

Planning Report and Statement of Consistency

Development at Drumcliff Burial Ground

Prepared on behalf of

Clare County Council

September 2025



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1. INTRODUCTION

1.1 Background

This planning report was prepared by MacCabe Durney Barnes on behalf of Clare County Council in respect of a proposed extension to the existing Drumcliff Burial Ground, Ennis, Co. Clare .

Pursuant to Section 177AE of the Planning and Development Act, as amended, Local Authorities or Local Authorities in partnership another party shall apply to An Coimisiún Pleanála to undertake development where it requires a Natura Impact Statement (NIS). The Coimisiún is therefore the competent authority and may approve the development with or without modifications or refuse to approve. This report has been prepared to accompany the application to An Comisiún Pleanála.

An Bord Pleanála's Guidance Note¹ provides procedural advice in relation to submission of proposals to An Bord Pleanála for local authority developments under s.177AE (relating to appropriate assessment (AA)) of the Planning and Development Act, 2000, as amended.

When considering a proposal under section 177AE, An Comisiún Pleanála must have regard to:

- the likely effects on the environment of the proposed development,
- the likely consequences for proper planning and sustainable development in the area in which it is proposed to situate the development, and
- the likely significant effects of the proposed development on a European site

This report has been prepared to address the likely consequences for proper planning and sustainable development in the area in which it is proposed to situate the development, which must have regard to the following:

- justification for the project;
- main Development Plan provisions relating to the subject site and surrounding area including any relevant Core Strategy provisions;
- relevant planning history relating to the subject site and the surrounding area;
- relevant national, regional and local policies; and
- description of use of adjoining, abutting or adjacent lands.

1.2 Background to the Development

The development proposes to extend the existing burial ground in order to accommodate the Ennis and wider county community. Drumcliff is the County Burial ground. Under the Public Health (Ireland) Act 1878 Part III Section 160, 172 and 173 Clare County Council is obliged to provide burial space. The development will also involve the construction of internal roads, footpaths and shared surfaces.

The development will include: circa 413 double plots (or 826 single plots) and provision for ash plots, access road improvements including lay-bys, turning circle and traffic calming measures, parking; 23 standard spaces, 6 wheelchair accessible spaces, footpaths, drainage, planting and landscaping including columbarium (with circa 470 niches) and associated site works.

¹ An Bord Pleanála, Applications for approval for Local Authority Developments made to An Bord Pleanála under 177AE of the Planning and Development Act, 2000, as amended (Appropriate Assessment) Guidelines for Local Authorities (www.pleanala.ie)

Under ABP-318080-23 an application was approved by An Bord Pleanála (on 18/4/24) at the subject site for a similar development. Clare County Council are now seeking a new planning permission as the previous design had issues around accessibility (this was revealed in a technical audit during the post planning phase). While the previous design met the requirements of the Technical Guidance Documents, it was considered improvements could be made to ensure that the burial ground is usable all members of the community. The revisions were considered to be material requiring the making of a new full planning application to ABP.

1.3 Structure of the Planning Report

This planning statement is structured as follows:

- It provides a description of the site and surrounding area, and of the proposed development.
- It outlines how the development complies with:
 - National policy
 - Regional policy; and
 - Local policy.

It gives an overview of environmental matters, including ecology, environmental impact assessment and appropriate assessment.

2. SITE LOCATION AND CONTEXT

2.1 Site Location

The site is located at Drumcliff, Ennis, Co. Clare to the north west of Ennis town. The site is currently partly in cemetery use and part greenfield site which is located adjacent to the existing Drumcliff Burial Grounds. The applicants subject site extends to approx. 1.8 ha. The site is to be accessed from the Drumcliff Road which runs adjacent to the west and north of the site. The subject site is rural in character and dominated by the historically established cemetery in this location.

The subject site is situated on an elevated position above the existing burial grounds. To the east, over the crest of the hill, is Drumcliff Water Treatment Plant. Approximately half a kilometre to the east is the Gort Road comprising the northern suburbs of Ennis Town including the Gort Road Business Park. The River Fergus to the east and Ballyalia Lake to the north form part of a green natural edge to the town of which the burial ground is a part.

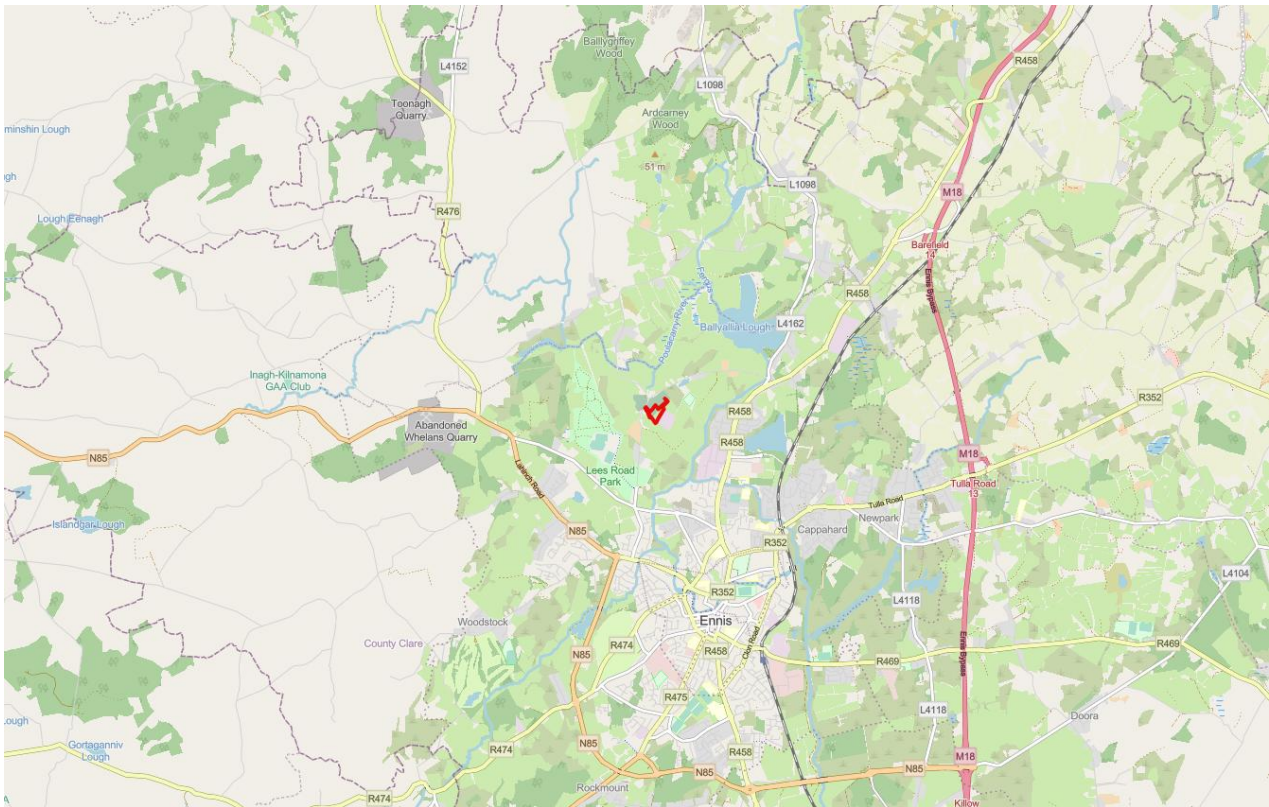


Figure 1: Proposed Development Site at Drumcliff, Co. Clare (Source: OpenStreet maps, ArcGIS)



Figure 2: Proposed Development Site at Drumcliff, Co. Dublin (Aerial View) (Source: ArcGIS maps)

2.2 Site Description

The site is located at Drumcliff, Ennis, Co. Clare to the north west of Ennis town. The site is currently partly in cemetery use and part greenfield site which is located adjacent to the existing Drumcliff Burial Grounds. The applicants subject site extends to approx. 1.8 ha.

The site is to be accessed from the Drumcliff Road which runs adjacent to the west and north of the site. The subject site is rural in character and dominated by the historically established cemetery in this location. The subject site is situated on an elevated position above the existing burial grounds. To the east, over the crest of the hill, is Drumcliff Water Treatment Plant. Approximately half a kilometre to the east is the Gort Road comprising the northern suburbs of Ennis Town including the Gort Road Business Park.

2.3 Landscape and Visual Context

Views of the subject site are illustrated in the Figures below.

The landscape character of the site is dominated by the existing burial ground on both sides of the rural road. The subject site sits above the established existing cemetery at an elevated position, but is situated within the crest of hill. The visual presentation of the hill is broken up by line of trees (offering greater visual protection during when in leaf).



Figure 3 View of Drumcliff Burial Ground with subject site on elevated ground east of tree line



Figure 4 View of existing Burial Ground (Saint Brigid's - Section E) and subject site area



Figure 5 View of internal access road with subject to left and right



Figure 6 View of internal access road facing north with subject either side



Figure 7 View of Drumcliff Burial Ground from elevated ground to east

2.4 Population

The subject site is located within the Ennis Rural Area ED. The 2022 Census records that the population of this area grew from 17,709 in 2016 to 19,039 in 2022 (7.5%). Ennis Urban Area grew 7.8% to 5,352 persons. Co. Clare grew 7.2% over the same period to 118,817.

