



An  
Coimisiún  
Pleanála

## Inspector's Report

**ACP 323163-25**

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<b>Development</b>	Retention of construction of dividing wall with pedestrian access, extensions to properties, CCTV structure, sheds and ancillary site works.
<b>Location</b>	26A, 27A, 27B, 27C, 28, 29A and 33 Sarsfield street Sarsfield Street, Nenagh, County Tipperary.
<b>Planning Authority</b>	Tipperary County Council
<b>Planning Authority Reg. Ref.</b>	2460864
<b>Applicant</b>	Marty Properties Limited.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Permission with conditions.
<b>Type of Appeal</b>	Third Party

**Appellant** Siobhan Harrahill

**Observers** None

**Date of Site Inspection** 24<sup>th</sup> October 2025.

**Inspector** Derek Daly

## 1.0 Site Location and Description

- 1.1. The development is located on the southern side of Sarsfield Street, in the central area of the town of Nenagh. The site contains three terraced two storied dwellings which adjoin the inner edge of the footpath to the north and also two residential units which adjoins one of these dwellings to the rear and which front onto a passageway which enters onto Sarsfield Street to the north. To the rear of the site is a large area of open lands which in addition to adjoining properties on the south side of Sarsfield Street which includes on the eastern boundary lands fronting onto Sarsfields Street also adjoins the rear boundaries of properties fronting onto the western side of St. Johns Place. The boundaries facing onto this area of open space have been upgraded and finished in plaster and incorporate sheds which also access the open space. To the rear of the open space is a car park accessed St. Johns Place.
- 1.2. The site has a stated area of 0.233ha. The site is accessed via Sarsfield Street through a gap in the frontage and which is generally a residential street, although there are a number of commercial units along its frontage.

## 2.0 Proposed Development

The proposed development as initially received by the planning authority on the 10<sup>th</sup> October 2024 was for;

- (a) The retention for the construction of a block wall to the north of existing open yard to subdivide the yard from existing properties and for the provision of a pedestrian door way to the rear yard of property numbers 26A, 27C, 28, 29A & 33 Sarsfield Street;
- (b) To retain the clearing of overgrown vegetation from existing large open yard and installation of 50mm layer of blinding over existing hardcore;
- (c) To retain a single storey extension to the rear of existing house number 28;
- (d) Retain a single storey extension to the rear of existing house number 29A;
- (e) Retain a two storey extension to the rear of number 27 (now known as 27A) consisting of 2 apartments- one at ground floor level (27C) and one at first floor level (27B) which are both accessed off existing pedestrian accessway serving the development;

- (f) Retain installation of pole with CCTV mounted camera covering existing pedestrian access and open yard;
- (g) Retain the construction of 3 number garden sheds together with all associated site works;
- (h) All associated site works at existing large open yard adjacent to Johns Lane Public Car Park, 26A, 27A, 27B, 27C, 28, 29A and 33 Sarsfield Street.

The gross floor space of any existing buildings on the site is stated as 395.00m<sup>2</sup> and the gross floor space of any existing buildings on the site to be retained is stated as 276.60m<sup>2</sup>.

Photographs were submitted with the application.

Further information was submitted on the 13<sup>th</sup> May 2025 which included a

- Revised site plan and general arrangements drawings amending the open space proposed for each of the apartments acknowledging that the gardens do not meet the requirements but that relaxations are in place under SPPR2 allowing for relaxation for building refurbishments and urban infill. The revised proposal is to sub-divide the originally proposed communal amenity space for the two apartments. The revised details also proposes a 'bolt on' balcony to serve the first-floor apartment (unit No. 27B).
- Clarification in relation to boundaries;
- Revised drawings which indicate the refuse storage for each of the units in the garden to the rear of in a shed.
- Revised drawings which indicate the use of each of the 3 sheds to be retained.
- An Archaeological Impact Assessment report.
- Provisions to ensure that at one end of the pedestrian walkway to ensure that no vehicular traffic can access from the yard side;
- The location of 3 new lighting points on the updated site layout plan to ensure appropriate ambient lighting to walkway.

Further information was submitted on the 11<sup>th</sup> June 2025 providing for revised public notices.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. The decision of the Planning Authority was to grant planning permission subject to 8 conditions.

Condition no. 2 refers to

The 'bolt on' balcony and associated alterations to the rear elevation are expressly omitted from this grant of planning permission.

