



Development	2 no. extensions to the existing Direct Provision Accommodation Centre to consist of a kitchen and 60 no. bedrooms and all associated and ancillary site works.
Location	Racket Hall , Roscrea , Co. Tipperary
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	2560764
Applicant(s)	Swiftcastle (Roscrea) Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Swiftcastle (Roscrea) Ltd.
Observer(s)	Margaret Walsh Michael Madden
Date of Site Inspection	06 th January 2026.

Inspector

Kathy Tuck

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13.0 Conditions **Error! Bookmark not defined.**

Appendix 1 31

Appendix 2 33

1.0 Site Location and Description

- 1.1. The subject site which has a stated area of 1.21ha, is situated at the former Racket Hall Hotel, Roscrea, Co. Tipperary. The site is situated approximately c.2.7km to the east of the town centre of Roscrea with access being provided from the R445.
- 1.2. The existing hotel structure on site is currently in use as a direct provision centre and comprises of two storey building which is surrounded by a large car parking area. The site is bounded to the east by the Roscrea Golf Club lands and to the west by a residential dwelling. The southern boundary is shared with undeveloped greenfield lands which appear to be in agricultural use and form part of the landholding of the dwelling situated to the west.

2.0 Proposed Development

- 2.1. This is an application for permission for the provision of 2 no. extensions to the existing building situated at Racket Hall which is currently in operation as a direct provision centre.
- 2.2. The 1st proposed extension is seeking to provide for a single storey extension which would project c.18.9m from the side (western elevation) and has a width of c.9.570m. This extension is proposed to be finished with a flat roof profile with a ridge level of c.3.148m and will provide for a kitchen.
- 2.3. The 2nd extension is seeking to provide a three storey extension which would project c.55.933m from the rear eastern elevation of the existing building, have a width of c.16.35m and is finished with a hipped roof profile with a ridge level of c.9.441m. This extension will provide for 60 no. bedrooms.
- 2.4. Permission is also sought for all associated site works.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a decision to refuse planning permission on the 25th September 2025 for the following reasons:

1. Having regard to:

- The planning history for the site.
- The nature and extent of the use proposal which provides a significant quantum of residential accommodation at a location that is not zoned or designated for same.
- The distance from the development to the nearby settlement centre of Roscrea within which appropriately zoned and located lands for the development of residential accommodation exists.
- The absence of infrastructure (pedestrian infrastructure and lighting) at the site to support or serve the residential accommodation proposed.
- The settlement strategy and housing policies contained in the Tipperary County Development Plan 2022.
- The implications that a grant of permission may have and precedent it would set for similar developments of this nature.

It is considered that the proposed development is in conflict with the settlement strategy and the policies of the Tipperary County Development Plan 2022 that relate to residential development, in particular Policies 5-2, 5-5, and 5-11 notwithstanding the existing use of the site. The proposal is therefore considered to be contrary to the proper planning and sustainable development of the area.

2. Having regard to:

- The nature and extent of the proposal for which permission is sought.
- The requirement to provide sightlines at the site entrance to the public roadway in accordance with the provisions of Section 6.1 and Tables 6.1 and 6.2 of Appendix 6, Volume 3 of the Tipperary County Development Plan 2022.
- The failure to demonstrate such sightlines

It is considered that the proposed development would endanger public safety by reason of traffic hazard or obstruction to road users.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer provides for a description of the site and location, details of the proposed development, relevant planning history, details of internal and prescribed body reports, a summary of submissions received and details of all relevant planning policy.

While the assessment of the Planning Officer accepts the design proposed as being visually acceptable, concerns are raised over the proximity of the site to the settlement centre of Roscrea, the expansion of a Direct Provision Centre where there already is an overconcentration of such on foot of exempted development and therefore not planned, not in accordance with Policy 8.5 or 9.9 of the TCDP 2022 and would be in conflict with Policies supporting Tourism growth.

In addition, concern was raised over lack of clarity over sightlines which are achievable at the existing entrance serving the site and given that the proposal is seeking permission for a development that will intensify traffic movements.

As such, the report concluded in a recommendation to refuse permission in line with the decision issued.

3.2.2. Other Technical Reports

While I note that the Planners Report makes reference to submissions received from the Nenagh District Engineer this was not available on file.

3.3. Prescribed Bodies

None received.

3.4. Third Party Observations

The Planning Authority received 5 no. submission in relation to the proposed development. Section 5 of the Planning Officers report provides for a detailed summary of such. The main concerns raised were as follows:

- Scale and design will impact negatively on current level of amenities.
- Loss of privacy.