Figure 8 below illustrates land use in the vicinity of the subject site, based on Geodirectory (Myplan.ie). It illustrates that the area of the subject site is rural in character with farmsteads and small clusters of houses nearby. The nearest residential areas (indicated in red) is to the east along the Gort Road in the northern suburbs of Ennis. There is a notable concentration of commercial and employment uses (green) in the vicinity of the Gort Road business park.

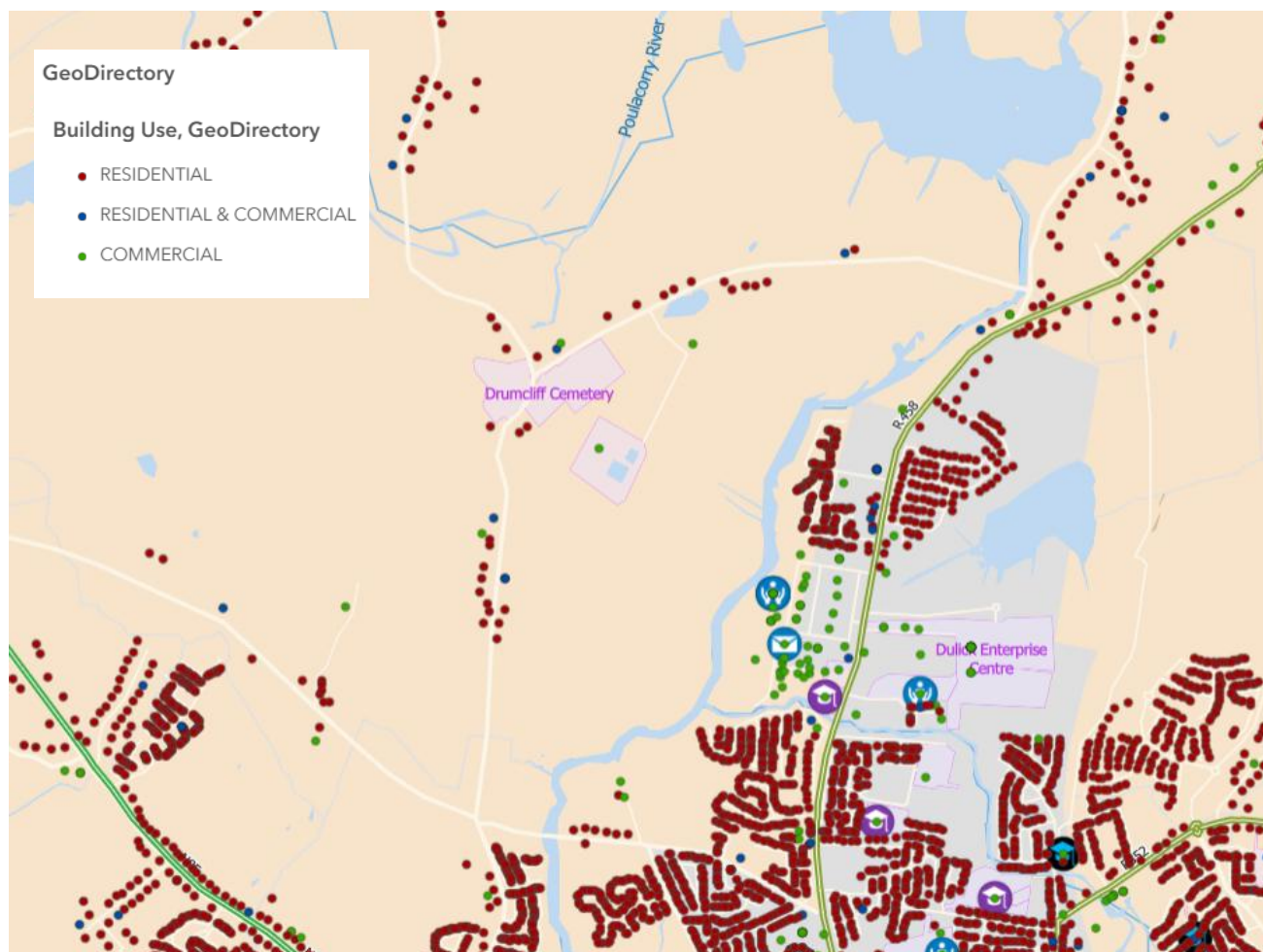


Figure 8 Land use in the vicinity of the project (Source: Geodirectory, LDA Maps)

2.5 Relevant Planning History

Under ABP-318080-23 an application was approved by An Bord Pleanála (on 18/4/24) at the subject site for a similar development. Clare County Council are now seeking a new planning permission as the previous design had issues around accessibility (this was revealed in a technical audit during the post planning phase). While the previous design met the requirements of the Technical Guidance Documents, it was considered improvements could be made to ensure that the burial ground is usable all members of the community. The revisions were considered to be material requiring the making of a new full planning application to ABP.

There are no other applications that directly interact with the development here under review.

The following cases are noted.

Planning Reference	ABP-318080-23 (Application for approval made under Section 177(AE) of the Planning and Development Act, 2000 (local authority development requiring appropriate assessment))
Applicant	Clare Co. Co.
Location	Drumcliff Burial Ground
Description	Improvement works at Section E and to extend the existing burial ground into Section G at St. Brigid's Graveyard. The proposed works would comprise: • An additional 350 double plots (incl. provision for ash plots). • Access road improvements (incl. lay-bys, turning circles & traffic calming), • Parking, drainage & footpaths. • Planting & landscaping works (incl. Columbarium & Reflectance Garden) • Associated site works.
Decision Date	18/04/2024
Decision	Approved
Note:	The Inspectors Report in respect of this application noted there was one submission from a Prescribed Body (DHLG&G). It did not raise any objections to the project subject to compliance with a condition which requires an archaeological assessment of the site, having regard to the proximity of the proposed extension to National and Recorded Monuments (Graveyard, Church & Round Tower). One submission was received from an adjoining property owner.

The Board's Order concluded the following in respect of the Proper Planning and Sustainable Development and Likely Effects on the Environment:

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have significant negative effects on the environment or the community in the vicinity, would not give rise to a risk of pollution, would not be detrimental to the visual or landscape amenities of the area, would not seriously injure the amenities of property in the vicinity, would not adversely impact on the cultural, archaeological and built heritage of the area and would not interfere with the existing land uses in the area, or give rise to a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area and it would not give rise to likely effects on the environment.



Figure 9 Layout Approved Under Ref. ABP-318080-23

Planning Reference 228008

Applicant Clare Co. Co.

Location Drumcliff Burial Ground

Description Improvement works to St Brigids Section E and the development of an extension to the existing Burial Ground at Drumcliff, Ennis, Co Clare. The development will include: 1) An addition of circa 350 double plots including provision for ash plots. 2) Access road improvements including lay-bys, turning circle and traffic calming measures. 3) Parking; 23 standard spaces, 6 Wheelchair accessible spaces. 3) Footpaths. 4) Drainage. 5) Planting and landscaping including Columbarium and Reflectance Garden. 6) Associated Site Works.

Decision Date 16/12/2022

Decision Withdrawn

Planning Reference 228004

Applicant Clare Co. Co.

Location Drumcliff Burial Ground

Description Improvement works to St Brigids Section E and the development of an extension to the existing Burial Ground at Drumcliff, Ennis, Co Clare. The development will include: 1) Circa 350 double plots and provision for ash plots, 2) Access road improvements including lay-bys, turning circle and traffic calming measures, 3) Parking; 23 standard spaces, 6 Wheelchair accessible spaces, Footpaths, Drainage, Planting and landscaping including Columbarium and Reflectance Garden 4) Associated Site Works.

Decision Date 14/07/2022

Decision Withdrawn

Planning Reference	02876
Applicant	Clare Co. Co.
Location	Drumcliffe, Ennis,
Description	Water Treatment Plant and Sludge Treatment Building (Option 2) including widening and resurfacing of the existing access road, removal of existing post and wire fence, hedge and wall, construction of new fence and gates, external tank structure
Decision Date	15/10/2002
Decision	Withdrawn

3. PROPOSED DEVELOPMENT

3.1 Project Description

The proposed development comprises an extension to the existing burial ground at Drumcliff in order to accommodate the Ennis Community. The development will also involve the construction of internal roads, footpaths and shared surfaces.

The site is to be accessed from the Drumcliff Road which runs adjacent to the western boundary of the site. Due to the natural character of the site care must be taken to ensure that the landscape treatment is in keeping with the local character and the existing vegetation will be retained and augmented as much as is possible. The construction will provide high quality landscaped burial ground and open space.

The breakdown of the overall development on a site of c.2.342ha is as follows:

- 1) An addition of circa 413 double plots (or 826 single plots) including provision for ash plots.
- 2) Access road improvements including lay-bys, turning circle and traffic calming measures.
- 3) Provision of columbarium walls with circa 470 niches.
- 4) Parking; 23 standard spaces, 6 designated spaces for people with disabilities.
- 5) Footpaths and the provision of access ramps.
- 6) Drainage, landscaping works, and planting.
- 7) Associated Site Works.

