



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323101-25

<b>Development</b>	Retention of the removal of existing trees and hedges and replacement with paladin fence, advertising signage and entrance gate and permission for a new low level hedge at the sites boundary and all associated site works.
<b>Location</b>	Tirlán Farmlife Graiguecullen Branch, Portlaoise Road, Carlow town, Co. Laois
<b>Planning Authority</b>	Laois County Council
<b>Planning Authority Reg. Ref.</b>	2560292
<b>Applicant(s)</b>	Tirlán Limited
<b>Type of Application</b>	Retention Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Fergus O'Neill
<b>Observer(s)</b>	None

**Date of Site Inspection**

14<sup>th</sup> October 2025

**Inspector**

Elaine Power

## Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	5
3.1. Decision .....	5
3.2. Planning Authority Reports .....	5
3.3. Prescribed Bodies .....	5
3.4. Third Party Observations .....	5
4.0 Planning History.....	5
5.0 Policy Context.....	5
5.1. Carlow – Graiguecullen Joint Urban Local Area Plan 2024 – 2030. ....	5
5.2. Carlow County Development Plan 2022 -2028 .....	6
5.3. Natural Heritage Designations .....	7
5.4. EIA Screening .....	7
6.0 The Appeal .....	8
6.1. Grounds of Appeal .....	8
6.2. Applicant Response .....	9
6.3. Planning Authority Response.....	9
6.4. Observations.....	9
6.5. Further Responses .....	9
7.0 Assessment.....	9
8.0 Water Framework Directive Screening .....	17
9.0 AA Screening.....	18
10.0 Recommendation .....	18
11.0 Reasons and Considerations.....	18
12.0 Conditions .....	19
Appendix 1 – Form 1: EIA Pre-Screening	

## **1.0 Site Location and Description**

- 1.1. The appeal site is located at the western edge of Carlow town, at Tirlán Farmlife, Graiguecullen Branch, Portlaoise Road, Co. Laois. It has a stated area of 0.741 ha and accommodates the Tirlán Farmlife Agribusiness, with 2 no. buildings, a yard and car parking area. The appeal site forms part of a larger landholding within the applicant's ownership.
- 1.2. The surrounding area is mixed used in nature, with a variety of commercial, retail, community and residential uses. To the north the site is bound by the Portlaoise Road (R924) on the opposite side if the road is a car sales showroom and service centre, a vacant commercial unit and 2 no. residential dwellings. To the east the site is bound by a service station and a sawmills and to the south and west the site is bound by the applicant's commercial landholding. West of the applicant's overall land holding is the Shamrock Business Park and to the south of the landholding is Church Road. There is no access to the site from Church Road.
- 1.3. The sites boundary with Portlaoise Road generally comprises mature trees and hedgerow with a vehicular access gate a paladin fence with advertising.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the retention of (1) the removal of c. 22.5m of existing trees and hedges along the sties front boundary with Portlaoise Road, adjacent to entrance gate and the replacement with a 2.7m high paladin fence, (2) advertising signage along front boundary fencing and entrance gate amounting to a total sum of 12sqm and (3) the erection of building signage onto existing structures within the site amounting to a total sum of 15.3sqm.
- 2.2. The proposed development also comprises the provision of new low-level beech hedging at the external side of new front boundary paladin fence and all associated site works.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

Permission was granted subject to 5 no. standard conditions.

#### **3.2. Planning Authority Reports**

##### **3.2.1. *Planning Reports***

The Planners report dated 30<sup>th</sup> June 2025 raised no concerns regarding the proposed development and recommended that permission be granted subject to standard conditions.

##### **3.2.2. *Other Technical Reports***

None

#### **3.3. Prescribed Bodies**

None

#### **3.4. Third Party Observations**

A submission was received from the appellant. The concerns raised are similar to those outlined in the appeal below.

### **4.0 Planning History**

There is no recent or relevant planning history for the appeal site.

### **5.0 Policy Context**

#### **5.1. Carlow – Graiguecullen Joint Urban Local Area Plan 2024 – 2030.**

The appeal site is zoned Enterprise with the associated land use objective to promote and provide for the development of enterprise and employment generating uses.

The following policies are considered relevant:

**GI. P3:** Protect and preserve landscape features which significantly contribute to green infrastructure in Carlow-Graiguecullen, including trees, hedgerows, woodlands, wetlands, watercourses, and other habitats.