Reason: To clarify the terms of the permission and in the interest of proper planning and sustainable development.

Condition no.3 refers to

The garden sheds hereby permitted shall be used solely for the purposes detailed in the approved plans and particulars. No change of use shall take place without a prior grant of Planning Permission, (notwithstanding the exempted development provisions of the Local Government (Planning and Development Regulations 2001, as amended).

Reason: In the interest of proper planning and sustainable development.

### 3.2. Planning Authority Reports

- 3.2.1. Planning Reports

The initial planning report dated the 26<sup>th</sup> November 2024 refers to National guidance on housing and also to the statutory development plan provisions and site history.

In relation to assessing the proposal, the report considered that the proposed development complies with the land use zoning objective. Further information was recommended requesting revised layout in relation to the location of communal amenity space; the private open space for the existing dwellings (No. 27A, 28 and 29A) falls short of the requirements of standard SPPR2 within the Sustainable Residential Development and Compact Settlements and to submit revised proposals to address this concern; revised details relating to private open space to serve 26A and 33 Sarsfield Street; a revised site layout plan which identifies the location of

refuse storage areas for each of the residential units on the application site clarity on the purpose of the three garden sheds; to submit an Archaeological Impact Assessment; to submit details of measures to prevent the use of the arched walkway for vehicular use and to submit details of appropriate, ambient lighting, for the arched walkway which would assist to create a more secure and inviting space.

The planning report dated the 4<sup>th</sup> June 2025 following the submission of further information considered that the further information as significant and the applicant was requested to publish revised public notices.

The planning report dated the 1<sup>st</sup> July 2025 noted the further information and assessed the revisions as submitted by way of further information noting the revised proposal to sub-divide the originally proposed communal amenity space for the two apartments units Nos. 27A and 27C. and considered it to be an improved proposal overall, particularly as both units would have private amenity space and concerns relating to loss of privacy have been addressed. Concern was raised in relation to the 'bolt on' balcony to serve the first-floor apartment (unit No. 27B) as this may impact upon the amenity of the adjoining occupiers to the west and it was considered more appropriate for this element of the proposal to be omitted by way of a suitably worded planning condition.

In relation to private open space provision generally it noted that SPPR2 allows for a relaxation of private open space for building refurbishment schemes and urban infill schemes and that the size of the private open space serving units 26A and 33 Sarsfield Street is being increased. The revised proposal in relation to refuse storage was considered acceptable.

The Archaeological Impact Assessment was considered acceptable and also proposals to control vehicular access and details in relation to lighting in particular on the public walkway.

The report recommended planning permission.

A report of the District Engineer dated 25<sup>th</sup> November 2024 indicated no objections raised provided that the existing pedestrian access remains for pedestrian use only.

### **3.3. Other submissions.**

3.3.1. The proposal was referred to the Heritage Council; the Minister for Housing, Local Government and Heritage; Uisce Eireann and An Taisce who made no submissions.

3.3.2. A third party submission was also submitted.

## 4.0 Planning History

4.1.1. On the appeal site:

P.A. Ref. No.05520005 ACP Ref No. PL 74.214742

Permission refused on appeal to demolition of 3 No. existing terraced dwelling houses, out buildings, front and rear boundary walls and the construction of 3 No. retail units, 6 No. terraced town houses, 1 no. 3 bedroom apartments and 5 no. 2 bedroom apartments, site lighting, landscaping and all ancillary works.

4.1.2. Land adjoining to the east

Planning Authority Ref. No. 22/60711.

Permission granted for;

a) the demolition of existing single storey extension to the rear of the existing structure (35 & 36 Sarsfield Street);

b) alterations to existing structure (35 & 36 Sarsfield Street) to accommodate extension;

c) sub division of the existing structure to re-form as 2 separate dwellings;

d) construction of a new 2 storey extension to the rear of the existing structure (35 & 36 Sarsfield Street). This extension replaces the existing single storey extension referred to in a).

e) all associated site works.

subject to 8 conditions.

## 5.0 Policy and Context

### 5.1. Development Plan

5.2. The statutory development plan is the Nenagh and Environs Development Plan 2024-2030: Volume 1. The site is zoned Urban Core, the development objective of which is to: 'Provide for the development and enhancement of urban core uses including retail, residential, commercial, civic and other uses'.

