



An
Bord
Pleanála

**Pre-Application Consultation
pursuant to Section 177E(1A) of the
Planning and Development Acts,
2000-2021, as amended**

**Inspector's Report on
ABP-321500-24**

Development

Proposed development for retention of 2 number holiday chalets for short term rental, 2 number aerated sewerage treatment systems pumped to existing tertiary distribution field, hot tub, access roadways and all ancillary works.

Location

Cornode, Portroe, Nenagh,
Co.Tipperary.

Planning Authority

Tipperary County Council

Prospective Applicants

Colm Quigley

Date of Consultation Meeting

17th February 2025

Date of Site Inspection

28th January 2025

Inspector

Catherine Dillon

1.0 Introduction

- 1.1 The Board received a request on the 18th December 2025 from Martin Shinnors on behalf of Colm Quigley, to enter into a pre-application consultation under section 177E(1A) of the Planning and Development Act, 2000, as amended. The Board decided to grant this request from the prospective applicants by Direction dated 13th January 2025.
- 1.2 A pre-application consultation meeting was held on 17th February 2025. The purpose of this report is to inform the Board of the nature of the pre-application consultations undertaken, pursuant to Section 177E(1A) of the Planning and Development Act 2000, as amended.

2.0 Site Location

- 2.1 The site is within a rural area, to the north west of Nenagh Co. Tipperary, and to the south of the shores of Lough Derg in any area known as Cornode. Access to the site is off a local road (L-7082) via a narrow single width laneway which slopes steeply towards the lough and currently serves an existing dwelling in the perspective applicant's ownership. The local road leads to Garrykennedy circa 1.85km to the east and Portroe, circa 3km to the south east.
- 2.2 The site is occupied by 2 wooden chalets, and a number of associated outbuildings and structures within an established woodland area. There is an adjacent woodland to the west of the subject site and Freagh Wood lies further to the west of this wooded area. There is an existing harbour for a boat to the north east of the site within the applicant's land.
- 2.3 A dwelling in the applicant's ownership is located at a higher level to the two chalets to the south east. There is an existing gravel roadway which can be accessed from this dwelling and along the western boundary of the site to the two chalets.
- 2.4 The northernmost part of the site abuts Lough Derg (Shannon) SPA (site code: 004058), and chalet No.2 appears to be located within this area. Chalet No.1 appears to lie within Lough Derg proposed Natural Heritage Area pNHA (site code:000011).

3.0 Description of Proposal

- 3.1 From the documentation attached to the file, the prospective applicant is seeking to apply for Substitute Consent to authorise 2 wooden holiday cabins/chalets, 2 aerated sewerage treatment systems pumped to an existing tertiary distribution field, access roadways and all ancillary works. There are 2 additional structures next to the chalets associated with the chalet use.
- 3.2 The drawings indicate chalet no.1 is located approximately 49m south from the edge of the lakeshore and has a floor area of 40m² and comprises a kitchen, bathroom and 2 bedrooms and could accommodate 6 people. This chalet has a finished floor level of 38.7mOD.
- 3.3 Chalet no.2 to the north west of chalet 1 is at a lower level on the site (ffl 33.1mOD) and is 23.4m from the lakeshore. Chalet No. 2 has a floor area of 45m² and comprises a kitchen, bathroom and 2 bedrooms and could accommodate 6 people.
- 3.4 Both chalets pump the waste water to a tertiary treatment system to the south to a proposed 30m² bed under tertiary pods.
- 3.5 A laundry room has been constructed with a floor area of 11.75m² to provide a washing machine and dryer to be used by guests. This structure also provides storage space for additional bed linen, blankets and towels and cleaning products associated with the chalets.
- 3.6 A supplies room with a floor area of 11.75m² has been constructed to contain all cleaning materials and equipment. A commercial sink with hot and cold water has also been installed within the structure and chalet guests would not have access to this area.
- 3.7 A site suitability assessment report, AA screening report, and documentation in support of retention of the holidays homes was submitted with the pre application.

4.0 Planning History

P.A Ref: 2360068: Incomplete application seeking retention permission for 2 chalets to Colm Quigley. The P.A issued a Further Information on issues relating to the impact on the SPA with regards to the wastewater treatment facilities, disturbance to the wetlands and birds, loss of woodland, location of the tourist facility outside designated settlement, management of on-site facilities, and sightlines.

The Dept. of Housing, Local Government & Heritage -Development Applications Unit commented on the proposal on the following grounds:

- Unclear from the screening report whether adverse impacts of the waste water treatment facilities have been ruled out without mitigation. If mitigations are required then a NIS is required.
- Screening report has not adequately addressed the impact of the development in terms of disturbance on the wetlands and water birds, for which the site has been designated.
- Development has resulted in the permanent loss of riparian woodland adjacent to the SPA.
- Loss of broadleaf woodland important habitat for local biodiversity.

Houses to south:

P.A Ref: 07511743: PP granted to Colm Quigley on 17th January 2008 for dwellinghouse, detached domestic garage/store, proprietary wastewater treatment system and percolation area, together with all other ancillary siteworks.

P.A Ref: 03510642: Approval granted to Collette Quigley on 8th August 2003 for bungalow style dwelling house, front entrance gates and boundary walls, septic tank, percolation area and ancillary works subsequent to O/L PLC/22931.

Site to east

P.A Ref: 2361045: Application withdrawn on 20/9/2024 by Colm Quigley for the construction of a dwelling extension, new waste water treatment system, polishing filter and all associated works. Dept. of Housing, Local Government & Heritage - Development Applications Unit commented on this proposal.

Enforcement:

P.A Ref: TUD -15-103: File closed by P.A in December 2016 relating to harbour on the site.

5.0 Legislation

- 5.1 Any subsequent application for Substitute Consent will be lodged under the provisions of Section 177E of the Planning and Development Act, 2000, as amended, and Part 19 of the Planning and Development Regulations, 2001, as amended.

6.0 Prospective Applicant's Case

- 6.1 The prospective applicant noted the planning history and context and requested the pre-application consultation in order to determine the process of how to lodge any application for substitute consent and future works and what that application should contain.

7.0 Pre-Application Consultation Meeting

- 7.1 A Pre-Application Consultation meeting took place via Microsoft Teams on the 17th February 2025, commencing at 10.00 am. Representatives of the prospective applicant and An Bord Pleanála were in attendance. An Agenda was issued by An Bord Pleanála prior to the meeting. The prospective applicant was advised in advance of the meeting that the consultation would relate solely to the administrative procedures around the lodgement of an application, and any associated requirements.
- 7.2 This report should be read in conjunction with the copy of the presentation made to the meeting, the written record of the pre-application consultation meeting held with the prospective applicant on file. It is not proposed to repeat the contents of those records in detail here. The main topics raised for discussion at the meeting were as follows:

- Introductions

- Description of development and relevant background – clarity regarding scope of application.
- Procedural Advice with regard to any subsequent application for Substitute Consent.

8.0 Conclusion

The meeting concluded with An Bord Pleanála representatives stating that they did not foresee the need for a further meeting but if requested by the prospective applicant, the request would be examined. I therefore recommend that the pre-application consultation process should be closed.

Catherine Dillon
Senior Planning Inspector
21st March 2025