



An
Coimisiún
Pleanála

Inspector's Report

ABP-322614-25

Development	Construction of 64 no. houses and associated works.
Location	Lands to the west of Link Road, Chapelstown, Carlow.
Planning Authority	Carlow County Council.
Planning Authority Reg. Ref.	2460145.
Applicant(s)	Elmendorf Ltd.
Type of Application	Permission.
Planning Authority Decision	Grant permission.
Type of Appeal	Third Party
Appellant(s)	Keith Moran, Conor and Mary Wall. Walls Engineering. Michael Baker.
Observer(s)	None.

Date of Site Inspection

11th July 2025.

Inspector

Kathy Tuck

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1.0 Site Location and Description

- 1.1. The subject site which has a stated area of c.2.2ha is situated at Link Road (L-1026), Chapelstown, Carlow. The site is located c.3km to the east of Carlow Town Centre. The site shares its eastern boundary with the Link Road where access is proposed to serve the site.
- 1.2. The lands are greenfield in nature and currently in use for agriculture. The western boundary of the site is formed with the established residential area of Cois Dara, while the southern boundary is formed by mature planting and a mix of residential and commercial uses beyond. There is no formal northern boundary to the site.

2.0 Proposed Development

- 2.1. This is an application for permission for the provision of 64 no. residential units which comprises of a mix of semi-detached and two storey dwellings. The unit mix will provide for 8 no. 4 bed units and 56 no. 3 bed-room units. This development forms part 1 of a 2 phase development.
- 2.2. Works also include for the creation of a new vehicular access and a separate pedestrian access into the site from the Link Road (R725) that will provide access to all houses; 128 car parking space (2 per unit); hard and soft landscaping and all associated site works.
- 2.3. I note that on foot of a request for further information the layout and unit mix of the proposed development was amended but the number of units being proposed remained at 64 units. However, the provision of car parking increased to provide for 138 car parking spaces.
- 2.4. The amended unit mix provides for:
 - 6 no. one bedroom units.
 - 4 no. 2 bed units.
 - 46 no. 3 bed units; and
 - 8 no. 4 bed units.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority, following a request for further information, issued a decision to grant planning permission on the 9th May 2025 subject to 29 no. conditions. Conditions of note are as follows:

- Condition no. 27 – Bond of €355,840.
- Condition no. 28 – Development Contribution of €284,257.68.
- Condition no. 29. – S.48(c) Special Development Contribution of €75,000 in respect of the provision of public footpath/cycle/lighting facilities.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The 1st report of the Planning Officer dated the 22nd July 2024 sets out details of the site location, of the proposed development, internal and external consultee reports received, 3rd party submission received, all relevant planning history, relevant national, regional and local planning policy and provides for an EIA and AA Screening determination.

The assessment notes that the proposed development is consistent with the land use zoning pertaining to the subject site but raises concerns over a number of other issues and as such a request for the following further information was issued:

Item 1: Concerns regarding the overall design of the proposed development - submit further information and revised plans to address the following:

- a) submitted layout does not demonstrate minimum 22m separation between first floor habitable rooms of proposed houses and existing houses in the adjoining Cois Dara development.
- b) consider dispersing the units proposed under Part V intermittently throughout the site.
- c) Units within the western part of the site which are removed from the main public open space area would benefit from additional provision. The applicant is

requested to consider providing additional open space within the site serving units in the centre and along the western boundary, potentially omitting units 11-14 and units 51-54 to facilitate same.

Item 2: Development primarily consists of 3-bedroom and 4-bedroom dwellings, which is not a sufficient housing mix to cater for a range of potential tenure types. Submit revised plans with consideration for inclusion of the following:

- A lower proportion of 3bedroom units.
- Inclusion of 2-bedroom units - Inclusion of 1-bed units.
- Inclusion of single storey units.
- Detached units - Universally designed units.

Item 3: hedgerow and tree removal to facilitate the proposed development is considered excessive. Submit revised proposals that comply with the relevant policies outlined in section 10.6 (Woodlands Trees and Hedgerows) of the CDP including WT P2, MT P6 and WT P8. Proposals should include a comprehensive scheme of compensatory indigenous tree and hedgerow planting.

Item 4: Provide further details regarding materials / finishes proposed for bin and bike storage for mid-terrace units.

Item 5: Provide details of EV-Charging within the development on an appropriately scale site layout plan.

Item 6: submit revised proposals to facilitate visitor parking and ensure the safety of road users is not impacted by ad-hoc parking of vehicles within or extending beyond the development site.

Item 7: TII consider the application is at odds with official policy and that insufficient data has been submitted with the planning application to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety, or operational efficiency of the national road network in the vicinity of the site. The following details are therefore required to be submitted as further information:

- a) Collision data and its assessment to be included in an updated Traffic and Transportation Assessment

- b) Road Safety Audit to include consideration of Junction 2 and Junction 3 (as per the TTA).

Item 8: Address the following concerns raised by Active Travel unit:

- a) Ensure the raised crossings are not located on curves and are constructed in accordance with the 'Raised Crossing' Guidance outlined in DMURS advice note 6
- b) Include the provision of a continuous footpath type crossing at the entrance to the estate off the L-1026. This should be constructed in accordance with DUMRS advice note 6.
- c) amend the site boundary to be off-set by 5.5m from the existing kerb line along the full boundary length of the L-1026 (Link Road) to facilitate a standard two-way cycle track and footpath as the existing width is not wide enough to accommodate same.
- d) Additional uncontrolled crossings should be installed mid-block connecting the houses to the public open space adjacent to units 02, 03 and 34 linking up with the proposed footpaths meandering through the public open space. This may involve the re-location of the proposed trees for sightlines. The applicant is requested to submit an amended site layout plan incorporating these measures.

Item 9:

- a) site is not well served by a footpath(s) or cycle lanes along the L-1026. Footpaths are discontinued on the Tullow Road (N80) at the junction with the Link Road (L-1026). The applicant is requested to submit proposals to address this issue to ensure residents within the proposed development can safely walk / cycle to services and facilities nearby.
- b) pedestrian / cycle link is noted on the western boundary between units 46 and 47. There is some ambiguity as to whether this is proposed under the current development (phase 1) of the future development (phase 2). The applicant is requested to clarify same and provide a detailed layout of this proposed connectivity between the development with existing infrastructure in Cois Dara, including necessary consents.

Item 10: Submit an updated COF from Uisce Éireann.

Item 11: Submit further information to confirm the proposed construction materials for the two stormwater soakaways.

Item 12: Submit a Social Infrastructure Assessment (SIA).

Item 13: Assess the content of the submissions, and to comprehensively respond to the issues presented in same as part of the response to this further information request.

Item 14: Submit a revised site layout plan / landscaping plan to identify and clarify with the use of colour coding, all proposed boundary treatments for the houses.

Item 15: In order to contribute to the appearance, distinctiveness and identity of the proposed development, including variety in the layout and design, the applicant is invited to submit revised plans and elevations to address the following:

- a) Less uniformity/regularity in the layout of the rows of houses i.e., use of varied front building lines, staggering rows etc.
- b) Greater variance in design of the house elevations, including fenestration, use of materials, wall finishes etc.

The applicant submitted a response to the request for further information on the 14th April 2025 which can be summarised as follows:

Item 1:

- a) Applicant states that revised site layout plan indicates separation distances that range between 20.7m and 27.3m adjoining and separating the proposed houses from the Cois Dara development. Reference is made to SPPR 1 of the Compact Settlements Guidelines for Planning Authorities (Guidelines).
- b) Part V units have been dispersed and evenly distributed through the amended layout.
- c) Public open space within the western part of the site has been increased by 39% from 304sqm to 422sqm.

Item 2 - revised site plan is submitted provides for:

- 6 no. one bedroom units (9%);
- 4 no. 2 bed units (6%);

- 46 no. 3 bed units (72%); and
- 8 no. 4 bed units (13%).

Item 3 – Revised Arboricultural assessment - Where possible, trees have been sought to be retained, and only removed when unavoidable. New tree planting is proposed under the FI response that will ensure that there is a net tree gain on the site following the implementation of the permission

Item 4 - bike and bin stores have been redesigned to blend harmoniously with the surrounding context of the mid-terrace units. Full details of these are provided on Drawing no. 1008 submitted by Reddy, Architecture and Urbanism.

Item 5 - All dwelling units will have ducting infrastructure installed (consisting of conduits for electric cables).

Item 6 - 14 visitor spaces provided that are allocated and evenly spread throughout the proposed development. This equates to c. 11.5% of to the total car parking provision.

Item 7 – Refers Planning Officer to RSA and transportation report submitted which show that the proposed development can be accommodated on the local road network without any material impact on capacity or safety.

Item 8 –

- (a) Refers Planning Officer to Drawing no. 221039-C-100 - Proposed Site Layout – Rev PL2, prepared by Martin Peters and Associates that confirms the location of crossings at junctions to align with DMURS Advice Note 6 fully in accordance with part 8a of the FI request.
- (b) review and discussion with Executive Technician, Active Travel, Carlow County Council was undertaken. No legal impediment for creating a pedestrian and cycling link between the proposed development to the adjoining Cois Dara (Chapelstown Gate) housing estate as permitted under Planning Ref. 14/327), at the western boundary.
- (c) Drawing no. 221039-C-100 - Proposed Site Layout – Rev PL2, and 221039-C-101 - Entrance Details and Sightlines- Rev PL2, amends the site boundary by 5.5m from the existing kerb line along the full boundary length of the L-1026.

(d) Drawing no. 221039-C-100 - Proposed Site Layout – Rev PL2 confirms the provision of crossings throughout the site and at the specific locations as highlighted and reviewed with Executive Technician, Active Travel, Carlow County Council.

Item 9 –

(a) Proposed to provide a pedestrian / cycling link and connectivity to the adjoining Cois Dara housing estate, at the western boundary. This provides a pedestrian and cyclist route (via Cois Dara) to the N80, some 250m West of the junction of the L1026 and N80.

(b) Proposed to provide the aforementioned route/ linkage with the initial phase of the project and the developer is committed to ensuring connectivity, therefore the link is to be installed and be operational prior to the occupation of any dwelling on site.

Item 10 - Confirmation of Feasibility (CDS24006503) dated the 5th of March 2025 is submitted.

Item 11 - Drawing no. 221039-C-302- Proposed External Works Detail Sheet 3 – Rev PL1, confirms the proposed arrangement of the 2 no. Stormwater Soakaways with a voids Ratio of 95%, the inclusion of silt traps and isolator rows for routine maintenance and cleaning as may be required.

Item 12 - Social Infrastructure Assessment submitted.

Item 13 - Majority of the matters raised by third parties have been addressed by means of the FI request of the Planning Authority.

- AA Screening Report concluded that there are no predicted effects on any European sites.
- Road and junction operate within capacity, and will continue to do so following the completion of both phase 1 and phase 2 of the development of this site. There is no factual basis for the observers to claim that this road is at, or already above capacity.

- proposed pedestrian and cycling link will improve pedestrian safety, drawing pedestrians from existing residents away from the link road onto this safe and convenient link.
- No basis for the claim that the proposal amounts to an overdevelopment of the site.