5.2.1. Relevant policies include;

Policy 2.1 Require the retrofitting of existing structures on brownfield sites, unless it is demonstrated that retrofitting is unfeasible, or redevelopment of the site would provide positive carbon impact through the re-design, construction and use stages of a new building, compared with retrofitting

Policy 2.4 Support compact residential growth in Nenagh through the sustainable intensification and consolidation of the town centre and established residential areas to meet identified housing targets and requirements in line with the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (DEHLG, 2009) and any review thereof.

5.2.2. The site forms part of an identified Regeneration Site (Site 4) within Appendix 3 of the Nenagh and Environs Development Plan 2024-2030.

Key Planning Criteria in relation to the Urban Core include;

- Although the lands are zoned for 'Urban core' uses, and commercial uses will be supported, the predominately residential nature of the surrounding area indicates that residential uses would be most appropriately located on the lands including residential uses on the ground floor;
- Any redevelopment of the lands will be required to make use of the extensive backland areas using innovative urban design typologies;
- The acquisition and consolidation of other backland areas adjacent to the site will be supported, and development will generally be required to developed cohesively, rather than a piecemeal fashion, unless it can be demonstrated

that development of smaller plots within the regeneration sites would not prejudice the overall redevelopment of the area;

- New development shall have regard to the Zone of Archaeological Potential.

### 5.3. Tipperary County Development Plan 2022-2028

5.3.1. Volume 3 of the plan refers to Development Management Standards.

5.3.2. Section 4.0 refers to Residential Development and outlines that development adhere to national guidance on a range of criteria including open space and refuse storage.

5.3.3. Section 4.6 refers to General Residential Design Standards and that applications for residential development will be assessed against the design criteria set out in the Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities, (DHLGH, 2009) and the Urban Design Manual: A Best Practice Guide, (DHLGH, 2009). This section applies to all new residential development in settlements, including serviced sites and should be addressed at planning application stage to the satisfaction of the Council.

5.3.4. Table 4.1 outlines Minimum Design Standards for Residential Schemes indicating in relation to all housing units shall have an area of private open space behind the front building line in line with the minimum size requirements:

- 48 sqm for 1-2 bedroom houses
- 60 sqm for 3-5 bedroom houses
- 75sqm for 5 plus bedroom houses.

Private gardens shall be top-soiled, graded and seeded prior to occupation of the dwelling.

5.3.5. Section 4.7 refers to apartments and that applications for apartments will be assessed against the Design Standards for New Apartments, (DSFNA), (DHLGH, 2018) and any amendment thereof.

5.3.6. Section 4.10 refers to back-land and infill development and make the most sustainable use of existing urban land, the Council will consider the appropriate development of back-land/infill housing on suitable sites on a case by case basis. Backland/infill housing should comply with all relevant development plan standards for residential development, however, in certain limited circumstances; the planning

authority may relax the normal planning standards in the interest of developing vacant, derelict and underutilised land. Proposals should:

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

#### 5.4. National Guidance

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

5.4.2. The Guidelines expand on higher-level policies of the National Planning Framework, setting policy and guidance in relation to the growth priorities for settlements, residential density, urban design and placemaking and introduce development standards for housing.

5.4.3. The guidance outlines recommendations in relation to density but section 3.3.6 outlines exceptions including (c)

In the case of very small infill sites that are not of sufficient scale to define their own character and density, the need to respond to the scale and form of surrounding development and to protect the amenities of surrounding properties.

5.4.4. Chapter 5 outlines Development Standards for Housing

SPPR2 refers to minimum private open space standards for houses and for building refurbishment schemes on sites of any size or urban infill schemes on smaller sites (e.g. sites of up to 0.25ha) the private open space standard may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality and proximity to public open space.

## 5.5. Natural Heritage Designations

- 5.5.1. The subject site is not located within a site designated as a Natura 2000 site or NHA/pNHA.
- 5.5.2. The nearest site is in excess of 10 kilometres from the site which has connections to piped services and no identifiable Source- Pathway- Receptor from the appeal site to a designated site.