The area of the proposed graveyard extension is shown in Figures 10, 11 and 12. The landscape plan is shown in Figure 13.

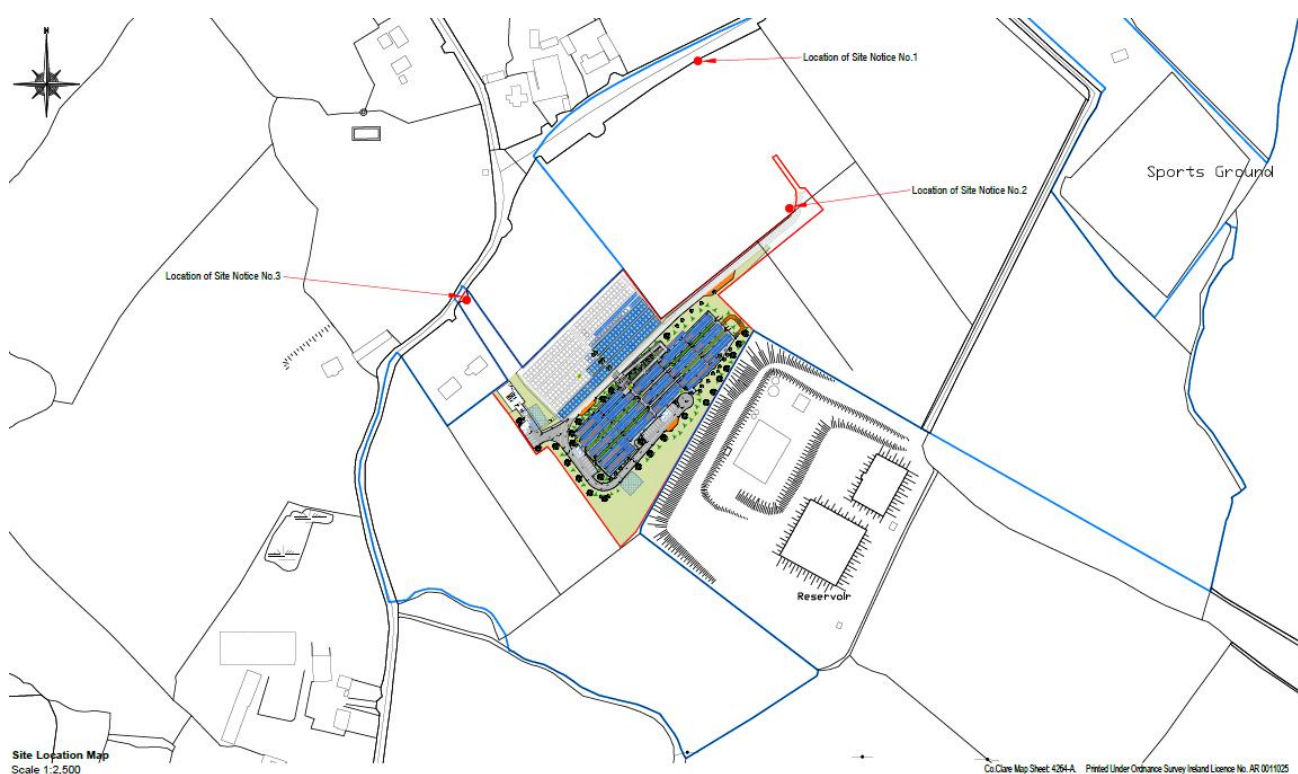


Figure 10 Site Location Plan of subject site (Source: P.Coleman & Associates)

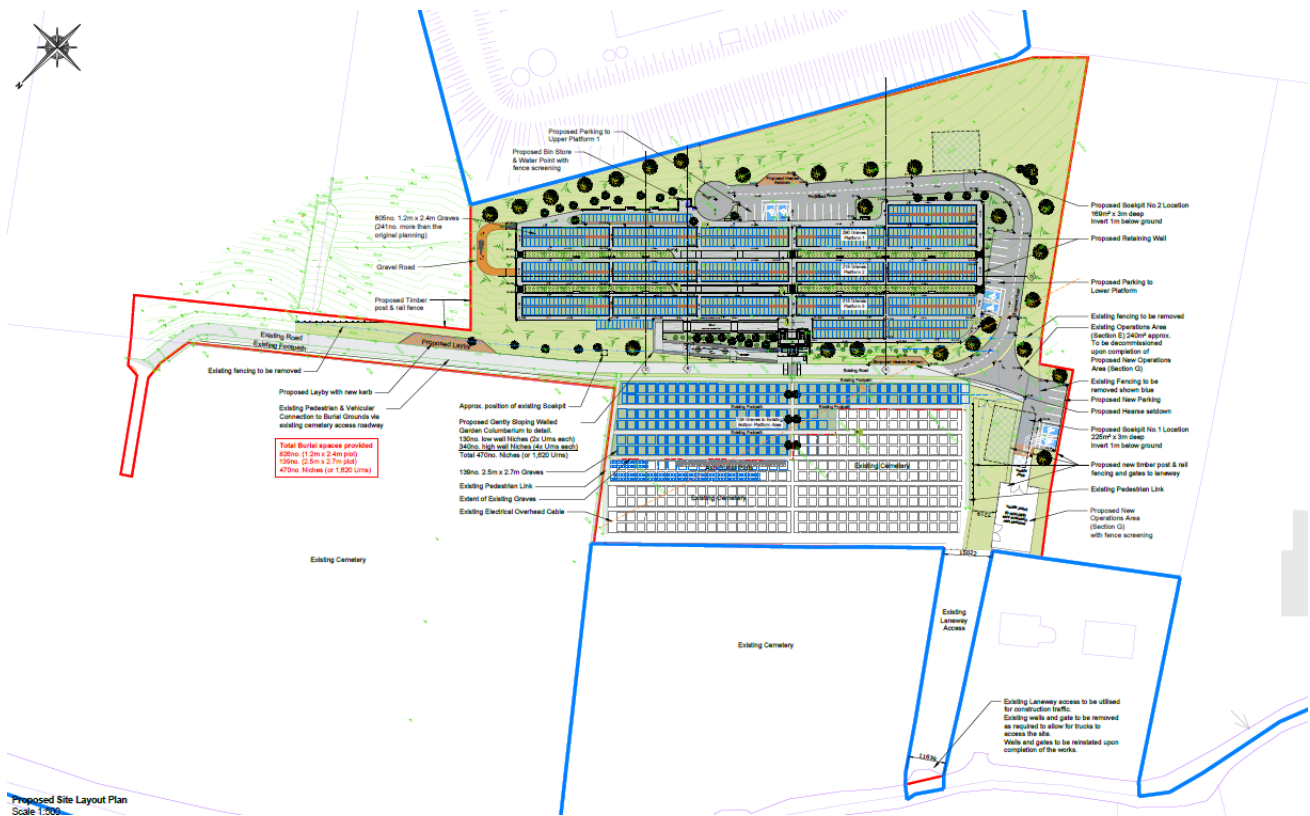


Figure 11 Proposed Site Layout Plan (Source: P.Coleman & Associates)

