



An
Coimisiún
Pleanála

Inspector's Report

PL-500235-TY-25

Development	Extension to dwelling house with minor alterations to existing elevations, an extension to garage, a new vehicular entrance and access drive with associated site works.
Location	Roosca, Cahir, Co. Tipperary
Planning Authority	Tipperary County Council
Planning Authority Reg. Ref.	2461152
Applicant(s)	Simon and Merle Phelan
Type of Application	Permission
Planning Authority Decision	Split Decision
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Ralph and Jane Gill
Observer(s)	None
Date of Site Inspection	26 th of January 2026
Inspector	Caryn Coogan

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1.0 Site Location and Description

- 1.1. The subject site is located in, Roosca, a rural area approximately 4km south of Cahir town accessed from a rural road serving a number of farms and dwellings in the locality.
- 1.2. The site, 0.2Ha, is located on the northern side of the local road. It contains a two bedroomed cottage, 115sq.m., with has it's gable orientated to the road. The cottage is located alongside the public road, [see photo plate 1 from the site inspection]. There is an old stone wall along the roadside boundary, and two stone piers form the vehicular access in front of the cottage. There are wrought iron gates across the existing access.
- 1.3. The site includes a large garden area to the side and rear of the cottage. The site slopes upwards from north-east to south-west. There are two small outhouses located along the western boundary of the site.
- 1.4. The site includes a wayleave onto the adjoining land fronting the dwelling, where the existing sewage treatment is located. This area is overgrown with scrub and trees.

2.0 Proposed Development

- 2.1. Proposed development is for an extension (240sq.m.) to the side of the existing cottage (115sq.m), an extension to the garage, and a new vehicular entrance to the rear of the dwelling.
- 2.2. The planning authority requested further information on the 24th of February 2025.
 - A revised design to reduce the massing and scale of the extension
 - Site suitability report required.
 - Sightlines/ Cross sections of entrance
 - Visual impact of the garage
 - Remove pedestrian entrance.
- 2.3 A response was received on the 22nd of August 2025.

- The height of the extension has reduced from 7.8m to 6.8m and from 191sq.m. to 157sq.m. Its reduced from a two storey to a dormer and this is considered to be acceptable.
- The applicants are proposing a new sewage treatment system, however the site has very poor soil cover and the depth to the bedrock is shallow, therefore the EPA guidelines cannot be complied with.

3.0 Planning Authority Decision

3.1. Decision

3.3.1 Tipperary Co. Co. decided on a split decision. It granted planning permission for the extension to the dwelling house and an extension to the garage. The permission included 6No. conditions in particular the development was to be carried out in accordance with the Further Information submitted on 22nd of August 2025.

3.3.2 The newly proposed sewage treatment that was submitted with the further information was refused for the following reason:

The application seeks permission for the provision of a new waste water treatment plant and infiltration area to serve an existing dwelling. The proposed system will replace an existing septic tank and percolation area which currently serves the dwelling and is located on an adjoining site which is under third party ownership.

It is a policy of the Tipperary County Development plan 2022 (15-2) to require that all new septic tanks, proprietary effluent treatment systems and percolation areas to be located and constructed in accordance with the Water Services Guidelines for Planning Authorities (and any review thereof) and the Code of Practice for Domestic waste water treatment systems (EPA, 2021) (and any amendment) and the development management standards of this Plan as set out in Volume 3.

Having regard to the information submitted to the Planning Authority, to the underlying ground conditions and the inability to provide a suitable means of waste water disposal in accordance with EPA Code of Practice 2021, the provision of a new waste water treatment system presents a serious risk to groundwater and to public health.