**GI. P4:** Require the protection and integration of new and existing green infrastructure as an essential component of all new developments in Carlow-Graiguecullen, and to ensure future development does not fragment, damage, or prejudice the integrity of the green infrastructure network in the joint urban area.

**GI. P10:** Promote appropriate tree planting and pollinator friendly planting, in accordance with the recommendations of the All-Ireland Pollinator Plan 2021-2025 throughout Carlow-Graiguecullen and in open spaces within new developments, in order to enhance local biodiversity, visual amenity and surface water management.

**GI. P14:** Seek to protect trees and hedgerows in the joint urban area with a particular local amenity or conservation value and encourage the planting of native tree and hedgerow species.

**NH. P9:** Identify, protect, conserve, and enhance wherever possible, wildlife habitats and species of local importance in Carlow-Graiguecullen, not otherwise protected by legislation. Such habitats can include woodland, river, wetlands, and grassland areas along with field boundaries (hedgerows, stone walls and ditches). These features form part of a network of habitats and corridors, which allow wildlife to exist and flourish and contribute to compliance with Article 10 of the Habitats Directive

## **5.2. Carlow County Development Plan 2022 -2028**

Section 16.5 Landscaping states that trees and hedgerows should be retained where possible and that new hedging shall consist of native and local species.

16.9.10 Advertising and Sign Posting states that advertising signs, separately, or more particularly in groups, can often cause injury to visual amenities, and can detract from the appearance of an area or a building; this is especially so when they are out of scale and character with their surroundings. Furthermore, they can also be a distraction to road users and frequently result in traffic hazard. The Planning Authority will strictly control all advertising signs in relation to their location, design, scale, materials and function.

Section 16.9.10 further states that Advertising proposals shall outline a demonstrable need and lists criteria relating to how proposals would be controlled, including the following

- Signs will not be permitted where they interfere with the safety of pedestrians, the safety and free flow of traffic or if they obscure road signs.
- Signs will not be permitted where they have an adverse impact on the streetscape, or the visual amenity of the local area.
- Signs shall be sympathetic in design and colouring, both to the building on which it will be displayed and its surroundings.
- Signs shall not obscure architectural features or details.
- Signs will not be permitted above eaves or parapet levels.
- Traditional painted sign writing or solid block individual lettering will be encouraged as will traditional or wrought iron hanging signs. The use of neon, plastic, PVC, perspex flashing, reflectorised or glitter type signs on the exterior of buildings or where they are located internally but visible from the outside will be prohibited.
- Projecting signs, banners and flagpoles will be restricted in size and number to prevent clutter.
- Signs attached to buildings are preferable to those on freestanding hoardings.
- Signs shall not be permitted to project above the roofline of buildings.

### **5.3. Natural Heritage Designations**

The appeal site is located c. 600m west of the River Barrow and River Nore SAC (002162).

### **5.4. EIA Screening**

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of the third-party appeal are summarised below.

- The loss of the hedgerow and its replacement with a mesh fence has negatively impact on the visual amenities of the appellants property, which is located directly opposite the appeal site.
- The loss of trees and hedgerow results in additional dust and noise from the appeal site.
- The boundary should be reinstated with hedgerow and mature trees.
- The retention of the removal of the hedgerow and trees is a material contravention of the Carlow / Graiguecullen LAP with regard to the following Policies and Objectives:
  - GI P3 to protect and preserve hedgerows.
  - GI P4 to ensure development does not fragment, damage or prejudice the integrity of the green infrastructure.
  - GI P10 to promote tree planting to enhance local biodiversity and visual amenity.
  - GI P14 to protect trees and hedgerows.
  - NH P9 to promote, protect and enhance wildlife habitats including boundary hedges.
- There is no roads report on file. This is a busy regional road. The signage results in a distraction to motorists and other road users and is a traffic hazard.
- The NPWS should have been consulted regarding the impact on wildlife.
- Condition 4 requires that a new hedge be provided however the height of the hedge is not specified. It should be the same height as the hedge that was removed.



