



An
Coimisiún
Pleanála

Inspector's Report PL-501198-LS-26

Development	Change the use of the existing pub, & guesthouse/hostel permitted under Reg. Reg 2460198, for accommodation to be used for persons seeking international protection.
Location	Lennon's Bar Mary Street, Durrow Townparks Durrow , Co. Laois
Planning Authority	Laois County Council
Planning Authority Reg. Ref.	2560417
Applicant(s)	Marc Lennon
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Durrow Development Forum Durrow Community Council
Observer(s)	Brian Stanley T.D. & Cllr. Caroline Dwayne Stanley William & Linda Hastings

Margaret Aylward & Others
Mary Doogue
Carmel Murphy and Evelyn Clancy
Sarah Dempsey
Cllr Oliver Clooney
Patrick and Siobhan Dwyer
Brandon McPherson
Seamus Campion
Catherine Fitzpatrick
Ruth Campion and Michael Moran
Lorcan Mahony
Shane and Terri Dunne
Nicky Cashin
PJ and Marian Aylward
Bernadette Nevin
Liam and Kay Clancy
Angela Walsh
James and Mary Monahan
Susan Lawlor
Craig and Ciara Ince
Margaret Nevin
Amy Lalor
Mary Donohue
Larry and Julie Fitzpatrick
Maria Harte
Fred and Liz Townsend

Date of Site Inspection

10th July 2026 & 27th July 2026

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1.0 Introduction

- 1.1. The subject application and appeal seek to change the use of an existing pub & guesthouse/ hostel permitted under planning reg. ref. no. 24/60198 for occupation by persons seeking international protection under the International Protection Accommodation Service (IPAS). Condition no. 4 of planning reg. ref. no. 24/60198 reads as follows:

4. The development shall be used solely for the purposes detailed in the plans and received by the Planning Authority on 17/04/2024 and the further information received by the Planning Authority on 09/09/2024. No change of use shall take place without a prior grant of Planning Permission, (notwithstanding the exempted development provisions of the Local Government (Planning and Development Regulations 2001, as amended).

Reason: In the interest of clarity.

- 1.2. The Applicant applied for a Section 5 Declaration from the Local Authority, as case reference S5/2024/58 refers. The question posed under said Section 5 Declaration Application was as follows:
- Whether or not the use of the subject premises, an existing guest house/ hostel to be used as a residence for International Protection Applicants constitutes development and whether, of it does, it can be considered exempted development.*
- 1.2.1. On 28th November 2024, the Local Authority determined that the proposed works, as per Section 5 Declaration Application, Ref. No. S5/2024/58, constituted development and that this development is NOT EXEMPTED DEVELOPMENT.
- 1.3. The Applicant lodged the subject planning application, reg. ref. no. 25/60414, on 10th July 2025.
- 1.4. A concurrent application and subsequent appeal, ref. no's. 25/60418 and Appeal Ref. No. PL-501199-LS-26 on a nearby site, c. 33 metres to the south of the subject appeal site and for a similar development proposal to that of the subject appeal, was lodged with the Commission on 17th April 2026 and awaits decision. The Applicant is the same in both cases.

- 1.5. The 2 no. cases are travelling together so that they can be decided upon together by the Commission.

2.0 Site Location and Description

- 2.1. The subject appeal site is located on the eastern side of Mary Street in the centre of Durrow, County Laois. The site comprises the 2 storey 'Lennons Bar' former public house which, as per the submitted floor plans, is indicated to currently comprise guest accommodation on the ground and first floor. The site has a stated area of 0.165 hectares and includes a rear circulation/ garden space. Access to the rear of the property is available via a partially covered side lane/ archway.
- 2.2. The subject appeal site is located within Durrow Architectural Conservation Area.
- 2.3. There is a Protected Structure (Ref. RPS 796), located on the adjacent site to the immediate north. This said Protected Structure (The Durrow Inn Public House) is also listed on the National Inventory of Architectural Heritage (NIAH) as being of Regional Importance, Ref. no. 12900925.

3.0 Proposed Development

- 3.1. The Proposed Development comprises the following:
- Change of use of the existing pub & guesthouse/hostel permitted under Reg. Reg 2460198 for accommodation for persons seeking international protection under the IPAS Scheme. The Change of use permission relates to the following works:
 - 1) The change of use of the existing bar on the ground floor and private accommodation on the first floor for use for accommodation on both ground floor and first floor, comprising of 10. No. bedrooms (8 no. on ground floor, and 2 no. on first floor level),
 - 2) Ancillary rooms, kitchen dining area, 23.8 sqm, Communal living area 20.7 sqm, dining Room, 22.6 sqm.
 - 3) Female Bathroom 2 no. WC, 2 no. Showers, 2 no, WHB, Male Bathroom, 3 no, WC, 2 no. showers, 2 no urinals. (There is 1 no.

unisex bathroom on the first floor. There is also a small study/communal space on the first floor of 6.5 sqm.

4) New laundry room to the rear comprises of an area of 12.5 sqm, and covered canopy area, store area comprising of an area of 11.91 sqm, and refuse area of 7.79 sqm.

4.0 Planning Authority Decision

4.1. Decision

4.1.1. The Local Authority issued a Request for Further Information on 9 no. main points.

4.1.2. Following receipt of the Response to Further Information, the Local Authority issued a Notification of Decision to GRANT permission on 25th March 2026 subject to 15 no. Conditions.