- No detail of surface water drainage for car park area.
- Scale out of character with the area.
- Failure to provide for adequate car parking quantum.
- No ecological surveys submitted.
- Site not zoned for further development.
- No pedestrian access, public lighting.
- Fails to align with density and character.
- Overconcentration of IPAS accommodation.
- Places additional pressure on water supply.
- Loss of tourism accommodation.

4.0 **Planning History**

The following pertains to the subject site:

PA Ref S5/24/151: Use of former hotel to direct provision accommodation centre deemed development and exempted development. This Declaration relates to change of use only.

PA Ref 03510351: Permission GRANTED to retain and complete revised hotel extension facades to all elevations, retain a further extension to the already approved function room 2 and permission to modify the internal bedroom layout which increases the number of bedrooms from 36 no. to 40 no. (previously approved planning PLC/21735). Application is subject to a Waste Management Licence.

PA Ref 5121735: Permission GRANTED to demolish part of existing building construct 36 no bedrooms foyer restaurant kitchen - basement

storage staff accommodation extend existing bar & lounge 2 no meeting rooms sewage treatment plant & site works.

PA Ref 5112384: Demolish part of existing building construct 36 no bedrooms foyer restaurant kitchen - basement storage staff accommodation extend existing bar & lounge 2 no meeting rooms sewage treatment plant & site works

5.0 Policy Context

5.1. Tipperary County Development Plan 2022-2028

The site is located outside the settlement of Roscrea on lands identified as in an Area of Urban Influence as per Figure 5.3 of the Tipperary County Plan 2022-2028..

Relevant Planning Policies are as follows:

Policy 5-2: Facilitate residential development, in accordance with the policy and objectives for residential development for towns and villages, as set out in Volume 2, in the relevant LAPs (and any review thereof) and as set out in the relevant Development Plan for each town (and any review there of) and the Development Management Standards set out in Volume 3.

Policy 5-3 Support and facilitate the delivery of new residential development in towns and villages and where the applicant has demonstrated compliance with the following: a) New residential development shall meet the relevant Development Management Standards as set out in Volume 3. b) New residential developments of 10 or more units shall be accompanied by a 'Sustainability Statement', and a 'Statement of Housing Mix'. c) New development shall be of an appropriate density and quality in accordance with the Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, (DHLGH, 2009), and any amendment thereof, and shall demonstrate that all opportunities

for connectivity and linkages have been explored and incorporated in accordance with the 10-Minute Town concept and supporting active travel options. d) Residential development in rural settlements shall be appropriate to the scale, character and infrastructural capacity of the settlement in which it is to be located.

Policy 5-11 Facilitate proposals for dwellings in the countryside outside of settlements in accordance with NPF Policy NPO 19 for new Housing in the Open Countryside, and designations illustrated in Section 5.4, and Table 5.2: Rural Housing Technical Principles for Applicants. In 'Areas Under Urban Influence' and 'Primary Amenity Areas', the Council will consider single houses for persons where the criteria set out in Category 1A or B, or Category 2 hereunder are met: Category 1: 'Economic Need' A: The applicant must demonstrate an economic need to reside in the area through active employment in farming/agricultural activity (farming, horticulture, forestry, bloodstock). The farm must exceed 20ha in total. And all the Criteria below is met: (i) The applicant must be actively engaged in farming, (ii) The applicant must demonstrate that they have been engaged in farming at that location for a continuous period of over 5 years prior to making the application, (iii) The applicant does not, or has never owned a house in the open countryside. B: The applicant must demonstrate an economic need to reside in the area through active engagement in the running of a farming/horticultural/forestry/bloodstock activity on an area less than 20ha where it is demonstrated to form a significant part of the livelihood of the applicant who is engaged in farming activity on a daily basis, and/or where the farming/agricultural activity provides local employment. And all the Criteria below is met: (i) The applicant is trained in good farming practice (or qualifies for an exemption from training), owns or occupies, works and maintains land for the purposes of achieving outputs, and demonstrate that they have been engaged in farming/agricultural activity at that location for a continuous period of over 5 years prior to making the application (ii) The applicant does not, or has never owned a house in the open countryside, (iii) A detailed 5-year business plan will be required to demonstrate

'compliance with Section (i). Category 2: 'Social Need' The applicant must demonstrate a social need to reside in the local rural area for social purposes in line with Table 5.3. And all the criteria set out below is met: (i) Within a 'Primary Amenity Area', the applicant must have resided within 5km of the site where they intend to build for a substantial period of their lives (10 Years) , (ii) Within an 'Area of Urban Influence', the applicant must have resided within 10km of the site where they intend to build for a substantial period of their lives (10 Years), And (iii) The applicant does not, or has never owned a house in the open countryside.