## 6.0 EIA Screening

- 6.1. The proposed development has been subject to preliminary examination for environmental impact assessment and in this regard, I refer to Form 2 in Appendix 1 of this report. Having regard to the nature, size and location of the proposed development, and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

The appellant grounds of appeal in summary refers to;

- The appellant owns the adjoining property.
- During the construction for which retention was sought the sewer serving the appellant's property was blocked.
- Numerous contacts were made with the applicants to rectify the blockage and the blockage renders the appellant's property unusable.
- It is incumbent to refuse permission until the illegal blockage is rectified.

### 7.2. First Party Response

The first party in a response indicates,

- The sewer pipe in question has never been connected to the sewer system serving 28A or 29A. At no stage during development works were underground pipework altered or interfered with beyond the legal ownership of the applicant.
- A survey carried out in 2021 during the renovation of 28A and 29A confirmed their systems are self-contained and not shared or connected to 30A.
- The problem appears to have arisen in 2025 over four years since renovations concluded.
- The topography and flow direction makes a connection between 30A and the applicant's system unfeasible and could only occur and be possible with a mechanical pump and no such pump exists.
- There are issues on neighbouring properties due to aging infrastructure and there is a lack of supporting evidence in relation to the claim of the blocked sewer.

### 7.3. **Planning Authority Response**

7.3.1. The planning authority has not submitted a response to the appeal submission.

## 8.0 **Assessment**

8.1. The main issues in this appeal relate to the principle of the development, site specific issues and to the matters raised in the grounds of appeal. Appropriate Assessment also requires to be considered. I am satisfied that no other substantive issues arise.

8.2. For the purpose of assessment, the revised details submitted by way of further information on the 13<sup>th</sup> May 2025 are considered in this assessment.

### 8.3. **The principle of the development**

8.3.1. The proposal as submitted is in effect the retention of refurbishment works to existing residential units revising their layouts, minor extensions, the revision of private amenity space for the individual residential units, revised refuse storage facilities and boundary alterations.

8.3.2. The development occurs within an established area in proximity to the town centre and within an area zoned Urban Core, the development objective of which is to: provide for the development and enhancement of urban core uses including retail, residential, commercial, civic and other uses and within the area to support and strengthen ongoing residential use. The development as submitted I consider complies with the zoning objective and overall policies in relation to the area and the development plan.

#### 8.4. **Site specific issues**

8.4.1. In the assessment of the application the planning authority raised initial concerns in relation to aspects of the development in particular open space standards and the provision of amenities for the residents of the individual residential units and were satisfied with the revised proposals noting that although national guidance outlines standards the standards do provide for flexibility in particular in refurbishment of development in the urban core.

8.4.2. The development as constructed comprises three individual house units and two apartment units. Section 4.6 of volume 3 of the Tipperary County Development in relation to development management standards refers to general residential design standards as applicable in national guidance and that this applies to all new residential development in settlements, including serviced sites and should be addressed at planning application stage to the satisfaction of the Council.

8.4.3. Table 4.1 outlines Minimum Design Standards for Residential Schemes indicating in relation to all housing units shall have an area of private open space behind the front building line in line with the minimum size requirements stating 48m<sup>2</sup> for 1-2 bedroom houses; 60m<sup>2</sup> for 3-5 bedroom houses and 75m<sup>2</sup> for 5 plus bedroom houses. It is noted that these standards apply to new developments.

8.4.4. It is also noted that section 4.10 of the refers to back-land and infill development and make the most sustainable use of existing urban land, the Council will consider the appropriate development of back-land/infill housing on suitable sites on a case by case basis. Backland/infill housing should comply with all relevant development plan standards for residential development, however, in certain limited circumstances; the planning authority may relax the normal planning standards in the interest of developing vacant, derelict and underutilised land.

Criteria in assessing development include

- Proposals should align with the prevailing density and pattern of development in the immediate area including plot sizes, building heights, and proportions which I consider applies in relation to the development under appeal.
- Should not impact negatively upon the residential amenities of surrounding properties such as the potential loss of daylight or increased overlooking. In relation to this I consider this is addressed.
- Take cognisance of the potential of adjacent infill/backland sites being developed and shall not prejudice the development potential of such lands. The development I consider does not prejudice the development potential of such lands
- Ensure adequate amenity is afforded to the existing and proposed development. In this regard it is noted that in relation to provision of private amenity open space the quantum of private open space is less than the requirements outlined in the CDP but it is a refurbishment/redevelopment and the provisions of the plan do provide for relaxation of the standards. The design as submitted and the revised proposal to sub-divide the originally proposed communal amenity space for the two apartments units Nos. 27A and 27C and reserved provision for the house units provides adequate useable private amenity open space for the occupants of the residential units and is an improved proposal overall.