## 6.2. **Applicant Response**

None

## 6.3. **Planning Authority Response**

None

## 6.4. **Observations**

None

## 6.5. **Further Responses**

None

## 7.0 **Assessment**

7.1. Having examined the appeal details and all other documentation on file, including the observations received in relation to the appeal, and inspected the site, and having regard to relevant policies and guidance, I consider that the main issues in this appeal are as follows:

- Nature of the Development
- Residential and Visual Amenity
- Traffic
- Ecology

## 7.2. ***Nature of the Development***

7.2.1. The appeal site is located at the Tirlán Farmlife Agribusiness, at the western edge of Carlow town. The appeal site forms part of a larger landholding within the applicant's ownership and accommodates 2 no. buildings (Building 1 and Building 2), a yard and car parking area. Although not stated in the information provided, from carrying out a site visit, it would appear that Building 1 contains the main office and shop and Building 2 is related to production / storage facility. The surrounding area is mixed used in

nature, with a variety of commercial, light industrial / warehousing, retail, community and residential uses.

### *Boundary Treatment*

- 7.2.2. The proposed development includes the retention of the removal of c. 22.5m of existing trees and hedges along the sites front boundary with Portlaoise Road and its replacement with a 2.7m high paladin fence. The proposed development also comprises the provision of new low-level beech hedging at the external side of the new front boundary paladin fence. The third party considers that the original boundary comprising hedgerow and mature trees should be reinstated.
- 7.2.3. The appeal sites boundary with Portlaoise Road is c. 126m in length. The current site boundary, to be retained, comprises c. 87.5m of evergreen trees which appear to be leylandii type species, a c. 9.5m wide vehicular entrance with a paladin fence on either side of the vehicular entrance. The paladin fence on the eastern side of the vehicular entrance is c. 6.5m in width and the paladin fence to be retained on the western side of the vehicular entrance is c. 22.5m in width.
- 7.2.4. The appeal site is located within the urban area of Carlow town on lands zoned Enterprise with the associated land use objective to promote and provide for the development of enterprise and employment generating uses. Given the existing use on site, the surrounding pattern of development and the sites zoning objective I have no objection in principle to the retention of the removal of existing trees and the provision of paladin fencing.
- 7.2.5. The proposed development also includes the provision of a new low level hedge at the external side of the fence to be retained. The third party notes that Condition 4 of the grant of permission requires that a new hedge be provided, however, the height of the hedge is not specified and that it should be the same height as the hedge that was removed. The proposed planting is described as a low level beech hedge. The signage to be retained on the paladin fence is c. 1m above ground floor level and the drawings submitted indicate that the proposed new hedge would sit below the signage. Therefore, it is my opinion that it is intended that the proposed hedge would be c. 1m in height. As noted above, I have no objection to the retention of the paladin fence and

given the signage to be retained it is unreasonable to attach a condition that would require the hedge to grow beyond c. 1m in height.

### *Signage*

- 7.2.6. The proposed development also proposes to retain a total of 12 no. items of signage. These are referred to a Signage 1 – 12 by the applicant. There are 6 no. items of signage on the front façade of Building 1, 1 no. sign on Building 2 and 5 no. signs on the front boundary fence to be retained.
- 7.2.7. Section 16.9.10 of the Development Plan states *that advertising signs, separately, or more particularly in groups, can often cause injury to visual amenities, and can detract from the appearance of an area or a building; this is especially so when they are out of scale and character with their surroundings*. Section 16.9.10 sets out criteria for assessing advertising proposals. Relevant criteria include traffic and pedestrian safety, visual amenity, character of the building and quality of the sign.

### *Building 1*

- 7.2.8. Building 1 is c. 8m in height and has a width of c. 45m. Signage 1 – 5 are clustered on the western side of the front elevation of Building 1. Signage 6 is located on the eastern side of the front elevation of Building 1.
- **Signage 1** and **Signage 6** are typical advertising signage boards, c. 2450mm x 1250mm. Both include an image of cows in a field with limited text and are both located c. 1.2m above ground level.
  - **Signage 2 and 3** are both 1025mm x 1900mm and are situated within the ground floor windows of the main office, c. 0.5m above ground floor level. These advertising signs also provide screening to the inside of the building. Signage 2 includes an image of a farm and farmer with details of the online shop. Signage 3 includes an image of cows in a field with limited text.
  - **Signage 4** is a typical advertising signage board c. 950mm x 1350mm providing details of the opening hours and contact details for the business. It is located c. 0.65m above ground level.
  - **Signage 5** comprises solid block induvial letters 'Tirlán Farmlife' and the business logo the maximum dimension of this signage is c. 2400mm x c.