Policy 8-9 Where commercial/industrial enterprises exist as non-conforming but long-established uses, to support their continued operation and expansion, provided such does not result in loss of amenity to adjoining properties, adverse impact on the environment, visual detriment to the character of the area or creation of a traffic hazard.

Section 8.4.4: Start-up Enterprise in the Open Countryside

It is recognised that the viability of start-up enterprises is often dependent on the use of a home base. On a case-by case basis, the Council will seek to facilitate small-scale enterprise developments outside of settlements, to facilitate a start-up entrepreneur in or adjacent to their own home. Proposals will be balanced with the need to protect the residential amenities of adjoining landowners, and the visual amenities of the area. In this respect, proposals for new buildings should be of domestic proportions and capable in time of returning to a domestic use. It should be noted for clarity, that uses that would entail significant customer draw, including non-farm related shops/retailing will not be considered appropriate in the open countryside. Furthermore, if the enterprise needs to expand significantly and has no operational need to be located in a rural area, it will be expected to locate to a settlement with the appropriate level of infrastructure and services.

Policy 8-5: Support and facilitate small-scale start up-rural enterprise in the countryside within and/or adjoining the owner's home. Development proposals will be required to meet the following criteria: a) The development shall not have an adverse impact on the residential,

environmental and rural amenity of the area; b) Any new structure shall be of a scale appropriate to the size of the site, and be sited and designed to ensure it does not detract from the rural setting and landscape character of the area; c) Where the enterprise or activity develops to a scale that is inappropriate by virtue of activity or size in its rural context, the Council will encourage its re-location to a more suitable location on zoned land within towns and villages, and, d) Uses that would entail significant customer draw, including non-farm related shops/retailing will not be considered appropriate.

Policy 8-9 Where commercial/industrial enterprises exist as non-conforming but long-established uses, to support their continued operation and expansion, provided such does not result in loss of amenity to adjoining properties, adverse impact on the environment, visual detriment to the character of the area or creation of a traffic hazard.

Section 8.5: Non-conforming uses

In cases where authorised long-established commercial activities are in operation at locations that are not compatible with current planning objectives, the Council will support their continued operation and expansion, provided that it does not result in loss of amenity to adjoining properties, adverse impact on the environment, visual detriment to the area or creation of a traffic hazard.

Volume 3: Development Management Standards

Section 6.5 Car and Cycle Parking Provision and Electric Vehicle Charging Standards

6.5.1 Car-Parking: All new developments will normally be required to provide adequate off-street car parking facilities, cycle facilities and suitable manoeuvring space. Where parking cannot be provided on site, a contribution towards car-parking may be required in line with the current Tipperary Development Contribution Scheme.

5.2. Government Standards for Temporary Accommodation

- Guidelines for Development of New Emergency Accommodation (2022) (Dept of Housing, Planning and Local Government).

- Guidelines for Temporary Accommodation in Existing Buildings - Single Persons & Family type Accommodation (May 2022) (Dept of Housing, Planning and Local Government).
- Failte Ireland Guest House Requirements.

5.3. **Natural Heritage Designations**

The subject site is not situated within or directly abutting any Natura 2000 Sites. The subject site is situated c.2.647km to the west of the Slieve Bloom Mountains SPA (Site Code SPA 004160) and 10km to the west of the Coolrain Bog SAC (Site Code 002332).

6.0 **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.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

The Commission received a 1st Party appeal on the 22nd October 2025 against the decision of the Planning Authority to refuse permission. The grounds of the appeal can be summarised as follows:

A. Outline Details

1. Scheme positively addresses Planning Authorities concern
 - Council failed to set out or consider scheme in terms of Class 20F of Part 1 of Section 2 of the Planning and Development Regulations 2001 (as amended).

- Hotel was granted a declaration accepting change of use which expires on 31st December 2028:
 - Conflict between proposed development and pre-existing use of premises as a hotel.
- Can be addressed by considering permission as a temporary one aligned with timeline of Class 20F exemption.
 - Commission can include a condition to address such.
 - Does not alter the principle/scale/mass.
- Applicant happy to provide alternative/amended plans under A.73 of the 2001 Regulations.

2. Location and Description of site

- Site previously operated as a hotel
- Acknowledged by Planning Officer that current use is temporary and did not require permission – clarified by PA Ref S5/24/151.
- Site situated east of Roscrea – c.600m from LAP settlement boundary.
- If the temporary exemption ceases prior to 2028 the property will revert to a hotel:
 - Implore Commission to make its decision based on factual case in this instance.
- Extensive Car Park to the east of property
 - Vehicular access off the R445.
 - Extensive sightlines 160m in each direction.
 - Smaller access situated to the west – only used for service vehicles.
 - Regional road speed limits 80kmph apply.
 - Footpath extends along the road frontage c.2.5m wide.
- Development Plan Context:
 - Outside settlement of Roscrea in an area identified as ‘area under urban influence’.