Item 14 - Colour coded, the boundary treatment for the houses that include capped walls to the rear, apart from where the western hedgerow is to be retained, which will form the boundary with the Cois Dara boundary sitting to its rear. This is to avoid a no-mans land between the sites. The front of the houses will be bound by a low 300mm high brickwork wall with 750mm metal railings above; that will be bookended by 1.2m high piers with precast concrete capping.

Item 15 - Proposed design has been adapted to achieve greater variance in house elevation design and use of materials.

- house type A has been modified to include a contemporary use of materials;
- house type C has been modified to include front-gabled houses that feature the gable projecting forward of the main building line breaking up the street elevation.
- House D has introduced a new house type to the scheme, that includes a semi-detached duplex unit of 4no. units.
- House E includes a new house type to the scheme, this includes a single storey semi-detached universally designed unit and the front materiality will include for brick from floor to eaves.

The second report of the Planning Officer dated the 9th May 2025 sets out an assessment of the further information received and considers it to have addressed the concerns raised and recommends that permission be granted in line with the decision issued.

3.2.2. Other Technical Reports

Roads Department

Report Dated 18th July 2024 – Requesting further information relating to permeability link, EV charging and the concerns raised by TII.

Report dated 7th May 2025 – report notes that the response to the further information is acceptable and states that the comments from the TII dated 30th April 2025 are outside the control of the applicant to remedy but will be undertaken by the Local Authority in due course.

Housing

Report dated 16th April 2025 – No objection subject to condition.

Area Engineer

Report Dated 18th July 2024 – Requesting further information in line with Roads Department.

Fire officer

Report Dated 18th July 2024 – no objection subject to condition.

Environment Section

Report Dated 20th June 2024 – Requesting further information relating to surface water and the appropriate assessment screening submitted.

Report dated 23rd April 2025 – No objection subject to condition.

Report Dated the 3rd July 2024 – no objection subject to condition.

Report dated 1st May 2025- Clarification is required with regard to the structural design of the 2 no. soakaways.

Active Travel

Report Dated 26th June 2024 requesting further information as set out under Item 8 above.

Report Dated the 15th April 2024 – no objection subject to condition.

3.3. Prescribed Bodies

Transport Infrastructure Ireland

- Dated the 25th June 2024 - variance with official policy in relation to control of development on/affecting national roads, as outlined in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012), as:

- insufficient data has been submitted with the planning application to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety or operational efficiency of the national road network in the vicinity of the site.
- section 2.4 of the Traffic and Transport Assessment states that traffic collision data was not obtained and so this report is considered incomplete. The Road Safety audit did not consider Junction 2 and Junction 3 as per the TTA.
- Dated the 30th April 2025 – Considers that the development remains at variance with policy in relation to control of development on/affecting national roads as:
 - its location where particular vigilance is required, would endanger public safety by reason of traffic hazard due to its scale and distraction of drivers.
 - no updated Traffic and Transport Assessment has been submitted in response to the request for further information.
 - Updated Road Safety Audit (RSA) submitted identifies two N80 safety hazards arising from the proposed development. TII are concerned that the RSA records the recommendations for addressing these identified hazards as rejected and no alternative is offered. TII is generally of the view that any RSA recommendations shall be incorporated in the proposed development by amendment to the existing planning application or as conditions on the permission, if granted.

Uisce Eireann

- Report dated 26th June 2024 - Confirmation of Feasibility (CDS22004953) was issued for development of the site on 9 August 2022 which is now out of date. Further information is required
- Report dated 24th April 2025 – notes that Water connection is available and wastewater is avowable subject to upgrade.

3.4. Third Party Observations

The Planning Authority received 13 no. objections/submissions in relation to the proposed development. The concerns raised can be summarised as follows:

- Will exasperate current traffic issues.
- No public footpaths on this road, and it is not suitable for walking or cycling as there is no place to pull in safely from passing traffic.
- Proposed pedestrian / cycle link will encourage pedestrians and cyclists towards the link-road where are no facilities in place for cycling or walking.
- No local amenities to serve development.
- Detrimental loss for existing wildlife in the area.
- Single point of access onto the link road on an already congested link road.
- Proposed house types are not in keeping with existing house types in this area.
- Lack of parking spaces for visitors or utilities.
- No public discussion.
- A full traffic management evaluation is required.
- Existing road network is at capacity.
- Development is within the Zone of Influence of the River Barrow and River Nore SAC (002162) a Freshwater Pearl Mussel River Appropriate Assessment and Environmental Impact Assessment are required – EIA Screening and AA required.
- Waste-water infrastructure already at capacity and the proposal will impact further.
- Overflow from the pumping station discharges in the River Burren – will impact the brown trout fishery under the control of Inland Fisheries Ireland.
- Road is not suitable for the volume of traffic this proposed housing development would add.
- Overlooking.

- Lack of privacy for future occupants.
- No passive surveillance of open space.
- Refuse and fire tenders cannot enter/exit without crossing both lanes.

4.0 Planning History

Subject site

PA Ref 07/479: Permission GRANTED for 80 no residential units comprising (a) 8 No Type A units, two storey detached 5 bedroom dwelling (b) 4 No type A1 units two storey detached 5 bedroom dwelling (c) 42 no type B units two storey semi-detached 4 bedroom dwelling (d) 1 No type B1 units two storey semi-detached 4 bedroom dwelling (e) 3 No type B2 units two storey semi-detached 4 bedroom dwelling (f) 16 no type C units two storey end/mid terrace 3 bedroom dwelling (g) 6 no type C1 units two storey end terrace 4 bedroom dwelling, (h) new entrance to existing neighbouring dwelling to north boundary (i) new site entrance, landscaping and all associated site works.

PL01.229204 1st Party Appeal against a Financial Contribution Condition – remove 2 no. conditions and include 1 condition.

Lands to the west

PA Ref 18/332: Permission GRANTED to amend a permitted residential development (CCC Reg. Ref.:14/365) at this site of c.3.46 hectares. The development will consist of amendments to the permitted development, comprising: the replacement of 27 No. 4 bed 2 storey semi-detached/detached houses (ranging in size from c.122.8 sqm GFA to c.145.4 sqm GFA); with 35 No 2 storey houses comprising 16 No. 2 bed terraced units (c.81.8 sqm GFA) and 19 No. 3 bed semi-detached/terraced units (c.97.5 sqm GFA). The amendment will result in an increase from 85 No 2 storey houses (54 No. 3 bed semi-detached units and 31 No. 4 bed semi-detached/detached units) to 93 No. 2 storey houses (16

No. 2 bed terraced/semi-detached units, 73 No. 3 bed semi-detached/terraced units and 4 No. 4 bedroom units) an increase of 8 No. units. The amended development will be served by internal road layout and site access from Tullow Road, as permitted under Reg. Ref.: 14/365.

- PA Ref 14/365 Permission GRANTED for 84 no. two-storey semi-detached dwellings and 1 no. detached two-storey dwelling, associated amenity open space, pedestrian and vehicular access, internal roads and footpaths, site boundaries, underground services and all associated site works on a 3.46 hectare site at Chapelstown, Tullow Road, Carlow.
- PA Ref 18/332 Permission GRANTED for amendments to Ref. 14/365 to provide 93 units with revised housing mix on site of 3.46 hectares.
- PA Ref 20/256 Extension of duration GRANTED for PA Ref 14/365.

5.0 Policy Context

5.1. National Planning Policy

5.1.1. National Planning Framework – First Revision (April 2025).

A number of overarching national policy objectives (NPOs) are of relevance, targeting future growth within the country's existing urban structure. NPOs for appropriately located and scaled residential growth include:

National Policy Objective 3: Eastern and Midland Region: approximately 470,000 additional people between 2022 and 2040 (c. 690,000 additional people over 2016-2040) i.e. a population of almost 3 million Northern and Western Region: approximately 150,000 additional people between 2022 and 2040 (c. 210,000 additional people over 2016-2040) i.e. a population of just over 1 million; Southern Region: approximately 330,000 additional people over 2022 levels (c. 450,000 additional people over 2016-2040) i.e. a population of just over 2 million.

National Policy Objective 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

National Policy Objective 9: Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.

National Policy Objective 11: Planned growth at a settlement level shall be determined at development plan-making stage and addressed within the objectives of the plan. The consideration of individual development proposals on zoned and serviced development land subject of consenting processes under the Planning and Development Act shall have regard to a broader set of considerations beyond the targets including, in particular, the receiving capacity of the environment.

National Policy Objective 12: 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 22: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth.

National Policy Objective 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

National Policy Objective 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.

5.2. Section 28 Ministerial Planning Guidelines.

The following Section 28 Ministerial Guidelines are considered to be of relevance to the proposed development. For ease of reference, I propose using the abbreviated references for the titles of certain guidelines, as indicated below (listed chronologically).

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).

Section 3.3.3 provides for a description of large key towns as areas with populations of 5000 people and sets out the key priorities for their growth. Table 3.5 of the guidelines sets out the density ranges for key towns and large towns (suburban/urban extensions) as 30 dph to 50 dph (net) and that densities of up to 80 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations (as defined in Table 3.8).

Development standards for housing are set out in Chapter 5, including:

1. SPPR 1 in relation to separation distances (16 m above ground floor level),
2. SPPR 2 in relation to private open space (2-bed 30 m² ; 3-bed 40 m² ; 4+bed 50 m²),
3. SPPR 3 in relation to car parking (1.5 spaces per dwelling in accessible locations) and
4. SPPR 4 in relation to cycle parking and storage.

Section 4.4 of the Guidelines set out Key Indicators of Quality Design and Placemaking. It considers that achieving quality urban design and creating a sense of place is contingent on the provision of an authentic identity that is specific to the settlement, neighbourhood or site in question. Section 4.4 (V) relates to responsive built form.

Policy and Objective 4.2 states that it is a policy and objective of these Guidelines that the key indicators of quality urban design and placemaking set out in Section 4.4 are applied within statutory development plans and in the consideration of individual planning applications

Policy and Objective 5.1 relates to public open space provision and requires development plans to make provision for not less than 10% of the net site area and not more than a min. of 15% of the net site area save in exceptional circumstances. Sites with significant heritage or landscape features may require a higher proportion of open space.

- Childcare Facilities, Guidelines for Planning Authorities, 2001 (Childcare Guidelines).
- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009, (Sustainable Residential Development Guidelines) (as accompanied by the Urban Design Manual: A Best Practice Guide, 2009, and Circular NRUP 02/2021 Residential Densities in Towns and Villages, April 2021).

5.3. Housing for All - a New Housing Plan for Ireland.

This is the government's housing plan to 2030. It is a multi-annual, multi-billion-euro plan which aims to improve Ireland's housing system and deliver more homes of all types for people with different housing needs. The overall objective is that every citizen in the State should have access to good quality homes: - To purchase or rent at an affordable price, - Built to a high standard in the right place, - Offering a high quality of life.

5.4. Climate Action Plan, 2025

The Plan lays out a roadmap of actions which will ultimately lead us to meeting our national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022. Climate Action Plan 2025 builds upon last years plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024. The Plan provides a roadmap for taking decisive action to halve Ireland's emissions

by 2030 and achieve climate neutrality by no later than 2050, as committed to in the Climate Action and Low Carbon Development (Amendment) Act 2021.