Condition no's. 2, 3, and 8 read as follows:

2. *The development shall be restricted to use as described in the description of development in the public notices received by the Planning Authority on 10/07/2025. The development shall not be used for any other use, without a prior specific grant of planning permission.*

Reason: *In the interests of the proper planning and sustainable development of the area.*

3. a) *The proposed development shall comply with the requirements of the Chief Fire Officer, Laois County Council with whom the developer shall liaise prior to first opening.*

b) *The means of access to the proposed development shall be in accordance with the latest requirements of the Building Regulations in relation to access to the premises for the disabled and mobility impaired.*

Reason: *In the interests of public health, public safety and proper planning.*

8. *Bicycle parking spaces shall be provided on site in accordance with relevant Laois County Development Plan 2021-2027 standards.*

Reason: *In the interests of the proper planning and traffic safety.*

4.2. Planning Authority Reports

4.2.1. Planning Reports

- The **Local Authority Planner** considered that having regard to the nature, extent and location of the subject proposal, the zoning of the lands and the planning history of adjacent lands that the proposed development would be compliant with the provisions of the Laois County Development Plan, 2021 – 2027 and with the proper planning and sustainable development of the area.

4.2.2. Other Technical Reports

- The **Chief Fire Officer** submits that i) Laois fire Authority did not assess this application and ii) The Fire Authority recommends that the Applicant's be informed that they are to comply with all relevant Building Regulations and all relevant Building Control Regulations. Note: LCC Building Control Department may be consulted on same.
- The **Western Area Roads Department** finds no difficulty with the proposed development.

4.3. Prescribed Bodies

- **Transport Infrastructure Ireland** request that the Planning Authority has regard to the provisions of official policy for development proposals as follows:
 - *'Proposals impacting national roads, to the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and relevant TII Publications and proposals impacting the existing light rail network, to TII's "Code of engineering practice for works on, near, or adjacent the Luas light rail system'.*
- The **Health Service Executive** state they have no comment to make at this time.
- **Development Applications Unit:** No Response received.
- **Heritage Council:** No Response received.

- **Uisce Eireann:** No Response received.

4.4. Third Party Observations

- 4.4.1. The Local Authority received 129 no. observations mostly in objection to the proposed development and mostly from local residents and residents within the wider community. Issues raised are similar to those referred to in the Local Authority decision and in the Observation submissions to the appeal.

5.0 Planning History

5.1. Planning History on the subject appeal site

Section 5 Referral

- **S5/2024/58:** Use of the subject premises an existing guest house/ hostel to be used as a residence for International Protection Applicants.

Decision: Not Exempt

Planning Applications

- **24/60198:** Applicant: Marc Lennon. Permission to 1. retain the construction of a toilet block to the rear of the site measuring approximately 31m² 2. retain of the construction of an extension to the rear of the existing building measuring approximately 60m² 3. retain the change of use of the existing bar on the ground floor and private accommodation on the first floor for use as a guesthouse/hostel on both ground and first floor. Permission was GRANTED in October 2024 subject to 10 no. conditions.
- **22/585:** Applicant: Marc Lennon. Permission to retain an external covered area incorporating an outdoor bar, smoking and live music entertainment area, toilets and all associated site works. Application DEEMED WITHDRAWN on 15/02/2024.
- **08/976:** Applicant: Mark Lennon. Permission to erect an apartment at first floor level over public house; and RETENTION for extension to ground floor level public house and assoc. site works. Permission was GRANTED in February 2009 subject to 10 no. conditions.

- **05/1099:** Applicant: Mary Lennon. Permission for an extension of the first floor over public house. Permission was GRANTED in December 2005 subject to 5 no. conditions.
- **05/7:** Applicant: Mary Lennon. Permission to change the use (at ground floor level) of existing domestic kitchen & bathroom, beer store & public toilets to public house extension with new toilets & store & at first floor level an extension to rear of existing dwelling over new public house extension with new stairs & a new entrance door from a new shopfront incorporating a relocated entrance to the public house, a new beer store at the rear & a partially covered beer garden to the side. Permission was GRANTED in august 2005 subject to 14 no. conditions.

6.0 Policy Context

- ***Laois County Development Plan, 2021 to 2027 (Volume 1 – Written Statement)***

6.1. Development Plan

- 6.1.1. I have reviewed the Development Plan, and I consider the following Chapters, Sections and Policies to be of most relevance to the subject proposal.
- 6.1.2. Chapter 4 relates to **Housing Strategy**. Section 4.7 relates to Groups with Specific Planning Needs and includes Section 4.7.5 Minority Groups where the increasing diversity of the County is recognised as well as the need for service provision and community facilities which should reflect the varying needs of the community.
- 6.1.3. Chapter 7 relates to **Retail and Town/ Village Centre Management**.
- 6.1.4. Chapter 8 relates to **Tourism**.
- 6.1.5. Chapter 10 relates to **Infrastructure**. The following policy objectives and Development Management Standards are considered to be of relevance to the subject proposal:
 - **TRANS 1:** *Maintain, improve and protect the safety, capacity and efficiency of roads network and associated junctions in accordance with the Spatial*

Planning and National Roads Guidelines for Planning Authorities, DECLG, (2012) and the Trans- European Networks (TEN-T) Regulations.