The proposal therefore conflicts with a stated policy of the Tipperary County Development Plan 2022 (15-2), has the potential to cause serious pollution of groundwater, would be prejudicial to public health and be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

There are two planning reports on the file. Pre and Post the further information requested. A summary of the relevant assessment issues in both reports is as follows:

- The two storey extension (103.sq.) is 7.8m in height and is considered to be out of character with the existing dwelling (88sq.m.). It will overwhelm the principle house.
- There are cross sections required of the new entrance. The existing entrance is to be closed with no pedestrian access.
- Wastewater treatment system may need to be upgraded to cater for the increase in occupants at the dwelling.
- Mapping is to indicate landownership and wayleaves clearly.
- Further Information recommended.
- Following receipt of further information, the revised house design was considered to be acceptable. The new sewage treatment system should be refused as the site cannot comply with EPA standard.
- The new vehicular access was removed from the proposed development.
- A split decision is recommended

3.2.2. Other Technical Reports

Environment Report: Based on the information submitted and the desktop study performed regarding the overall plan while considering the location in relation to protected areas and sensitive receptors, the request for site improvement works for a new waste water treatment system be denied due to a high risk to groundwater.

During the site suitability assessment, no trial hole could be dug or any surface or subsurface percolation tests were carried out as a result of loose stone with soil and then rock. There is no baseline information on soil conditions, depth to bedrock or groundwater. Without this data it is not possible to demonstrate that the proposed site improvement works are appropriate or compliant with the EPA Code of Practice 2021.

Area Engineer Report: Considered the closing of the existing entrance and the provision of a new vehicular entrance to the rear of the dwelling will improve significantly on existing sightlines. Keep any vegetation maintained to enhance these new sightlines.

3.3. Prescribed Bodies

- 3.3.1 The Commission referred the appeal to DAU, An Taisce, and the Heritage Council due to its proximity to the Lower River Suir SAC (002137). There were no responses received.

3.4. Third Party Observations

There was one third party submission which cited the following concerns:

- The wayleave highlighted in yellow form part of their lands
- Impossible to access septic tank due to overgrowth
- Odours
- Possible contamination
- Septic tank is for a small dwelling and not the large extension.

A further submission from the same third parties dated 17/09/2025 indicated the proposed development would have a negative impact on their residential amenities in terms of loss of privacy and views.

4.0 Planning History

There appears to be no relevant planning history associated with the subject site.

5.0 Policy Context

5.1. Development Plan

5.1.1 Tipperary County Development Plan 2022-2028

Volume 3 Appendix 6

4.3.2 Extensions to Dwellings

In cases where living accommodation is to be substantially upgraded and/or extended to accommodate additional occupants, the applicant will be required to demonstrate that the wastewater treatment system is adequate and does not present a risk to human health or the environment. The applicant will be expected to demonstrate to the Council that the wastewater treatment system is fit for purpose, operating and maintained appropriately and is not causing damage.

As part of the planning application for such a development a report prepared by a qualified site assessor should be submitted confirming:

- a) the type of system in place (i.e. septic tank or other),
- b) the capacity of the tank (approximate),
- c) the design and layout of the percolation area or polishing filter,
- d) that it can be accessed and maintained, (location shown on site layout drawings)
- e) it is demonstrated that clean roof/surface water is not entering the system and
- f) there is no visible evidence of it causing a risk to human health or the environment, i.e. no ponding on the ground in the vicinity of the system, no effluent break-out at slopes, no “bypass” pipe to a nearby drain, and that any drains in the vicinity are clear with no build-up of sewage fungus etc.

If an upgrade to an existing system is required, it shall comply with the EPA Code of Practice for Domestic Wastewater Treatment Systems (EPA, 2021).

4.12 Domestic Extensions

The Council will seek to implement the following guidelines in respect of extensions.

- a) A ground level extension shall be subordinate to the main dwelling in scale and

design.

There are, however, circumstances where an existing property is limited in size (e.g. a single bedroom cottage) and a large extension is required to allow it to be brought up to modern living standards. Such developments will be considered on a case-by-case basis and will require a sensitive design to ensure that the proposal will not dominate the local streetscape and a plot size that can absorb the development.

- b) The extension shall integrate with the primary dwelling, following window proportions, detailing and finishes, including texture, materials and colour.
- c) The design and layout of extensions to houses shall have regard to the amenities of adjoining properties. The Council may require the submission of a daylight, sunlight and overshadowing assessment, if considered necessary.
- d) Where a dwelling is served by an on-site wastewater treatment system and where the extension increases the potential occupancy of the dwelling, the applicant shall demonstrate that the system complies with the standards of the EPA Code of Practice for Domestic Wastewater Treatment Systems (EPA, 2021), (or any amendment thereof).