5.5. **National Biodiversity Action Plan.**

The National Biodiversity Plan sets the national biodiversity agenda for the period 2023-2030 and aims to deliver the transformative changes required to the ways in which we value and protect nature. The aim is to ensure that every citizen, community, business, local authority, semi-state and state agency has an awareness of biodiversity and its importance, and of the implications of its loss, while also understanding how they can act to address the biodiversity emergency as part of a renewed national effort to “act for nature”. The following objectives are of note:

Objective 1: Adopt a Whole of Government, Whole of Society Approach to Biodiversity.

Objective 2 - Meet Urgent Conservation and Restoration Needs.

Objective 3 - Secure Nature’s Contribution to People.

Objective 4 - Enhance the Evidence Base for Action on Biodiversity.

Objective 5 - Strengthen Ireland’s Contribution to International Biodiversity Initiatives.

5.6. **Regional Planning Policy**

5.6.1. Regional Spatial and Economic Strategy for the Southern Region 2019-2031 (RSES).

The Regional Spatial and Economic Strategy (RSES) for the Southern Region, 2020-2032 identifies Carlow as one of fourteen ‘Key Towns’ in the region, and one of four in the Mid-West sub region. The strategic framework in the RSES focuses on enhancing the strong network of towns in the region, with targeted population growth of 30% for the Key Towns. Carlow is also identified as being a regional centre for education.

5.7. **Carlow County Development Plan 2022-2028**

The subject site is located within the environs of Carlow Town which is identified as a Key Town within the Settlement Hierarchy of the Core Strategy of the County Plan. A Key Town is defined as ‘*Large population scale urban centre functioning as self –*

sustaining regional drivers. Strategically located urban centre with accessibility and significant influence in a sub-regional context.'

The following Policies relating to Carlow Town are considered to be relevant:

CP.1: Support the continued growth and sustainable development of Carlow Town to act as a regional and inter-regional growth driver in the region and to fulfil its role as a Key Town, focussed on sustainable development, quality of life and economic investment.

CP.2: Deliver compact and sustainable growth in Carlow Town with at least 30% of new homes delivered within the existing built-up footprint including development of strategic brownfield sites.

CP. 3: Prepare a statutory Joint Urban Area Plan (UAP) for the Greater Carlow Urban Area with Laois County Council which will be informed by the preparation of a local transport plan prepared in consultation with NTA and TII. The UAP will align with the aims of this Core Strategy while having regard to the regional policy objectives as contained in the Regional Spatial and Economic Strategy for the Southern Region (RPO 11 and 14) and the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (RPO 4.75).

Table 2.7 'Core Strategy Table' identifies that 333 residential units will be required to be provided within Carlow Town within the plan period.

Other relevant sections of the Carlow County Development Plan is as follows:

Chapter 3: Housing

Policy HS.P1: Support provision of 3,107 new homes to meet expected future housing demand as identified in the HNDA. New homes shall be provided in a planned and coordinated manner in accordance with the aims and policies of the Core Strategy, the RSES, and the National Planning Framework.

Policy.P1 Support the development of quality residential schemes with a range of housing options having regard to the standards, principles and any specific planning policy requirements (SPPRs) set out in the 'Sustainable Residential Development in Urban Areas Guidelines for

Planning Authorities’ (2009); ‘Urban Development and Building Heights Guidelines for Planning Authorities’ (2018) and the ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ (2020) (Refer: Chapter 16: Development Management and Appendix IX re: SPPR’s)

Policy SC.P2 Continue to support the creation of sustainable residential communities throughout the County by facilitating the creation of attractive mixed tenure neighbourhoods with supporting social and community infrastructure with strong links and connections to local services, community facilities and employment areas.

Section 3.7 - Quality Design and Placemaking in Residential Developments

Policy DP.P1 Seek to ensure that residential developments are of a high-quality design cognisant of context and inclusivity with a focus on healthy placemaking, enhancing the public realm and are informed by the guidance principles set out in the ‘Urban Design Manual – A Best Practice Guide’ and the ‘Design Manual for Urban Roads and Streets’.

Policy DP.P2 Require all residential schemes to be design led, to address urban design, landscape and building design issues clearly explaining the development process, the design options considered and the rationale behind the proposed development strategy.

Policy DP.P3 Encourage high quality design and innovation in architectural design that delivers buildings of a high quality that positively contribute to the built environment and local streetscape.

Policy DP.P4 Encourage building design and layout that maximises daylight and natural ventilation and incorporates energy efficiency and conservation measures that will improve the environmental performance of buildings in line with best practice.

Policy DP.P5 Require that all new residential development applications of 50 units or more in larger urban centres (Tier 1 and 2), 20 units or more in smaller towns (Tier 3) and 10 units or more in serviced villages (Tier 4 and 5) are accompanied by a Social Infrastructure

Assessment (SIA) to determine if social and community facilities in the area are sufficient to provide for the needs of the future residents.

Section 3.8: Densities/Increased Heights

Table 3.3 – Indicative Net Densities

Carlow Town – edge of centre 25-30 units/ha

Policy DN.P1 To promote compact urban growth through the consolidation and re-intensification of infill/ brownfield sites.

Policy DN.P2 Encourage higher residential densities in town centre / regeneration sites proximate to public transport nodes in the higher order settlements (Carlow, Tullow and Muine Bheag) provided that proposals achieve a high-quality design and ensure a balance is achieved between the protection of residential and environmental amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.

Policy DN.P3 Align higher densities at appropriate locations to the Key Town of Carlow, subject to good design and development management standards being met.

Policy MX.P1 Ensure that housing is available to meet the needs of all people, through the delivery of an appropriate mix of housing sizes, building typologies, types and tenures in suitable locations.

Policy MX.P2 Encourage mixed and balanced communities in order to counteract undue social segregation in accordance with Part V Guidelines for Planning Authorities. Developers will be required where deemed appropriate to submit a report showing the overall scale of social housing in the immediate locale.

Policy MX.P3 Promote the provision of a minimum of 5% universally designed units in schemes in excess of 20 units. Such units shall be in accordance with the requirements of 'Building for Everyone: A Universal Design' published by the Centre of Excellence in Universal Design.

Chapter 5: Sustainable Travel and Transportation

- Policy LT.P1 To actively support sustainable modes of transport through appropriate land use zonings and to encourage levels of development with mixed uses within walking distance of public transport nodes on well located accessible sites in town and village centres throughout the County.
- Policy WC.P1 Prioritise and promote more sustainable and convenient modes of travel by the development of high quality walking and cycling infrastructure including greenways within a safe environment.
- Policy WC.P3 Ensure that connectivity for pedestrians and cyclists is maximised in new communities and improved within existing areas particularly towns and villages throughout the county including associated infrastructure, to maximise access to local shops, educational facilities, public transport services, employment locations and other amenities.
- Policy NR.P2 Avoid the creation of additional access points from new development or the generation of increased traffic from existing accesses to the national road to which speed limits of greater than 50 kph applies in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities DECLG (2012).
- Policy LR.P1 Ensure that the capacity, efficiency and safety of the national road network within Carlow is protected and to control development that could impact traffic safety and / or hinder the future upgrading of the national road network.
- Policy CP.P1 Carefully consider the number of car parking spaces required to service the needs of new development.
- Policy BP.P1 Ensure the provision of appropriate bicycle parking facilities as part of any new applications in urban areas to assist with supporting modal shift away from private cars to more sustainable modes of transport i.e. Cycling, Walking, Public Transport.

Chapter 6: Infrastructure and Environmental Management

- Policy WS.P6 Require new developments where public water supply and network infrastructure is available to seek a connection to existing public water mains where viable.
- Policy SW.P6 Require all new developments to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems where appropriate / viable in new development and the public realm.
- Policy SW.01 Require all development (including extensions to existing development) proposals to incorporate design criteria and SuDS measures in accordance with Carlow County Council SuDS Policy in order to reduce the potential impact of existing and predicted flood risks and to improve biodiversity and amenity value.
- Policy WM.P5 Require the appropriate provision for the sustainable management of waste within developments, including the provision of facilities for storage, separation and collection of waste.

Chapter 7: Climate Action and Energy

Chapter 9: Landscape and Green Infrastructure.

Chapter 12: Urban Design and Placemaking

Policy CGR.P3 Support increased building heights at appropriate locations subject to the criteria outlined in Policy DN P6, including intervention sites along the River Barrow in Carlow Town (as contained in Carlow 2040) and in accordance with the County's settlement hierarchy, and subject to compliance with best practice urban design. and proper planning and environmental considerations.

Policy DS.P1: That all medium-to-large scale and complex planning applications (30+ residential units, commercial development over 1,000sq.m., or other development proposals as required by the Planning Authority) shall be accompanied by a 'Design Statement'. The Design Statement shall demonstrate how the development addresses or responds to the design criteria set out in this chapter and the 'Urban Design Manual' (2009), the Retail Design Manual (2012) where

appropriate, and the Design Manual for Roads and Streets (2013 and 2019), as appropriate.

Chapter 16: Development Management

Section 16.4 – Sustainable Design.

Section 16.5 – Soft Landscaping.

Section 16.6 – Site Coverage

Section 16.7- Plot Ratio

Section 16.8 – Residential Development

Section 16.10 – Sustainable Travel and Transport

Section 16.11 – Infrastructure and Environmental Management

Section 16.12 – Climate Action and Energy.

Section 16.18 Land use zoning

5.8. Carlow-Graiguecullen Joint Urban Local Area Plan 2024-2030

The subject site is zoned under New Residential under the LAP which seeks '*To provide for new residential development, supporting community facilities and other facilities and services incidental to residential development*'. Residential development is permitted under this zoning objective.

Other relevant sections:

Chapter 3: Core Strategy and Housing

Chapter 5: Urban Design, Town Centre and Regeneration

Chapter 6: Sustainable Travel and Transportation

Chapter 7: Infrastructure and Environmental Services.

Chapter 8: Sustainable Communities.

Chapter 11: Climate Action

Chapter 12: Land use Objectives and Implementation.

5.9. Natural Heritage Designations

The subject site is not located within or is not adjoining any Natura 2000 Sites. The subject site is located 2.6km to the east of the River Barrow and River Nore SAC (Site Code 002162). The site is also location c.8.8km to the west of the Slaney River Valley SAC (site code 000781).

6.0 EIA Screening

The development does fall within a class of development set out in Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, (as amended). However, the scale of the proposed development does not exceed the thresholds set out 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

Three 3rd Party appeals have been received by An Bord Pleanála:

1. Wall Engineering.
2. Keith Moran, Conor and Mary Wall.
3. Michael Baker.

Each appeal is summarised in turn below:

7.1.1. Walls Engineering

1. Traffic

- Existing road not suitable for volume of traffic proposal will generate both at construction and operation phase.
- Level of traffic has already recently increased – not safe on this substandard road.

- TII made negative comments on this and other applications within the vicinity that would give rise to an intensification of traffic use on this road.
- Junction with N80 been subject to a number of serious accidents.

2. Parking

- 128 spaces proposed – does not include for delivery and utility vehicles.
- 3 no. bin collection companies are operating in this area.

3. Swept Path Analysis

- Clearly demonstrates that refuse/emergency vehicles cannot access without crossing white line.
- Entry from N80 very difficult for a normal vehicle - worse if a truck is exiting to the N8 as there is not enough space to pass in a car.