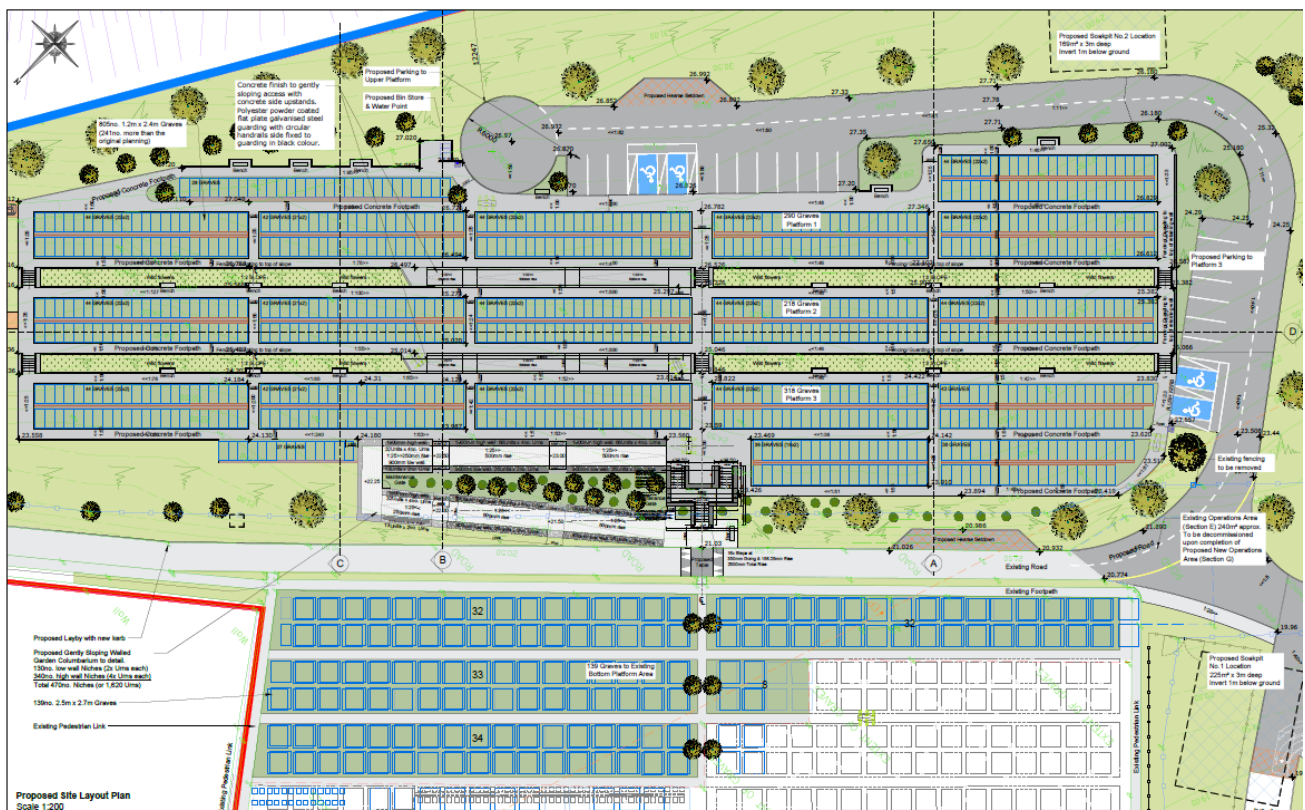


Figure 12 Proposed Site Layout Plan (Source: P.Coleman & Associates)

3.2 Landscape Proposals

The landscape concept for this burial ground is to create a fit for purpose space that will be of high quality and will mature to become an attractive space for its users. The landscape scheme has been broken down into areas arranged for flexibility in activity and for social interaction.

The landscape proposals are to augment the proposed cemetery scheme with the existing cemetery located adjacent to the site. This will be achieved by using native Irish plant material.

Roadside planting will be created using Maples and Lime trees to ensure a high level of landscaping is achieved on site. Slower growing species such as Oak will be planted in areas where there is future growth potential to mature into a specimen trees.

The open space areas of the scheme will make a reflective space for the users and visitors.

The introduction of native species will also promote the natural flora and fauna in the area. Fruiting species like Malus and Sorbus will promote the local fauna in the area. Adding native plant material to the landscape scheme will add to the overall appearance of the landscape as well as improving the ecological value of the site.

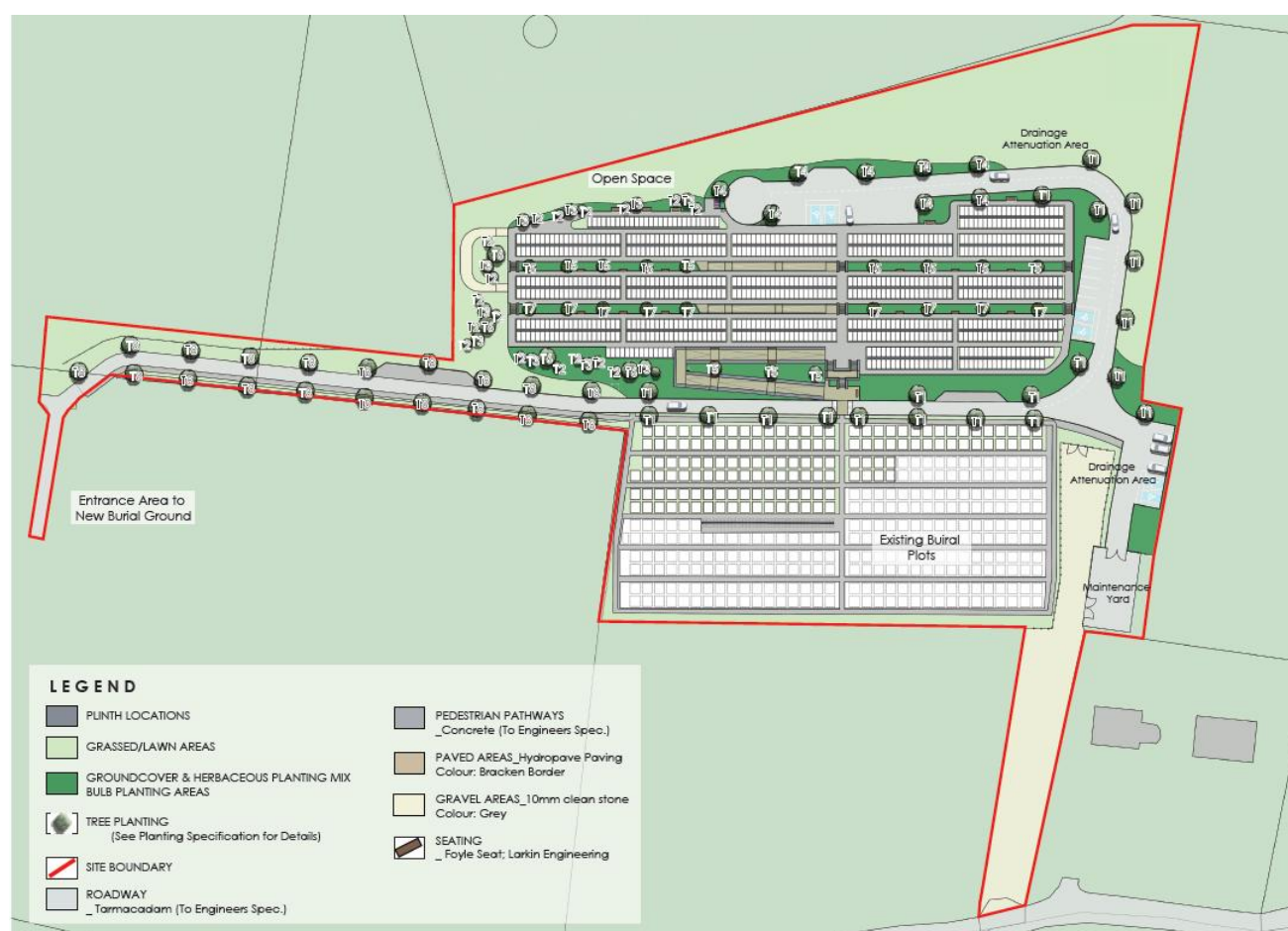


Figure 13 Site Landscape Masterplan (Source: Cormac Langan Landscape Architecture)

3.3 Drainage Proposals

A detailed drainage design plan has been prepared for the proposed development. The drainage design has taken into account the sloping nature of the site, with drainage features running with the existing ground contours to ensure that all surface waters arising at the site are captured within the drainage system, with no direct unattenuated discharge of surface water from the proposed development site.

The design of the drainage system incorporates the following measures:

- Surface water falling on green (grave) areas will infiltrate into green areas.

- Footpaths will be sloped toward adjacent green areas to allow for infiltration. Surface water from footpaths, which does not directly infiltrate to ground, will be collected by aco drains and directed to soakpits.
- Surface water from new roadway will generally be served by a french drain with land drain pipe the roadway. A soak pit area will be provided at the lowest point of the drainage run to accommodate any heavy flows of surface water than is not absorbed by the french drain itself.
- New gullies serving existing roadway/proposed roadway junction area are served by a soak pit.
- Main Pedestrian Access Ramp and stairs with non-porous finish to be accommodated by soak pit.

3.4 Construction Management

The Hydro Environmental Services Report details a series of construction management measures to provide for the control of water, equipment and soils.

In each case, mitigation measures have been implemented into the proposed development design in order to avoid potential effects on downgradient hydrological receptors, including the Poulacorey Swallow hole and Drumcliff PWS.

Management of surface water runoff and subsequent treatment before release off-site will be undertaken during construction work as follows:

- lines of silt fencing will be constructed along the northern boundary of the site during construction;
 - All stockpiles will be damped down or covered in a sheet of polythene, as required, which will prevent the creation of nuisance dust, and will also prevent sediment runoff in times of heavy precipitation; and,
- Restricting construction to within well marked areas, adherence to the non-carrying out of construction after or during heavy rainfall.

The following measures in relation to the management of hydrocarbons and related oils/fuels will be implemented:

- All plant and machinery will be serviced before being mobilised to site;
- No plant maintenance will be completed on site, any broken down plant will be removed from site to be fixed;
- Refuelling will be completed in a controlled manner using drip trays at all times;
- Any fuel and chemical stores including tanks and drums will be regularly inspected for leaks and signs of damage;
- Drip-trays will be used for fixed or mobile plant such as pumps and generators in order to retain oil leaks and spills;
- Only designated trained operators will be authorised to refuel plant on site;
- Procedures and contingency plans will be set up to deal with emergency accidents or spills; and,
- An emergency spill kit with oil boom, absorbers etc. will be kept on-site for use in the event of an accidental spill.

The following measures in relation to the management of cement-based products will be implemented:

- No batching of wet-cement products will occur on site. Ready-mixed supply of wet concrete products and where possible, emplacement of pre-cast elements, will take place;

- No washing out of any plant used in concrete transport or concreting operations will be allowed on-site;
- The contractor will use weather forecasting to plan dry days for pouring concrete; and,
- The pour site will be free of standing water, and plastic covers will be ready in case of a sudden rainfall event.