8.4.5. In relation to the provision of private open space although the quantum of space is also below recommended levels of provision for residential development as set out in the guidance as stated in the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024 I note that in section 3.3.6 outlines exceptions including (c) that in the case of very small infill sites that are not of sufficient scale to define their own character and density, the need to respond to the scale and form of surrounding development and to protect the amenities of surrounding properties and also SPPR2 referring to minimum private open space standards for houses and for building refurbishment schemes on sites of any size or urban infill schemes on smaller sites (e.g. sites of up to 0.25ha) and that the private

open space standard may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality and proximity to public open space.

- 8.4.6. The proposal as stated is largely a refurbishment of existing buildings rather than a new build on a brownfield or greenfield site and represents an overall improved proposal on what previously existed providing for useable private open space and addressing potential impacts on loss of privacy to adjoining and neighbouring properties and do not impact on potential future redevelopment of the open area adjoining the site.
- 8.4.7. In relation to private open space provision generally it noted that SPPR2 allows for a relaxation of private open space for building refurbishment schemes and urban infill schemes and that the size of the private open space serving units 26A and 33 Sarsfield Street is being increased.
- 8.4.8. The development I would note also generally complies with the standards as outlined in relation to floor areas for living space, bedroom floor space and overall floor area for dwelling units.
- 8.4.9. I would agree with the planning authority's concern relating to the provision of the 'bolt on' balcony to serve the first-floor apartment (unit No. 27B) in relation to potential impact upon the amenity of the adjoining occupiers to the west and it consider it appropriate for the balcony to be omitted by way of a planning condition in a grant of planning permission.
- 8.4.10. The revised proposal submitted by way of further information also I consider address concerns in relation to refuse storage, pedestrian safety eliminating interaction of pedestrian and vehicular movements and a satisfactory lighting provision of public areas is provided for.

## 8.5. **Grounds of appeal**

- 8.5.1. The grounds of appeal refer specifically to the issue of a blocked sewer which it was stated was blocked during construction works and this impacts the adjoining property which the appellant owns and this blockage renders the appellant's property unusable.
- 8.5.2. The first party responding indicates that the sewer pipe in question has never been connected to the sewer system serving 28A or 29A and at no stage during

development works were underground pipework altered or interfered with beyond the legal ownership of the applicant; that a survey carried out in 2021 during the renovation of 28A and 29A confirmed their systems are self-contained and not shared or connected to 30A; the problem appears to have arisen in 2025 over four years since renovations concluded. It is also indicated that the topography and flow direction makes and connection between 30A and the applicant's system unfeasible and could only occur and be possible with a mechanical pump and no such pump exists and it is contended that there are issues on neighbouring properties due to aging infrastructure and there is a lack of supporting evidence in relation to the claim of the blocked sewer.

- 8.5.3. In relation to grounds as submitted they have not provided any evidence that the blockage in question arises from the development under appeal. The matter of piped services is matter for Uisce Éireann who have responsibility for the public sewer and sewerage network and any identified blockage is a matter for Uisce Éireann to assess and it may also be a civil matter between the parties and a grant of permission does not remove or eliminate any remedies which may arise. It is noted that the planning application was referred to Uisce Éireann, who did not or have not provided a response.

## 9.0 AA Screening

- 9.1. I have considered the proposal for the retention of the construction of dividing wall with pedestrian access, extensions to properties, CCTV structure, sheds and ancillary site works in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located on an established residential site.
- 9.2. The proposed development comprises in effect a relatively minor development as outlined in section 2 in the Inspectors report. 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 European Site. The reason for this conclusion is as follows; the nature of the development, the distance to designated sites and the absence of pathway to these sites.