- **TRANS 14:** This relates to Local Transport Plans – See Development Plan for full wording.
- **TRANS 28:** *Ensure that the provision of adequate parking facilities, including disabled parking, shall form part of the assessment of any application for development in accordance with the standards contained in Table 10.3: Land Use Parking Space Requirements.*

Where it is not possible to provide parking for the proposed development within the site, the matter will be dealt with in accordance with an approved Development Contribution Scheme.

A relaxation of car parking requirement may be considered where a development is located in town centre locations, in close proximity to public transport or for certain types of housing developments such as assisted living units.

- **TRANS 31:** *Ensure that cycle Parking will normally be required in development schemes and the Council shall promote and encourage the provision of cycle spaces in public car-parks and appropriate locations in towns and villages throughout the county. Where appropriate, cycle spaces shall be provided in prominent and secure locations convenient to building entrances.*
- **DM TRANS 10:** This is a Development Management Standard for Cycle Parking – See Development Plan for full wording.

6.1.6. Chapter 12 relates to **Built and Cultural Heritage**. Section 12.3.2. of Chapter 12 relates to Architectural Conservation Areas (ACA) which includes Durrow. The following ACA Development Management Standards are considered to be of relevance:

- **DM ACA 1:** *Development within an ACA*

Ensure that applications for new development within or affecting an ACA (infill development, conversions, alterations, extensions, shopfronts, advertisements) pay attention to detailed matters such as:

- *finishing materials;*
- *rainwater goods;*
- *fenestration details;*
- *any external illumination;*
- *scale, layout, built form, proportions; and*
- *building lines and relationship of proposals to the site and surrounding area.*

The following information is required to be submitted with respect to applications for permission for restoration, refurbishment, demolition development or change of use of buildings /structures with Architectural Conservation Areas (ACA):

- *An Architectural Assessment Report as per the Architectural Heritage the Arts, Heritage and Gaeltacht, carried out by a suitably qualified person;*
- *A comprehensive schedule of proposed work that follows the guidelines set out in the Architectural Heritage Protection: Guidelines for Planning (2011) Department of the Arts, Heritage and Gaeltacht.*

6.1.7. Section 12.3.3. relates to Vernacular Buildings where the reuse and adaptation of existing buildings is stated to be preferable to their demolition and this this should therefore be regarded as the first priority. The following Vernacular Structures Development Management Standards is considered to be of relevance:

- ***DM VS 1: Extension to Vernacular Structures***

All applications for extensions to vernacular structures shall comply with the following criteria:

- *High quality design which respects the character of the existing structure;*
- *The quantity and quality of private open space that would remain to serve the house;*

- *Extensions which break the existing front building line will not normally be acceptable. A porch extension which does not significantly break the front building line will normally be permitted;*
- *Extensions are subordinate to the existing dwelling with a presumption against the size of any extension exceeding 100% of the floor area of the existing dwelling.*

6.1.8. Chapter 13 relates to **General Location and Pattern of Development**. Section 13.2.5 relates to Zoning and includes a Zoning Matrix in Table 13.2. The subject appeal site is zoned 'Town Centre'. The stated Zoning Objective for Town/ Village Centre, as per the said Zoning Matrix is:

- ***Town Centre Zoning Objective:*** *To protect and enhance the special physical and social character of the existing town centre and to provide for and improve retailing and commercial activities.*

6.1.9. The following stated purpose for Town Centre Zoned Lands is also provided in said zoning matrix:

- ***Purpose:*** *The purpose of this zoning is to enhance the vitality and viability of town and village centres through the development of under-utilised land and brownfield sites and by encouraging a mix of uses to make the town and village centres an attractive place to visit, shop and live in. The character of the town and village shall be protected and enhanced.*

The Council will encourage the full use of buildings and backlands; in particular, the full use of upper floors in buildings, preferably for residential use.

6.1.10. As per the said Zoning Matrix, uses which will 'Will Normally be Acceptable' on lands zoned Town Centre include Apartment, Crèche/ Playschool, Guest House/ Hostel/ Hotel, Health Centre, Medical and Related Consultants.

- ***Laois County Development Plan, 2021 to 2027 (Volume 2 – Settlement Strategy)***

6.1.11. Durrow, in terms of Settlement Typology, is identified in the Laois County Settlement Strategy (Table 1.1) as one of a number of Towns and Villages with local service and employment functions. Section 5.2 of Volume 2 specifically relates to Durrow. In

terms of infrastructure capacity, it is stated that Durrow has *'sufficient capacity in terms of both water and waste water to facilitate the development and growth provided for in the lifetime of this plan.'* The following Objectives are considered to be of relevance to the subject proposal:

Built Form and Regeneration:

- **DU 1:** *Preserve and enhance the special character and appearance of Architectural Conservation Area (ACA) by requiring that the height, scale, design and materials of any proposed development within the village and in the surrounding area should complement the character of the village and not diminish its distinctiveness of place. New development shall respond to the individual site context and take due cognisance of adjoining development;*
- **DU 2:** *Encourage redevelopment or restoration of derelict, vacant or underused buildings within the town centre as appropriate and also infill development and backland development; encourage the maintenance and use of all town centre structures, especially the upper storeys to secure their longevity and support vibrancy.*

6.2. National Policy/ Regulations/ Guidance

National Policy/ Guidance

- **Comprehensive Accommodation Strategy for International Protection Applicants (IPAs), 2024**

