



An  
Coimisiún  
Pleanála

## Inspector's Report

**322170-25**

<b>Development</b>	Construction of 3No. two storey dwellings to the side of a single storey four broom dwelling
<b>Location</b>	Barrack Street, Tullow, Co. Carlow
<b>Planning Authority</b>	Carlow County Council
<b>Planning Authority Reg. Ref.</b>	2460182
<b>Applicant(s)</b>	Anthony Cullen
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission with Conditions
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Gary and Sharon Maxwell
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	19 <sup>th</sup> of June 2025
<b>Inspector</b>	Caryn Coogan

## **1.0 Site Location and Description**

- 1.1. The subject site, 0.189ha, located within the built-up area of Tullow town, Co. Carlow. The site is to the north of Barrack Street, which has residential developments fronting both sides of the street.
- 1.2. The subject site is an infill site, positioned between dwellings. The site slopes upwards from Barrack Street. There is a difference in ground level of 1.6m between the front and rear boundary. Barrack Street hosts single storey and two storey dwellings. There is a newly built two-storey dwelling on the opposite side of the road to the subject site.
- 1.3. There is a single storey dwelling within the site along its eastern site boundary. The dwelling is in habitable condition, and includes an outhouse/ garage which is to be demolished under this proposed scheme. The dwelling has a large rear garden and onsite parking to the front off Barrack Street.
- 1.4. I noted a new footpath fronting the site. The other side of Barrack Street has no footpath, however there is a setback back provision to lay a new footpath on the opposite side of the road. There is public lighting and new footpath serving the site.
- 1.5. The site is within walking distance of Tullow Main Street (N81).
- 1.6. The northern (rear) site boundary is mature trees. The western site boundary is a neighbouring bungalow and curtilage, with a gable window of a semi-detached garage overlooking the subject site. The eastern site boundary is a two storey dwelling.

## **2.0 Proposed Development**

- 2.1. The proposed development can be described as :
  - (i) The construction of 3No. two storey detached dwellings
  - (ii) New boundary treatments
  - (iii) New private open space areas and vehicular entrances
  - (iv) On site parking provision
  - (v) The removal of the single storey side extension to the existing bungalow on site

(vi) Landscaping and ancillary site works.

2.2 The single storey four-bedroom dwelling on site will be retained.

2.3 The application was the subject of a Further Information request and Clarification of Further Information.

2.4 The Further Information received on 15/01/2025 addressed the photomontages, site layout, on-site parking, footpaths, EV charging points, landscaping, boundary treatment, specifications for external finishes, and infrastructure layouts.

2.5 According to Drawing 2405 PD-01A the boundary treatment is as follows:

- 1m high wall along the south-western site boundary;
- 5000mm timber fence with hedging along the dividing front boundary curtilages;
- 2m high block wall along the rear site boundary
- 1.8m timber panel and concrete post fencing dividing the rear garden areas.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

By Manager's Order dated the 3<sup>rd</sup> of March 2025, Carlow Co. Co. decided to grant planning permission for the proposed development subject to 18No. conditions

The planning conditions are standard conditions for residential units.

Condition No. 3 does specify certain elements of the proposal to be agreed with the planning authority in relation to external finishes, opaque glass in the bathrooms and concrete post and panel fencing to the rear party walls..

Condition No. 4 stated the carparking was to be in accordance with Drawing No. (2405 PD-01B) and all footpaths to be dished.

Condition No. 6 relates to Landscaping

Condition No. 7 relates to the public road.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

There were 3No. planning reports prepared. The **First Report (20/08/2024)** addresses the main issues arising:

- The site is zoned '*Existing/ Residential Infill*' zoning as per the Tullow LAP 2017-2023 (as extended)
- Dwelling are Permitted In Principle under the zoning.
- Further information was requested in terms of photomontages demonstrating the visual impact of the proposal, reversing movement onto the street, boundary wall, footpaths, EV charging points, landscaping, location of public infrastructure, revised surface water proposals, and AA screening report.
- The **Second Planning Report** (07/02/2025) analysed the Further Information received (15/01/2025). It was considered the photomontages were acceptable and the two storey dwellings would not have a negative impact on the streetscape. The District Engineer was not satisfied with the parking/ access arrangements for the 3No. dwellings off Barrack Street. The EV charging points are included in accordance with Section 16.10.2 of the Carlow County Development Plan. The boundary treatment is in accordance with Section 16.8.6 of the Carlow County Development Plan. A mood board was submitted indicating the external specifications, finishes and landscaping. The finished floor levels are acceptable.
- The **Third Planning Report** (08/03/2025) referred the revised entrances and parking arrangements submitted on 11/02/2025 to the District Engineer. No objection to the proposed development as per Drawing 2405 PD-01B.
- Permission recommended subject to conditions including a Development Contribution payable of €13,267.50 as per the Report dated 08/03/2025.

#### 3.2.2. Other Technical Reports

- (i) Municipal District Office: Concerns regarding reversing out onto Barrack Street from the entrances. No objection to the proposed development as per Drawing 2405 PD-01B submitted on the 11/02/2025.

- (ii) Environment Section: Further Information regarding water, sewer and water supply. Following receipt of further information on the 15/01/2025, the section had no objection to the proposed soakaways designed as per BRE Digest 365.
- (iii) Active Travel Department: The boundary wall has to be setback 2.5m from the existing nearside kerb edge along the full length of the kerbside boundary. To allow for a DMURS compliant footpath and a sightline of 45m.

### 3.3. Prescribed Bodies

Irish Water were notified of the planning application by the planning authority.

### 3.4. Third Party Observations

There were two third party submissions received:

**Peter Sweetman** regarding AA EIAR and the Water Framework Directive because the site is within the Slaney River Valley SAC.

**G. & S. Maxwell** regarding , access, footpath, parking, safety and sightlines.

## 4.0 Planning History

4.1 There are no relevant planning histories

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1 The relevant development plan is the **Tullow Local Area Plan 2017-2023**.

The subject site is zoned 'Existing Residential/ Infill.

**Policy HP 3:** To facilitate where appropriate residential development on appropriate infill / regeneration and town centre sites in accordance with the principles of proper planning and sustainable development.

**Policy HP 4:** To have regard to the DoECLG Guidelines on ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities (2007); ‘Delivering Homes Sustaining Communities – Statement on Housing Policy’ (2007), ‘Sustainable Urban Housing: Design Standards for New Apartments’ (2007) and Sustainable Residential Development in Urban Areas’ and the accompanying Urban Design Manual: Best Practice Guide (2009).

**Policy HP 5:** To require that all new residential developments comply with the Housing Strategy and Development Management Standards of the Carlow County Development Plan 2015-2021 or as may be amended.

**Policy HP 7:** To promote the development of underutilised infill town centre sites and to facilitate high quality development which respects the design of surrounding development and the character of the area.

**Policy HP 9:** To encourage strong frontages along main thoroughfares creating definite building lines and continuity of the structure of the town centre.

**Policy HP 10:** To ensure that new housing development close to existing houses reflect the character and scale of the existing houses unless there are exceptional design reasons for doing otherwise.

### 5.1.2 **Carlow County Development Plan 2022-2028**

#### **Chapter 12: Urban Design and Placemaking**

**CGR.P1:** Promote and support the regeneration of underused town centre, village centre and brownfield/infill lands, in conjunction with the delivery of existing zoned and serviced lands

**CGR.P2:** Facilitate the delivery of compact and sequential growth and urban regeneration in towns and villages by consolidating the built footprint through a focus on regeneration and development of key infill /brownfield /backland sites.