3. Proposed Development

- Seeking permission for extension to existing direct provision accommodation centre.
 - Single storey kitchen.
 - 3 storey 60 bedroom – can accommodate 4 persons per room/double room in a hotel.
- New wing appears as 2.5 storey in height given inclusion of dormer feature.
- Full nature of use with existing and parent use inadequately considered by the Planning Authority.

4. Planning Authority Decision

- Critical aspect of proposed was considered as a residential project by the Planning Authority:
 - No reference to tourism policies and national level to facilitate direct provision through IPAS.
- Purpose of appeal not for Commission to consider merits of IPAS.
- System is to accommodate Asylum Seekers.

B. Grounds of Appeal

1. Refusal reason 1:

- Planning Authority incorrect to consider proposal as a residential development:
 - No policy/objective addresses nature of current temporary use or indeed nature of proposed development.
- Assumptions made by Planning Authority do not stand up to scrutiny:
 - Given use of former hotel is one that is temporary and expires 31/12/28.
- Location and use are not contested.

- Planning Officer only considers the proposal with regard to S.8.4.4 and S.8.5 and Policy 8.5 and 8.9 of the development plan:
 - Failed to acknowledge nature of proposal is not addressed by any policy and objective in development plan.
 - Need to consider on its own merits with regard to the temporary nature.
- Planning Authority also failed to acknowledge own decision that use is temporary.
- Planning Officer notes location is inappropriate for extension of IPAS centre – fails to offer consideration of nature of use.
 - Need for Commission to consider this application on its own merits.
 - Could have been addressed by a request for RFI/Condition to align development with class 20F exemption timeline.
- Inclusion of condition would mean proposed development wouldn't be contrary to settlement strategy/policy of the County Development Plan:
 - Not contended that proposal will consolidate/expand the use.
 - Dept. of Justice state 490 IPAS bed spaces have been removed due to non-compliance.
- Planning Officer states 3 large IPAS centres already operating in Roscrea – which due to exemptions are not plan-led.
 - Ability to facilitate persons seeking protection cannot be plan-led.
 - Department of Justice stated we need to accommodate unprecedented number post Covid 19 period.
- Submitted Commission need to consider development having regard to Proper Planning and Sustainable Development of the Area.
 - Loss of car parking does not negatively impact on to Proper Planning and Sustainable Development of the Area.
 - Demand for car parking much less than hotel use.
 - Extended facility served by c.80 car parking

- In line with Table 6.4 of the County Plan additional car parking would be required if premises were to revert back to hotel.
 - Adequate space to accommodate space for such.
- Extension is of a modern design and can be accommodated on site as it integrates well.
- No basis for Commission to reach same conclusion as Planning Authority:
 - There are mechanisms to regulate the use.
 - Applicant willing to accept a condition limiting hotel to 80 bedrooms.

2. Refusal Reason 2

- Not warranted for either direct provision facility/hotel
- Entrance to remain unchanged and continue to provide for safe secure access.
- Not in question that site is on a national road – Table 6.2 of Development Plan requires sightlines of 160m Y-Distance
 - This is achieved.
- Not clear what the X distance is –
 - Development Plan says 4.5m.
 - TII says 3m.
- Review of architectural site plan indicates front boundary was not accurate:
 - Timeline not available to review before appeal being lodged.
 - Undertaken on arial photo where 160m distance is achieved.
- Broken yellow lines along the public road are c.2.5m from the stop line for cars exiting the property
 - Boundary wall either side of entrance are below 1.05m in height
 - No consideration of these matters or straight nature of the road were undertaken by Planning Authority.

- 4.5m set back is wholly unjustified given the nature of proposal and long-standing operation of hotel.

7.2. Planning Authority Response

None received.

7.3. Observations

The Commission received two number observations relating to this appeal which were as follows:

1. Michael Madden

- Site not served by pedestrian infrastructure/lighting – no access to nearby facilities/services.
- Negative impact on town centre businesses.
- Places a strain on existing services.
- Negative impact on tourism/social and healthcare systems.
- Site not zoned for residential development.
 - Inappropriate location in rural rea.
- 3 large IPAS centre in town centre.
 - Arisen due to exemptions are not plan led.
 - Undermines appropriateness of location.
- Contrary to the Propper Planning and Sustainable Development of the Area.
- Conflicts with tourism policies through the loss of hotels to a non-tourism use.