6.1 Road Design & Visibility at a Direct Access

A direct access is a vehicular access from any residential, commercial or agricultural property to and from a public road. New direct accesses shall not be permitted within 90m of the exit of a roundabout on a national road, or within 50m of the exit on a nonnational road.

Mandatory Speed Limit	Design Speed (operational Speed)	Rural Non-National Road	Urban Non-National Road
km/h	km/h	Y-Distance (m)	Y-Distance (m)
30	40	N/A	33
40	50	70	45
50	60	90	59
60	70	120	72
80	85	160	N/A
100	100	215	N/A

5.2. Natural Heritage Designations

The Lower River Suir (002137) is 1.1km east of the subject site.

Galtee Mountains SAC (000646) is 8.9km west of the site.

5.3. EIA Screening

The development to be retained 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 this report.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 Ralph and Jane Gill of Thonogue House, Roosca, Cahir have taken this appeal against Tipperary Co. Co. decision to grant planning permission for the proposed development. A summary of the appeal is as follows:

- In the original submission to the planning application, concerns were expressed regarding the unsuitability of the existing septic tank.
- A new septic tank was proposed in a revised submission.
- The proposed development will have a negative impact on their property with the loss of their amenities of both privacy and views. The much larger structure would look down as well as across our property, house and garden.
- The new extension is not in keeping with the style of the old cottage. The development would be out of character with the surrounding landscape and not in keeping with the area.
- The planning decision to reject the new septic tank is flawed. The septic tank on their land, marked yellow (wayleave) has been neglected and not emptied for many years. The odour is noticeable on their land. The tank was

designed for a small rural cottage in the 19th century and is unlikely to have sufficient separation distances from groundwater or bedrock.

- The proposed extension doubles the size of the existing property for which the old septic tank is inadequate. The consultant for the applicant agreed with this situation regrading the existing septic tank.
- The planners rejected the owners plans for a new septic tank on the grounds it was considered to be an environmental hazard as the site would cause risk to a major aquifer. How far away of the existing old septic tank to the aquifer. The assessment of risk has not been undertaken. Why is the neglected Victorian septic tank suitable for a moder extension with modern extra plumbing appliances.
- The repositioned new septic tank even with shortcomings would be a signifigant upgrade to the existing environmentally hazardous tank.

6.2. Applicant Response

The applicants have responded to the third-party appeal. There are a number of attachments to their submission.

- The grounds of appeal should be dismissed in full as they lack planning merit and are unsupported by technical evidence. The appeal raises no new material considerations that were not already assessed and addressed by the planning authority.

6.2.1 Wastewater and Septic Tank Allegations:

- The existing septic tank on the appellants land is a modern mid twentieth century system , not a product of the Victorian era. Attachment 4 visible inspection confirms the tank utilises a PVC waving piping, which only became common in the 1950s and 60s. It is estimated based on the construction type and materials of the newer parts there was signifigant work done in the 1960s-70s to make the dwelling habitable.
- The existing system is operating without any issue or nuisance. The appellants have provided no evidence that it malfunctions. There are no

indicators of a poor working system as per the EPA, and the appellant's claims are unfounded.

- There has been no enforcement action taken by the local authority. The system has operated efficiently over the past twenty years since they started living there. There has been no complaint made by any neighbour., There was no complaint from the appellants until the applicants made a planning application. It is an attempt to remove a legally binding easement that has existed for twenty years.
- The septic tank on the appellants property is governed by a legal easement that grants the applicant a legal easement to full use, access, maintenance and if necessary to renew the system. Attachment 1 is the Deed. The applicant's use of the septic tank is entirely lawful.
- The site does lie over an aquifer classified as regionally important -karst with extreme vulnerability, which covers the entire area and a multitude of sewage treatment systems. It is acknowledged a new system was proposed in the planning application and it was refused because of the shallow soil/rock conditions on their property, no percolation test could be completed. That refusal does not mean the existing system is causing pollution. The Council did not cite any evidence of the current septic tank failing, they simply could not certify a new infiltration system area on a different site without sufficient data.
- The current situation will remain and there is no increase in occupancy proposed, therefore no impact on the current system will occur. The existing system is working. The new system was only proposed following the planning authority's request for further information. Ultimately, the Council did not accept the new proposal, but granted planning permission for the extension using the existing sewage treatment system. The new system was only pursued to satisfy the Council's line of enquiry, but not out of necessity from capacity or pollution standpoint.
- Modern appliances use less water than older appliances. The appellant is factually incorrect with their claims. The design remains a two storey dwelling, and the family size is not changing as a result of the extension.