4. Residential Amenity for Future occupants

- Operations to the south of the site give rise to noise/dust/smells/overshadowing.
- Units proposed in close proximity to southern boundary will be impacted

This appeal was accompanied by a traffic report which notes the following:

- TII considers the development will give rise to a traffic hazard.
- TTA submitted, states at section 6.5.1 indicates 65% of traffic generated will be distributed via the N80, R725 and L1026.
- Review of the proposed using the TRICS 2025(a) model indicates the proposal will give rise to 370 inbound and outbound traffic movements per day.
- TTA submitted utilised PICADY 9 modelling.
- Planning Authority failed to assess the application against the most relevant policies included in their adopted Development Plan;
 - Policy NR.P2 - Avoid the creation of additional access points from new development or the generation of increased traffic from existing accesses to the national road to which speed limits of greater than 50

kph applies in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities DECLG (2012).

- Policy NR.P3 - Ensure that the capacity, efficiency and safety of the national road network within Carlow is protected and to control development that could impact traffic safety and / or hinder the future upgrading of the national road network.
- The Planning Authority ignored the recommendations of the Road Safety Assessment which raised serious concerns with the operation of the N80 and its junction with the link road – these recommendations are independent of the design team.
- The design team suggest that road safety measures can be dealt with by the Local Authority at a later date is a flawed outcome.
- Development will give a negative impact on link road junction with the N80 – and this was demonstrated in the TTA submitted which should have been investigated further by the Planning Authority.
- Policy NR.P3 and NR.P2 were not included within the request for Further Information.
- Permission refused under PA Ref 24/60317 some 250m down the road and Policy NR.P3 and NR.P2 were quoted in the decision.
- No improvement of the road layout and junction with the N80 is proposed in the near future.
- Development will give rise to a traffic hazard.

7.1.2. **Keith Moran, Conor and Mary Wall.**

1. Validity of appeal

- Site location description is incorrect – residents from adjoining estates may not have been aware of the application.
- Reference in statutory notices to R725 – this is incorrect the correct road is L-1026.

- Residents may have thought that access was proposed from a planned road objective included within the previous Urban Local Area Plan (2012-18).
- No reference in the statutory notices to the proposed pedestrian link to Cois Dara.
- Site notice should have been erected within the Cois Dara Estates which is a public road.
- No one afforded an opportunity to comment on the Further Information Submission.
- Written consent of the Planning Authority is required for the cycle/pedestrian link to Cois Dara in line with Article 22(2)(g) of the Planning and Development Regulations 2001 (as amended).
- Board should assess the development De Nove and invalidate the application based on the inaccuracies set out.

2. Traffic Hazard

- L-1026 link road – narrow with no footpath or cycleway and difficult for 2 cars to pass at the same time.
- All traffic from the M9 and Carlow Road travels along the L1026 – Traffic backs up at peak times to the N80. Noted by TII and planning authority.
- TII recommended that permission was refused due to endangerment to public by reason of a traffic hazard.
- Point 7(a) of Further Information request collision data - was not addressed as authorities who had the data were not in a position to provide such. Granting permission is therefore premature.
- Road Safety Assessment identified significant deficiencies:
 - Solutions to road safety are outside the control of the applicant.
 - Recommends pedestrian and cycle solutions along L1026 which were not accepted.
 - Planning Officers summary of applicant's response bears no resemblance to authors outcome of RSA.

- L-1026 incapable of serving proposed development and providing cycle/pedestrian connections – alternative through Cois Dara is inappropriate as does not address danger proposed to L-1026.

3. Experience of L-1026

- Appellant rarely walks the L1026, and children not allowed.
- Photographic evidence of congestion and unauthorised use by large vehicles.
- First hand experience of congestion and collisions.

4. Pedestrian/ Connection to Cois Dara

- This is applicants' solution to concerns raised by the Planning Officer (item 7 and 9 RFI).
- Inadequate width on L-1026 to provide cycle/pedestrian route.
- Does not address substandard situation on L-1026.
- Potential to encourage residents from Cois Dara to utilise L-1026 for pedestrian/cycle movements.

5. 10 Minute Town Centre

- Carlow-Graigucullen Joint Urban LAP 2024-2030 Policy CC.P1 seeks to *'Promote and support the development of connected communities and the attainment of the 10-Minute town, having regard the findings of the 10-Minute Towns Study for Carlow, and with an emphasis on active travel and shorter walking and cycling timeframes to social and community facilities, improving permeability in the built environment, and encouraging a reduction in car dependency.'*
- TII bus operates c.220m from appeal site at the entrance to the L-1026 - If cycle and pedestrian connections were made along L-1026 travel distance to N80 would be c. 220m.
- Applicants response to item 9 of RFI proposed connections via Cois Dara to the N80 for pedestrian and cycle movements – walking distance to

nearest bus stop via Cois Dara from subject site would be c.690m: 470m further than the L-1026.

- Social infrastructure assessment submitted does not address the 10 min Town Centre Concept.
 - Uses 20 min walk threshold which is based on an unspecified academic literature.
 - No healthcare/education/sports facilities were included on the map.
 - It would take 6 mins to walk through Cois Dara to the N80 - No facility is likely to be within 10 min walk.

6. Design of Cycle/Pedestrian Connection

- Requires the removal of block boundary wall which is outside the red line boundary and applicant's control.
- Landscape plan submitted with original application indicates existing hedgerow to be retained and no reference made to any future link.
- Landscape plan submitted at RFI stage makes reference to a gate at the proposed cycle/pedestrian link.
- Access proposed coincides with a parking area in Cois Dara.
- Connection needs to be carefully considered to ensure no anti-social behaviour – no effort has been put into this decision.

7. Planning Conditions

- No specific condition included requiring the provision of the pedestrian/cycle connection.
- Condition 3 requires the implementation of the Landscape plan submitted on the 14th April 2025 which indicated the retention of hedgerow at the location for pedestrian/cycle connection.
- Condition no. 29 requires a special contribution on foot of the recommendation of the Roads Department which acknowledges that works required to the L-102 is outside of the control of the applicant and that there is no current solution in place by the Local Authority to upgrade same.

- Planning Authority is trying to secure significant financial contribution for works that they have no current proposal to deliver.

7.1.3. Michael Baker

1. Wastewater

- Condition 16(e) of the grant of permission makes reference to wastewater capacity in this area being constrained:
 - Issues with capacity have necessitated for raw sewage to discharge into the River Burrin.
 - Planning Authority states that there is no plan to upgrade capacity before 2031.
 - Granting permission will exacerbate the serious environmental damage.
- Uisce Eireann cannot be prevailed upon to bring work forward before houses are occupied – this and other housing developments should be delayed until such time that these upgrade works are completed.
- Environmental damage will occasionally occur due to human error – for a public body to deliberately in full knowledge take a decision like this is unacceptable.

2. Traffic Issues

- RSA concentrated on 2 no. issues: Junction of L-1026 with N80 and accommodating pedestrian and cycle infrastructure.
- Recommendations made but there is no commitment from the Planning Authority to undertake them.
- RSA fails to address the capability of the L-1026 to handle increased levels of traffic – most common concern raised by objectors to the original application.
- A proper Audit would determine not only the volume of traffic but also purpose of traffic – if vehicles are working commuters.

7.2. Applicant Response

A response from the applicant to the 3rd party appeal received from Keith Moran, Conor & Mary Wall and Michael Baker was submitted to the Commission on the 23rd June 2025 and can be summarised as follows:

1. Traffic Hazard

- Omission of previous objective to provide for the Eastern Link Road to Carlow is irrelevant – no basis to claim that this would have a negative impact on the link road as it never existed.
- The TII submitted included for traffic surveys at both junction 2 and 3 that form the Link Road/N80 junction and the N80/R725 roundabout junction.
- Survey data was utilised to provide a robust appraisal of the development – potential traffic impact based on both this and the second phase of the proposed development for the likely opening year of 2025 and future design year of 2040.
- In both scenarios the proposed development will have a minimal impact on both junction 2 and 3.
- Proposal can be accommodated on the local road network without any material impact on capacity or safety.
- No evidence was provided of the traffic backing up from the L-1026 to the N80 by appellants.
- The RSA submitted sets out a number of recommendations for these junctions that if implemented would mitigate many of the 3rd party concerns raised.
- Subject site is located 200m from the junction of the L-1026 and N80 – the RSA relates specifically to both junctions. The RSA identified a problem with the junction of the N80 and L-1026. It recommends that HGVs be prohibition on such – would be straightforward to implement.
- Matter of collision data is not relevant – could not provide details due to the Road Safety Authorities data sharing policy. No basis to claim that this would somehow make the application premature.

- No basis for the claim that the lack of pedestrian connectivity along the L-1026 would somehow have a negative impact on the road environment – the proposal includes for a new pedestrian connection link to Cois Dara that will remove the need for anyone to walk along the L-1026.
- Pedestrian/Cycle Link will have a positive impact on the safety of car users by removing pedestrians from this road – no basis for pedestrians to seek to use the L-1026 when the new link is available that is safer, faster and provides a more direct link to bus services and the town centre.
- No basis for the appellants for the appellants to claim that the application is premature pending pedestrian and cycling facilities along the L-1026.

2. Appellant experience of the L1026

- Proposed development will remove the requirement for the appellants to walk along the L-1026 ensuring an improvement to their safety and their ability to access services and facilities.

3. Proposed cycle/pedestrian route

- Appellants are correct that the intention was to provide cycle/pedestrian connection in the future as it was thought that Cois Dara was not taken in charge – however at the time of submitted the RFI all the open spaces, communal spaces and roads and footpaths had been taken in charge in Cois Dara therefore there was no impediment on creating the link which the Council permitted.
- No legal impediment for creating a pedestrian/cycle link – this provides a link to the N80, some 250m west of the junction of the L1026 and N80 which will improve permeability as well as being in the interest of the proper planning and sustainable development of the area as well as healthy placemaking. This accord with Section 3.7 of the CCDP.
- It also removes the need for pedestrians to walk along the L-1026.
- No basis for the appellant to claim that the residents of Cois Dara would use new link to access by foot or cycle to the L-1026 – all services and facilities are to the west along the N80 heading into Carlow Town Centre where there are bus services and footpaths.

4. 10-minute town concept

- This ground by the appellant is unclear – the concept is to reduce car dependency which the appellants appear to suggest should remain by excluding the new pedestrian link.
- The idea of the 10-minute neighbourhood is a central starting point to building inclusive and sustainable communities.
- New pedestrian link will enable all new residents and existing residents along link road with an ability to walk to services and facilities more readily and in a safe environment.
- The 10 minute concept is not one that can be implemented everywhere and requires a density of population that would be inappropriate to be realised in Carlow Town where density is lower and where services and facilities are more wide spread.
- The site is only 12 min walking distance from the nearest neighbourhood centre at Carraig Rua – makes the proposed development entirely compatible with the concept of the 10-min neighbourhood in a Carlow town centre.

5. Design of the cycle/pedestrian route

- The appellant considers that the wall in Cois Dara is in the ownership of the residents of Cois Dara – this has been taken in charge by the Local Authority.
- Any reference to the working within the landscape plan is an irrelevance to the consideration of the link – clearly set out within the RFI response made.
- Nature of this link is something that the applicant is happy to provide as a condition to be agreed with the Planning Authority prior to the commencement of development – any need to slightly adjust the position of the entrance can also be achieved via condition.
- This matter does not warrant a refusal – there is also a potential set back proposed units 45 and 46 to provide for a more direct link if the Commission consider more appropriate.