The Hydro Environmental Services Report considers further control measures are not considered necessary due to:

- The thickness of subsoils present at the site (8.5-13.5m), which places the site within an area of Low-Moderate groundwater vulnerability;
- The low-moderate infiltration rate;
- The elevated nature of the extension site relative to surrounding surface water bodies;
- The lack of groundwater presence at grave base depth (~1.8m); and,
- The historical data on groundwater quality at Pouladower swallow hole, indicating good quality water, with no increased levels of Ammonia (Poulacorey swallow hole ammonia rates were lower than Drumcliff Spring).

4. PLANNING POLICY

4.1 National Policy

4.1.1 Project Ireland 2040 – National Planning Framework (NPF) First Revision April 2025

The Government of Ireland has developed a strategic framework called Project Ireland 2040 National Planning Framework (NPF) to direct development and investment. The NPF aims to establish a common vision and a set of goals for every community to guide the growth and development of Ireland until 2040. These goals are called National Strategic Outcomes (NSOs) which are further articulated through National Policy Objectives (NPOs). The following NSOs and NPOs that are related to the proposal and are accompanied by a statement that explains how the Proposed Scheme aligns with them:

National Policy Objective 36 Support the objectives of public health policy including the Healthy Ireland Framework and the National Physical Activity Plan, though integrating such policies, where appropriate and at the applicable scale, with planning policy.

National Policy Objective 76 Sustainably manage waste generation including construction and demolition waste, invest in different types of waste treatment and support circular economy principles, prioritising prevention, reuse, recycling and recovery, to support a healthy environment, economy and society.

National Policy Objective 81 Support the implementation by Uisce Éireann, Local Authorities and other parties with drainage responsibilities of Integrated Wastewater and Drainage Management Plans on a prioritised risk basis in accordance with the requirements of the RBMP and EU Water Directives.

National Policy Objective 92 Ensure the alignment of planned growth with the efficient and sustainable use and development of water resources and water services infrastructure, in order to manage and conserve water resources in a manner that supports a healthy society, economic development requirements and a cleaner environment.

Comment:

The NPF does not specifically refer to Burial Grounds. The provision of municipal facility is a vital land use for public health needs of the population, within the environmental constraints of the receiving environment. The proposed extension of the burial ground is consistent with NPO36 addressing a public health need in an appropriate location at an appropriate scale. Detailed studies accompanying the application demonstrate there is not a negative environmental impact consistent with the objectives of NPO 76, 81 and 92.

There are not considered to be any relevant Ministerial Guidelines or other national policy statements applicable to the proposed development.

4.2 Regional Policy

4.2.1 Regional Spatial & Economic Strategy for the Southern Region 2020

The RSES provides policy responses in the form of Regional Policy Objectives (RPOs) in response to regional assets, opportunities and pressures. This contributes to a spatial strategy with the intention of managing future growth and creating healthy and attractive places to live and work.

Ennis is defined as a 'Key Town'

Ennis, with a population of 25,276 in 2016, is the largest town in Munster and the fifth largest settlement in the Region. The triangle of Limerick-Shannon-Ennis is recognised as the economic engine of the Mid-West. The M18 has created a greater synergy and connection between Ennis and Galway and there is potential to attract economic drivers/ infrastructure such as data centres. In this context, Ennis should build on its current talent and skills offer and attract a higher level education campus. The preparation of the 'Ennis 2040 Economic and Spatial Strategy' offers an opportunity to create a long-term strategy for the sustainable development of the town.

Section 3.5 of the RSES states the Key towns each play a critical role in underpinning the RSES and ensuring a consolidated spread of growth beyond the cities to the sub-regional level. It is envisaged that the Key Towns will be a focus for significant growth (more than 30%). The nature, scale and phasing of this growth will be determined by local authorities depending on a capacity analysis of each town. For some, this will result in significant population growth; for others, the emphasis may be on growth of services and facilities with more limited population growth.

... These are major centres for delivery of public services, with large hospitals, third level institutions, courts, local and national government functions as well as economic and business roles and higher order retail functions. These Key Towns are self-sustaining regional drivers and have a comparable structure to the five regional growth centres identified in the NPF. Given their considerable scope for growth, it is envisaged that local authorities should plan for population growth of more than 30% by 2040.

RSES lists the following Attributes and Infrastructural requirements for the town:

Attributes

- Strategic location relative to Limerick and Galway Cities and Shannon International Airport • Improved synergies between Ennis and Galway due to the M18
- Rail, bus and motorway connectivity
- Economic triangle of Limerick - Shannon – Ennis
- High quality 'dark fibre broadband' and innovation in electronics
- Availability of various opportunity sites allowing expansion of the town centre
- Availability of strategic brownfield sites, such as the Roche site and Clarecastle (23ha).
- Information Age Park Opportunity site –brownfield site (20.8ha).
- Proximity to internationally recognised tourism assets, including Cliffs of Moher, Burren, Loop Head and to towns and villages in West Clare
- Centre for culture, music, heritage and tourism
- High quality of life, attractive town centre and tidy towns winner, boutique capital of Munster
- Ennis General Hospital

Key Infrastructural Requirements

- i. *Provision of a new access to the motorway from the Quin Road to alleviate significant heavy traffic from the town*
- ii. *Strengthen 'steady state' investment in rail infrastructure to ensure its continued renewal and maintenance to high level to provide quality levels of safety, service, accessibility and connectivity;*
- iii. *Northern Inner Relief road, linking Gort Road (R458) to Tulla Road (R351)*
- iv. *Link from Drumcliff Road (L4182) to Lahinch Road (N85)*
- v. *Link from Drumcliff Road (L4182) to Gort Road (R458)*
- vi. *Link from Clon Road (R871) to Quin Road (R469)*
- vii. *A Local Transport Plan, including mobility management, to facilitate the delivery/ development of key town centre opportunity sites and public realm enhancement initiatives*
- viii. *Water and wastewater infrastructure for phased growth*
- ix. *Enhance the potential for green infrastructure leaders between recreational facilities at Lees Road, West Clare Railway line, Ballyallia Lake, the River Fergus and Clarecastle*
- x. *Redevelopment of Our Lady's Hospital*

The following relevant Regional Policy Objectives are noted

RPO 13:Ennis

- a. To support Ennis as a self-sustaining, regional economic driver and as a key location for investment choice in the region, to support its enhanced development based on its strategic location relative to Limerick and Galway Cities and Shannon International Airport, as well as its role as a centre of employment and economic activity within the Region. The RSES recognises that this should be supported and enhanced through initiatives such as the Atlantic Economic Corridor;
- b. To support the implementation of Ennis 2040 to set the long-term economic strategy for the county town with an agreed focus on an economic future and spatial pattern to 2040 and beyond. The RSES recognises the higher education growth potential of Ennis and its vision to become a centre for lifelong learning;
- c. To support the delivery of the infrastructural requirements identified for Ennis, subject to the outcome of the planning process and environmental assessments;
- d. To strengthen 'steady state' investment in existing rail infrastructure and seek investment for improved infrastructure and services to ensure its continued renewal and maintenance to high level in order to provide quality levels of safety, service, accessibility and connectivity including improved frequency and journey times

Comment:

The RSES does not specifically refer to Burial Grounds. The provision of municipal facility is a vital land use for public health needs of the population, within the environmental constraints of the receiving environment. The proposed extension of the burial ground is consistent with the designation of Ennis as a Key Town that facilitates services for a growing population.

4.3 County and Local Planning Policy**4.3.1 Clare County Development Plan 2023-2029**

The Clare County Development Plan came into effect on 20th April 2023. Under the County Development Plan (CDP) policy, the site is located in a "Rural Area under Strong Urban Influence" (Figure 14) and in a "Working

Landscape"; - 'intensively settled and developed areas within Settled Landscapes or areas with a unique natural resource'; (Figure 15) The Infrastructure, Environment and Flood Risk is also consistent with the CDP 2017-23 (Figure 16).