- There is no objective or public health concern shown or proven in terms of their wastewater system. The appellants accusations are speculative and disproven by on-site reality. They have a legal right to continue to use and maintain the existing system.

6.2.2 Overlooking and Amenity Impact Claims

- The appellants home is 104m at the closest point from their home. The extension has been carefully designed to avoid any overlooking. The new extension is a 1.5 dormer structure onto the existing single storey cottage. The primary windows are orientated away from the appellant's dwelling. There is a tall hedgerow between the properties.
- Any views from the dormer windows will be oblique and limited to their own yard or the open countryside and not the appellants dwelling.
- The appellant's have not substantiated their claims of overlooking with any technical evidence. The planning authority concurred that no overlooking will occur. There were no conditions attached regarding the windows.
- Due to the distances involved there will be no overshadowing.
- There will be no adverse impact to the neighbouring residential amenities as a result of the proposed development. The appellants claims are grossly exaggerated.

6.2.3 Design and Landscape Character

- The proposed extension has been designed in accordance with local planning policy and rural design guidelines, i.e. Volume 3 of the County Development Plan. The extension is proportionate to the existing cottage and does not overwhelm the existing house.
- The overall height and massing was reduced during the assessment from 7.9m to 6.8m.
- There are properties in the area which are larger and closer to the road.
- There are no landscape designations or scenic routes associated with the area.
- The proposed due to its size, proportions, layout and design will not impact negatively on the landscape.

6.3. **Planning Authority Response**

There was no further response from the planning authority to the issues raised on appeal.

7.0 **Assessment**

7.1. I have considered the appeal file, the planning application and inspected the site, I will assess the appeal under the following headings:

- The Planning Authority's Assessment and Decision
- Sewage Treatment
- Access
- Residential Amenity

7.2 **The Planning Authority's Assessment and Decision**

7.2.1 The original planning application was received by the planning authority on the 23rd of December 2024. The proposal was to construct an extension to the existing dwelling house, to construct and extension to the garage, and to construct a new vehicular entrance to the dwelling.

7.2.2 The existing dwelling is a small two bedroomed cottage (115sq.m.), with a vehicular access to the front of the dwelling with a stone wall and stone piers along the roadside boundary. There is an existing outhouse/ shed along the southwestern site boundary, it is proposed to extend this structure too and provide a driveway from a new proposed vehicular access at the rear of the dwelling, reducing the existing vehicular entrance to a pedestrian entrance. The submitted drawings indicated the existing septic tank and percolation area serving the dwelling is to the front of the house on an area of land that the applicant's have a legal wayleave over, as per their appeal submission..

7.2.3 The planning authority requested extensive further information on the 24th of February 2025 in respect of design, scale and massing of the proposed extension. The planning authority claimed the occupancy of the dwelling will increase, therefore upgrading of the existing sewage treatment works is required based on the findings of a Site Suitability report, which is also to be submitted. In addition, the applicant

was requested to provide 120metres of sightlines in both directions, and cross-section of potential groundworks associated with the new entrance. In addition, the planning authority was also concerned about the visual impact of the driveway serving the extended dwelling and the extended garage. The applicant was to consider relocating the garage to reduce the visual impact of the proposed driveway. In addition, the applicant was asked to omit the pedestrian access, and to clarify the location of a soak pit at the entrance.