- With regard to concerns of anti-social behaviour – no basis for this claim as houses within the proposed development and within Cois Dara will face onto the link offering passive surveillance of this link.

6. Planning conditions

- Condition no. 29 of the grant of permission related to the need in the future to undertake the works to the front of the site that will be facilitated at the behest of the Council by the 5.5m set back along the L-1026.
- This is not an indication that the connection along the L-1026 but is a future proofing of the site, so that sites to the south becomes available to develop a further improvement can be provided in pedestrian facilities along the L-1026.
- Given the pedestrian link and the limited scale of the development it is considered that such a link was not required in order to facilitate the proposed development in this instance.

7. Wastewater management

- Confirmation of Feasibility (CoF) was issued and stated ‘feasible subject to upgrade’.
- Exact scope of works required will only be determined by Uisce Eireann at connection application stage.
- Condition no. 16 sets out Uisce Eireann’s requirements.
- Condition no. 16(b) requires that a copy of the connection agreement must be submitted to the Planning Authority for the written agreement – this approach as deemed acceptable by the Planning Authority is considered proportional to the development.

A second response was received from the Applicant on the 7th July 2025 in response to the appeal received from and can be summarised as follows:

1. Decision

- The third party have based their appeal on a number of inaccurate and unsubstantiated statements which have all been dealt with comprehensively within the application documentation.

- Request that the Commission dismiss the appeal as being inaccurate representation of the impact of the proposal on appellants commercial engineering company and to dismiss unjustified concerns expressed in relation to traffic related issues as being a misrepresentation.
- TTA Submitted took a robust approach - provided Council and now the Commission with an accurate assessment of the cumulative traffic impact of the proposal.
- Assessment of the Planning Officer indicates a full understanding of the traffic issues and considers the potential impact on neighbouring properties.
- Appellants are wholly incorrect and misleading to state that the proposal will result in negative traffic impacts – no reasonable grounds to state RSA is flawed.
- Proposal as granted will have no discernible impact on the junction of the Link Road and the N80.
- Pedestrian link to Cois Dara will have a material positive impact on the permeability of the site making it more accessible by non-car means.

2. Traffic Issues

- TRICs database used to artificially increase the level of traffic movements both inbound and outbound – figures used in the TTA are more robust.
- Outcome of assessment is usually considered to be an insignificant impact that will not materially impact the functioning of the junctions included in the assessment.
- Refer the Commission to the Traffic and Transport Assessment Guidelines which states that the impact of any proposed development on the local highway network is considered material when the level of traffic it generates increases flows by more than 10% on normal networks and 5% on congested networks.
- TTA submitted on behalf of appellants and by 1st Party indicate that the proposed will have an acceptable impact on the existing network as in both

scenarios it will be significantly less than 5% when the proposed development together with phase 2 are completed.

- Confirms that the development can be accommodated on the local road network without any material impact.

3. Road Safety Audit

- Response from project engineer confirms that a Stage 1/2 RSA was undertaken which specifically related to junction 2 and 3 – section 3.6-3.11 of the traffic report submitted by the 3rd party appellant is misleading.
- RSA identified 2 issues which needed to be addressed – these were acknowledged by the applicant.
- The first concern was overcome by the restriction of HGV movements on the Link Road with the further provision of a left-in and left-out junction – this can be readily implemented by the applicant.
- Second issue – related to cycle and pedestrian movement on the L-1026. The permission as granted provides for a cycle/pedestrian link to Cois Dara which will provide for a safe connection to the N80. Removes the need for pedestrian and cycling movement on the L1026.
- Condition no. 29 requires a special contribution in respect of footpath and cycle infrastructure to sever the site.

This appeal response was accompanied by a letter from the Project Engineer which stated:

- TTA submitted outlines the impact of the proposed development and the proposed phase 2 development (no subject to this appeal) hence the reference to 110 units.
- Approach provides a robust assessment of potential traffic impact.
- Trip generation – proposal generates c.301 no. inbound trips and 320 no. outbound trips. This formed the baseline of the assessment.
- Traffic Impact – Section 6 of the TTA confirms that the percentage impact as being below 5% (Traffic and Transport Assessment Guidelines).

- Conducted a further sensitivity assessment of the traffic based on the suggested traffic movements as indicated within the appellants TTA submitted as part of the 3rd Party Appeal – outcome confirmed that the proposed development would have a maximum impact on junctions 2 and 3 of 4.9% in the AM and 3.9% in the PM. Again below the standards set out in the Traffic and Transport Assessment Guidelines.
- Confirms that development can be accommodated within the surrounding road network.

RSA

- Given the location of the subject site remote from the junction of the N80 and L-1026 an RSA is not mandatory as per the DoECLG Spatial Planning and National Road Guidelines, 2012 (Section 3.6).
- The completed RSA indicated 2 no. problems with recommendations to overcome such.
- Following the completion of the of the restriction of HGV movements on the Link Road with the further provision of a left-in and left-out junction and the pedestrian cycle link to Cois Dara this overcomes the problems identified in the RSA.

7.3. Planning Authority Response

A response from the Planning Authority was received on the 20th June 2024 and states that having reviewed the 3rd party appeals that they have no further comments and invite the Commission to review the Planning Officers assessment together with the reports prepared by the internal departments and external prescribed bodies.

7.4. Observations

None received.

7.5. Further Responses

A submission was reviewed by the Commission from Transport Infrastructure Ireland on the 11th June 2025 which makes reference to the submission made to the Planning

Authority on both the 25th June 2024 and 30th April 2025 and requests that the Commission to consider their contents as part of the assessment of this appeal.

8.0 **Assessment**

8.1. **Introduction**

8.1.1. Having examined the application details and all other documentation on file, (including the submissions received in relation to the appeal), and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are:

- The Principle of the Development.
- Traffic Issues.
- Density.
- Permeability.
- 10 Minute Town Centre.
- Wastewater.
- Other issues.

8.2. **Principle of the Development**

8.2.1. The subject site is located along the western side of the L-1026, known locally as the Link Road, Chapelstown approximately c.3km to the west of Carlow. The site is zoned as 'New Residential' under the Carlow-Graiguecullen Joint Urban Local Area Plan which seeks *'to provide for new residential development, supporting community facilities and other facilities and services incidental to residential development'*.

8.2.2. This is an application seeking permission for the provision of 64 no. houses and all associated site works. 'Dwelling' is listed as being a permitted in principle use under the New Residential land use zoning. Dwelling is defined in section 12.1.3 Definition of Key Use Classes of the LAP as 'Including a residential unit such as a house or apartment.' Therefore, the proposed development is considered as being acceptable in principle.

8.3. Density

- 8.3.1. The subject site has a stated area of c.2.2ha. The provision of 64 no. residential dwellings on a site of this area yields a density of 29 units/ha. The subject site is located within the environs of Carlow Town which is identified within the Settlement Strategy of the Carlow County Development Plan 2022-2028 (CCDP) as a Key Town.
- 8.3.2. Section 3.3.3 of the Sustainable Residential Development and Compact Settlement Guidelines, 2024, provides for a description of large key towns as areas with populations of 5000 people and sets out the key priorities for their growth. Table 3.5 of the guidelines sets out the density ranges for key towns and large towns (suburban/urban extensions) as 30 dph to 50 dph (net) and that densities of up to 80 dph (net) shall be open for consideration at 'accessible' suburban / urban extension locations (as defined in Table 3.8). I further note that Table 3.3 of the CCDP 2022-2028 sets out the Indicative Net Densities for the edge of Carlow Town as being 25-30 units/ha.
- 8.3.3. The Planning Officer within their assessment accepted the density of 29 units per hectare, on this edge of centre location in Carlow Town as being in accordance with the provision outlined in table 3.3 of the CCDP 2022-2028.
- 8.3.4. Table 2.4 of the Core Strategy of the CCDP 2022-2028 identifies that Carlow Town had a population of 19,994 within the 2016 Census Results. While the density of 29 units per hectare falls slightly below that as set out within the Compact Settlement Guidelines, 2024, having regard to the location of the site on the edge of the Carlow Town Development Boundary and the lack of public transport connections I consider that the density proposed to be acceptable at this location.

8.4. Traffic Issues.

- 8.4.1. The principal concern raised by all 3rd party appellants relates primarily to traffic issues, with the predominant being traffic safety. All appellants have raised concern over the existing situation on the L-1026 which is considered to be sub-standard and not suitable for the volume of traffic the proposed development will generate. Concern has also been raised over the assessment of the Planning Authority which it is contended has failed to give sufficient weight to the submission received Transport Infrastructure Ireland.

8.4.2. On foot of the submission received from TII y and the report of the Transportation Section of the Local Authority, the Planning Authority sought further information and requested that the applicant submit collision data and an assessment of such data should be included in an updated Traffic and Transportation Assessment. In addition a Road Safety Audit (RSA), which included the consideration of Junction 2 (the N80/L1026 Priority Junction) and Junction 3 (the Wall's Forge Roundabout between the N80 and R725) was also requested.

Traffic and Transport Assessment

8.4.3. The second submission received from TII, dated the 30th April 2025, states that no updated Traffic and Transport Assessment was submitted as part of the Further Information response.

8.4.4. The applicant in response to the request for further information within the cover letter prepared by the project engineer, received by the Planning Authority on the 14th April 2025, notes that it was not possible to obtain traffic collision data for the roads surrounding the site as "the Road Safety Authority (RSA) are reviewing their data sharing policies (this is correct at the time of writing), and the traffic collision database is currently offline". A copy of the e-mail received by the applicant from TII, dated the 20th December 2024, has been included within the repose document as evidence to this statement. A further email from Carlow County Council further notes the same. Therefore, the appellant considered that the TTA submitted as part of the original planning application documentation provides a robust assessment of the existing road capacity taking account of the additional movements generated from the proposed development.

8.4.5. I note that I also found that the data required by the Planning Authority under Item 7(a) of the Further Information request was not available to me on [Road traffic collision data from the Road Safety Authority](#) on the 15th July 2025. I accept the comments made by the applicant in this instance and will consider the TTA submitted to the Planning Authority on the 29th May 2025.

8.4.6. Concerns raised by the 3rd Party appellants considered that the Planning Authority failed to assess the proposed development against Police NR.P2 and NR.P3 of the CCDP 2022-2028 and that if permitted the proposal will give rise to a negative impact upon the junction of the L-1026 and the N80.

8.4.7. Policy NR.P2 relates to the avoidance of the creation of addition access point from new development or generation of increased traffic from existing access points on

National Roads where speed limits are greater than 50kph. I note that the subject site is proposing a new access onto a local road where the speed limit is a maximum of 50kph, therefore Policy NR.P2 is not relevant in this instance. In addition, Policy NR.P3 also relates to the protection of the capacity, efficiency and safety of the national road network in the Carlow area and is therefore I do not consider it to be relevant in this instance either.