2. Margaret Walsh

A. Concerns:

- Loss of privacy/overlooking
 - 3 storey extension directly overlooks private open space – loss of privacy.

- Existing building already overlooks private dwelling and proposal exasperates this.
- Contrary to section 10.5 and section 10.8 of the County Development Plan.
- Surface Water and Flood Risk
 - No detail provided – run off already affects adjoining property.
 - Soakaway incorrectly located at highest point of carpark making it ineffective.
 - No evidence of overflow route for rainwater harvesting unit.
 - Neighbouring garden surrounds site – no space for run off.
 - Absence of attenuation can lead to risk of flooding.
 - Contrary to Section 10.7 and Section 10.5 of the County Development Plan.
- Car Parking
 - No provision of additional car parking to serve proposal.
 - Existing area already beyond car parking capacity.
 - Given rural nature residents of IPAS centre heavily rely on private car.
 - Proposal has potential to generate 120-140 new car movements.
 - Proposal leads to removal of existing spaces.
 - Could result in overspill parking onto road and adjoining lands:
 - Lead to congestion/traffic hazard/adverse impacts on public safety and residential amenity.
 - Contrary to Table 10.5 and Policy T16 of the County Development Plan.

B. Response to 1st Party Appeal

- Appeal suggests housing crisis/asylum seeker accommodation should take precedent over safe planning practice and non-compliance with Planning Policy should be overlooked.

- Strongly submit safe planning and best practice must take precedent.
- Applicant attempting to apply exemption under 2001 Regulations.
- Proposal was designed specifically to serve as a direct provision centre.
- Reference to reverting hotel is misleading and disingenuous.
- Leads to unusable/unviable building in event exemption not extended.
- Applicant states extensive car parking provision in place and more can be provided:
 - Factually incorrect – if permitted only 80 spaces and 2 bus spaces indicated on plan.
 - No where are car parking space quantified.
 - If to revert to a hotel C.200 car parking spaces would be required under Section 6.5.3 of the County Development Plan – spaces would not exist on site.
 - Applicant incorrectly implies existence of footpath linkage to town centre – footpath terminates at end of site boundary.
- Scale and Massing of proposed extension.
 - Out of character.
 - Inconsistent with rural vernacular.
 - Will result in overlooking and privacy loss.
- Sightlines not clear cut
 - Use of aerial photographs is misleading as existing mature trees and boundary wall not represented.
 - Sightlines required are not available.
 - No TTA Submitted.
 - More accurate representation provided in appendix C of observation.

- Applicant considered development should be assessed under Class 20F Part 1 of Schedule 2 of the 2001 Regulations (as amended).
 - Only provides exemption and does not include exemption for physical alteration/new construction.
 - Development designed as a direct provision centre and would not comply with hotel standards.

7.4. Further Responses

None received.

8.0 Assessment

8.1. Introduction

8.1.1. Having examined the application details and all other documentation on file, including the appeal, having inspected the site, and having regard to the relevant national and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Refusal Reason 1 – Principle of Development.
- Refusal Reason 2 – Traffic Issues.
- Other Matters.

8.2. Refusal Reason 1 – Principle of Development

8.2.1. The subject site is situated outside of the settlement boundary of Roscrea as per the Roscrea Local Area Plan 2023-2029 and on lands which are identified as being within an area under urban influence as per Figure 5.3 of the Tipperary County Plan 2022-2028. The permitted use on site is that of tourism in that a hotel had previously operated on site. The applicant was granted a Section 5 declaration, PA Ref S5/24/151, under which it was determined that the use of the former hotel to provide for a direct provision accommodation centre was development and was exempted development under Class 20F of Part 1 of Schedule 2 of the Planning and

Development Regulations 2001 (as amended). This is a temporary change of use which will expire on the 31st December 2028 in line with point 4 of the conditions and limitations associated with Class 20F.

- 8.2.2. The appellant contends that that Planning Authority incorrectly considered the proposal as a residential development and that they failed to consider the proposal in terms of Class 20F of the exemptions as set out Planning and Development Regulations, 2001 (as amended).
- 8.2.3. The statutory notice associated with the proposed development sought permission for alterations/extensions to an existing Direct Provision Accommodation Centre. A Direct Provision Accommodation Centre according to Citizens Informaiton [Direct provision system](#) is defined as a place where a person seeking asylum is brought to live until such time that their application for international protection is assessed. Therefore, I consider that an extension to a Direct Provision Accommodation Centre is a form of residential accommodation and as such the Planning Authority were correct in their assertion.
- 8.2.4. Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) clearly states ‘Temporary use.... of any structure or part of a structure used as a ... hotel ...’. There is no reference to any exemption to provide for an extension to an existing structure and as such I do not consider this exemption to be relevant in the assessment of this application.
- 8.2.5. Policy 5.2 of the County Plan was also referenced by the Planning Authority within the reason for refusal. This policy seeks to facilitate residential development which accords with the requirements of the development Management Standards set out in Volume 3 of the County Plan. I do not consider that this policy is relevant in this instance given the type of residential accommodation being proposed. While I accept that the accommodation being proposed is a form of residential development, Volume 3 does not prescribe sequential standards for direct provision accommodation.
- 8.2.6. Guidelines for Temporary Accommodation in Existing Buildings - Single Persons & Family type Accommodation (2023), which were issued by the Dept of Housing, Planning and Local Government, provides for accommodation standards required and clarity on the application of the statutory processes relating to development of direct