7.2.3 Although the design issue is a subjective one, the existing cottage holds very little architectural merit, it is not located in a high amenity area or along a scenic route. The layout of the existing cottage is sideways, with the gable end addressing the public road. Therefore, the visual impact of the proposed extension onto the opposing gable end of the cottage, will not create a significant visual impact on the surrounding area because there are limited views of the proposed extension from the public road and wider area. The roadside boundary of the subject site is narrow at 26m. In addition, the configuration of the subject site is undulating, rising across the site from east to west. Therefore, the proposed extension will not be directly visible from the public road, because it is orientated towards an open field and not the public road. In addition, with the overgrown coppice immediately fronting the cottage acts as a screen on approaching to the site from the east/ Cahir. The applicant had submitted on appeal, the planning authority had been inconsistent in its approach regarding two storey extensions onto single storey dwellings, and a number of examples were cited. I would concur with the applicant in this regard. In fact on the opposite side of the local road to the subject site, there is a tall, three storey extension permitted and constructed onto a single storey unit. This was not acknowledged in the planning report. The scale and massing of the proposed extension is modest in comparison to the existing extension on the opposite side of the road.

7.2.4 Notwithstanding this inconsistent approach by the planning authority, the appellants submitted a revised design reducing the two-storey extension to a dormer extension from 7.9m in height to 6.8m. I accept the revised design is more in proportion to the existing cottage. However, the views into the site from the public road are limited, and the proposed extension is set back 16m from the road and is screened by mature hedgerows. Therefore, on balance, I do not accept the original two storey

design to be offensive or overbearing. However, the design presented by way of the further information on the 22nd of August 2025, is also acceptable better proportioned to the dimensions of the existing cottage. The design complies with Tipperary County Development Plan 2022-2028 Appendix 4 Rural Housing Design Guide and Section 4.12 Domestic Extensions Volume 3 (as per Section 5 of this report).

7.3 Sewage Treatment

7.3.1 The existing sewage treatment system is located on third party land to the front of the existing cottage. There is a registered legal wayleave associated with the existing system.

7.3.2 According to Section 4.3.2 Extensions to Dwellings, Tipperary County development Plan 2022-2028, Volume 3

In cases where living accommodation is to be substantially upgraded and/or extended to accommodate additional occupants, the applicant will be required to demonstrate that the wastewater treatment system is adequate and does not present a risk to human health or the environment. The applicant will be expected to demonstrate to the Council that the wastewater treatment system is fit for purpose, operating and maintained appropriately and is not causing damage.

The planning authority requested the applicant to address this outstanding issue in the request for further information. In the response received from the applicant in August 2025, the applicant proposed a replacement sewage treatment system within their own land ownership and this was accompanied by the Site Suitability Report.

7.3.3 The Site Suitability Report stated a number of trial holes were dug on the subject site, and each of them had loose stone close to the surface of the ground level. On three of the four holes dug, no P or T tests could be carried out. The fourth hole had an acceptable depth of soil but could not be located in the locations because it did not meet with the EPA prescribed separation distances.

7.3.4 The applicant's agent proposed a number of mitigation measures to overcome the shortfall of topsoil on the land within the ownership of the applicants. These are as follows:

- At Trial hole No. 2 the ground would be excavated to a depth of 2m. The trench would be wrapped with a waterproof textile material to force the untreated effluent down through 1.2m of unsaturated imported soil.
- Then import suitable soil with a T range of 21. The area is to be excavated is based on the area required under Table 10.1 (EPA Guidelines) for tertiary infiltration system, giving a total area of 45sqm. Of a percolation system, which is to cater for a 4No. person occupancy.
- The imported soil will be laid in 400mm layers lighted compacted with the required T test range. The underlying aquifer is extremely vulnerable therefore 1200mm of soil is required under the tertiary treatment system.

7.3.5 In response to the applicant's proposed sewage treatment system on their own land and the proposed mitigation measures cited above, the Environment Section of the planning authority recommended a refusal because there was no baselines information on the soil conditions, depth of bedrock rock or groundwater, and it was therefore not possible that the site improvement works are appropriate or compliant with the EPA Code of Practice 2021. A refusal was recommended by the Environment Section for this element of the proposed development, which was upheld on the planning authority's split decision.