- 8.4.8. The TTA Submitted undertook initial traffic surveys of 3 no. local junctions in November 2023. The surveys considered on 12 hour turning counts at the 3 no. local junctions and 7-day Automatic Traffic Counts on the L-1026 at the proposed site access. Trip generation was also assessed using TRICS. A trip generation exercise undertaken to assign the site generated vehicle trips across the local road network was also undertaken.
- 8.4.9. Section 6 of the TTA provides an estimate of the number of additional trips that would be generated by the proposed development and assesses the impact of these additional trips upon the surrounding road network. The likely opening year is identified as being 2025 and a further assessment of a future design year of 2040 is also provided. This was undertaken utilising the growth factors contained in the TII 'project Appraisal Guidelines for National Roads Unit 5.3- Travel Demand Projections PE-PAG-02017'. Section 6.3.3 show that the growth factors are 1.0266 from 2023 to 2025 and 1.1401 between 2023-2040.
- 8.4.10. Trip generation is set out in section 6.4 of the TTA and it states that the assessment is based on AM (08.00 to 09.00) and PM (17.00 to 18.00) peak hours. Table 6.1 of the TII sets out the findings for 110 dwellings, taking into account the proposed phase 2 of this development which is not subject to this appeal. It found that 110 dwellings will generate 19 inbound trips and 48 outbound trips within the AM peak hours and 42 inbound and 33 outbound trips during PM peak hours.
- 8.4.11. Trip distribution is summarised under section 6.5.1 of the assessment submitted and notes that 25% of trips will travel north along the Link Road (L-1026); 10% will travel west to Carlow Town Centre, via the Browneshill Road; 40% west to Carlow Town Centre via the N80 Tullow Road; 5% east along the R725; and 20% south-east to the M9 via the N80.
- 8.4.12. Table 6.2 presents an assessment of the impact that the proposal will have at AM peak and PM peak periods on the 3 no. identified junctions (Junction 1: L-1026 / Browneshill Road / Browneshill Avenue priority crossroads; Junction 2: Link Road /

N80 Tullow Road priority T-junction; and Junction 3: N80 Tullow Road / R725 three-arm roundabout. Junction 1 will experience a 2.8% increase in the AM and a 3.9% increase in the PM; Junction 2 will experience a 3.7% increase in the AM and a 3.3% increase in the PM; and Junction 3 will experience a 2.1% increase in the AM and a 1.7% increase in the PM in the opening year.

8.4.13. With regard to the construction period, the TTA considers that the construction of the development site will be over an 18-to-24-month period. It is expected that there may be up to 20 construction staff on-site each day at peak and during the construction period there will be max. 10 deliveries per day. The TTA concludes that given that the local junctions will operate within capacity it is not considered that construction traffic will generate any traffic concerns or impede upon the operational performance of the local road network and its surrounding junctions during the construction.

8.4.14. Overall, the TTA concludes that the development is estimated to generate an additional 67 and 75 two-way trips during the morning and evening peak hours respectively. The development trips will generate less than 4.0% additional vehicle movements through adjacent junctions, as identified, in 2025. By 2040, this will increase by c.3.5%. Assessments of nearby junctions show that the adjacent junctions would operate within capacity in 2025. In 2040, the junction between the N80 Tullow Road and Link Road is expected to operate with a saturation level greater than 93%. However, this is still in keeping with the principles of the Design Manual for Urbans Roads and Streets. It is therefore considered that the proposed development can be accommodated on the local road network without any material impact on capacity or safety.

8.4.15. Having reviewed the TTA submitted and considering the methodology employed I consider the findings to be acceptable and correct. I further note that the report of the Transportation Section of the Planning Authority also accepted the findings of the TTA submitted. Overall, I therefore do not accept the concerns raised that the TTA submitted was flawed and consider that it has adequately demonstrated that there is capacity within the road network to facilitate the proposed development.

Road Safety Audit

8.4.16. The RSA submitted notes, with regard to junction 2 (the junction of the N80 and L-1026) that site visits were undertaken on the 6th of February 2025. The assessment notes that vehicles accessing the L1026 from the N80 had difficulty making the

movement due to the geometry and layout of the junction. Queuing was observed in the right turning lane on the N80 and traffic flow was interrupted on both the N80 and L1026 when vehicles maneuverer to enter the L1026. I note that I witnessed a similar situation on undertaking a site visit on the 10th of July 2025.

- 8.4.17. The RSA further notes that HGVs in particular did not appear to be accommodated well by the junction arrangement and that the length of the right turning lane available on the N80, the proximity of the junction to the roundabout, and the abrupt narrowing of the L1026 to the north of the junction mouth along with the skew at this location contribute to this issue which may lead to collisions at this location.
- 8.4.18. In response, the RSA recommended that an amendment to the layout of the junction be considered, that approaches be reviewed and measures to be implemented to ensure safe traffic flow through the junction by all anticipated vehicles. Access to the L1026 by HGVs may not be appropriate and a prohibition on such access should be considered.
- 8.4.19. The RSA further notes with regard to Junction 2, pedestrians and cyclists were observed on the L1026 during the site visit however while there are crossing facilities on the L1026 at the junction, pedestrian facilities to connect the N80 and the L1026 are lacking. Pedestrians and cyclists are therefore required to share the road with vehicles at the bend on the L1026 and within the junction turning zone. This arrangement exposes pedestrians and cyclists to the risk of collisions with vehicles, and this risk is likely to increase due to the increase in pedestrian and vehicular traffic associated with the construction and operation of the development. The RSA recommends that measures should be implemented to accommodate pedestrians cyclists travelling between the L1026 and the N80.
- 8.4.20. The applicant in response to the 3rd Paty Appeal draws the Commissions attention to Section 3.6 of the Spatial Planning and National Roads Guidelines, 2012, which related toe Road Safety Audits and sates '*Planning authorities should generally require that planning applications, involving a new access to a national road or significant changes to an existing access, are accompanied by a road safety audit to aid the identification of any appropriate measures required to maintain safety standards.*' The applicant further notes that the subject site is situated some c.200m from the junction of the L1026 and N80 and is not proposing to provide for a new access to the national road networks or any changes to an existing access into the local road (L1026).

- 8.4.21. The Planning Authority within their assessment of the further information submitted accepted that the recommendations made within the RSA relating to Junction 2 and Junction 3 would be outside of the control of the applicant to remedy.
- 8.4.22. The speed limit on the L1026 is 50 km/h. The speed limit on the N80 is 80 km/h from the N80/L1026 junction to south of the Wall's Forge Roundabout. Currently the L-1026 has a prohibition on large vehicles (greater than 10.5m in length). The access proposed to serve the subject site is from the L-1026 which is a local road. The subject site is situated c. 200m to the north of the junction of the L-1026 to the N80.
- 8.4.23. While the second submission of TII, dated the 30th April 2025, states that the recommendations of the RSA should be undertaken, I note that the red line boundary associated with this application does not extend to this junction and as such I would agree with the comments of the Planning Authority and consider that the works identified within the Road Safety Authority would be outside of the control of the applicant to undertake.
- 8.4.24. The Planning Authority within their grant of permission included for a Special Contribution in line with Section 48 (c) of the Planning and Development Act, 2000 (as amended) in respect of the provision of public footpath/cycle/lighting facilities to serve the development. This will in turn allow for some upgrade works to be undertaken by the Planning Authority. I therefore do not agree with the comments of the appellants in this instance and consider that every effort has been made by the application to ensure that the proposed development will not negatively impact on the current traffic situation within the vicinity of the site.

Traffic Hazard

- 8.4.25. The TII in their second submission, and within the response submitted to the Commission, considered that the location of the development, where vigilance is required, would be distracting due to its scale and therefore give rise to a traffic hazard. The concern over a traffic hazard was also reiterated by the 3rd party appellants. It was contended that the Planning Authority failed to consider the comments of the TII and that the volume of traffic the proposal will generate both at construction and operation phase will give rise to increased pressure on the surrounding road network and in turn will lead to a traffic hazard.

- 8.4.26. The TTA Submitted (discussed in section 8.4.3 – 8.4.15) of my report above, clearly demonstrated that the proposed development of 64 no. residential units can be accommodated on the local road network without any material impact on capacity or safety and as such will not give rise to a traffic hazard.
- 8.4.27. I consider the comments made by Transport Infrastructure Ireland relating to the distractive nature of the development appear to be subjective and do not seem to be based on any identifiable national, regional or local planning policy. While I note that the junction of the L-1026 and the N80 may at points in time be constrained due to heavy traffic volumes, I do not consider that the location of the subject site, which is some c.200m from the road junction will be distractive to road users. Furthermore, I note that the front boundary of the suite has been recessed by 5.5m to allow for the local authority to undertake upgrade works to the L-1026 which will further screen the development to road users.

8.5. Permeability.

- 8.5.1. A primary concern of the Planning Authority which was raised under Item 7 and Item 8(c) of the request for further information was the insufficient widths along the L-1026 to facilitate a two-way cycle track and pedestrian footpath. This was also raised within a submission received by the Planning Authority from Transport Infrastructure Ireland (TII). TII considered that the proposal was at variance with official policy in relation to control of development on / affecting national roads, as outlined in the EoECLG Spatial Planning and National Roads Guidelines for Planning Authorities.
- 8.5.2. The applicant in response submitted a Road Safety Audit which they stated demonstrates that the proposed development can be accommodated on the local road network without any material impact on capacity or safety. The applicant further noted that on foot of discussion with the Local Authority that the adjoining estate to the west, Cois Dara, had been fully taken in charge and as such the applicant proposed that by providing a pedestrian and cycle link between the proposed development to the adjoining Cois Dara would overcome the concerns raised with regard to the L-1026.
- 8.5.3. The second report of the Transportation Engineer of the Local Authority considered that the response to the further information was acceptable and overcame the concerns raised. The report further stated that the further comments of the TII, report

dated 30th April 2025, is referring to issues which are outside of the control of the applicant to remedy and may be undertaken at a later date by the Local Authority.

- 8.5.4. The 3rd party Appellants have raised a number of concerns over the proposed pedestrian/cycle connection. It is contended that the works required to amend the existing western boundary would have to be undertaken on lands outside of the ownership of the applicant and the connection proposed still does not address the inadequacies/sub-standard nature of the L-1026. In addition, it is argued that there is the potential that this access point will encourage residents from Cois Dara to utilise the substandard L-1026 for pedestrian and cycle movements.
- 8.5.5. I note that Table 3.2 – Key Considerations for Housing Delivery of the CCDP 2022-2028 seeks to promote the creation of a connected environment with the creation of permeable streets that promote walking and cycling and provide direct and safe routes to adjoining developments, town / village centres and community / social infrastructure. In addition, Policy WC 03 of the CCDP 2022- 2028 also seeks to reduce walking and cycling distances through the provision and maintenance of high-quality linkages and the delivery of local permeability links within existing communities.
- 8.5.6. I note from undertaking a site visit that the L-1026 is indeed restrictive in nature in terms of its widths and that in its current situation the provision of cycle and pedestrian infrastructure would not be possible. The applicant in response to the further information request has provided a 5.5m set back along the entire front boundary of the site from the existing kerb line which will allow the Local Authority, in time, to provide such infrastructure. However, at the current point in time it would be pointless to provide for the pedestrian and cycle infrastructure for a period of only c.96m as it wouldn't be possible to provide it along the entire L-1026 without obtaining more lands from different landowners.
- 8.5.7. While I accept that the provision of the connection to Cois Dara will not overcome the issues associated with the L-1026 I do welcome the provision of the proposed connection which would provide for cycle and pedestrian movements through the established residential area of Cois Dara. I do not accept that this opening would encourage residents from Cois Dara to utilise the substandard L-1026 for pedestrian and cycle movements given that the town centre is located further west, and it would

take longer for pedestrian/cyclist to get to their desired locations via the proposed development.