1050mm. This sign is located between the ground and first floor window of the shop area, c. 2.6m above ground floor level.

7.2.9. Building 1 is located a minimum of c. 25m from the site's boundary with Portlaoise Road. Due to the orientation of the building, the signage to be retained does not directly oppose the public road. During my site visit it is noted that Signage 1 - 4 are somewhat screened by customer car parking to the front of Building 1. In my opinion given the size of Building 1, the nature and scale of the agribusiness on site and the high quality nature of the signs I am satisfied that the signage to be retained on Building 1 are in accordance with the criteria set out in Section 16.9.10 of the Development Plan, as they are sympathetic in design and colouring, both to the building on which it will be displayed and its surroundings and given the separation distance to the public road they would not adversely impact on the streetscape or visual amenity of the area.

#### *Building 2*

7.2.10. Building 2 has a height of c. 11m in height and a depth of c. 16m. Signage 7 is located on the eastern (side) elevation of Building 2.

- **Signage 7** is 1530mm x 3000mm containing the words 'Tirlán Farmlife' in white and the business logo on a brown background. This sign is located, c.4.5m above ground floor level.

7.2.11. Building 2 is located c. 45m from the site's eastern boundary with the service station and, therefore, does not directly oppose the public road. In my opinion given the size of Building 2, the nature and scale of the agribusiness on site and the high quality nature of the sign I am satisfied that the signage to be retained on Building 2 is in accordance with the criteria set out in Section 16.9.10 of the Development Plan as it is sympathetic in design and colouring, both to the building on which it will be displayed and its surroundings and given the orientation of the building and the separation distance to the public road I am satisfied that it would not adversely impact on the streetscape or visual amenity of the area.

#### *Front Boundary*

7.2.12. There are 5 no. items of signage boards on the paladin fence at the site's boundary with Portlaoise Road.

- **Signage 8** is c. 1840mm x 920 mm and is located to the west of the vehicular entrance gate and provides details of the hours of operation and contact details.
- **Signage 9** is c. 920mm x 1350mm and is a safety sign that is attached to the vehicular access gate.
- **Signage 10, Signage 11** and **Signage 12** are all c. 3000mm x 1000m and generally comprising an image of an animal and limited text advertising the Tirlán Farmlife Agribusiness within the site.

7.2.13. There is a c. 4m wide grass verge, within the applicant's ownership, between the paladin fence and the public footpath. Therefore, the signage is set back from the public road by c. 4m. Given the overall length (126m) of the sites boundary with Portlaoise Road, the nature and scale of the agribusiness on site, the nature and scale of the signs and the surrounding pattern of development I am satisfied that the signage to be retained at the sites boundary is in accordance with the criteria set out in Section 16.9.10 of the Development Plan as it would not adversely impact on the streetscape or visual amenity of the area. The concerns raised by the third party regarding a traffic hazard are addressed below.

7.2.14. Overall, I am satisfied that the signage to be retained is appropriate within its context and would not adversely affect the visual amenities of the area or detract from character of the appeal site or the appearance of the buildings.

### 7.3. **Residential and Visual Amenity**

7.3.1. The third party raised concerns that the loss of the hedgerow and its replacement with a paladin fence has negatively impact on the visual amenities of their residential property, which is located directly opposite the appeal site.

7.3.2. There is an existing residential proposed located on the opposite side of the Portlaoise Road to the location of the fence and signage to be retained. There is a separation distance of c. 16m from the development to be retained and the front boundary of the residential dwelling and c.22m from the front elevation of the residential dwelling. While it is noted that the fence and advertising would be visible from the existing residential property, given the relatively limited scale of the development and the separation distance from the existing dwelling and its location on the opposite side of

the Portlaoise Road, I am satisfied that any impact on residential or visual amenity would be negligible.

7.3.3. Concerns are also raised by the third party that the loss of the trees and hedgerow results in additional dust and noise. The appeal site comprises an agribusiness, which includes the processing and distribution of agricultural products and an onsite retail outlet. The signage indicates that the facility operates between 9am – 5.30 pm Monday to Friday and 9am - 1pm on Saturdays. I am satisfied that the nature of the existing facility would not generate significant dust and noise.