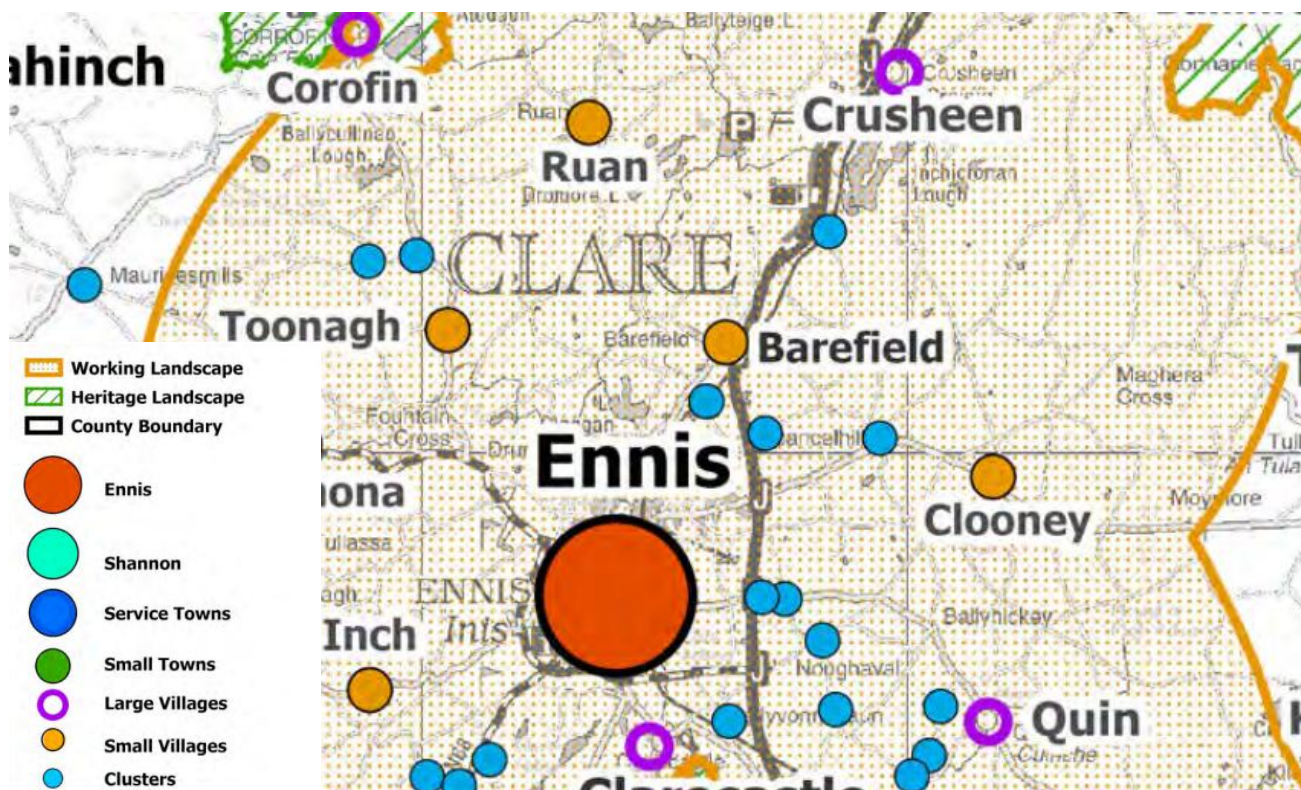


Figure 14 Extract from Map C Landscape Designations (CDP)

Development Plan Objectives

It is pertinent to refer to the following Objectives in the Development Plan:

CDP16.12 Raising Archaeological Awareness

It is an objective of Clare County Council:

- To raise awareness of and improve practice in relation to archaeology in County Clare; and
- To promote the care and conservation of historic graveyards throughout the County. Within the lifetime of the Plan it is an objective to prepare conservation plans for a number of historical church and graveyard sites, with the objective of identifying necessary works required to address the decay of the fabric of the sites.

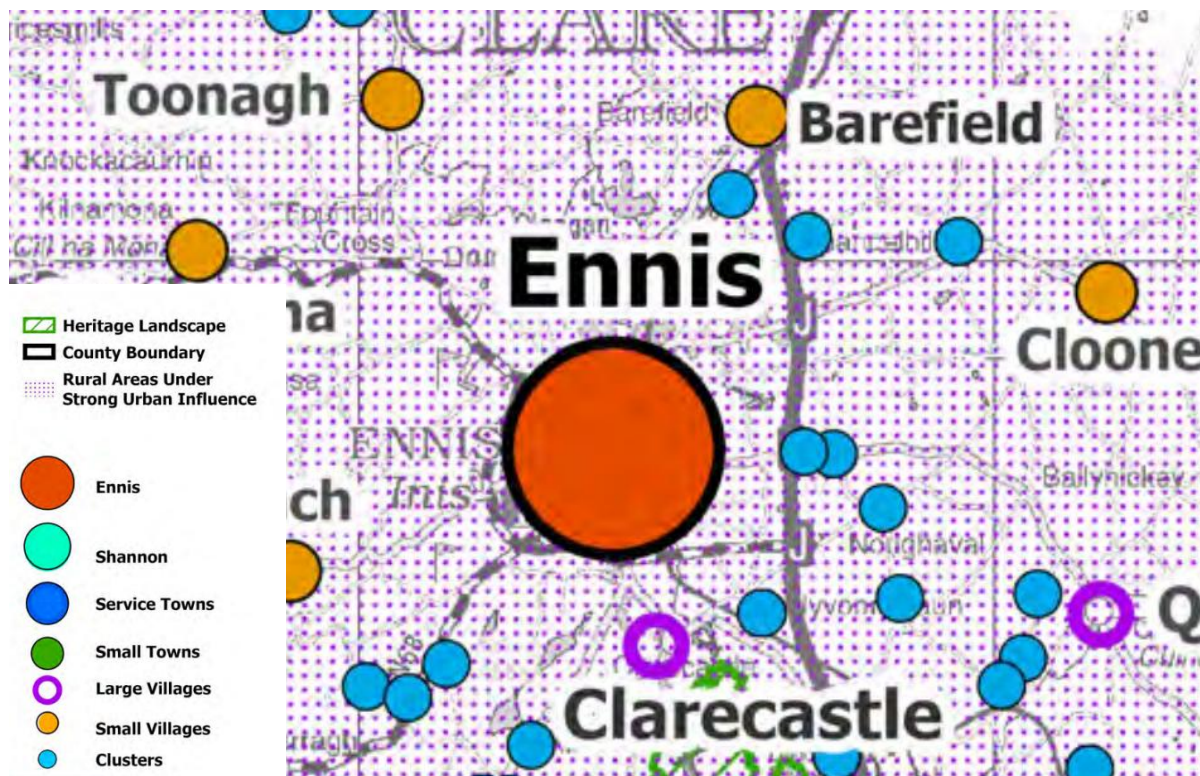


Figure 15 Extract from Map D Areas of Special Control (CDP)

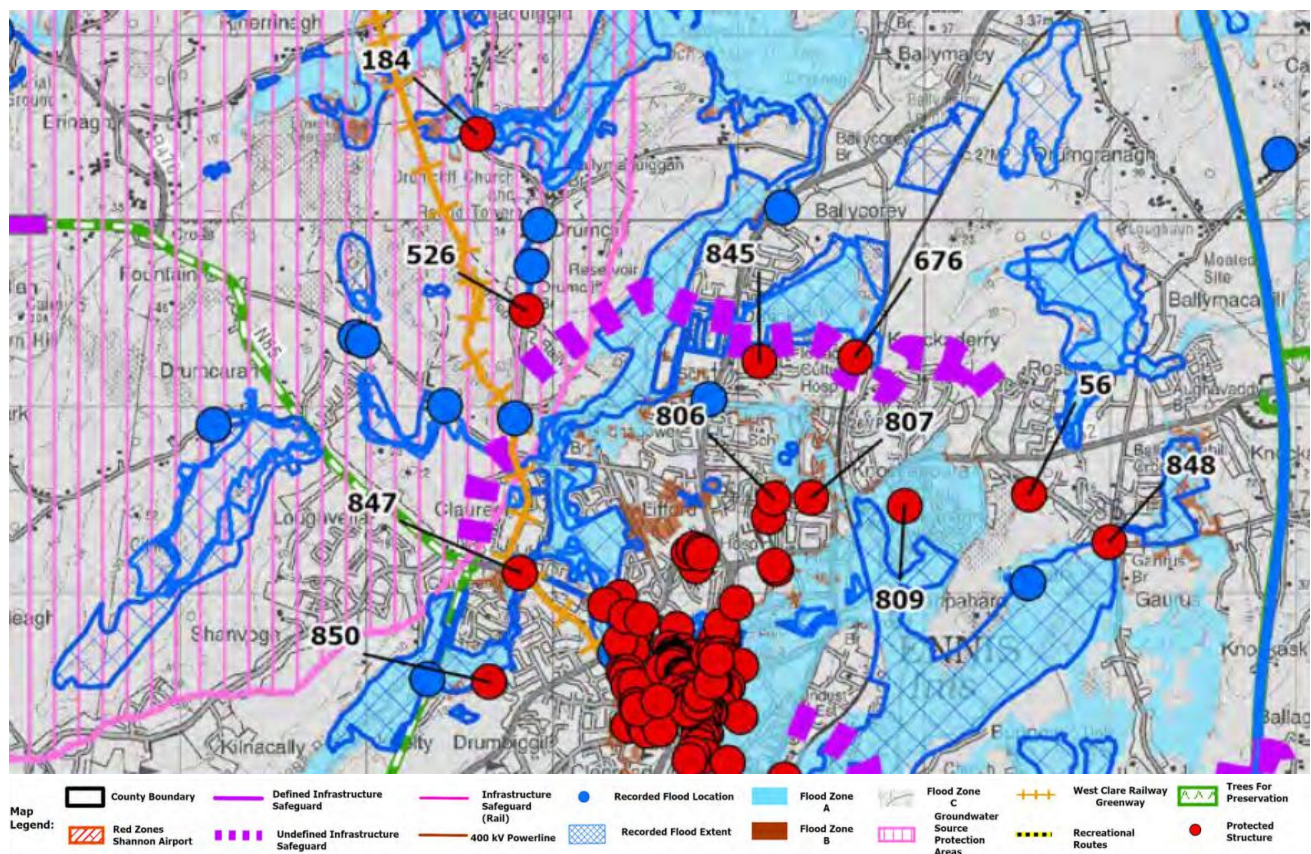


Figure 16 Extract from Map I7 Infrastructure, Environment and Flood Risk Assessment (CDP)

The Plan notes at Section 10.22: Burial Grounds and Crematoria:

The Council co-ordinates the operation of approximately 170 burial grounds in the County and maintenance works are carried out at these locations by both the Council and local voluntary groups. In addition, the Council provides financial assistance for the extension of existing burial ground facilities and the provision new burial grounds.