- 8.5.8. Overall, I consider the provision of the proposed cycle/pedestrian connection along the western boundary of the site is a satisfactory compromise which overcomes the Local Authorities' concerns over the sub-standard nature of the L-1026 and accords with the requirements of Table 3.2 and Policy WC 03 of the CCDP 2022- 2028.
- 8.5.9. I note further concerns were raised over the design of the proposed connection as it coincides with a parking area in Cois Dara and that the connection needs to be carefully considered to ensure no anti-social behaviour. I consider that all these concerns can be overcome by way of an inclusion of a condition which requires that the final design of the proposed cycle/pedestrian connection be agreed in writing with the Planning Authority and that the cycle/pedestrian connection be in place prior to the first occupation of development, in the event that the Commission were minded to grant permission for the proposed development.

8.6. 10 minute Town Centre

- 8.6.1. Policy CC.P1 of the Carlow - Graiguecullen Joint Urban LAP 2024-2030 seeks to promote and support the development of connected communities and the attainment of the 10-Minute town, having regard the findings of the 10-Minute Towns Study for Carlow, and with an emphasis on active travel and shorter walking and cycling timeframes to social and community facilities, improving permeability in the built environment, and encouraging a reduction in car dependency.
- 8.6.2. A 3rd party appellant contends that the proposed development fails to comply with this policy and will, if permitted, promote an un-sustainable form of development. It is contended that a TII bus operates on the N80, c. 220 from the subject site given the lack of pedestrian connection along the L -1026, future potential residents will not be able to avail of this service. In addition, the provision of the cycle/pedestrian connection would extend the cycle/walking distance to Carlow Town Centre by approximately 6mins and that there are no facilities within a 10 min walking distance of the subject site.
- 8.6.3. As I have accepted within section 8.5 of my report above, it is currently not feasible at this point in time to provide for cycle pedestrian infrastructure along the L-1026 which

would connect to the N80. I note that there is a bus stop, from where the CW2 bus service operates, located c.140m to the west of the entrance to Cois Dara. This bus stop is also situated c.500m from the proposed cycle/pedestrian entrance from the subject site which according to google.ie/maps, which I accessed on the 15th July 2025, would equate to a 7-minute walking distance from the subject site. The CW2 bus route provides for a direct link into Carlow Town Centre and also to the Wexford Road Business Park to the south. It also allows for a connection to the CW1 bus route which provides a north-south bus service connecting to Tyndall College, Carlow.

8.6.4. I therefore do not accept that the proposed development would not comply with the principles of the 10-minute City and fully accords with the requirements of Policy CC.P1 of the Carlow - Graiguecullen Joint Urban LAP 2024-2030 through the provision of the cycle/pedestrian entrance from the subject site to Cois Dara, located to the west.

8.7. Public Health.

8.7.1. A third-party appellant has raised concern with regard to serve the proposed development with the existing wastewater treatment plant operating in Carlow Town. It is stated that condition 16(e) of the grant of permission notes that the capacity in the wastewater treatment plant is currently constrained and that in recent times the ongoing issues with capacity have necessitated for raw sewage to discharge into the River Burrin.

8.7.2. It is further contended by the appellant that the Planning Authority have stated that there is no plan to undertake any upgrade works to increase capacity before 2031 and that granting permission will exacerbate the serious environmental change. It is argued that Uisce Eireann cannot be prevailed upon to bring work forward before houses are occupied – this and other housing developments should be delayed until such time that these upgrade works are completed.

8.7.3. From the onset I note that Uisce Eireann are responsible to ensure municipal wastewater treatment plants are operating correctly without causing impact on the surrounding environment. The applicant was issued a confirmation of feasibility (CoF) from Uisce Eireann on the 5th March 2025. The CoF stated that the wastewater connection would be feasible subject to upgrades. The report further states that ‘in

order to serve this development, Sewer network upgrades will be required towards Walls Forge Pump Station for a distance of circa 200 meters. The Exact scope of upgrades will be determined at Application Stage. This is due to Uisce Éireann currently independently undertaking upgrades of Walls Forge Pumping Station and surrounding network.'

8.7.4. The applicant notes in their response to the 3rd Party appeal that the exact scope of works required will only be determined by Uisce Eireann at connection application stage and that Condition no. 16 sets out Uisce Eireann's requirements. Condition no. 16(b) requires that a copy of the connection agreement must be submitted to the Planning Authority for the written agreement and this approach as deemed acceptable by the Planning Authority is considered proportional to the development.

8.7.5. I note that the COF issued by Uisce Eireann stated that connection is feasible subject to upgrade and that the works required to the local pumping station will only be detailed when a connection agreement is submitted on foot of permission being granted. I consider that condition no. 16 of the Grant of Permission issued by the Planning Authority ensures that the development will accord with the requirements of Uisce Eireann. As such I do not accept the concerns raised with regard to the issues in capacity in wastewater treatment.

8.8. Other Issues

8.8.1. Residential Amenity

A 3rd party appellant has raised concerns that the existing industrial operations ongoing to the south of the subject site will give rise to a negative impact upon the residential amenities of the future potential residents in terms of overshadowing, overshadowing, odour and dust.

While I note that the lands located immediately to the south of the subject site are zoned for enterprise and employment and that there is currently an engineering company operating from this site. I further note from undertaking a site visit that there is also a residential dwelling located on these lands, immediately south of the shared boundary. The site subject to this appeal benefits from a residential land use zoning and as such the development of 68 no. dwellings is therefore acceptable.

Having regard to the proximity of the proposed dwelling to the southern boundary of the site, there are a number of dwellings which have been constructed within the Cois Dara Residential Estate to the west of the enterprise and employment zoned lands which are served with the same separation distance as being provided in this instance. The dwellings in Cara Dara which share a boundary with the Engineering operation are served with a boundary wall.

From a review of the landscape plan submitted to the planning authority in response to the further information request, the applicant is proposing to provide for a mature planted boundary along the western boundary of the site. I do not consider this an appropriate boundary treatment for this section of the site and consider that a more formalised boundary which will protect the amenities of the future potential residents should be provided. As such in the event that the Commission are minded to grant permission a condition should be included to amend the boundary treatment along the western boundary of the site which should be agreed in writing with the Planning Authority prior to the commencement of development.

8.8.2. Procedural Issues

The appellant has raised a number of concerns over procedural issues and considers that the application should be deemed invalid. This related to the location of the statutory notices, the contents of the statutory notices and the requirement to submit a letter of consent from the Local Authority for works proposed to the western boundary.

I note that the Planning Authority consider that the application was acceptable in light of the validation process. I therefore accept that the assessment of the Planning Authority in terms of validity to be acceptable.

8.8.3. Parking

Concerns were raised within a 3rd party appeal received with respect to parking. It was contended that the parking provision of 128 spaces did not include for delivery and utility vehicles and that 3 no. bin collection companies are currently operating within the area.

Table no. 16 of the Carlow County Development Plan sets out the car and bicycle parking standards for the county and requires 2 no. spaces per dwelling house proposed. On foot of the request for further information the quantum of car parking

was amended and increased to provide for 14 no. visitor spaces. The proposed development complies with Table 16 of the CCDP 2022-2028. I note that there is no requirement to provide parking space for delivery vans and utilities.

8.8.4. Conditions

In the first instance, I note that concern was raised by an appellant with regard to the lack of condition requiring the provision of the proposed pedestrian/cycle link to the adjoining residential estate to the west and that condition no. 3 requires the implementation of the landscape plan submitted on the 14th April 2025 which indicates the retention of the existing hedgerow at the location for the pedestrian/cycle link.

I note that condition no. 1 of the grant of permission issued by the Planning Authority requires that the development be undertaken in line with plans submitted on both the 29th May 2024 and 14th April 2025. While I note that there appears to be a discrepancy between the landscape plan, I consider that in the event are minded to grant permission for this development, I recommend that a condition be included to provide the pedestrian/cycle link prior to the occupation of any dwelling permitted, as set out in section 8.5 of my report above.

Condition no. 29 of the grant of permission requires the payment of a special financial contribution under Section 48 (c) of the Planning and Development Act, 2000 (as amended) in respect of the provision of public footpath/cycle/lighting facilities to serve the development. A 3rd party appellant states that this condition has been included on foot of the recommendation of the Roads Department and the acknowledgement that the works required along the L-1026 are outside of the control of the applicant and that the Local Authority have no plans in place to undertake any works to the L-1026.

I note that the applicant has provided for a 5m set back along the L-1026 which will allow for the provision of a cycle/pedestrian infrastructure to be provided. This will be extended along the L-1026 over time as more applications for development come forward. I therefore consider that the inclusion of this condition requiring the payment of a special contribution will allow for the Local Authority to provide for cycle/pedestrian infrastructure along the L-1026.

9.0 AA Screening

- 9.1. I am satisfied that the information on file which I have referred to in my assessment allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites. I have reviewed the applicant's 'Screening for Appropriate Assessment', the screening undertaken by the Planning Authority, and I have carried out a full Screening Determination for the development and it is attached to this report in Appendix 3.
- 9.2. The applicant is seeking permission for the construction of 64 no. dwellings on a site located along the Link Road, Chapelstown, Co. Carlow. The proposed development is not located within or immediately adjacent to any European site. In my opinion the subject site is located The proposed development is not located within or immediately adjacent to any European site. In my opinion the subject site is located c. 2.6km to the east of the River Barrow and River Nore SAC (Site Code 002162). The site is also location c.8.8km to the west of the Slaney River Valley SAC (site code 000781). There are no watercourses running through the site and the proposed development would connect to existing public services in terms of water supply and wastewater/drainage.
- 9.3. No measures designed or intended to avoid or reduce any harmful effects of the project on a European Site have been relied upon in this screening exercise. The measures to be employed at construction stage are standard practices for urban sites and would be required for a development on any urban site in order to protect local receiving waters, irrespective of any potential hydrological connection to Natura 2000 sites.
- 9.4. The proposed development was considered in light of the requirements of section 177U of the Act of 2000. Having carried out screening for AA of the project, it has been concluded that the project individually or in combination with other plans or projects, would not have a significant effect on European sites, including (but not limited to) River Barrow and River Nore SAC (Site Code 002162), the Slaney River Valley SAC (site code 000781) in view of the sites' Conservation Objectives, and Stage II Appropriate Assessment is not, therefore, required.