7.3.4. Building 2, within the appeal site appears to relate to production / storage facility. This building is located a minimum of 45m from the front elevation of the appellants house. Given the nature of the existing agribusiness on site and the separation distance between the existing buildings on site and the appellant's house I am satisfied that the loss of c. 22.5m of existing trees along the sites boundary would not result in a significant increase in noise and dust experienced at the applicant house on the opposite side of the Portlaoise Road (R924) or at any property in the immediate vicinity of the appeal site.

#### **7.4. Traffic**

7.4.1. The third party notes that the Portlaoise Road is a busy regional road and raised concerns that the signage to be retained results in a distraction to motorists and other road users and is a traffic hazard. The appeal also notes that there is no roads report on file from the planning authority.

7.4.2. The appeal site is located within the urban area of Carlow town, and within the 50km per hour speed limit. The signage is set back a minimum of 4m from the public footpath, it is not projecting, illuminated and or moving. I am satisfied that there is sufficient information on file to allow for a full assessment of the implications of the retention of the file with regard to a potential traffic hazard.

7.4.3. Given the sites context and the nature and scale of the signage I am satisfied that it would not result in a traffic hazard.

## 7.5. **Ecology**

- 7.5.1. The third party raised concerns regarding the loss of the mature trees and considers that the NPWS should have been consulted regarding the impact on wildlife. The existing trees along the sites front boundary are leylandii type species, which are species of low ecological value. No evidence has been provided that the species removed were different to the existing species which form the site's boundary with Portlaoise Road.
- 7.5.2. Given the urban context and the relative limited loss (22.5m) of low ecological value tree species I am satisfied that there is no requirement to engage with the NPWS in this instance. The proposed development includes the provision of a new low-level beech hedging at the external side of new front boundary paladin fence, which would have a higher ecological value to the original species removed. I am satisfied that any impact on biodiversity was highly localised and that the proposed planting would appropriately compensate for the loss of the trees / vegetation.
- 7.5.3. It is noted that the third parties also considered that the development would materially contravene the Carlow / Graiguecullen Local Area Plan with regard to a number of policies and objectives. These are outlined below.
- 7.5.4. Green Infrastructure Policy GI.P3 aims to *protect and preserve landscape features which significantly contribute to green infrastructure in Carlow-Graiguecullen, including trees, hedgerows, woodlands, wetlands, watercourses, and other habitats*. Section 10.2 of the LAP defines green infrastructure as elements of the natural environment which can deliver ecosystem services and protect natural heritage. It states that the green infrastructure network includes areas of woodland, public open / amenity spaces, parklands, gardens, hedgerows, and treelines, of particular importance are the River Barrow and associated riparian habitat (Special Area of Conservation), the Burren River and associated riparian habitat (tributary of the River Barrow) and Oak Park Forest Park (proposed Natural Heritage Area). The LAP further notes that not all elements of green infrastructure perform the same functions and not all are of equal value. I am satisfied that the c. 22.5m of leylandii type species that was removed from the site did not significantly contribute to the green infrastructure network. Therefore, I am satisfied that the development does not conflict with Policy GI.P3.