#### **Chapter 16 Development Management Standards.**

**16.6 Site Coverage :** The maximum site coverage shall be 50% for residential development

## **16.8 Residential Development :**

The following guidance documents should be consulted (unless otherwise updated) when designing a residential development:

1. The Guidelines on Quality Housing for Sustainable Communities, DEHLG, (2007);
2. The Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, DEHLG, (2009);
3. Urban Design Manual: A Best Practice Guide, DEHLG, (2009);
4. Sustainable Urban Housing: Design Standards for New Apartments, DHPLG, (2018);
5. Urban Development and Building Height Guidelines, DHPLG, (2018);
6. The Design Manual for Urban Roads and Streets, DTTAS and DECLG, (2013 and updated in 2019);
7. Permeability Best Practice Guide, NTA, (2015); and
8. Recommendations for Site Development Works for Housing Areas.

### **16.8.2 Density Tallow : 20-30 per hectare**

#### **5.1.3 National Planning Framework**

The National Planning Framework addresses the issue of 'making stronger urban places' and sets out a range of objectives which it considers would support the creation of high-quality urban places and increased residential densities in appropriate locations while improving quality of life and place. Relevant Policy Objectives include:

- **National Policy Objective 4** - Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.
- **National Policy Objective 33** - Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

#### 5.1.4 **Section 28 Ministerial Guidelines**

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024

#### 5.2. **Natural Heritage Designations**

The subject site is located 55m north of the Slaney River SAC (Site No. 00781).

#### ***Tullow LAP Area Pla 2027-2023.***

##### ***1.4 Appropriate Assessment***

Having regard to the presence of the River Slaney cSAC within the LAP boundary the potential impacts could not be screened out and accordingly the LAP has been informed by a Stage 2 Appropriate Assessment which accompanies the LAP.

#### 6.0 **EIA Screening**

- 6.1 See completed Forms 1 and 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

#### 7.0 **The Appeal**

##### 7.1. **Grounds of Appeal**

The third party appellants, Gary and Sharon Maxwell reside along Barrack Street in Tullow. The following is a summary of their grounds of appeal:

- Three additional dwellings with separate entrances will impact on road and pedestrian safety, regardless of the provision of two parking spaces per dwelling. There will be dangerous reversing movements as a result of the proposed development.



- The majority of neighbouring dwellings have off-street parking. The development site is relatively small and the development of 3No. dwellings does not conform to the established area.
- The area will be negatively affected by the increased demand for on-street parking.
- If the dwellings are rented out on a per room basis which is an emerging practice in the area, there will be more than 2No. vehicles per dwelling, and there will be an overflow of parking onto the street.
- Three dwellings with individual entrances constitutes an over development of the area. The development should be rescaled to offer a single shared splayed entrance.

## 7.2. Planning Authority Response

The following is a summary of the submission received from the planning authority in response to the third-party appeal:

- The subject site comprises of a single storey bungalow and a large parcel of undeveloped land accessed via Barrack Street in Tullow. There is a public footpath adjoining the site boundary. Along the wider Barrack Street, buildings vary in shape and form. Terraced dwellings of two storey are located towards the town centre, whilst in the immediate vicinity of the site there are a variety of dwelling types.
- The issues of the site access/ egress was assessed by the Tullow Municipal District Engineer. Following requests of additional information, the engineer had no objection to the proposed development.
- The proposed development was assessed by the Council's Active Travel Department who had no objection to the proposed development following receipt of the further information.
- Table 16.7 of the Carlow County Development Plan 2022-2028, the maximum car space requirement for a dwelling house is 2No. spaces The revised

proposal as per Drawing No. 2405 PD-01B submitted on the 11/02/2025, illustrates 2No. spaces/ housing unit.

## 8.0 Assessment

8.1. Having examined the appeal file and the site, including all submission relating to the planning application and the appeal, I consider the issues to be addressed are as follows:

- Principle of the Proposal
- Design
- Traffic

### 8.2. *Principle of the Proposal*

8.2.1 National Planning Policy and Ministerial Guidelines recognise the need to increase densities and to provide compact residential development in urban areas and established settlements. Tullow is a large town in Co. Carlow, and according to the Settlement Strategy of the Carlow County Development Plan 2022-2028, is designated as a District Town, which is classified as *'Well-developed serviced settlements with a moderate level of jobs supporting services and community facilities with good transport links and capacity for continued commensurate growth to become more self-sustaining'*.