6.2.1. A new Comprehensive Accommodation Strategy for International Protection Applicants, (IPAs) was adopted in March 2024, by the Department of Children, Equality, Disability, Integration and Youth (DCEDIY). The Strategy recognises the now urgent need to *'..implement a revised approach in order to move from a wholly reactive response, fully reliant on commercial providers, to a planned, mixed-accommodation approach centred on a large, core State-owned supply.'* The strategy notes that a reliance on commercial providers will also continue into the short and medium term, including the commissioning of new emergency accommodation and that as new State owned and permanent commercial accommodation comes on stream the use of this emergency accommodation will reduce. The Strategy intends to end the use of unsuitable accommodation options

currently relied upon, such as the sole hotel remaining in a given town. Standards of Accommodation are set out in the National Standards (Department of Justice, *National Standards for Accommodation Offered to People in the Protection Process Apply to the Living Conditions and Services Provided to Residents Within Accommodation Centres*, 2020). Under the Distribution Model the criteria will take account of a range of factors including current IP and BOTP numbers, population density and availability of public service.

6.2.2. In relation to the delivery of Accommodation Centres by Commercial and Private Providers it is stated that:

- *The utilisation of existing IPAS centres following an assessment of their physical and social infrastructure will be required to improve standards and upgrades in these accommodation settings to meet white paper standards.*

6.2.3. In order to deal with the demand led nature of the system it is stated that '*the commissioning of emergency commercial accommodation will continue to be a feature in the short to medium term*' and that '*it is planned that as the state owned accommodation comes on stream the use of this emergency accommodation will drop.*'

6.2.4. A Near Term Strategy for the delivery of additional accommodation throughout 2024 and into 2025 has been developed which includes the 1) *Conversion of Commercial properties to IP accommodation, with a focus on empty office blocks* and 3) *the Targeted purchases of medium and larger properties in turn key or near turn key condition*. A set of specific Selection Criteria is set out, which in relation to the above categories are as follows:

1. *Areas within a high density of IPs/BOTPs already will be deprioritised*
2. *Target larger urban locations*
3. *End reliance of hotels that are the 'last hotel' or last amenity in a community*
4. *A priority on speed of delivery*
5. *Ensure a cost benefit to the State, especially on purchased properties*

6.2.5. Section 4 of the Strategy relates to with Communications where it is acknowledged that the establishment of new International Protection Support Service is intended to

achieve a more sustainable model of accommodation and supports for IP applicants will take time. The Strategy recognises that there will be a requirement for a broader communication strategy that takes account of the short, medium and long terms goals of the new approach, both targeted – at local community level, and broad-based thematic – at national level. The Communications Strategy notes there will be a strong focus on community and local engagement including engaging directly with elected representatives, relevant Local Authorities, and other entities and individuals and considers this will help to improve the flow of information regarding arrivals into areas and to help equip local communities with the accurate information required to help them understand the current situation, to put in place structures to ensure planning for the provision of essential and support services, like healthcare and education and to assist with the welcome and integration process for new arrivals.

6.2.6. Section 5 of the Strategy relates to Timelines.

6.2.7. Other relevant National Policy Documents include:

- ***Revised National Planning Framework (April, 2025)***
- ***Project Ireland 2040 – The National Planning Framework (NPF)***
- ***Climate Action Plan 2025 (CAP25)***
- ***Ireland's 4th National Biodiversity Action Plan, 2023 to 2030***

Regulations

- ***Planning and Development Regulations, 2001 to 2026, Schedule 2, Part 1 – Exempted Development – General – Class 20F (Subject to Conditions and Limitations in Column 2)***
 - ***Class 20F - Temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate or support displaced persons or persons seeking international protection of any structure or part of a structure used as a school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, hotel, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority***

administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction.

Colum 2: Conditions and Limitations:

1. *The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection.*
2. *Subject to paragraph 4 of this class, the use for the purposes of accommodating displaced persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 2022¹ comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 2001².*
3. *The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than **31 December 2028**.*
4. *Where the obligation to provide temporary protection is discontinued in accordance with paragraph 2 of this class, on a date that is earlier than 31 December 2028, the temporary use of any structure which has been used for the accommodation of displaced persons shall continue for the purposes of accommodating persons seeking international protection in accordance with paragraph 3 of this class.*
5. *The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.*
6. *‘displaced persons’, for the purpose of this class, means persons to whom temporary protection applies in*

accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022.

7. *‘international protection’, for the purpose of this class, has the meaning given to it in section 2(1) of the International Protection Act 2015 (No. 66 of 2015).*
8. *‘temporary protection’, for the purpose of this class, has the meaning given to it in Article 2 of Council Directive 2001/55/EC of 20 July 2001.*

- **Planning and Development (Exempted Development (Act of 2000)) Regulations 2025 (S.I. 648 of 2025)**

- The Planning and Development (Amendment) (No.2) Regulations 2018 - S.I. No. 30 of 2018 - which came into operation on 8 February 2018, provided for an exemption from the requirement to obtain planning permission in respect of the change of use of certain vacant commercial premises, including vacant areas above ground floor premises, to residential use. The regulations are primarily aimed at facilitating the productive re-use of qualifying vacant commercial buildings as homes, while also facilitating urban renewal and the bringing on stream of increased housing supply.
 - The Planning and Development (Exempted Development (Act of 2000)) Regulations 2025 (S.I. 648 of 2025) **extends to 31 December 2028 the exemption given by S.I. 30 of 2018.**
 - The requirements as set out in Letters PL02/2022 and PL 01/2018 when the exemption was introduced and first extended remain in place.
- Revised National Planning Framework (April, 2025)
 - Project Ireland 2040 – The National Planning Framework (NPF)
 - Climate Action Plan 2025 (CAP25)
 - Ireland's 4th National Biodiversity Action Plan, 2023 to 2030