10.0 Water Framework Directive Screening

- 10.1. The subject site is located the outskirts of the Carlow suburban area in the townland of Chapelstown. The proposed development comprises of 64 no. residential units and all association site works. The river Burinn flows approximate c.534 m to the south of the subject site.
- 10.2. Concern was raised within a 3rd party appeal received with regard to the current wastewater facility being operated at capacity and that at some points in time the pumping station does overflow and causes impact to the river Burinn. I note that Uisce Eireann, who's responsibility it is to ensure municipal wastewater treatment plants are operating without causing impact, have issued the applicant a Confirmation of Feasibility (CoF) for the proposed development. This COF has been issued subject to upgrade works being undertaken to the WWTP prior to the occupation of any dwelling permitted. As such the concern raised has therefore been addressed. I note that this issue is disused further within Section 8.7 of my report above.
- 10.3. 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.
- 10.4. The reason for this conclusion is as follows:
- Nature of works regard the scale.
 - The context of the surrounding area.
 - Location-distance from nearest Water bodies.
 - The mitigation included within Construction Environmental Management Plan.
 - The Natura Impact Assessment which accompanied the application.

10.5. 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

Having regard to the above it is recommended that the decision of the Planning Authority be upheld, and permission is granted based on the following reasons and considerations and subject to the attached conditions.

12.0 Reasons and Considerations

Having regard to the provision of the Carlow County Development Plan 2022-2028, the provision of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), Section 28 Guidelines, the Carlow - Graiguecullen Joint Urban LAP 2024-2030, the and the design, scale and layout of the proposed development and pattern of existing and proposed development in the surrounding area, it is considered that subject to compliance with the conditions set out below, would provide for an appropriate form of development and would not adversely impact upon the residential amenity of the area, would provide for a good quality of residential amenity for future potential residents, would not undermine traffic safety of the surrounding area and, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1.	The development shall be carried out and retained 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 29 th day of May 2024, and the 14 th April 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
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	<p>development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>(a) The design of the proposed pedestrian/cycle connection located along the western boundary of the site shall be submitted for the written agreement of the Planning Authority prior to the commencement of development.</p> <p>(b) The pedestrian/cycle connection located along the western boundary of the site shall be operational prior to the occupation of any dwelling on site.</p> <p>Reason: In the interest of pedestrian and cycle safety.</p>
3.	<p>The western boundary of the development site shall be agreed in writing with the planning authority prior to the commencement of development. All remaining boundary treatments shall be implemented and constructed in accordance with plans submitted prior to the first occupation of the proposed development, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential amenity.</p>
4.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.</p>
5.	<p>Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s).</p>

	Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.
6.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to the Planning Authority for the written agreement prior to the commencement of development. All mitigation measures set out within these plans shall be implemented in full.</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection</p>
7.	<p>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. All existing over ground cables shall be relocated underground as part of the site development works.</p> <p>Reason: In the interests of visual amenity.</p>
8.	<p>The site shall be landscaped in accordance with the Landscape Plan submitted to the Planning Authority on the 29th day of May 2024, and the 14th April 2025. 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 or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
9.	<p>A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste, and, in particular, recyclable materials and for the ongoing operation of these facilities for each apartment shall be submitted to, and agreed in writing with, the planning authority not later than</p>

	<p>six months from the date of commencement of the development. Thereafter, the waste shall be managed in accordance with the agreed plan.</p> <p>Reason: In the interest of residential amenity, and to ensure the provision of adequate refuse storage</p>
10.	<p>The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority.</p> <p>Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.</p>
11.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Saturdays inclusive, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where proposals have been submitted and agreed in writing with the Planning Authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity</p>
12.	<p>Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and wastewater collection network. All works shall comply with Uisce Éireann's Connection and Developer Services Standard Details and Code of Practice.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
13.	<p>All drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services. Prior to the commencement of</p>

	<p>development, the developer shall submit all drainage details to the Planning Authority for written agreement.</p> <p>Reason: In the interest of public health and surface water management.</p>
14.	<p>Prior to the commencement of the development as permitted:</p> <p>(a) The applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by ABP-319092-24 Inspector's Report Page 57 of 70 individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.</p> <p>(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.</p> <p>Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.</p>

15.	<p>Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, coupled with an agreement empowering the planning authority to apply such security or part thereof to secure the taking in charge of roads, footpaths, sewers, water mains, drains, public car parking, public lighting and other services proposed or required in connection with the development to the satisfactory requirement of the Planning Authority. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of traffic safety and the proper planning and sustainable development of the area.</p>
16.	<p>Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Bord Pleanála for determination.</p> <p>Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.</p>
17.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the</p>

	<p>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.</p> <p>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</p>
18.	<p>The developer shall pay a financial contribution of €75,000 (Seventy Five Thousand euro) to the planning authority as a special contribution under Section 48(2)(c) of the Planning and Development Act 2000, as amended, in respect of the provision of public footpath/cycle/lighting which benefits the proposed development. The contribution shall be paid prior to commencement of development or in such phased payments as may be agreed prior to the commencement of the development, and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the terms of payment of this financial contribution shall be agreed in writing between the planning authority and the developer.</p> <p>Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority in respect of public services, which are not covered in the Development Contribution Scheme or the Supplementary Development Contribution Scheme and which will benefit the proposed development.</p>

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

22nd July 2025.

Appendix 1

EIA Pre-Screening

Case Reference	ABP-322614-25
Proposed Development Summary	Construction of 64 no. houses and associated site works.
Development Address	Lands to the west of the Link Road, Chapelstown, Carlow.
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.	
<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 type of proposed road development under Article 8	

<p>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>S. 5 P.2 10(b)(ii) construction of more than 500 dwelling units.</p>

<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)?</p>	
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____

Date: _____

Appendix 2

EIA Preliminary Examination

Case Reference	ABP-322614-25
Proposed Development Summary	Construction of 64 no. houses and associated site works.
Development Address	
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).	<p>The proposed development is for 64 no. dwelling houses. The subject site is currently greenfield in nature and used for agricultural purposes. Wastewater and Water connection is being proposed via the mains within the immediate vicinity of the site.</p> <p>The proposed development would not be exceptional in the context.</p> <p>The development would not result in the production of significant waste, emissions, or pollutants</p>
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 subject site is bounded to the east by the L-1026 and to the west by the established residential area of Cois Dara. There is a mix of commercial and residential uses located to the south of the site.</p> <p>The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan</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 are no other locally sensitive environmental sensitivities in the vicinity of relevance.

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

Screening for Appropriate Assessment Test for likely significant effects				
Step 1: Description of the project and local site characteristics				
Brief description of project	Construction of 64 no. houses and associated site works.			
Brief description of development site characteristics and potential impact mechanisms	<p>The subject site which has a stated area of c.2.2ha is situated at Link Road, Chapelstown, Carlow. The site is located c.3km to the east of Carlow Town Centre. The site shares its eastern boundary with the Link Road where access is proposed to serve the site.</p> <p>The subject site is not located within or is not adjoining any Natura 2000 Sites. The subject site is located 2.6km to the east of the River Barrow and River Nore SAC (Site Code 002162). The site is also located c.8.8km to the west of the Slaney River Valley SAC (site code 000781).</p>			
Screening report	Y			
Natura Impact Statement	N			
Relevant submissions	None			
Step 2. Identification of relevant European sites using the Source-pathway-receptor model				
[List European sites within zone of influence of project in Table and refer to approach taken in the AA Screening Report as relevant- there is no requirement to include long list of irrelevant sites.]				
European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N

River Barrow and River Nore SAC (Site Code 002162)	<p>1016 Desmoulin's whorl snail <i>Vertigo moulinsiana</i></p> <p>1029 Freshwater pearl mussel <i>Margaritifera margaritifera</i></p> <p>1092 White-clawed crayfish <i>Austropotamobius pallipes</i></p> <p>1095 Sea lamprey <i>Petromyzon marinus</i></p> <p>1096 Brook lamprey <i>Lampetra planeri</i></p> <p>1099 River lamprey <i>Lampetra fluviatilis</i></p> <p>1103 Twaite shad <i>Alosa fallax</i></p> <p>1106 Atlantic salmon (<i>Salmo salar</i>) (only in fresh water)</p> <p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1310 <i>Salicornia</i> and other annuals colonizing mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glaucopuccinellietalia maritima</i>)</p> <p>1355 Otter <i>Lutra lutra</i></p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>1421 Killarney fern <i>Trichomanes speciosum</i></p> <p>1990 Nore freshwater pearl mussel <i>Margaritifera durrovensis</i></p> <p>3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation</p>	c.2.45km	None The Proposed Development site is located within the boundary of an area of intensive agricultural land. There are no protected or annexed habitats on site.	N
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	<p>4030 European dry heaths</p> <p>6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels</p> <p>7220 Petrifying springs with tufa formation (Cratoneurion)</p> <p>91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles</p> <p>91E0 * Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)</p>			
Slaney River Valley SAC (site code 000781).	<p>Estuaries [1130]</p> <p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Atlantic salt meadows (Glaucopuccinellietalia maritima) [1330]</p> <p>Mediterranean salt meadows (Juncetalia maritima) [1410]</p> <p>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation [3260]</p> <p>Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]</p> <p>Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion</p>	c.2.6km	<p>None</p> <p>The Proposed Development site is located within the boundary of an area of intensive agricultural land. There are no protected or annexed habitats on site.</p>	N

	<p>incanae, Salicion albae) [91E0]</p> <p>Margaritifera margaritifera (Freshwater Pearl Mussel) [1029]</p> <p>Petromyzon marinus (Sea Lamprey) [1095]</p> <p>Lampetra planeri (Brook Lamprey) [1096]</p> <p>Lampetra fluviatilis (River Lamprey) [1099]</p> <p>Alosa fallax fallax (Twaite Shad) [1103]</p> <p>Salmo salar (Salmon) [1106]</p> <p>Lutra lutra (Otter) [1355]</p> <p>Phoca vitulina (Harbour Seal) [1365]</p>			
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Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*
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	Impacts	Effects
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<p>Site 1: Name (code) River Barrow and River Nore SAC (Site Code 002162)</p>	<p>Direct None</p> <p>Indirect: None</p> <p>The Proposed Development site is located within the boundary of an area of intensive agricultural land. There are no protected or annexed habitats on site.</p>	<p>The Proposed Development will be connected to the municipal sewer and wastewater treated at Catlow WWTP which has the capacity to assimilate the additional load; Organic Capacity (PE) - Remaining 4676, AER; 2021. There is no real likelihood of any significant effects on European Sites in the wider catchment area. The facility is located at a distance of removal such that there will be no disturbance to qualifying</p>
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		interest species in any European sites.
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? N	
	Possibility of significant effects (alone) in view of the conservation objectives of the site: None	
	Impacts	Effects
Site 2: Name (code) Slaney River Valley SAC (site code 000781).	<p>Direct None</p> <p>Indirect: None</p> <p>The Proposed Development site is located within the boundary of an area of intensive agricultural land. There are no protected or annexed habitats on site.</p>	<p>The Proposed Development will be connected to the municipal sewer and wastewater treated at Catlow WWTP which has the capacity to assimilate the additional load; Organic Capacity (PE) - Remaining 4676, AER; 2021. There is no real likelihood of any significant effects on European Sites in the wider catchment area. The facility is located at a distance of removal such that there will be no disturbance to qualifying interest species in any European sites.</p>
	Likelihood of significant effects from proposed development (alone): N	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
Step 4 Conclude if the proposed development could result in likely significant effects on a European site		
<p>I conclude that the proposed development (alone) would not result in likely significant effects on the River Barrow and River Nore SAC (Site Code 002162) or the Slaney River Valley SAC (site code 000781). The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project.</p> <p>No mitigation measures are required to come to these conclusions.</p>		