



An
Coimisiún
Pleanála

Inspector's Report

ABP-321092-24

Development	Retention of a house and permission to complete same.
Location	Flannan Street, Nenagh, Co. Tipperary.
Planning Authority	Tipperary County Council.
Planning Authority Reg. Ref.	24182
Applicant(s)	John King.
Type of Application	Retention Permission and Permission.
Planning Authority Decision	Refuse Retention Permission.
Type of Appeal	First Party
Appellant(s)	John King.
Observer(s)	None.
Date of Site Inspection	3 rd April 2025.
Inspector	Kathy Tuck

1.0 Site Location and Description

- 1.1. The subject site which has a stated area of c.0.124ha is located to the rear of no. 5, no. 6, and no. 7 St. Flannan Street is situated within the Town Centre of Nenagh and runs parallel with O'Rahily Street.
- 1.2. The subject site is currently undeveloped and forms part of the curtilage of no. 5, no. 6, and no. 7 Flannan Street, which is currently under construction. The boundaries of the site are formed by c.2m high panel walls.

2.0 Proposed Development

- 2.1. This is an application for retention permission and permission to complete an infill single storey dwelling located to the rear of no. 5, no. 6, and no. 7 Flannan Street, Nenagh, Co. Tipperary.
- 2.2. The dwelling has a stated area of c.137sq.m and has a depth of c.9.2m which increases to c.13.4m and a width of c.13m. the dwelling provides for 3 no. bedrooms. The dwelling is finished with a mono-pitch roof profile which has a ridge level of c.4.8m which reduces to c.3.8m.
- 2.3. The dwelling has been set c.3.7m to the rear of the host dwellings. Access to the dwelling is provided via a door located between no. 5 and no. 6 St. Flannan Street which serves as an access for bin storage for no. 6 and no. 7 St. Flannan Street.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a decision to Refuse Retention Permission on the 24th of September 2024 for the following reason:

1. Having regard the:

- The location of the development which occupies a backland location relative to properties fronting St Flannan Street and the poor relationship with these properties.

- The development size and design relative to the prevailing pattern of development in this area.
- The poor access arrangement to the site which involves traversing through a terraced block via a narrow laneway that provides access to the private open space serving the 3 town houses under construction on the site.
- The negative impact of the development on the residential amenity enjoyed by the 3 townhouses on the site.
- The piecemeal and uncoordinated nature of the proposed development which potentially compromises opening of these backlands for development.

It is considered that the proposed development would be out of character with the prevailing built form pattern in this area, would have a negative impact on the amenities of adjoining residential properties and would prejudice the development of adjoining infill/backland. The proposed development is at variance with the provisions of Section 4.10 of Volume 3 Appendix 6 of the Tipperary County Development Plan 2022 where they relate to infill/backland development. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer notes the site location, details of the proposed development, relevant planning history, a summary of reports received, relevant planning policy, and sets out an EIA and AA Screening Determination.

The assessment raised concerns over the design and layout of the dwelling and the impact it would have upon both the residential and visual amenity of the area. As such a recommendation to refuse retention permission in line with the decision issued was made.

3.2.2. Other Technical Reports

None received.

3.3. Prescribed Bodies

None received.

3.4. Third Party Observations

The Planning Authority did not receive any 3rd Party Observations.

4.0 Planning History

4.1. Subject Site

PA Ref 24162: Retention Permission granted to retain modifications to 3. no. townhouses, as constructed and previously granted, (ref 21/1017 refers), modifications include enlarged/extended floor area at rear ground level to all 3 houses, minor alteration to dormer window and window locations on front and rear elevations and revised boundary type to that previously granted.

PA Ref 211017: Permission granted for the demolition of 3 no. substandard derelict houses (5,6,7) and for the permission to construct 3 no. townhouses to replace same on sites nos. 5, 6 and 7, complete with all ancillary services and boundary walls.

Enforcement TUD-24-030: Warning Letters served regarding non compliance with PI Ref 21/1017 and unauthorised development of a building at the rear of the site

4.2. Site Located to the south-east.

PA Ref 11520013: Permission Granted for a two bedroom townhouse, new entrance gates, complete with ancillary services.

5.0 Policy Context

5.1. Tipperary County Development Plan 2022-2028

5.1.1. Volume 1 – Written Statement

Nenagh is designated as a Key Town within the Core Strategy of the County Development Plan. The Core Strategy states that Nenagh is a strategically located urban centre, with accessibility and significant influence in a sub-regional context. Each Key Town is targeted for over 30% growth by 2040.