provisions centres. From review of the plans submitted I note that the accommodation being proposed would accord with section 5 of the guidelines.

- 8.2.7. As previously stated, the site is situated approximately c.2km from Roscrea Town Centre and from undertaking a site visit I note that the site is not connected to the town by any means of pedestrian infrastructure. While the site is addressed by a footpath, this only extends to the western boundary of the site. Furthermore, the site is not connected to Roscrea via any forms of public transport. The applicant has not provided any detail of local arrangements in terms of public transport which is offered to the current residents of the facility.
- 8.2.8. I consider that the concerns raised by the Planning Authority in this regard are therefore warranted. In light of the location of the site being identified within an area under urban influence the proposal would therefore be required to comply with Policy 5-11 of the Tipperary County Development Plan 2022-2028 which requires the applicant to demonstrate an economic need or social need to reside in these areas.
- 8.2.9. The appellant has requested that the Commission overturn the decision of the Planning Authority and consider the proposal on its own merits. While I note that the building on site is currently operating as a direct provision centre, I do not consider that this should be a prerequisite for granting a permission to extend the existing operation. I consider the location of the subject site which is at a significant distance from the Town Centre, and lacking in any connection to such, is not appropriate to accommodate additional residents.
- 8.2.10. In conclusion, having regard to the location of the appeal site which is situated outside of the settlement boundary of Roscrea and in an area under urban influence as per Figure 5.3 of the Tipperary County Plan 2022-2028, where residential development is limited as per Policy 5-11 of the County Plan for those who can clearly demonstrate they have an economic or social need to reside there, the distance of the site to the centre of Roscrea Town Centre and the lack of pedestrian infrastructure and public transport connections, and the settlement strategy and housing policies contained within the Tipperary County Development Plan 2022-2028, I consider that the development proposed would not be acceptable at this location and recommend that the decision of the Planning Authority be upheld and permission be refused.

8.3. Procedural Issue

- 8.3.1. The appellant has also requested that the Commission, in granting permission, include for a condition which requires the use granted to be of a temporary nature and aligned with timeline of the Class 20F exemption and that they would also welcome a condition to limit the hotel to an 80 bedroom hotel.
- 8.3.2. In the first instance the applicant did not seek permission for a temporary development or an extension to the original hotel but rather an extension to a use which is temporary as per the requirements under Class 20F schedule 2 Part 1 of the Planning and Development Regulations, 2001 (as amended). I consider that given the extent and scale of the additional residential accommodation being proposed it would be arduous to grant a temporary permission.
- 8.3.3. If a condition were to be attached to align the development with the timelines imposed by Class 20F, I am concerned that in the absence of evidence supplied by the applicant that a hotel of this magnitude could be supported on the site in terms of waste water connection, car parking quantum's and other requirements of the Tipperary County Development Plan 2022-2028 which are required for tourism developments. I consider that the appellant should have provided a masterplan for the site to demonstrate how the use would have been reverted once the exemption granted has expired and therefore I consider that in its proposed form the development would represent a piecemeal haphazard form of development.

8.4. Refusal Reason 2 – Traffic Issues

- 8.4.1. The second reason for refusal relates to issues of traffic safety and the sightlines available at the main entrance to the building. The Planning Authority within their assessment stated that the proposed development represents an intensification of the use on site and therefore will generate more traffic movements from the site entrance. It was further asserted that sightlines of 160m from a 4.5m setback are required and none of the drawings submitted indicate if the required sightlines are available.
- 8.4.2. The assessment of the Planning Officer considered that this could be submitted by way of a request for further information, however given the implications of the earlier assessment this was included within the reason for refusal.