Section 28 Guidelines

- Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), Department of Housing, Local Government and Heritage, (hereafter referred to as 'the Compact Settlement Guidelines')
- The Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009. (including Technical Appendices).
- Architectural Heritage Protection, Guidelines for Planning Authorities, 2011

Additional Non Section 28 Guidelines

- Guidelines for Temporary Accommodation in Existing Buildings - Single Persons & Family type Accommodation, (Revised June 2023 and updated October 2023). (Temporary Accommodation Guidelines). The revised version comes into effect for projects which are commencing design phase after 16th June 2023.

National Standards

- Department of Justice, National Standards for Accommodation Offered to People in the Protection Process Apply to the Living Conditions and Services Provided to Residents Within Accommodation Centres, 2020.
 - The above Standards are centred around 10 no. Themes, including Theme no. 4 (Accommodation) and Theme no. 7 (Individual, Family and Community Life).
 - **Theme no. 4 (Accommodation)** includes a total of 9 no. standards.
 - **Standard 4.2** which states '*the service provider makes available accommodation which is homely, accessible and sufficient furnished*' and provides 13 no. indicators which, of particular relevance to the subject proposal, include:

- **4.2.2: Minimum Space Requirements.** *A minimum space of 4.65m² for each resident per bedroom is provided for each resident. Additional space may be required for persons with disabilities.*
- **4.2.3: Ceiling.** *Each bedroom has a minimum ceiling height of 2.4m.*
- **4.2.4: Space:** *Bedrooms are provided with sufficient space to cater for the identified needs.*
- **4.2.5: Fittings:** *Fixtures and fittings in bedrooms meet the identified needs of residents.*
- **4.2.6: Guidelines for the bedroom.** *In line with Department of Housing, Planning and Local Government Guidelines, the bedroom:*
 - (a) Facilitates the range of activities likely to be carried out;*
 - (b) Offers adequate floor area;*
 - (c) Is well-proportioned in terms of footprint outline;*
 - (d) Provides good-quality living environments for residents;*
 - (e) Adequately accommodates appropriate furniture and equipment while allowing free circulation within that area;*
 - (f) Receives sufficient natural light.*
- **4.2.9: Bedrooms.** *Shared bedrooms for single persons contain a television, appropriate seating and table and for each person a single bed, a wardrobe/chest of drawers and a small lockable unit.*

- **Theme no. 7 (Individual, Family and Community Life)** includes a total of 4 no. standards.
 - **Standard 7.2** states *'The service provider ensures that public services, healthcare, education, community supports and leisure activities are accessible to residents, including children and young people, and where necessary through the provision of a dedicated and adequate transport service'* and provides 7 no. indicators which, of relevance to the subject proposal, include:
 - **7.2.1: Access to Services:** *The service provider facilitates easy and safe access to local recreational, educational, medical, health and social care, religious and other services.*

6.3. Natural Heritage Designations

- 6.3.1. The site is not located within or adjacent to any designated sites. The closest European Sites are as follows:
- River Barrow and River Nore SAC (Site Code 002162) c. 138 metres to the north;
 - River Nore SPA (Site Code 004233) c. 172 metres to the north.

7.0 EIA Screening

- 7.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

8.0 The Appeal

8.1. Grounds of Appeal

8.1.1. The decision of the Local Authority to Grant planning permission is the subject of 2 no. Third Party Appeals, as follows

- Durrow Community Council
- Durrow Development Forum

8.1.2. The main issues raised in the Appeals can be summarised, as follows:

Durrow Community Council

- Excessive Density/ Contrary to the Compact Settlement Guidelines
- Available Guidance indicates that the Refugee Accommodation Should be Directed to Large Towns
- Lack of Car Parking/ Lack of Bike Parking as per requirements of DM TRANS 10/ Premature nature of Development pending a Local Transport Plan for Durrow and Environs as per TRANS 14. Proposals will lead to further congestion contrary to TRANS 31.
- Sub-Standard Accommodation
 - A number of significant standards and indicators of the National Standards (Department of Justice & Equality National Standards for Accommodation Offered to People in the Protection Process) are not achieved by the proposed development. This will result in a grossly inadequate standard of accommodation and amenity for future occupants.

Durrow Development Forum

- Inadequate Infrastructure (Water and Wastewater) Capacity – Premature Development.
- Overdevelopment of a Small Town and Conflict with Settlement Strategy. As per Appeal Ref. No. ABP-312541-22 permission was refused for overdevelopment inconsistent with the settlement strategy. The development

therefore represents a Material Contravention of the Laois County Development Plan, 2021 - 2027.