7.3.6 Essentially, the permitted development reverted back to the existing septic tank and percolation system in place within the third-party lands were the applicants hold a legal wayleave for same. I refer to the floor plans of the existing and proposed extension submitted with the further information on the 22nd of August 2022. The proposed extension provides greater living accommodation within the overall dwelling, with improved internal facilities. The dwelling is currently a two bedroom unit, and the completed dwelling will remain a two-bedroom units with larger storage, rooms and sanitary facilities. The proposed extension is not to cater for increased occupancy, and this is stated in the submission documents.

7.3.7 The applicants have submitted a copy of the Deeds with their property which gives them a right to renew, repair and maintain a septic tank and percolation area together with all necessary pipes leading to and from the dwelling. A photograph of the existing septic tank was submitted on appeal and it is estimated, based on the design and specification, it may have been installed during 1960-70s. There are no signs the current system is not operating correctly. There are no odours, no

ponding, no signs of overflow associated with the percolation area. I note the third party's concerns regarding the existing system, however they provided no data or evidence to support their claims on appeal.

7.3.8 I note from the Planning report on file, there is no acknowledgement or comment in any report that the existing system on the site is problematic, or as suggested in the third-party appeal, 'environmentally hazardous tank'. The applicant's in response to the further information attempted to propose a new system on their own land by their own efforts, this was not prompted by the planning authority. Item 2 of the planning authority's further information request would suggest the planning authority believed the proposed development will increase the potential occupancy of the dwelling. However, the extension does not increase the occupancy of the dwelling, it remains a two bedroomed unit. Therefore, the third-party appellant's claims regarding the existing septic tank system are unsubstantiated and cannot be justified as a basis to refuse the development.

7.3.9 Having regard to existing legal arrangement associated with the septic tank and percolation area, and to the fact the occupancy of the extended dwelling house will not increase, I do not consider the proposed development will be prejudicial to public health and the existing sewage treatment arrangement is acceptable. A condition should be included the existing system be maintained in accordance with Chapter 12 of the EPA Code of Practice for Domestic Sewage Systems.

7.4 **Access**

7.4.1 The applicant's had originally proposed a new vehicular access to the dwelling from the rear of the dwelling, with a driveway to the side of the extension and the extended garage. The applicants were also proposing to close the existing vehicular access to the front of the dwelling and to provide a pedestrian access at this location.

7.4.2 The planning authority requested additional information regarding sightlines, cross sections of the proposed earthworks, relocation of the garage to reduce the visual impact of the driveways and the omission of the pedestrian access. In response to the request, the applicants responded on the 22nd of August 2025 stating, the proposed access will not be constructed and the existing entrance will remain as the access to the dwelling.

7.4.3 I refer to Photographs Plates 1 and 2 from my site inspection which illustrate the existing access arrangement at the appeal site. There is an old stone wall along the roadside boundary which has a large gap alongside the gable of the dwelling. There are two stone piers and a wrought iron gate across the entrance. Ironically, there is an old stone step over pedestrian access along the roadside boundary too. The wall itself is an excellent vernacular feature featuring local stone and vernacular craftsmanship. I welcome the applicant's proposal to retain the existing and original access to the dwelling. The sightlines in both directions are satisfactory.

7.5 Residential Amenity

7.5.1 Having regard to the separation distance between the third-party appellant's dwelling, north-east of the subject site, the mature hedgerows screening private areas, the gable end of the appellant's house facing the subject site, there is no negative impact to the existing residential amenities associated with the appellant's dwelling. The appellant's claims have not been substantiated on appeal by the third parties.

7.5.2 A landscaping plan should be submitted to provide screening along the boundaries of the subject site.

8.0 Appropriate Assessment

8.1 I have considered the proposal comprising construction of a domestic extension and extension to the garage, and all associated site works in the light of the requirements of Sections 177S and 177U of the Planning and Development Act 2000, as amended. The development is not located within or immediately adjacent to any European Site. The nearest European Site is the Lower River Suir (002137) which is located approximately 1.1km east of the subject site.