Strategic Object 2 (SO2) seeks to facilitate and promote the development of Clonmel, Nenagh and Thurles as Key Towns, economic drivers and significant population and service centres for the Southern Region.

The following Policies are considered to be relevant:

Chapter 3: Low Carbon Society and Climate Action

Policy 3-3 Require the retrofitting and reuse of existing buildings (where practical) rather than their demolition and reconstruction.

Chapter 4: Settlement Strategy

Section 4.3.2 – Nenagh

Chapter 5: Housing

Policy 5-9 Require that climate change actions and measures be incorporated in new residential development of all scales to demonstrate how the development will minimise energy use, enhance accessibility, manage waste and support biodiversity.

5.1.2. Volume 3: Appendix 6 Development Management Standards

Section 4.10 Back-land and Infill development.

Back-land residential development relates to small scale development located to the rear of or adjacent to existing buildings in built-up areas. To make the most sustainable use of existing urban land, the Council will consider the appropriate development of back-land/infill housing on suitable sites on a case by case basis. Backland/infill housing should comply with all relevant development plan standards for residential development, however, in certain limited circumstances; the planning authority may relax the normal planning standards in the interest of developing vacant, derelict and underutilised land.

Proposals should:

- Align with the prevailing density and pattern of development in the immediate area including plot sizes, building heights, and proportions.
- Not impact negatively upon the residential amenities of surrounding properties such as the potential loss of daylight or increased overlooking.
- Take cognisance of the potential of adjacent infill/backland sites being developed and shall not prejudice the development potential of such lands.
- Ensure adequate amenity is afforded to the existing and proposed development.

5.2. Neagh and Environs Local Area Plan 2024-2030

5.2.1. The subject site is zoned under 'Existing Residential' under the current Nenagh LAP which seeks 'To provide for residential development and protect and improve residential amenity.' The site is also identified as being part of regeneration site no. 12 St Flannan's Street on the Town Centre and Regeneration Map of the LAP.

5.2.2. Relevant Policies:

Policy 2.2 Support new development that will enable sustainable housing growth, employment, community development and prosperity for Nenagh as a Key Town in line with the Strategic Objectives of the TCDP.

Policy 2.4 Support compact residential growth in Nenagh through the sustainable intensification and consolidation of the town centre and established residential areas to meet identified housing targets and requirements in line with the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DHLGH, 2024) and any review thereof.

Objective 2C Support and facilitate the development of lands in collaboration with landowners and service providers for residential and employment development over the lifetime of the LAP.

Policy 3.1 Support compact growth through:

(a) the collaborative redevelopment and reuse of vacant and underused sites and areas in the 'Urban Core' and 'Compact Growth' area,

- (b) the development of sites identified through the URDF and RRDF; and
- (c) the redevelopment of Town Centre 'Regeneration Sites', 'Consolidation Sites' and areas zoned for 'Regeneration'.

Policy 3.2 Support new development proposals for regeneration sites which accord with the Key Planning Criteria for these sites set out in Appendix 3: Regeneration Sites.

5.2.3. Appendix 3 – Regeneration Sites

The subject site forms part of regeneration site no. 12 – St Flannan's Street. The supporting text for this site notes that the site is outside of the Urban Core of Nenagh they are within minutes walking distance of all of the local schools and the services of the town centre.

Key Planning Criteria:

- The site should support residential uses in accordance with the land use zoning 'Existing Residential'.
- For sustainability reasons and reducing carbon load, the re-use and refurbishment of the existing buildings fronting St Flannan's Street is the preferred strategy for the lands, unless it is unviable to do so. However, the building on the corner should be redeveloped to take the opportunity to improve the functioning of the junction and provide a landmark building in this location while respecting views of the historic urban core.
- New development will be required along St. Joseph's Park to provide a defined street edge, and any redevelopment along St Flannan's Street should respect the existing building line.
- Innovative urban housing typologies to make best use of the backlands areas may be considered appropriate.
- New development will be required to respect neighbouring amenity.

5.3. Natural Heritage Designations

The subject site is not located within or adjacent to any natura 2000 sites.

The subject site is situated:

- c.6.47km to the south-east of the Lough Derg (Shannon) SPA (site Code 004058) and the Lough Derg pNHA (site Code 00011).
- c.8.9km to the north of the Slievefelim to Silvermines Mountains SAC (site code SPA 004165) and the Slievefelim to Silvermines Mountains SPA (Site Code 004165).
- C.17km to the north-east to the Lower River Shannon SAC (Site code 002165).
- C.14km to the south-west of the Scohaboy (Sopwell) Bog SAC (Site Code 002206) and the Scohaboy Bog NHA (site code PNHA 000937).