8.2.2 The **Tullow Local Area Plan 2017-2023** zoning objective on the site is, *'Existing Residential/ Infill'*. The site is within walking distance of the Main Street of Tullow, the local GAA club (St. Patricks) and the local supermarket (Super Valu).

8.2.3 The development of three new dwellings on zoned serviced land in close proximity to the town centre complies with a multitude of objectives in the Tullow LAP, such as :

**SO1.1** Achieving a more Consolidated Urban Form

**SO 1.2** Creating Sustainable Neighbourhoods

**SO 1.3** Providing Quality Homes

8.2.4 The site includes an existing single storey dwelling and a large site positioned to one side of the dwelling. The 3No. dwellings will address and be accessed from Barrack

Street. I am satisfied the proposal is in accordance with the zoning objective for the site and relevant national and local planning policy.

8.2.5 The Commission referred the appeal to a number of statutory bodies and there were no responses received.

8.2.6 The proposed development supports local and national planning policy by providing for infill development on an urban site which creates urban consolidation and sustainable use of existing public infrastructure.

### 8.3. ***Design***

8.3.1 The proposed development includes the construction of 3 no. two storey four-bedroom detached dwellings to the side of the existing single storey four-bedroom dwelling at Barrack Street, Tullow, Co. Carlow. The development includes new boundary treatments to provide private open space, new vehicular entrances involving the dishing of the existing kerb to provide off street vehicular parking for the new and existing dwellings, the removal of the single storey extension to the site of the existing dwelling (c. 8.0m<sup>2</sup>), landscaping and all other necessary ancillary site development works.

8.3.2 The proposed front building line is in keeping with the existing building line along Barrack Street. The cross-sections through the site reveal the proposed building heights are not significantly higher than the adjoining building heights due to a reduction in the proposed finished floor levels. The photomontages submitted by way of Further information on the 15/01/2025, illustrate the context of the proposed building envelop, and in my opinion, it will make a positive contrition of the visual qualities of the streetscape. The proposed two storey detached dwellings represent a diversity of house design and housing mix to meet with the community's needs. The higher density on the subject site is welcomed and is considered to be a sustainable form of residential development. The proposed density supports urban consolidation and the use of available infrastructure within a well-designed medium density development.

8.3.3 I refer to the 'Mood Board' (submitted on 15/01/2025) that is referenced in one of the planning conditions, it outlines the external finishes of the proposed dwellings, paving, boundary treatment and hedging. In general terms, the design and

specification of the 3No. detached units has been carefully considered by the applicant following detailed guidance by the planning authority.

8.3.4 The boundary treatment includes low walls and fencing to the front of the dwellings and 1.8m post and rail fencing to the rear. There were landscaping plans submitted with the further information on the 15/01/2025. I would consider the proposed landscaping to be appropriate in scale and specification for the proposed development and urban setting. Each dwelling has a rear garden area ranging in size from 133sq.m to 267sq.m. The verified photomontages illustrate the context of the proposed development along the streetscape. I would consider the overall design and siting to be appropriate at this location.

8.3.5 I did note a gable window in the garage of the abutting dwelling to the north west of the site. Although, the new dwelling will reduce the light into the garage it is not a main living room of the dwelling. There is adequate separation distance between the existing and proposed developments to ensure the garage receives light from the eastern aspect.

8.3.6 The planning authority comprehensively assessed the design merits of the proposed development. In my opinion, the proposal will make a positive design statement to the Barrack Street and as well as provide much needed residential accommodation.

## **8.4 Traffic**

8.4.1 The third-party appellants are concerned about the adequacy of the carparking associated with the development, the potential for hazardous on street parking and dangerous manoeuvring into and out of Barrack Street. A summary of their concerns as expressed in the grounds of appeal is as follows:

- Three separate entrances will impact on road and pedestrian safety. There will be dangerous reversing movements as a result of the proposed development.
- The area will be negatively affected by the increased demand for on-street parking.