Ennis will require additional burial ground facilities in the coming years and the Council will work to identify suitable locations during the lifetime of this Plan. The use of crematoria has increased significantly in recent years and the crematorium in Shannon currently serves the needs of the County. In recognition of the multi-cultural population of the County and the changing trends in end-of-life services, the Council support the provision of additional crematoria at appropriate locations in the County.

CDP10.23 Burial Grounds/Crematoria It is an objective of Clare County Council:

- a) To provide extensions to existing burial grounds and facilitate the provision of new burial grounds in cooperation with local communities, at appropriate locations throughout the County;
- b) To ensure that burial grounds throughout the County are managed and maintained in a manner which respects their associated culture and heritage, having regard to the relevant byelaws;
- c) To support the development of crematoria in County Clare, subject to normal planning considerations;
- and d) To support the provision of new funeral homes which are designed to sensitively meet the needs of a diverse population.

Section 11.4.2 of the CDP refers to Water Supply in the Ennis and Environs Area

In the Ennis and Environs area water is derived from a natural groundwater source at Drumcliff Springs, located to the north of the town. The Drumcliff water treatment plant supplies the Ennis Water Supply Zone (Ennis, Clarecastle, Barefield, Crusheen and Doora). Geological Survey Ireland has identified this water source as being 'highly vulnerable' and due regard will be had to this designation in the assessment of development proposals in the area. An exclusion zone, 200m in radius, has been established around the springs.

In order to meet the envisaged demand for water from the target population it is imperative that water storage is enhanced, water is conserved, and pipe network repairs are implemented. Pouladower Spring is located approximately 3km to the north of Ennis, rising at the northwest corner of Ballyallia Lough. This source will be investigated as a potential back-up supply/future supply to reduce dependency on Drumcliff Springs.

CDP11.31 Ennis and Environs Water Supply It is an objective of Clare County Council:

- a) To improve efficiency in the operation and demand management of the water supply infrastructure, promote water conservation and reduce the overall loss in public water supply in the Ennis and Environs area;
- b) To safeguard Pouladower Spring and investigate its use as a potential supply of water for the Ennis area. Any proposal with regard to the development of such a supply source shall demonstrate that it will not have a negative impact on European Sites;
- c) To advocate the provision, by Irish Water, of an adequate water supply to accommodate the target population and the employment potential of the Ennis and Environs area in accordance with statutory obligations as set out by EU and National policy; and
- d) To protect the Drumcliffe Springs water resource including by not permitting development on either the Springs, or within the established 200 metre exclusion zone.

Other Relevant Policies include:

Chapter 15: Biodiversity, Natural Heritage and Green Infrastructure

CDP15.1: protect biodiversity & implement the National Biodiversity Action Plan, All Ireland Pollinator Plan, and the County Heritage & Biodiversity Plans.

CDP15.3 to 6: protect European, National & County Geological sites.

CDP15.8 to 22 protect non-designated sites, biodiversity, habitats, waterbodies, wetlands, woodlands, trees, hedgerows, and Freshwater pearl mussel.

CDP15.28: deals with Dark Sky Reserve Designations.

Chapter 16: Architectural, Archaeological and Cultural Heritage

CDP16.1-7: protect architectural heritage (incl. PSs).

CDP8-12: protect archaeological heritage (incl. sites, features & objects of interest).

Comment: The proposed extension of the Burial Ground is consistent with Section 10.22: Burial Grounds and Crematoria, and Objective CDP10.23 Burial Grounds/Crematoria.

The planning application is accompanied by detailed Hydrological Assessment which demonstrates that the proposed development is in accordance with Section 11.4.2 and Objective CDP11.31 in respect of Ennis and Environs Water Supply.

5. CONSTRUCTION MANAGEMENT

A Preliminary Construction Management Plan by Paddy Coleman & Associates has been prepared as part of the planning pack, to outline commitments and mitigation measures to be implemented by the client and their contractors and sub-contractors, during the construction of this proposed Burial ground extension

The Preliminary CEMP describes the proposed works and defines the environmental measures that shall be implemented for the construction works, to manage, minimize, or mitigate any potential environmental impacts that may arise as a result of the proposed development. The Preliminary CEMP is produced as part of the statutory planning application submission, and it is intended that it will be updated to include more site-specific information once the required statutory permissions are obtained, and the Construction Management Team (CMT) are appointed.

The Preliminary CEMP is an integral part of the Site Safety, Health, Environmental and Quality Management System and constitutes a component of the Construction Health and Safety Plan documentation. The Preliminary CEMP is also subject to the requirements of the site quality management system with respect to documentation control, records control and other relevant measures.

The primary distribution list for the document will include the following personnel:

- Clients Project Manager (PM)
- Appointed Main Contractor (MC)
- Construction Manager (on site) (CM)
- Construction Management Team (CMT)
- Environmental Officer (EO)
- Environmental Consultant (EC)
- Site Supervisors (SS)
- Local Authority (LA)
- Other Relevant Personnel

The Client seeks to comply with all legislation relevant to Environmental Management and requires all appointed Contractors and Sub-Contractors to conduct their work in such a manner that unnecessary risks and disturbance to the environment are avoided. Compliance with the requirements of the Environmental Management System will be a condition of employment on all contracts and is important in the prevention of legal action being taken against the Client and its Contractors and Sub-Contractors.

The Preliminary CEMP will provide a framework to comply with all relevant conditions attached to the Grant of Planning Permission by An Coimisiún Pleanála.

Hydrology Mitigation Measures

A comprehensive Hydrological and Hydrogeological Assessment has been prepared by Hydro-Environmental Services with a Geophysical Survey by Minerex Geophysics Limited

The Hydro Environmental Services Report details a series of construction management measures to provide for the control of water, equipment and soils.

In each case, mitigation measures have been implemented into the proposed development design in order to avoid potential effects on downgradient hydrological receptors, including the Poulacorey Swallow hole and Drumcliff PWS.

Management of surface water runoff and subsequent treatment before release off-site will be undertaken during construction work as follows:

- lines of silt fencing will be constructed along the northern boundary of the site during construction;
- All stockpiles will be damped down or covered in a sheet of polythene, as required, which will prevent the creation of nuisance dust, and will also prevent sediment runoff in times of heavy precipitation; and,
- Restricting construction to within well marked areas, adherence to the non-carrying out of construction after or during heavy rainfall.

The following measures in relation to the management of hydrocarbons and related oils/fuels will be implemented:

- All plant and machinery will be serviced before being mobilised to site;
- No plant maintenance will be completed on site, any broken down plant will be removed from site to be fixed;
- Refuelling will be completed in a controlled manner using drip trays at all times;
- Any fuel and chemical stores including tanks and drums will be regularly inspected for leaks and signs of damage;
- Drip-trays will be used for fixed or mobile plant such as pumps and generators in order to retain oil leaks and spills;
- Only designated trained operators will be authorised to refuel plant on site;
- Procedures and contingency plans will be set up to deal with emergency accidents or spills; and,
- An emergency spill kit with oil boom, absorbers etc. will be kept on-site for use in the event of an accidental spill.

The following measures in relation to the management of cement-based products will be implemented:

- No batching of wet-cement products will occur on site. Ready-mixed supply of wet concrete products and where possible, emplacement of pre-cast elements, will take place;
- No washing out of any plant used in concrete transport or concreting operations will be allowed on-site;
- The contractor will use weather forecasting to plan dry days for pouring concrete; and,
- The pour site will be free of standing water, and plastic covers will be ready in case of a sudden rainfall event.

The Hydro Environmental Services Report considers further control measures are not considered necessary due to:

- The thickness of subsoils present at the site (8.5-13.5m), which places the site within an area of Low-Moderate groundwater vulnerability;
- The low-moderate infiltration rate;
- The elevated nature of the extension site relative to surrounding surface water bodies;
- The lack of groundwater presence at grave base depth (~1.8m); and,
- The historical data on groundwater quality at Pouladower swallow hole, indicating good quality water, with no increased levels of Ammonia (Poulacorey swallow hole ammonia rates were lower than Drumcliff Spring).

6. ENGINEERING SERVICES

A detailed drainage design plan has been prepared for the proposed development. The drainage design has taken into account the sloping nature of the site, with drainage features running with the existing ground contours to ensure that all surface waters arising at the site are captured within the drainage system, with no direct unattenuated discharge of surface water from the proposed development site.