6.0 EIA Screening

The scale of the proposed development does not exceed the thresholds set out by the Planning and Development Regulations 2000 (as amended) in Schedule 5, Part 2(10), and I do not consider that any characteristics or locational aspects (Schedule 7) apply. I conclude that the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required. Appendix 1 and Appendix 2 of my report refers.

7.0 The Appeal

7.1. Grounds of Appeal

This is a 1st Party Appeal against the decision of the Planning Authority to refuse permission. The grounds of the appeal can be summarised as follows:

1. Location

- There is an existing backland development located to the south-east.
- Proposal is consistent with Section 4.10 of the Tipperary County Development Plan 2022-2028 and Policy 2.4 of the Nenagh Local Area Plan 2024-2030.
- Siting is determined by need to establish space between existing dwellings on street frontage:
 - Not ideal but reflects space available.

- Policy 4.10 of the County Plan permits non-standard layout.

2. Pattern of Development

- Size is modest and similar size and shape of existing backland to the south-east.
- No impact on public street scene due to backland nature of development.
- Contrast with established pattern is supported by Policy 4.10.

3. General Comment

Residential amenity not significantly affected – reasonable expectations in urban area.

Development of the rest of regeneration area not affected – including the provision of a landmark building.

4. Section 4.10 (Volume 3: Appendix 6) of the Tipperary County Development Plan 2022-2028.

- a) Align with the prevailing density and pattern of development in the immediate area including plot sizes, building heights, and proportions.
 - Not always possible – street frontage has been retained along the established building line.
 - Non-standard layouts are permitted by virtue of the supporting text of Section 4.10.
- b) Will not impact negatively upon the residential amenities of surrounding properties such as the potential loss of daylight or increased overlooking.
 - Do not accept that the residential amenity for future residents is poor as to justify a refusal.
 - Regard must be given to the urban location and the housing crisis.
- c) Take cognisance of the potential of adjacent infill/backland sites being developed and shall not prejudice the development potential of such lands.

- The partial development of part of the site does not preclude the development of the rest of it.
 - Planning Authority does not own nor is it likely to ever own all of Regeneration site 12 – policy is therefore undeliverable.
- d) Ensure adequate amenity is afforded to the existing and proposed development.
- Design carefully selected to minimise loss of light and overlooking.
 - Proposal accompanied by a landscape plan for the site.
 - Standard expected for this not the same for a site in a central location as they would be on a greenfield site.
 - Opaque Glazing could be provided to Nos 5,6, and 7 Flannan Street.

5. Concluding Comments

- Council wants site developed under a single scheme:
 - The Planning Authority failed to produce a detailed plan to discuss with the applicant or secure the land.
 - Neagh LAP policy for regeneration site 12 is unachievable.
- Unknown as to whether the Council has commenced any design work on a scheme of its own – the remainder of the regeneration site 12 remains vacant.
 - The original design criteria for the scheme can still be achieved including a landmark corner building.
- Backland developments often require adaptation of normal planning standards due to very nature.
 - Facilitated by Policy 4.10 of the County Plan.
 - Do not believe the scheme as proposed in drawings submitted is fundamentally unsatisfactory in terms of size, layout, or amenity nor can we agree that it would be against the proper planning and sustainable development of the area.
 - It would provide for a much-needed dwelling given housing crisis.

7.2. Planning Authority Response

None received.

7.3. Observations

None received.

8.0 Assessment

Having reviewed the 1st party appeal and all-other documentation on file including the reports and responses of the local authority, having inspected the site, and having regard to the relevant local and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Response to Reason for Refusal.

8.1. Response to Reason for Refusal

- 8.1.1. The Planning Officer within their report presents a number of concerns relating to the quality of the dwelling seeking retention permission. It is contended that the proposal does not align with the prevailing pattern of development within the area in terms of plot size building height and proportions.
- 8.1.2. I note the subject dwelling forms a backland development located to the rear of dwellings fronting onto St. Flannan Street. Works to the host dwellings were previously permitted under PA Ref 211017 and retention for amendments to the permitted under PA Ref 24162.
- 8.1.3. There are a number of infill dwellings located to properties along St. Flannan Street. Most notably No. 11A, permitted under PA Ref 11520013, which is a single storey dwelling with a total floor area of c.90sq.m, and similar in scale and form as that subject to this appeal.
- 8.1.4. I do not accept the Planning Authorities concerns with regard to the prevailing pattern of development, having regard to the precedent established to the south of the subject site. I consider that the subject dwelling respects the height and scale of the permitted

backland development within the immediate vicinity of the site and is therefore in accordance with Section 4.10 of the Tipperary County Development Plan 2022-2028.

