scale of development previously permitted on the site, and the policies and objectives of the development plan for the area, it is considered that subject to compliance with the conditions set out below the proposed development would not adversely impact on the amenities of the area, would not impact on the vitality of the town centre and would not result in the creation of a traffic hazard. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The total convenience goods net retail sales area (as defined in Annex 1 of the Retail Planning Guidelines for Planning Authorities (2012) of the supermarket, as

delineated on drawing number PL100 submitted to the Planning Authority on the 12th day of March, 2026, shall not exceed 672 square metres

Reason: In the interest of clarity.

3. Details of all external shopfronts and signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the amenities of the area/visual amenity.

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.

Ciara McGuinness
Planning Inspector

9th September 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	501456
Proposed Development Summary	Amalgamation of 3 no. ground floor retail units and all other site works.
Development Address	Ground Floor Retail Units Heather Hill House , Limerick Road , Ennis Co. Clare
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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ 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)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to	

be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
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?	
☒ 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.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR 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 ☐	Screening Determination required (Complete Form 3)
No ☐	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____