9.3. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects and likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## 10.0 Recommendation

10.1. I recommend that permission be granted.

## 11.0 Reasons and Considerations

11.1. Having regard to the nature of the development, the existing residential use on the site; the design, nature and scale of the proposed development and the pattern and character of development in the vicinity; and to the provisions of the Nenagh and Environs Development Plan 2024-2030 and the Tipperary County Development Plan 2022-2028, as well as national guidance including Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024; it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant adverse effect and would not detract from the character of the area, would not seriously injure the amenities of adjacent residential property and would be acceptable in terms of traffic safety and convenience. 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 and completed in accordance with the drawings and particulars as received by the Planning Authority on the 10 <sup>th</sup> day of March 2025 and as amended by further information submitted on 13 <sup>th</sup> day of May 2025 except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the Planning Authority, these matters shall be the subject of written agreement and shall be implemented in accordance
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	<p>with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity</p>
2.	<p>The 'bolt on' balcony and associated alterations to the rear elevation are expressly omitted from this grant of planning permission.</p> <p><b>Reason:</b> To clarify the terms of the permission and in the interest of proper planning and sustainable development.</p>
3.	<p>The garden sheds hereby permitted shall be used solely for the purposes detailed in the approved plans and particulars. Notwithstanding the exempted development provisions of the Local Government (Planning and Development Regulations 2001, as amended No change of use shall take place without a prior grant of Planning Permission.</p> <p><b>Reason:</b> In the interest of proper planning and sustainable development</p>
4.	<p>Water supply and drainage requirements, including surface water collection and disposal, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health and to ensure a proper standard of development.</p>
5.	<p>The developer shall enter into water and wastewater connection agreements with Uisce Éireann.</p> <p><b>Reason:</b> In the interest of public health</p>
6.	<p>a) The lighting as indicated on the submitted drawings shall be directed downwards and the direction and intensity shall be adjusted to comply with the requirements of the Planning Authority.</p> <p>b) The developer shall provide directional hoods or other cut-off devices to ensure that the lights do not shine onto adjoining properties, nor shine so as to provide a hazard to users of the road.</p> <p>c) In the event that the Planning Authority identifies concerns in relation to light spillage the Planning Authority may request the carrying out a survey, by a suitably qualified person, of light emanating from the lights permitted</p>

	<p>by this permission. In the event that it is found that the lighting is resulting in an unacceptable nuisance, the operator of the facility shall take such sets as are required to adequately address issues identified.</p> <p><b>Reason:</b> In the interest of traffic safety &amp; In the interest of proper planning and visual amenity.</p>
7.	<p>The refuse bins shall be stored at all times, other than on collection days, in the designated refuse storage areas on the application site.</p> <p><b>Reason:</b> In the interest of clarity and in the interest of visual amenity.</p>
8.	<p>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.</p> <p><b>Reason:</b> 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>

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

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Derek Daly  
Planning Inspector

5<sup>th</sup> November 2025

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	ACP323163-25
<b>Proposed Development Summary</b>	Retention of construction of dividing wall with pedestrian access, extensions to properties, CCTV structure, sheds and ancillary site works
<b>Development Address</b>	26A, 27A, 27B, 27C, 28, 29A and 33 Sarsfield Street, Nenagh, County Tipperary
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>	<input type="checkbox"/> <b>X Yes</b> , it is a 'Project'. Proceed to Q2.
<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"/> , it is a Class specified in Part 1.	
<input type="checkbox"/> <b>X Yes</b> ,	
<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"/> <b>No</b> , the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. <b>No Screening required.</b>	
<b>No</b> , the proposed development is of a Class and meets/exceeds the threshold.	
<b>No</b> , the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b>  Yes	

<b>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)?</b>	
<b>Yes</b> <input type="checkbox"/>	<b>Screening Determination required (Complete Form 3)</b>
<b>No</b> <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

Inspector: Derek Daly Date: 5<sup>th</sup> November 2025

### Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	ACP323163-25
<b>Proposed Development Summary</b>	Retention of construction of dividing wall with pedestrian access, extensions to properties, CCTV structure, sheds and ancillary site works
<b>Development Address</b>	26A, 27A, 27B, 27C, 28, 29A and 33 Sarsfield street
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b> (	<i>The development provides renovation and refurbishment works in an established residential area where public services are available. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.</i>
<b>Location of development</b> (	<i>The development is situated in an built up urban in which existing services are available. The development is not located in proximity to sensitive natural habitats, designated sites and landscapes of identified significance in the County Development Plan</i>
<b>Types and characteristics of potential impacts</b>	<i>Having regard to the nature of the proposed development and the availability of piped services</i>

	<i>there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</i>
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	No
There is a real likelihood of significant effects on the environment.	No

Inspector: Derek Daly      Date: 5<sup>th</sup> November 2025