- 8.1.5. The second concern raised by the Planning Officer relates to the access arrangements proposed which were considered to be poor. The appeal site is currently landlocked with no direct access. Access to the subject dwelling is proposed to be provided via an access permitted under PA Ref. 211017 which would provide for bin access to no. 6 and no. 7 St. Flannan Street. The access reads as an additional door along the front (street) elevation of no. 6 Flannan Street. As such, there would be no vehicular access to the subject dwelling.
- 8.1.6. Notwithstanding the concern of the Planning Authority, I note that the access proposed is already in situ and is segregated from any private amenity serving the dwellings permitted to the front of the site which are currently under construction. Therefore, I do not accept the contention of the Planning Authority in this instance.
- 8.1.7. The area of the site where the subject dwelling has been located was previously identified on the site layout plan submitted under PA Ref 211017 as private amenity spaces serving the units proposed (units 5, 6 and 7 Flannan Street). As such, each of the dwellings previously permitted would have been served with rear amenity space which had an area of approximately c.300sq.m. The units permitted were 4 and 3 bed units and would only require the provision of c.50sq.m and C.40sq.m of private amenity space respectively in accordance with SPPR 2 of the Sustainable and Compact Settlements Guidelines for Planning Authorities, 2024. I consider that this would have been an un-sustainable use of services zoned land which could provide for an infill dwelling.
- 8.1.8. The Planning Officer in their assessment considered that the subject dwelling would reduce the extent of private open space serving the 3 townhouses and that the private amenity space serving the dwelling subject to this appeal would be substantially overlooked by the 3 townhouses. The separation distance from the rear elevation of the 3 no. dwellings permitted under PA Ref 211017 and the front elevation of the dwelling subject to this appeal is in excess of c.30m. SPPR 1 of the Sustainable and Compact Settlements Guidelines for Planning Authorities, 2024 requires a minimum separation distance of 16m between opposing windows serving habitable rooms at the

rear or side of houses. In addition, the subject dwelling is served with c. 164sq.m of private amenity space to the rear.

- 8.1.9. Having regard to the above I consider that the 3 no. units permitted under PA Ref 211017 can easily be served with adequate private amenity space which would comply with the requirements of SPPR 2 of the Sustainable Compact Guidelines, 2024. This can be ensured by way of a condition in the event the Commission are minded to grant retention permission. In addition, having regard to the separation distance provided and the private amenity space located to the rear of the subject dwelling I do not anticipate any issues of undue overlooking will occur. The subject dwelling is single storey in nature. I do not accept the concerns that it will impact negatively on the residential amenity of the 3 no. permitted townhouses under PA Ref 211017 which therefore further accords with Section 4.10 of the Tipperary County Development Plan 2022-2028.
- 8.1.10. The subject site forms part of regeneration site no. 12 as per Appendix 3 of the Nenagh LAP 2024-2030. The Planning Officer considered that the dwelling may compromise the future development potential of the adjoining lands to the north. While I note that the most desirable approach to the development of regeneration site no. 12 would be a comprehensive development which included for the delivery of the site as a whole, this is beyond the scope of the applicant given that the lands to the north are not within their legal ownership.
- 8.1.11. The planning criteria set out for regeneration site 12 states that innovative urban housing typologies to make best use of the backlands areas may be considered appropriate. I consider that the dwelling subject to this appeal is in keeping with this criterion and makes the most of a landlocked site which would have been otherwise utilised as private open space.
- 8.1.12. Overall, I do not accept the concerns raised by the Planning Authority and consider granting retention permission and permission to complete this backland infill dwelling will not represent a poor relationship with the existing dwellings addressing St Flannan Street, is in keeping with the established character established by no. 11A St Flannan Street, is provided with an adequate access having regard to the landlocked nature of the appeal site, will not negatively impact on the residential amenities of the residents of the 3 no. townhouses permitted under PA Ref 211017, located to the front of the

site, would not represent piecemeal and uncoordinated development of regeneration site 12 and will not compromise the development potential of the lands to the north and would therefore comply with Section 4.10 of Volume 3 Appendix 6 of the Tipperary County Development Plan 2022-2028. I therefore recommend that the retention permission and permission to complete the development be granted.