- If the dwellings are rented out on a per room basis which is an emerging practice in the area, there will be more than 2No. vehicles per dwelling, and there will be an overflow of parking onto the street.
- Three dwellings with individual entrances constitutes an over development of the area. The development should be rescaled to offer a single shared splayed entrance.

8.4.2 The proposed development complies with the Carlow County Development Plan management standard by providing 2No. spaces per dwelling within the curtilage of each site (Table 16.7 of the Carlow County Development Plan 2022-2028).

Furthermore, the issue of the carparking and access onto Barrack Street was meticulously assessed by two technical departments within Carlow County Council, Tullow Municipal District Engineer and the Council's Active Travel Department. The site layout Drawing No. 2405 PD-01B, received by the planning authority on the 11/02/2025, indicates the permitted layout following consultations with the two relevant technical departments and includes EV charging points. The sightlines in both directions at the 3No. entrances are acceptable and acceptable for an urban setting.

8.4.3 The appellants have not substantiated their claims with any counter technical evidence. Furthermore, the concept of the dwellings been rented out on a room-to-room basis is purely speculative and not substantiated with any supporting evidence that this would occur. The additional three entrances do not represent an overdevelopment of an urban site. The suggested alternative of one splayed entrance serving the 3No. dwelling would appear incongruous to the abutting layouts and neighbourhood character along Barrack Street. The local GAA club is located a short distance from the site to the west along Barrack Street, and it generates more overflow parking onto the surrounding roads than the proposed 3No. dwellings.

8.4.4 In my opinion, having regard to the development plan policies governing the site, the site location within a built-up serviced urban area, and the design of the scheme, I consider the grounds of appeal to be unfounded and unsubstantiated, and form no solid planning grounds to overturn the planning authority's assessment and decision to grant permission in this instance.

## **9.0 AA Screening**

- 9.1 The proposed development is for 3No. two storey dwellings alongside an existing single storey dwelling on Barrack Street, Tullow, Co. Carlow. As part of a further information requested by the planning authority dated 20<sup>th</sup> of August 2024, the applicant was requested to submit an Appropriate Assessment Screening Report accordance with Regulation 42 (1) of the European Communities (Birds and Natural Habitats) Regulations 2011 and Article 6(3) of the Habitats Directive.
- 9.2 The closest Natura 2000 site is the Slaney River Valley SAC (Site Code: 000781) which is located at its closest approximately 56m to the south-west of the proposed development site red line boundary. The proposed site will be accessed by an existing entrance off the L2012 road (Barrack Street) to the south-west. 2no. parking spaces will be provided for each dwelling. During excavation works, topsoil would be stored onsite and re-used. The proposed development will not require the importation of any materials at risk of containing invasive species. There will be demolition activities as part of the proposed development, comprising the existing garage and part of the existing building to the east. All demolition material will be segregated and classified as waste material to be removed by a licenced contractor and disposed at a licenced waste facility or if can be reused in construction phase only if not hazardous. The estimated construction and demolition timeframe, including landscaping activities, for the proposed development is approximately 8 months. Construction works would be confined to the proposed development footprint and would not necessitate any works within a watercourse or riparian zone.
- 9.3 Potable water will be provided to the dwellings via new connections to the public mains, which runs along Barrack Street to the south-west. Wastewater from the proposed residential development will be directed from individual dwellings to the existing sewerage network running along Barrack Street. Foul water from the site will ultimately be directed to Tullow Wastewater Treatment Plant (D0091-01) which discharges into the River Slaney. The WWTP is compliant with the ELV's set in the Wastewater Discharge Licence. The discharge from the wastewater treatment plant does not have an observable negative impact on the Water Framework Directive status.

## **9.4 European Sites**

9.4.1 The site considered to be within the zone of influence of the proposed development is the Slaney River Valley SAC (Site Code: 000781) due to proximity and potential hydrological connectivity to the proposed development site. The River Barrow and River Nore SAC (Site Code: 002162) is located approximately 14km to the west. There is no direct hydrological connected between the proposed development and River Barrow and River Nore SAC. The proposed development does not contain the habitats or species for which this SAC has been designated. Given the large distance, absence of source-receptor pathway relationship, absence of habitats and species, nature and scale of the development, the River Barrow and River Nore SAC can be screened out.

