



An
Coimisiún
Pleanála

**Commission Order
PL-500072-TY**

Planning and Development Act 2000, as amended

Planning Authority: Tipperary County Council

Planning Register Reference Number: 2560268

Appeal by JP Keevan and Dermot Mansfield against the decision made on the 23rd day of September, 2025 by to grant, subject to conditions, a permission to JSF Property Holding Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Development works comprising replacement of the front elevation of The Auld Rogue, replacement of internal areas including the front bars and lounge, first floor and second floor levels, demolition of existing buildings to the rear, including courtyard and ancillary structures and construction of a new three-story building extension to the rear consisting of : ground floor: bars, lounge, terrace area, toilets, cold room, storage facilities, stairs, and lift core, first floor: function room, toilets, storage room, stairs, and lift core, Second Floor: one number three-bedroom apartment, one number two-bedroom apartment, back-of-house office spaces, storage room, and stairs core at 11-12 Kickham Street, Carrick on Suir, County Tipperary as amended by the revised public notice received by the planning authority on the 27th day of August, 2025.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the provisions of the Carrick-on-Suir and Environs Local Area Plan 2025-2031 and the Urban Core zoning objective governing the site, to the established commercial and residential use of the site, to the nature and scale of the subject development, and to the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the character or mix of uses in the vicinity, would not seriously injure the amenities of the area or of property in the vicinity, and would not detract from the visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the planning application, as amended by the further plans and particulars received by the planning authority on the 21st day of August 2025 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. All mitigation measures as identified in the Noise Impact Assessment, received by the planning authority on the 21st day of August 2025, shall be implemented in full.

Reason: In the interest of residential amenity.

3. (a) The field which forms part of the overall site area shall not be used as a Beer Garden.

(b) The outdoor areas, including the terrace spaces at ground and first floor level and snug, shall not operate outside the hours of 1100 to 2300, Monday to Sunday.

(c) No playing of live or piped music shall be undertaken in the terraced areas.

- (d) The main access to the proposed function room, bin and bottle stores shall be via Kickham Street only. The access/exit from the Function Room onto Town Wall Street shall be used for emergency purposes only.

Reason: In the interest of residential amenity.

- 4. (a) Prior to the commencement of development, full details of all external finishes, including the sound barrier and paving to the hard landscaped area, shall be submitted to, and agreed in writing with, the planning authority.
- (b) The design of the structure shall be amended so that a high-level window or an alternative design feature is incorporated on the southern elevation at ground floor level in the space between the window serving the function room and the door providing access to the store. Details of same shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of works.

Reason: in the interest of visual amenity.

- 5. A 1:500 scale landscape plan together with an accompanying planting schedule shall be submitted to the planning authority for written agreement prior to the commencement of development. Such planting shall be implemented during the first planting season following the commencement of the development

Reason: In the interest of visual amenity.

6. All mitigation measures in relation to archaeology and cultural heritage set out in the report titled '11-12 Kickham Street, Carrick on Suir, Co. Tipperary' shall be implemented, except as may otherwise be required in order to comply with the following conditions.
- (a) The developer shall engage a suitably qualified archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the Department of Housing, Local Government and Heritage (DoHLGH). The testing shall take place in advance of any site preparation works or groundworks (other than those which may be necessary to fulfil this condition, e.g. demolition) including site investigation works / topsoil stripping / site clearance / dredging / underwater works and / or construction works. The report shall include an archaeological impact statement and mitigation strategy.
 - (b) Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record [archaeological excavation] and/or monitoring may be required.
 - (c) Any further archaeological mitigation requirements specified by the planning authority, following consultation with the DoHLGH, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to the DoHLGH and the Local Authority and approval to proceed is agreed in writing with the planning authority.

- (d) The planning authority and the DoHLGH shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

7. The entrance to the site from the laneway off Town Wall Street, L-27021, shall be for construction traffic only. Prior to commencement of the development, the developer shall agree in writing with the planning authority conditions of the use of the laneway during the construction period.

Reason: In the interest of traffic safety.

8. Prior to the commencement of development, a detailed Construction and Environmental Management Plan (CEMP) for the construction phase of the development shall be submitted to, and agreed in writing with, the Planning Authority. The CEMP shall incorporate a detailed plan for the construction phase incorporating, inter alia, demolition programme, construction programme, supervisory measures, noise, dust and surface water management measures including appointment of a site noise liaison officer, and the management, transport and disposal of construction waste so as to ensure that material from the site is not spread or deposited on the public roadway and measures to ensure the roadways are maintained a clean, tidy and safe condition. A record of

weekly checks that the works are being undertaken in accordance with the CEMP shall be available for inspection by the planning authority.

Reason: In the interest of environmental protection and orderly development.

9. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.

10. Any damage caused to the footpaths in the vicinity of the site, due to the proposed works will be reinstated by the developer to the satisfaction of the planning authority.

Reason: In the interest of pedestrian safety.

11. Site development and building works shall be carried out between the hours of 07:00 to 19:00 Mondays to Fridays inclusive, between 08:00 to 14:00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

12. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of sustainable transport and safety.

13. All service cables associated with the proposed development (such as electrical, telephone, communal television and street lighting cables) shall be run in underground ducts. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of orderly development and the visual amenities of the area.

14. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

15. The free field noise levels attributable to the activity (when assessed at all noise sensitive locations (NSL)) shall not exceed the following limits:

- (a) Daytime (0700 – 1900 hours) 55 dB LAr T (30 minutes)
- (b) Evening (1900 – 2300 hours) 55 dB LAr T (30 minutes)
- (c) Night-time (2300 – 0700 hours) 45 dB LAeq T (30 minutes)

A penalty of 5 dB for tonal and/or impulsive elements should be applied to the daytime and evening measured LAeq to determine the appropriate rating level. During the night-time period no tonal or impulsive noise from the facility should be clearly audible or measurable at any NSL.

Reason: To protect the residential amenity of neighbouring properties and to prevent noise nuisance.

16. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed upon between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mary Gurrie

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**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this *23* day of *February* 2026