8.2 Having considered the nature, scale and location of the project, I am satisfied 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:

- Small scale and nature of the proposal.
- Location-distance from nearest European Site.

- Absence of any meaningful direct and indirect pathways to any European Site.
- Taking into account the screening determination of the planning authority, as regards further information relating to the sewage treatment system

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 any other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000 as amended) is not required.

9.0 Water Framework Directive

9.1 The subject site is located c 1.1km west of the Lower River Suir which has moderate ecological status. The river is separated from the appeal site by open countryside and other one off dwellings and farmsteads.

9.2 The proposed development comprises an extension to an existing dwelling and an extension to a detached shed. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

9.3 The reason for this conclusion is as follows :

- Small scale and nature of the development.
- The location-distance from nearest waterbodies and lack of connections.
- Connection to public water, and existing sewage treatment system.

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.

10.0 Recommendation

- 10.1 I recommend planning permission be granted for the proposed development. I do not consider a split decision is required. The issue refused by the planning authority can be addressed by condition.

11.0 Reasons and Considerations

Having regard to the existing cottage on the subject site, together with the scale and design of the proposed extension, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable, would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of traffic safety and would be acceptable in terms of public health. The proposed development would, therefore, be in accordance with proper planning and sustainable development of the area

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 22nd of August 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: in the interest of clarity

2. (i) This grant of permission is for the extension to the dwellinghouse and extension to garage only.

- (ii) This permission excludes the proposed sewage treatment system submitted as part of the further information received on the 22nd of August 2025. The proposed development shall be served by the existing septic tank and percolation area serving the existing dwelling house.
- (iii) This permission excludes the new vehicular entrance to the rear of the dwelling house as per the original submission documents received on the 23rd of December 2024.

Reason: In the interest of clarity.

- 3. (a) The access arrangements shall be from the existing access as set out in Drawing No. SNFI 09 Revised Site Layout Plan received by the planning authority on the 22nd of August 2025.
- (b) Prior to the commencement of the development the applicant shall submit to and agree refurbishment works for the entire roadside boundary of the subject site in terms of completing the stone wall in line and in the same specification as the existing stone wall.

Reason: in the interests of visual amenity and traffic safety.

- 4. Prior to the commencement of development, a comprehensive landscaping plan, shall be submitted to, and agreed in writing with, the planning authority.

Reason: in the interests of visual amenity and biodiversity.

- 5. The collection and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: in the interests of sustainable drainage.

- 6. The existing wastewater treatment system shall service the proposed development and it shall be maintained in accordance with the standards set out in the EPA Code

of Practice – Domestic East Water Treatment Systems (2021), Chapter 12
Operation and Maintenance.

Reason: In the interest of public health and to prevent water pollution

7. 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 Coimisiun Pleanala 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.

Caryn Coogan
Planning Inspector

11th of February 2026

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Coimisiún Pleanála Case Reference	PL500235-TY-25		
Proposed Development Summary	Extension to the side of a dwellinghouse, and an extension to garage		
Development Address	Roosca, Cahir, 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	X
		No	No further action required
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		Class.....	EIA Mandatory EIAR required
No			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		
Yes		Part 2, Class 10(b)(i). Threshold: Construction of more than 500 dwelling units	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No		Preliminary Examination as above
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Appendix 2 Form 2 –

EIA Preliminary Examination

Case Reference	ACP 500235-TY
Proposed Development Summary	Extension to dwelling house, extension to garage
Development Address	Roosca Cahir, Co. Tipperary
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	Extension and refurbishment of an old dwelling and On site wastewater treatment system is existing. Water supply via public network. Site area 0.22ha..
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The rural site in an agricultural area is 1.1km west of the Lower River Suir Special Area of Conservation (SAC) (site code 002137). There are no sites of social or cultural interest in the vicinity
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration,	There is no real likelihood of significant effects on the environment arising from the proposed development. There is no real likelihood of significant cumulative effects having regard to existing or permitted projects. Modest scale, domestic nature.

cumulative effects and opportunities for mitigation).	
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

Inspector: _____ Date: _____