## **9.5 Slaney River SAC (SITE CODE: 000781)**

9.5.1 The conservation objectives for the SAC site are to maintain or restore the favourable conservation condition of the qualifying interests. The site supports populations of several species listed on Annex II of the E.U. Habitats Directive, including Sea Lamprey, River Lamprey and Brook Lamprey, Otter, Salmon, small numbers of Freshwater Pearl Mussel, and in the tidal stretches, Twaite Shad. The River Slaney is primarily a spring salmon fishery and is regarded as one of the top rivers in Ireland for early spring fishing.

## **9.6 Likely Impact of the project (alone or in combination)**

9.6.2 The development comprises the construction of 3No. dwellings within the urban and serviced footprint of Tullow town, Co. Carlow. I noted from my site inspection that there were no open water drains contiguous to the site. Having viewed the Environmental Protection Agency's AA Mapping Tool, and having visited the site, I note that there are no direct hydrological connections between the development proposed, the subject site and the River Slaney to the south.

9.6.3 I note that the Planning Authority requested a screening for Appropriate Assessment from the applicant which concluded that there would be no potential for significant effects on any European Site. The planning authority also carried out an Appropriate Assessment Screening Report which concluded there would be no potential for significant effects on any European Site.

- 9.6.4 The Slaney River Valley SAC (Site Code: 000781) is located approximately 56m to the south-west of the proposed development. The proposed development does not directly impinge on any part of a European site, and as such would not be expected to impact upon any protected site through destruction of habitat, fragmentation of habitat, disturbance of habitat or direct reduction in species density.
- 9.6.5 There is no hydrological connectivity between the site and the Slaney River Valley SAC (Site Code: 000781), nearest European site to the south, east or west, or any other European sites within a 15km Zone of Influence (which were all listed in the planning authority's screening report). The existing intervening hard surfaces, walls and buildings offer a buffer zone between the development and the River Slaney. Any stormwater would be managed via the existing mains stormwater drainage system along Barrack Street.
- 9.6.6 During site clearance and construction works of the proposed development, possible impact mechanisms of a temporary nature include generation of noise, dust, and construction related emissions to surface water. The contained nature of the site (defined site boundaries, no direct ecological connections or pathways) and distance from receiving features make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect European Sites. The separation distance between the proposed building works and the built-up area south of the site, offers a considerable buffer area to ensure the Slaney River will not be impacted upon the proposed construction works.
- 9.6.7 In terms of the operational phase of the proposed development, surface water comprised of rainwater run-off from roofs and hard standing areas will be directed to new soakaways to the rear of the proposed dwellings.
- 9.6.8 Foul water from the dwellings will be directed to the new foul water drainage network and ultimately to the Tullow Wastewater Treatment Plant (which is located on Barrack Street to the west of the site). According to the Screening Report, the WWTP is compliant with the relevant Wastewater Discharge Licence. The discharge from the wastewater treatment plant does not have an observable negative impact on the Water Framework Directive status. The facility is currently undergoing a licence review.



## **9.7 Likely significant effects on the European sites in view of the conservation objectives**

- 9.7.1 The construction or operation of the proposed development will not result in impacts that could affect the conservation objectives of the SACs due to separation distance and lack of meaningful ecological/ hydrological connections. There will be no changes in ecological status of the European sites due to construction related emissions.

## **9.8 In combination effects**

- 9.8.1 The proposed development will not result in any effects that could contribute to an additive effect with other developments in the area. No mitigation measures are required to come to these conclusions.

## **9.9 Overall Conclusion – Screening Determination**

- 9.9.1 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 any European Site and is therefore excluded from further consideration. Appropriate Assessment Stage 2 is not required.

The determination is based on:

- Having regard to the absence of any direct hydrological connection from the subject site to any European Site.
- Having regard to the distance of the site from the European Sites regarding any other potential ecological pathways.
- Having regard to the screening report submitted by the applicant and determination of the planning authority.