- 7.5.5. Green Infrastructure Policy GI.P4 requires the *protection and integration of new and existing green infrastructure as an essential component of all new developments in Carlow-Graiguecullen, and to ensure future development does not fragment, damage, or prejudice the integrity of the green infrastructure network in the joint urban area*. As noted above I am satisfied that the leylandii type species removed from the site did not significantly contribute to the green infrastructure network. It is also my opinion that the proposed beech hedge would adequately compensate for the loss of the trees. Therefore, I am satisfied that the development does not conflict with Policy GI.P4.
- 7.5.6. GI. P10 aims to *promote appropriate tree planting and pollinator friendly planting, in accordance with the recommendations of the All-Ireland Pollinator Plan 2021-2025 throughout Carlow-Graiguecullen and in open spaces within new developments, in order to enhance local biodiversity, visual amenity and surface water management*. The proposed development includes the planting of c. 22.5m of beech hedge along the sites boundary, in lieu of the 22.5m of leylandii type tree species removed. I am satisfied that this is in accordance with the provisions of Policy GI.P10.
- 7.5.7. GI.P14 seeks to *protect trees and hedgerows in the joint urban area with a particular local amenity or conservation value and encourage the planting of native tree and hedgerow species*. The trees removed did not have a local amenity or conservation value and the proposed beech hedge is a native species. Therefore, I am satisfied that the proposed development is in accordance with the provisions of Policy GI.P14.
- 7.5.8. NH P9 aims to *identify, protect, conserve, and enhance wherever possible, wildlife habitats and species of local importance in Carlow-Graiguecullen, not otherwise protected by legislation. Such habitats can include woodland, river, wetlands, and grassland areas along with field boundaries (hedgerows, stone walls and ditches). These features form part of a network of habitats and corridors, which allow wildlife to exist and flourish and contribute to compliance with Article 10 of the Habitats Directive*. Given the urban context of the appeal site and the nature of the tree species removed I am satisfied that Policy NH P9 is not relevant in this instance.
- 7.5.9. Overall, I am satisfied that the proposed development is in accordance with the provisions of the Carlow / Graiguecullen Local Area Plan with regard to green infrastructure and natural heritage.



## 8.0 Water Framework Directive Screening

- 8.1. The subject site is located in the urban area of Carlow town. There are no watercourses within the appeal site. The nearest waterbody is the Barrow\_170 (IE\_SE\_14B012600) located c. 500m west of the appeal site which has a moderate status and is At Risk. The pressures identified are urban wastewater / agriculture / hydromorphology. The groundwater body underlying the site is the Bagenalstown Lower (IE\_SE\_G\_157) which has a good water body status and is not at risk.
- 8.2. The proposed development comprises the retention of the removal of c. 22.5m of existing trees and hedges along the sties front boundary with Portlaoise Road, adjacent to entrance gate and the replacement with a 2.7m high paladin fence, retention of advertising signage along front boundary fencing and entrance gate amounting to a total sum of 12sqm and the retention of the erection of building signage onto existing structures within the site amounting to a total sum of 15.3sqm. The proposed development also comprises the provision of new low-level beech hedging at the external side of new front boundary paladin fence and all associated site works.
- 8.3. No water deterioration concerns were raised in the planning appeal.
- 8.4. 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 and 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.
- 8.5. The reason for this conclusion is as follows:
- The small scale and nature of the development.
  - Location-distance from nearest water bodies.
  - Lack of hydrological connections.

8.6. 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.

## 9.0 AA Screening

9.1. In accordance with Section 177U of the Planning and Development Act 2000, as amended and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European sites in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required. This determination is based on:

- The small scale and nature of the scheme,
- The urban location of the site,
- The separation distance from nearest European site, and
- The lack of a direct or indirect pathway to any designated site.

## 10.0 Recommendation

It is recommended that retention permission and permission be granted subject to conditions.

## 11.0 Reasons and Considerations

Having regard to nature and scale of the development to be retained and the proposed development, the site urban location and its 'Enterprise' zoning objective it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of any adjacent property and would be acceptable in terms of traffic safety and

biodiversity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Any change to the permitted signage, including any increase in the number of signs to be displayed, any scrolling mechanism or internal / external illumination, shall not be the carried out without a prior grant of planning permission.

**Reason:** To enable the planning authority to assess the impacts of any such changes on the amenities of the area.

3. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001 (as amended), shall be displayed or erected on the building exterior, on the sites boundary fence or within the curtilage of the site without a prior grant of planning permission.

**Reason:** To allow further assessment of the impact of the permitted advertisement on the amenities of the area and in the interest of visual amenity.

4. The low-level beech hedging at the external side of new front boundary paladin fence shall be planted within 6 months of the date of the order.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased,

within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

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

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

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

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

---

Elaine Power

Senior Planning Inspector

20<sup>th</sup> October 2025

## Appendix 1: Form 1 - EIA Pre-Screening

<b>Case Reference</b>	323101-25
<b>Proposed Development Summary</b>	Retention of the removal of existing trees and hedges and replacement with paladin fence, advertising signage and entrance gate and permission for a new low level hedge at the sites boundary and all associated site works.
<b>Development Address</b>	Tirlán Farmlife, Graiguecullen Branch, Portlaoise Road, Carlow town, Co. Laois.
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.  <input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2,	

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

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

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