

An
Coimisiún
Pleanála

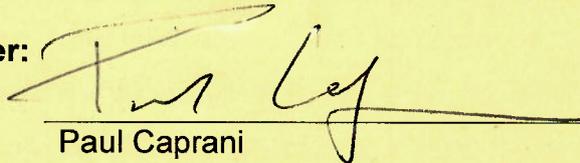
Direction
CD-021932-26
ABP-319134-24

The submissions on this file and the Inspector's report were considered at a meeting held on 16/02/2026.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning

Commissioner:



Paul Caprani

Date: 16/02/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. On the basis of the information submitted with the planning application and appeal, the Commission is not satisfied that the ecological baseline survey at the subject site has been adequately established, given the sub-optimal time of year in which the survey was undertaken. As a result the Commission is not satisfied that the potential impacts of the proposed development on known ecological features have been accurately identified, or that appropriate mitigation measures have been incorporated into or devised for the proposed development. This is with particular regard to bird, fish, and mammal species, a number of which are protected under Annex IV of the Habitats Directive (92/43/EEC). Accordingly, the proposed development does not accord with Objective NH6 of the Cavan County

Development Plan 2022-2028 incorporating the Cavan Town Local Area Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information submitted with the planning application and appeal, the Commission is not satisfied that the noise, vibration, hydrological and hydrogeological impacts associated with the construction of the proposed development on adjacent properties have been adequately assessed. In the absence on more detailed and site specific information, the Commission is not satisfied that the proposed development would not seriously injure the amenities of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. On the basis of the information submitted with the planning application and appeal, and having regard to the location of the site in an area which is at risk of flooding, the Commission is not satisfied that the applicant has adequately demonstrated, due to conflicting information regarding finished floor levels of the proposed dwellings contained in the Flood Risk Assessment Report and a more detailed assessment of the potential for displacement of flood waters arising from the proposal, that proposed development would not give rise to a heightened risk of flooding either on the subject site itself, or on other lands. The proposed development would, therefore, be prejudicial to public health and contrary to the proper planning and sustainable development of the area.
4. The proposed development fails to comply with the minimum floor to ceiling height requirements and minimum storage space requirements of the “Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2023” issued under section 28 of the Planning and Development Act 2000 as amended and, therefore, is contrary to Section 13.4.14 of the Cavan County Development Plan 2022-2028 incorporating the Cavan Town Local Area Plan 2022-2028.