- **Traffic, Access and Parking Deficiencies.** The proposal has no Car Parking, no Traffic Impact Assessment, no Road Safety Audit and fails to comply with the provisions of the Design Manual for Urban Roads and Streets. As per Appeal Ref. No. ABP-310642-21 permission was refused for a lack of traffic assessment and inadequate access. The proposal will increase traffic and pedestrian movements, will lead to unsafe access arrangements and will intensify existing congestion and therefore represents a substandard form of development from a roads and safety perspective. The Local Authority has not properly assessed this issue. The provision of cycle parking as per Condition 8 is inadequate and does not address the shortfall in car parking and associated traffic safety implications.
- **Impact on Architectural Conservation Area (ACA).** Permission was refused under Appeal Ref. no. ABP-300343-17 due to adverse impact on the character of the ACA. The proposed high density development is out of character with the ACA, is inconsistent with established mixed uses and would be detrimental to the overall integrity of the ACA.
- **Failure to Properly Assess Social Infrastructure Capacity.** The Local Authority has failed to adequately assess the receiving local service and social infrastructure capacity of the area. The information presented is misleading and inadequate.
- **Failure to Consider Wider Cumulative Development within Durrow.** The proposals fail to align with the settlement hierarchy and scale of growth envisaged for Durrow.

8.2. Applicant Response

8.2.1. The Applicant submitted a Response to the Third Party Appeals, the main points of which can be summarised, as follows

- Durrow Community Council
 - Excessive Density/ Contrary to the Compact Settlement Guidelines. The proposed development is a temporary permission that once expired can return to guesthouse use. Counting every 4 bedspaces as 1 unit is not applicable.
 - Available Guidance indicates Refugee Accommodation Should be Directed to Large Towns. The Appellant refers to *the Temporary Accommodation Guidelines, 2022*. The relevance of the right location is highlighted in said Guidelines, i.e. being within safe walking distance or public transport access and accessible to relevant services. The Applicant submits the proposed development is centrally located, is proximate to services and that this is supported by the submitted Community Audit. The Applicant refers to Section 5.2.2.3 of the Laois County Development Plan which relates to Durrow and references its well-established social and community infrastructure. The Applicant refers to the Department of Justice, National Standards for Accommodation Offered to People in the Protection Process Apply to the Living Conditions and Services Provided to Residents Within Accommodation Centres, 2020 and Standard 7.2 in particular which deals with accessibility to public services and transport. The Applicant submits that the proposed development is within walking distance of all social infrastructure and public transport is available within Durrow to larger settlements. The Applicant further submits that when the Centre is in use a transport plan is intended to be prepared.
 - The Applicant intends to comply with condition no. 8 relating to Cycle Parking. Owing to the central location, active travel modes have been deemed appropriate. Additional transportation will be provided where required in accordance with national guidance (Department of Justice). Residents will be relying on active travel measures and private bus

services. The proposal will not therefore impact existing congestion in Durrow.

- Inadequate Standard of Accommodation. As per Figure 1, the Applicant submits the proposals satisfy the recommended accommodation standards as set out in the Department of Justice National Standards.
- Durrow Community Forum
 - Inadequate Infrastructure Capacity/ Premature Development. Uisce Eireann, The Roads Department and Water Services did not provide a Report although they were requested to do so. No significant infrastructure constraints were therefore identified. Conditions 4 & 5 ensure the development complies with infrastructure requirements. The Applicant is unsure how case ref. no. ABP-305701-19 relates to the subject case.
 - Overdevelopment of a Small Town/ Conflict with Settlement Strategy. The Applicant submits the proposed development is temporary and that it can return to use as a guesthouse once the proposed use has expired. The proposal is not high density. As demonstrated in the Community audit, the surrounding area is already well served by infrastructure. The proposed development will only see a population increase of 33 persons which equates to 2.4% which is below the projected growth for the period 2021 to 2027 of c. 9%. Even together with the other proposal at Peadar's Bar, the overall population will only increase by 4.8%.
 - Traffic, Access and Parking Deficiencies. The Applicant refers to Section 5.4.1 of DMURS and submits a Road Safety Audit is not required as there are no changes to the existing road network or any vehicular entrance/ parking. No additional parking is proposed under the subject development as the proposed use does not require parking. The proposed development will therefore not add to the parking experience in Durrow. The development will focus on active travel modes and transportation will be arranged in consultation with the residents once the centre is occupied.
 - Impact on Architectural Conservation Area. The special character and of Durrow Architectural Conservation Area (ACA) will be enhanced by the

proposed development as it will result in the preservation of an historic building, line, façade and also serve to restore an underutilised building in the historic town core. The proposal is compliant with Objective DU 2 of the Development Plan.

- Failure to Properly Assess Social Infrastructure Capacity. The Applicant refers to the Community Audit and its conclusions and notes that it considered the cumulative impact of both IPAS Centre proposals. The Applicant again refers to Section 5.2.2.3 (Social and Community Infrastructure) of the Development Plan and considers that this, together with the findings of the submitted Community Audit, indicate that Durrow is well served by Social Infrastructure facilities and that the addition of the proposed development will not place a strain on said existing facilities.
- Fundamental Errors in the Planners Report and Failure to Properly Assess the Development. The Applicant submits that the Local Authority has suitably assessed the proposed development against relevant planning policy as per the Applicants submitted Reports. The reference to high density residential use is inappropriate.
- Failure to Assess Cumulative Impact and Overdevelopment of use. The Local Authority is fully aware of the 2 no. Applications and this is reflected in both decisions. Neither the applicant nor the Local Authority have ignored the fact the two developments should be assessed cumulatively.
- Failure to Consider Wider Cumulative Development with Durrow. The Applicant considers that the Local Authority has considered the cumulative impact of both proposals together with the housing development on Carrigan Street/ Derry Road and submits that both developments are relatively small and should not put pressure on existing services. The Applicant also submits that the submitted Community Audit shows that existing facilities can adequately cater for what is proposed in the application.