## **10.0 Recommendation**

Having considered the appeal file under the above assessment, the planning authority's review of the planning application, the third party's grounds of appeal, and

following a site inspection, I recommend the planning authority's decision to grant planning permission for the proposed development by upheld.

## **11.0 Reasons and Considerations**

Having regard to the pattern of development in the area, to the zoning as 'Existing Residential/ Infill' in the Tullow Local Area Plan 2017-2023, it is considered that, subject to compliance with conditions below, the proposed development would provide a high-quality residential development, at an acceptable density on an infill site, would not seriously injure the character of the area or the amenities of property in the vicinity and would provide an adequate standard of residential amenity to future occupiers, and be acceptable in terms of traffic and pedestrian safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **12.0 Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority, on the 15<sup>th</sup> of January 2025, and on the 11<sup>th</sup> of February 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. The proposed external finishes to the dwellings, hard and soft landscaping, and boundary treatments shall be in accordance with the revised drawings submitted as further information on the 15<sup>th</sup> of January 2025.

**Reason:** In the interests of visual amenity and traffic safety.

3. The landscaping scheme shown on drawings submitted to the planning authority on the 15<sup>th</sup> of January, 2025 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In the interest of residential and visual amenity.

4. Prior to the commencement of development, the developer shall enter into a Connection Agreement(s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

5. The 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

6. (a) All foul sewage and soiled water shall be discharged to the public foul sewer.
- (b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

**Reason:** In the interest of public health

7. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times

will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

8. Prior to the commencement of the proposed development the applicant shall consult with the Road's Design office regarding the following:
- (i) A construction and traffic management plan required during construction period of the development.
  - (ii) A road opening licence.

**Reason:** In the interests of road safety.

- 10 Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and amenity.

- 11 Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. 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 reducing waste and encouraging recycling.

- 12 All the parking areas serving the residential units shall be provided with functional electric vehicle charging points, and all of the in-curtilage car parking spaces serving

residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of sustainable transportation.

- 13 All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

- 14 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 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 between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord 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

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.

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Caryn Coogan  
Planning Inspector

10/07/2025

## Form 1 - EIA Pre-Screening

### No EIAR Submitted

<b>Case Reference</b>	322170-25
<b>Proposed Development Summary</b>	Construction of three dwellings to the side of an existing bungalow
<b>Development Address</b>	Barrack Street, Tullow, Co. Carlow
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (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.  <div style="border: 1px solid black; height: 150px; width: 100%;"></div>
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input checked="" type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	Class 10(b)(i) & 10(b)(iv)  Class 14
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8	10(b)(i) - Construction of more than 500 dwelling units 10(b)(iv) - Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-

<p>of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	<p>up area and 20 hectares elsewhere. 14 – Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p>The proposed development is for 3 units and does not exceed the 500 unit threshold. The proposed development has a site area of 0.160ha and does not exceed the 10ha threshold. The proposed demolition works are not likely to have significant effects on the environment.</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"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_



## Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ACP 322170
<b>Proposed Development Summary</b>	3No. dwellings
<b>Development Address</b>	Barrack Street, Tullow, Co. Carlow
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (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).	The nature and size of the development (3 Houses) is not exceptional in the context of the existing residential environment. The proposed development will not result in the productions of any significant waste, emissions or pollutants. Localised constructions impacts will be temporary. The development, by virtue of its type (residential), does not pose a risk of major accident and/or disaster.
<b>Location of development</b>  (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).	The site is located in an urban area and is zoned for existing residential development. The nearest European site is 55m to the south of the site. It is not considered that the proposed development would be likely to have a significant impact on the European site. Given the nature of the development and the site/surroundings, it would not have the potential to significantly affect other significant environmental sensitivities in the area.
<b>Types and characteristics of potential impacts</b>  (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	There is no real likelihood of significant effects on the environment arising from the proposed development. There is no real likelihood of significant cumulative effects having regard to existing or permitted projects.
<b>Conclusion</b>	

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: \_\_\_\_\_

(only where Schedule 7A information or EIAR required)