9.0 AA Screening

9.1. See Appendix 3 of this report for Appropriate Assessment Screening Determination. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on Lough Derg (Shannon) SPA, Slievefelim to Silvermines Mountains SAC and the Slievefelim to Silvermines Mountains SPA, Lower River Shannon SAC and Scohaboy (Sopwell) Bog SAC or any other European site in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

9.2. This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- Distance from and weak indirect connections to the European sites.
- Taking into account screening determination by LPA

9.3. No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

10.0 Water Framework Directive

10.1. The subject site is located to the rear of No's 5, 6 & 7 Flannan Street, Nenagh, Co.Tipperary. This is an application for the retention of a single storey dwelling and permission to complete same. No water deterioration concerns were raised in the planning appeal. The subject site is situated c.888m to the west of the Nenagh River (IE_SH_25N010700).

10.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.3. The reason for this conclusion is as follows:

- Nature of works regard the scale;
- Location-distance from nearest Water bodies and/or lack of hydrological connections.

10.4. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend that the decision of the Planning Authority be overturned and that Retention Permission and Permission be granted for the reasons and considerations set out below.

12.0 Reasons and Considerations

The development which is seeking retention permission and permission for the completion of a dwelling complies with the provisions of the Tipperary County Development Plan 2022-2028. It is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with the surrounding area, would not be visually detrimental to the area, would not impact negatively upon the current levels of residential amenity enjoyed at this location and is in keeping with the proper and sustainable development of the area.

13.0 Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application on the 8th August 2024 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 property shall be used as a single dwelling unit only.

REASON: To prevent excessive building density and protect the residential amenities of the area

3. Within 3 months of the date of the grant of retention permission, the applicant shall submit for the written agreement of the Planning Authority an amended site layout plan clearly demonstrating that the 3 no. town houses permitted under PA Ref 211017 are each served with private amenity space which accords with the requirements of SPPR 2 – Minimum Private Open Space Standards for Houses as per the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024.

REASON: In the interest of residential amenity.

4. Within 3 months of the date of the grant of retention permission, The developer shall pay to the planning authority a financial contribution of 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 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer

or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

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.

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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Kathy Tuck
Planning Inspector

17th September 2025.

Appendix 1

EIA Pre-Screening

Case Reference	ABP-321092-24
Proposed Development Summary	Retention of a house and permission to complete same.
Development Address	No's 5, 6 & 7 Flannan Street, Nenagh, Co.Tipperary.
	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? (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)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>S. 5 P.2 10(b)(ii) construction of more than 500 dwelling units.</p>

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

Inspector: _____

Date: _____

Appendix 2

EIA Preliminary Examination

Case Reference	ABP-321092-24
Proposed Development Summary	Retention of a house and permission to complete same.
Development Address	No's 5, 6 & 7 Flannan Street, Nenagh, Co.Tipperary.
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	This is an application for the retention of a single storey dwelling located to the rear of No's 5, 6 & 7 Flannan Street, Nenagh, Co.Tipperary. It is proposed to services the dwelling via connection to the existing public mains.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	<p>The development would not have the potential to significantly impact on an ecologically sensitive site or location. There is no hydrological connection present such as would give rise to significant impact on nearby water courses (whether linked to any European site or other sensitive receptors). The proposed development would not give rise to waste, pollution or nuisances that differ significantly from that arising from other rural developments.</p> <p>There are no other locally sensitive environmental sensitivities in the vicinity of relevance.</p>
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration,	There would be no significant cumulative considerations.

cumulative effects and opportunities for mitigation).	
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____

Appendix 3

Appropriate Assessment 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 not located within or adjacent to any natura 2000 sites. The subject site is located c.6.47km to the south-east of the Lough Derg (Shannon) SPA (site Code 004058) and the Lough Derg pNHA (site Code 00011); C.17km to the north-east to the Lower River Shannon SAC (Site code 002165); and C.14km to the south-west of the Scohaboy (Sopwell) Bog SAC (Site Code 002206) and the Scohaboy Bog NHA (site code PNHA 000937).

The development is seeking retention permission for a single storey dwelling, at Flannan Street, Nenagh, Co. Tipperary. 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 appreciable effect on a European Site. The reason for this conclusion is as follows:

- Nature of works and the limited scale of what is being proposed.
- The location of the site from nearest European site and lack of connections.

I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.

Inspector: _____ **Date:** _____