8.3. Planning Authority Response

- None

8.4. Observations

8.4.1. A total of 29 no. Observations were received from the following:

- Brian Stanley T.D. & Cllr. Caroline Dwayne Stanley,
- Cllr Oliver Clooney,
- Carmel Murphy and Evelyn Clancy, Fred and Liz Townsend, Mary Brophy, Patrick and Siobhan Dwyer, Sarah Dempsey, Fiona Jacob and Others, Shane and Terri Dunne, Seamus Campion, Margaret Aylward & Others, Brandon McPherson, Catherine Fitzpatrick, Ruth Campion and Michael Moran, Nicky Cashin, James and Mary Monahan, Larry and Julie Fitzpatrick, Margaret Nevin, Bernadette Nevin, Liam and Kay Clancy, Susan Lawlor, Maria Harte, Mary Doogue, Mary Donohue, Amy Lalor, William & Linda Hastings, Craig and Ciara Ince, Angela Walsh, PJ and Marian Aylward.

8.4.2. All 29 no. Observations are in objection to the proposed development. The majority of issues raised by the Observers are covered in the grounds of appeal. Additional issues raised by the Observers can be broadly summarised as follows:

- Department of Justice has confirmed they are not examining the proposal for use and that there is spare capacity in larger centres under its control.
- Government Policy is to house IPAS residents in a small number of large centres as stated by numerous Govt. Ministers
- A number of rooms are understood to have no natural light
- The Local Primary School is at capacity
- There is limited access to basic Primary Care
- Delay by the Local Authority in publishing the Appeals
- Fire Safety and Emergency Vehicle Access (See Condition no. 3)
- Lack of Public Transport
- Lack of Community Engagement
- Impact on Residential Amenity contrary to Policy DM R3
- Noise Impact and General Disturbance

- Impact on Tourism and Economic Development
- Environmental Impact
- Biodiversity Impact
- Lack of Support Services, Potential Social Isolation for Future Residents including Potential Lack of Community Integration
- Failure to Provide Adequate Information
- Lack of any Engineering Assessment in relation to Wastewater Loading or any documented engagement with Uisce Eireann
- Inadequate Response to Point no's 1-6, 8 and 9 of the Request for Further Information
- Adequacy of Applicants Planning Report (in relation to Intensification, Vacant Building, Low Density, Modest Scale, ACA Town Centre Compliance)
- Inadequate Community Audit (Generic Material in Place of Proof)
- Failure of Local Authority to Properly Engage with Material Planning Objections (129 no.)
- Inadequacy of the Proposal as evidenced by the attachment of Conditions such as 3,4,5 and 8
- Unresolved Material Contradictions relating to the correct development description, the status of the property (i.e. Vacant or Occupied), the number of occupants, and whether the proposal intensified the site's use.

8.5. Further Responses

- None

9.0 Assessment

9.1. Introduction

- 9.1.1. The subject proposal relates to a town centre site which was previously in use as a Public House (Lennon's Bar). Permission was previously granted under planning reg. ref. no. 24/60198 to Retain a Change the use of the existing Bar on the ground Floor and Private Accommodation on the First Floor for use as a Guesthouse/ Hostel on both ground and first floor, retention of a rear extension and detached toilet block.
- 9.1.2. Condition no. 4 of planning reg. ref. no. 24/60198 stipulated, inter alia, that '*..no change of use shall take place without a prior grant of planning permission..*'. The Applicant subsequently applied for a Section 5 Declaration, as case reference no. S5/2024/58 refers. The Local Authority determined that the proposed works, i.e. *an existing guest house/ hostel to be used as a residence for International Protection Applicants* constitutes development and is NOT EXEMPTED DEVELOPMENT.
- 9.1.3. The Applicant lodged the subject application on 10th July 2025.
- 9.1.4. A concurrent application and appeal, ref. no. PL-501199-LS-26 on a nearby site, c. 33 metres to the south of the subject appeal site and for a similar development proposal to that of the subject appeal, was lodged with the Commission on 17th April 2026 and awaits decision. The Applicant is the same in both cases.
- 9.1.5. Having examined the appeal details and all other documentation on file, including the observations received in relation to the appeal, and inspected the site, and having regard to relevant policies and guidance, I consider that the main issues in this appeal are as follows:
- Zoning
 - National Policy, Standards and Guidelines
 - Social and Community Infrastructure
 - Density and Population Increase
 - Qualitative Standards
 - Traffic and Parking
 - Access for Emergency Vehicles and Fire Safety

- Architectural Conservation Area (ACA)
- Residential Amenity
- Tourism and Economic Impact
- Water and Wastewater Infrastructure Capacity
- Response to Further Information
- Conditions 3, 4, 5 and 8
- Other Matters
 - *Lack of Community Engagement*
 - *Material Contravention*
 - *Delay by the Local Authority in publishing the Appeals*

9.2. Zoning

- 9.2.1. The subject Appeal Site is zoned Town Centre as per the Land Use Zoning Map for Durrow (Map 5.2 a)) of the Laois County Development Plan, 2021 to 2027. The Town Centre Zoning Objective is *'to protect and enhance the special physical and social character of the existing town centre and to provide for and improve retailing and commercial activities.'* As per the Land Use Zoning Matrix in Table 13.3 of the Development Plan, Guest House, Hostel and Hotel are identified as uses which *'Will Normally Be Accepted'* on lands zoned Town Centre. Uses *'Are Open for Consideration'* include Dwelling, Nursing Home/ Sheltered Housing. There is no express category for IPAS Accommodation within said Zoning Matrix. Having regard to the foregoing and subject to adherence to the above Zoning Objective and normal planning and environmental considerations, it is my opinion that the proposed development, as presented, represents a use which is acceptable in principle on lands zoned Town Centre.