The design of the drainage system incorporates the following measures:

- Surface water falling on green (grave) areas will infiltrate into green areas.
- Footpaths will be sloped toward adjacent green areas to allow for infiltration. Surface water from footpaths, which does not directly infiltrate to ground, will be collected by aco drains and directed to soakpits.
- Surface water from new roadway will generally be served by a french drain with land drain pipe the roadway. A soak pit area will be provided at the lowest point of the drainage run to accommodate any heavy flows of surface water than is not absorbed by the french drain itself.
- New gullies serving existing roadway/proposed roadway junction area are served by a soak pit.
- Main Pedestrian Access Ramp and stairs with non-porous finish to be accommodated by soak pit.

7. ENVIRONMENTAL CONSIDERATIONS

7.1 Environmental Impact Assessment

An Environmental Impact Assessment (EIA) Screening report has been prepared in respect of the proposed development by MacCabe Durney Barnes. It concludes that:

Having regard to the nature and scale of the proposed development which is below the thresholds set out in Class 10 of Part 2 of Schedule 5, the criteria in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following:

- The scale, nature and location of the proposed impacts
- The potential impacts and proposed mitigation measures
- The results of the any other relevant assessments of the effects on the environment

It is considered that the proposed development would not be likely to have significant effects on the environment and it is recommended that environmental impact assessment report is not required.

7.2 Appropriate Assessment /Natura Impact Statement

A Natura Impact Statement has been prepared by Altamar Environmental Consultants (2025). The NIS report concludes:

It states:

It should be noted that, as outlined in the Hydrological and Hydrogeological Assessment that accompanies this planning application: 'There are no surface water features within the site and therefore there are no direct hydrological connections or pathways to downstream surface waterbodies and designated sites'. However, there are a number of waterbodies (including the Drumcliff Stream and Poulacorry River) located topographically down-gradient to the north of the subject site. This network of waterbodies ultimately outfalls to Ballyallia Lough. Given that surface water drainage will infiltrate into the ground, out of an abundance of caution it is considered that there is an indirect hydrological pathway to European Sites within Ballyallia Lough via surface water drainage to topographically down-gradient waterbodies located to the north of the site. However, as outlined in the Hydrological and Hydrogeological Assessment 'The impact assessment process has concluded that there will be no significant effects on downgradient surface water bodies as a result of the proposed development.'

Given the distance between the subject site to the nearest Natura 2000 Sites (100m to Ballyallia Lake SAC and Ballyallia Lough SPA), the proximity of the subject site to the Drumcliff Stream (170m), the nature of the proposed construction works, and the topographical nature of the subject site, it is considered that, out of an abundance of caution, the ZOI of the proposed project includes the site outline and Natura 2000 sites located proximate to the subject site (Ballyallia Lake SAC and Ballyallia Lough SPA). In the absence of mitigation, there is the potential for dust, pollution and surface water runoff to enter the Drumcliff Stream during construction with the potential for downstream impacts on Ballyallia Lake SAC and Ballyallia Lough SPA.

Having considered Mitigation measures warranted consideration (out of an abundance of caution), the Appropriate Assessment was progressed to Natura Impact Assessment stage. Detailed Mitigation measures are set out in Table 7 of the AA Screening/NIS report (also see Section 3.4 'Construction Management' of this report). The Altamar report concludes:

In a strict application of the precautionary principle, it has been concluded that significant effects on Ballyallia Lake SAC and Ballyallia Lough SPA are likely from the proposed construction works in the absence of mitigation measures, primarily due to the potential for contaminated dust and surface water runoff to enter topographically down-gradient waterbodies (including Drumcliff Stream and Poulacorry River) during construction, and transport to downstream European Sites within Ballyallia Lough. As a result, there is potential for downstream impacts from the project during site clearance, enabling, construction, landscaping and drainage works. For this reason, a NIS was carried out to assess whether the proposed project, either alone or in combination with other plans or projects, in view of best scientific knowledge and in view of the sites' conservation objectives, will adversely affect the integrity of the European Site. All other Natura 2000 sites were screened out at initial screening

Construction on this site will create localised light and noise disturbance. This would not impact Natura 2000 sites. However, mitigation measures will be in place to ensure that no silt or pollutants enters topographically down-gradient waterbodies (including Drumcliff Stream and Poulacorry River) that leads to conservation sites.

Following the implementation of the mitigation measures outlined, the construction of this development would not be deemed to have a significant impact on the integrity of Natura 2000 sites. No significant impacts are likely on Natura 2000 sites, alone in combination with other plans and projects based on the implementation of standard construction phase mitigation measures.

This report presents a Stage 1 Appropriate Assessment Screening and Stage 2 NIS for the Proposed Development, outlining the information required for the competent authority to screen for appropriate assessment and to determine whether or not the Proposed Development, either alone or in combination with other plans and projects, in view of best scientific knowledge, is likely to have a significant effect on any European or Natura 2000 site.

On the basis of the content of this report, the competent authority is enabled to conduct an assessment for Appropriate Assessment and consider whether, in view of best scientific knowledge and in view of the conservation objectives of the relevant European sites, the Proposed Development, individually or in combination with other plans or projects is likely to have a significant effect on any European site.

No significant effects are likely on Natura 2000 sites, their features of interest or conservation objectives. The proposed project will not will adversely affect the integrity of European sites.

7.3 Ecological Impact Assessment

An Ecological Impact Assessment has been prepared by Altamar Consultants Ltd.

It concludes the construction and operational mitigation proposed for the development satisfactorily addresses the mitigation of potential effects on the terrestrial, mammalian, avian and aquatic sensitive receptors through the application the standard construction and operational phase controls. No significant effects on biodiversity are likely. Residual effects on biodiversity are considered to be: Low adverse / site / Negative Impact / Not significant / short term.

8. CONCLUSIONS

In summary, the proposed development is for circa 413 double plots (or 826 single plots) and provision for ash plots, access road improvements including lay-bys, turning circle and traffic calming measures, parking; 23 standard spaces, 6 wheelchair accessible spaces, footpaths, drainage, planting and landscaping including columbarium (with circa 470 niches) and reflectance garden and associated site works. The lands are under the control of Clare County Council.

This report has been prepared to address the likely consequences for proper planning and sustainable development in the area in which it is proposed to situate the development, which must have regard to the following:

- justification for the project;
- main Development Plan provisions relating to the subject site and surrounding area including any relevant Core Strategy provisions;
- relevant planning history relating to the subject site and the surrounding area;
- relevant national, regional and local policies; and
- description of use of adjoining, abutting or adjacent lands.

The proposed extension of the Burial Ground is consistent with Development Plan Policies and Objectives under Section 10.22: Burial Grounds and Crematoria, and Objective CDP10.23 Burial Grounds/Crematoria.

The planning application is accompanied by detailed Hydrological Assessment which demonstrates that the proposed development is in accordance with Section 11.4.2 and Objective CDP11.31 in respect of Ennis and Environs Water Supply.

There are no recent planning permissions on the lands. The proposed development does not compromise any development proposals.

The National Planning Framework (NPF) does not specifically refer to Burial Grounds. The provision of municipal facility is a vital land use for public health needs of the population, within the environmental constraints of the receiving environment. The proposed extension of the burial ground is consistent with NPO36 addressing a public health need in an appropriate location at an appropriate scale. Detailed studies accompanying the application demonstrate there is not a negative environmental impact consistent with the objectives of NPO 76, 81 and 92.

There are not considered to be any relevant Ministerial Guidelines or other national policy statements applicable to the proposed development.

The development is consistent with the general objectives for Ennis as a Key Town under Regional and Spatial Economic Strategy (RSES) for the Southern Region 2020 under objective RPO 13. The provision of municipal facility is a vital land use for public health needs of the population, within the environmental constraints of the receiving environment. The proposed extension of the burial ground is consistent with the designation of Ennis as a Key Town that facilitates services for a growing population. The proposed development does not compromise or conflict with any heritage, archaeological, zoning or specific local objectives.

The planning application is accompanied by detailed Hydrological, Ecological and Environmental Assessments which includes a series of mitigation measures are proposed. It confirms the proposed extension of the burial ground will not have a negative impact on water courses, ground water, European sites or other Environmental Sensitivities.

The Proposed Development is considered to be consistent with The Board's Order under Ref. ABP-318090-23 for a similar development at the subject site which concluded the following in respect of the Proper Planning and Sustainable Development and Likely Effects on the Environment:

It is considered that, subject to compliance with the conditions set out below, the proposed development would not have significant negative effects on the environment or the community in the vicinity, would not give rise to a risk of pollution, would not be detrimental to the visual or landscape amenities of the area, would not seriously injure the amenities of property in the vicinity, would not adversely impact on the cultural, archaeological and built heritage of the area and would not interfere with the existing land uses in the area, or give rise to a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area and it would not give rise to likely effects on the environment.

Overall, the proposed development is considered to be an appropriate extension of an existing land use supported by objective CPD 10.23 (a) To provide extensions to existing burial grounds and facilitate the provision of new burial grounds in cooperation with local communities, at appropriate locations throughout the County.



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