- 8.4.3. The appellant in response to this reason for refusal considered that this was not warranted for either if the premises was operating as a hotel or a direct provision facility as the entrance has remained unchanged and continues to provide for a safe secure access. It is further contended that it is unclear what set back (x) distance is required as there is a discrepancy between what is required by Table 6.1 of Volume 3 of the Tipperary County Development Plan 2022-2028 and the requirement of Transport Infrastructure Ireland for the setback distance. Tipperary County Development Plan requires a setback of 4.5m for regional roads while TII require a setback of 3m for Regional Roads.
- 8.4.4. It is further asserted by the appellant that the site plan submitted as part of the application documentation failed to indicate the front boundary of the site correctly and that a review of same was not possible in the appeal submission timeline. As such the sightlines required have been demonstrated on aerial photography. It was contended that a 4.5m set back requirement is unjustified given the long-standing operation of the hotel on site.
- 8.4.5. In the first instance I would accept the assessment of the Planning Authority and consider that the proposed development of an increase in bed-spaces would represent an intensification of the use on site and therefore it is anticipated that this in turn will give rise to an increase of vehicular movements at the entrance serving the subject site. Therefore, I consider that the applicant should have demonstrated that the required sightlines would be available to ensure public safety.
- 8.4.6. I note from a review of TII publication DN-GEO-03060 (May 2023), Table 5.1 notes that for all roads an X distance of 3m is considered to be the desirable minimum. Therefore, there is a conflict between national guidance and Table 6.1 of Volume 3 of the Tipperary County Development Plan 2022-2028. I consider it acceptable for the X (set back) distance at this entrance to be 3m and sightlines, the Y distance, to demonstrate a distance of 160m in each direction.
- 8.4.7. I do not accept that the aerial photograph submitted as part of the 1st party appeal to be reliable to demonstrate available sightlines as this should have been based on a topographical survey of the site. I consider there was ample time for the applicant to provide such a drawing as part of their appeal documentation. However, from undertaking a site visit, I observed that the sightlines required were obtainable in an

eastern and western direction. There were no issues caused by any boundary treatment upon these sightlines.

- 8.4.8. I do not accept the second reason for refusal and do not consider that the existing vehicular entrance would endanger public safety by reason of traffic hazard or obstruction to road users and recommend to the Commission that the second reason for refusal be omitted from their decision.
- 8.4.9. An observer to this appeal has raised concerns over the quantum of car parking remaining to serve the proposed development and the hotel use once the exemption has expired. It is contended that no additional car parking is provided to serve the proposed development and that the proposal would be contrary to development plan parking standard and Policy TI 16 of the County Plan. It is further contended that nowhere in the application documentation has the applicant quantified the exact number of car parking spaces remaining to server the proposal.
- 8.4.10. The proposed 3 storey extension has been situated within part of the existing car park area serving the building. The applicant has stated that the demand for car parking to serve the direct provision accommodation is much less than that of a hotel and that the extended centre will be served by c.80 car parking spaces.
- 8.4.11. Table 6.4 of Volume 3 of the Tipperary County Development Plan 2022-2028 requires the provision of 0.5 spaces per staff member plus 1 space per guestroom and public spaces such as bars/restaurant as per the standard set out in the table, which would equate to 0.5 per staff member plus 1 per 15 sq.m public area.
- 8.4.12. The 1st party appellant has not provided any details as to the quantum of staff currently working in the centre or the expectancy of staff levels if the premises was to revert to a hotel once the exemption expires or details of any additional services the hotel may offer. I have noted this also under section 8.3 of my assessment above. Therefore, in the absence of this information, I cannot conclude if the proposal would comply with the requirements of Table 6.3 of the Tipperary County Development Plan 2022-2028.

8.5. Other Matters

- 8.5.1. Impact on Amenity

I note that an observer to this appeal, the owner/occupier of Wayside, Rackethall, Roscrea, Co. Tipperary which is situated immediately to the west of the appeal site, has raised concerns with regard to the proposed 3 storey extension which they consider will give rise to a significant negative impact upon the current level of residential amenity enjoyed by way of overlooking and loss of privacy. The private amenity space serving Wayside is quite extensive and extends to bound the appeal site both to the west and to the south.

The proposed 3 storey extension projects from the eastern elevation of the existing hotel building and is set approximately c.2.6m from the southern boundary of the site. Site plans submitted indicate that the boundary treatment proposed along the southern boundary of the site will comprise of a 2.1m high paladin fence. The southern elevation of the proposed 3 storey extension has a ridge level of c.9.4m and is served with window opes on all floors serving habitable accommodation.

I note that there is a large area of land associated with 'Wayside' and that the land situated immediately to the south of the appeal site appears, from undertaking a site visit, to be more consistent with agricultural lands rather than that of private amenity space. I consider that the land situated within the immediate surroundings of Wayside would be what constitutes private amenity space. Therefore, I do not accept that the proposed 3 storey extension will give rise to issues of overlooking.

The observer also raises concerns over the proposal being out of character with the surrounding rural area and vernacular. I note that the existing building on site is a part two and a part three storey building which previously operated as a hotel. The proposed three storey extension has maintained the ridge level of the existing building on site. While I accept that the design approach adopted by the applicant may not be sensitive to the rural surrounding context given the modern design idiom, I do accept that proposal is in keeping with the existing structure on site and is therefore not out of character with the established pattern of development and character established.

8.5.2. Surface Water Drainage

A further concern has been raised relating to surface water management and flood risk. An observer to this appeal has contended that no detail has been provided with regard to surface water run off and that this already affects the adjoining property and

that in the absence of attenuation there could be a risk of flooding. This is considered to be contrary to Section 10.7 and Section 10.5 of the County Development Plan.

In the first instance I would note that drawing no. IF-02 prepared by Infinite Focus and submitted to the Planning Authority on the 5th August 2025 provides for details of the proposed surface water drainage to serve the site. In addition, the report from the Nenagh District Engineer noted no objection to the proposed management of surface waters subject to condition.

Section 10.5 of the County Plan refers to Renewable Energy, Economy and Communities while Section 10.7 refers to Disruptive Technologies and Energy Storage which are not relevant in term of surface water management. Section 15.4 of the County Plan refers to Sustainable Surface Water Management which requires all new development to provide a separate foul and surface water drainage system and to incorporate water sensitive urban design and a nature-based SUDS approach, where appropriate, in new developments. Having regard to the development being an extension to an existing structure and the comments of the District Engineer I consider that the surface water proposal included within the planning documentation to be acceptable.

9.0 **Appropriate Assessment**

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 the Slieve Bloom Mountains SPA (Site Code SPA 004160) and the Coolrain Bog SAC (Site Code 002332) or any other European site, in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

9.1. This determination is based on:

- The relatively minor scale of the development and lack of impact mechanisms that could significantly affect a European Site.
- Distance from and weak indirect connections to the European sites.

- Taking into account screening determination by LPA.

9.2. See Appendix 2 of this report for Appropriate Assessment Screening Determination. No mitigation measures aimed at avoiding or reducing impacts on European sites were required to be considered in reaching this conclusion.

10.0 Water Framework Directive

10.1. The subject site is located at Racket Hall, Roscrea, Co. Tipperary. The proposed works comprise of 2 no. extensions to the existing Direct Provision Accommodation Centre to consist of a kitchen and 60 no. bedrooms and all associated and ancillary site works. No water deterioration concerns were raised in the planning appeal.

10.2. The Bunow River is situated c.245.9m to the north of the subject site. The status of the Bunow River is good. The site is also situated within the Shinrone groundwater catchment.

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 seeks to protect and, where necessary, restore surface & ground water bodies 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;
- Location-distance from nearest Water bodies and/or lack of hydrological connections.

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

I recommend that the decision of the Planning Authority be upheld and permission be refused for the reasons set out below.

12.0 Reasons and Considerations

Having regard to the location of the appeal site which is situated outside of the settlement boundary of Roscrea, as per the Roscrea Local Area Plan 2023-2029 and in an area under urban influence as per Figure 5.3 of the Tipperary County Plan 2022-2028, where residential development is limited as per Policy 5-11 of the County Plan, the distance of the site to centre of Roscrea Town Centre and the lack of pedestrian infrastructure and public transport connections, it is considered that to permit the proposed development would be contrary to the settlement strategy, Policy 5-11 of the Tipperary County Development Plan 2022-2028 and would therefore be contrary to the proper planning and sustainable development of the area.

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

4th February 2026

Appendix 1

EIA Pre-Screening

An Coimisiún Pleanála Case Reference	PL -500136-Ty		
Proposed Development Summary	2 no. extensions to the existing Direct Provision Accommodation Centre to consist of a kitchen and 60 no. bedrooms and all associated and ancillary site works.		
Development Address	Racket Hall , Roscrea , Co. Tipperary.		
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	
		No	X
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No	X	N/A	No EIAR or Preliminary Examination required
Yes			Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	X	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ Date: _____

Appendix 2

Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive)

I have considered the project in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located at Racket Hall, Roscrea, Co. Tipperary and situated c.2.647km to the west of the Slieve Bloom Mountains SPA (Site Code SPA 004160) and 10km to the west of the Coolrain Bog SAC (Site Code 002332). The proposed development consists of the construction of a single storey extension and three-storey extension to an existing hotel which is currently in operation at a direct provision centre, and all associated site works.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- Nature of works and the limited scale of what is being proposed.
- The location of the site from nearest European site and lack of connections.

I conclude, 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.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.