9.3. National Policy, Standards and Guidelines

- 9.3.1. I note the Comprehensive Accommodation Strategy for International Protection Applicants (IPAs), which was adopted in March, 2024. The Strategy is summarised above in Section 6.0 of this Report. The proposed development, which seeks permission to change the use of the existing permitted guesthouse/ hostel for

accommodation to be used for persons seeking international protection, in my opinion, broadly aligns with the general principle of the Strategy which is to provide accommodation for IPAS applicants.

- 9.3.2. Standards of Accommodation are set out in the National Standards (Department of Justice, *National Standards for Accommodation Offered to People in the Protection Process Apply to the Living Conditions and Services Provided to Residents Within Accommodation Centres*, 2020) and are discussed further below. Under the Distribution Model the availability of public services is seen as a key consideration. Section 9.6 below deals with Social and Community Infrastructure.
- 9.3.3. It is noted the Appellant refers to Guidelines for Temporary Accommodation in Existing Buildings for those fleeing the war in Ukraine - Single Persons & Family type Accommodation, May, 2022. The said Guidelines have since been revised. As the proposed development seeks permission to change the use to provide accommodation for IPAS applicants, the applicable standards to the assessment of this Appeal are the National Standards, 2020, as referenced above.

9.4. **Social and Community Infrastructure**

- 9.4.1. I note as part of the Response to point no. 9 of the Request for Further Information, the Applicant submitted a Community Audit. The Applicant refers to the document as a Social and Community Infrastructure Audit/ Assessment (SCIAA) and includes reference to Appendix 9 (Infrastructure Audit) of the Laois County Development Plan, 2021 to 2027. I note Appendix 9 of the Development Plan and I have reviewed the said Community Audit.

- *Local Primary School Capacity*

- 9.4.2. I note the concerns expressed in the Appeal Observations where it is stated that the Local Primary School is at capacity and, as recently confirmed by the school, is not in a position to enrol additional pupils. The Applicant anticipates the subject proposal will create a demand for 4 no. primary school places. This calculation does not include the concurrent appeal (ref. no. PL-501199-LS-26) where the Applicant anticipates additional demand for a further 4 no. school places. Based on the Applicants calculations, the combined proposals therefore generate a total of demand for 8 no. primary school places.

- 9.4.3. I note published information on the Government website for the enrolment year (2025/2026) indicates there to be 192 no. places in the Local Primary School, a reduction of 4 no. places from 2024/2025 (196 no. places as referenced by the Applicant). This, in my opinion, appears to indicate there is at least some existing capacity, i.e. 4 no. places based on the 2025/2026 enrolment figures.
- 9.4.4. As raised by one of the Appellants however, there is no apparent allowance in the Applicant's Assessment of Local Primary School Capacity for a nearby approved Local Authority Housing Development of 28 no. Social Housing Units, which I understand is still under construction. With or without the subject IPAS development therefore, demand for local primary school places is likely to increase into the future, owing to the likely additional demand created by the said new housing development.
- 9.4.5. The availability of Local Primary School places would typically be determined on a case by case and first come first served basis. As the subject appeal site is already developed as a Guesthouse/ Hostel, I would anticipate, in the event of a Grant of permission being issued and having regard to the nature of the proposed development, that any requirement for the anticipated 4 no. Primary school places would be created in the short to medium term owing to the limited extent of works required to provide the subject premises as IPAS Accommodation. As noted above, at the time of writing this Report, the aforementioned housing development is understood to be still under construction. It is therefore my opinion that there is likely to be short to medium spare capacity at the local Primary School to cater for the anticipated maximum demand created by the subject proposal, i.e. 4 no. places.
- 9.4.6. Where a demand for school places arises as a result of the subject proposal, and it is found there is no spare immediate spare capacity in the local primary school, the potential spare capacity of other primary schools in the wider area could then be reviewed. In this regard, I estimate there are 5 no. separate primary schools within a 7.5 km radius of the subject appeal site and a further 3 no. within 10 km of the site. It is accepted that this would however not allow for residents to walk to the local school and would require school transport which would not, in my opinion, represent an optimum scenario.

- *Local Health Facilities*

9.4.7. The Applicant refers to existing health facilities within proximity of the subject appeal site comprising 1 no. Pharmacy, 1 no. GP and 1 no. Health Centre. A concern is raised in the one of the Appeal observations that there is limited access to basic Primary Care in the area and that 1 no. GP is already shared with other surrounding villages. The Applicants Assessment has not extended to a review of the capacity of each to the said referenced health facilities. I would note however that this is not referenced as a specific requirement of the National Standards.

9.4.8. Based on the average population size of 2.74 persons per household from the 2022 census, I estimate the proposed development, which has a capacity to accommodate 33 no. persons, equates to c. 12 no. dwellings. An increase of the equivalent of 12 no. dwellings to the existing housing stock and the resultant increase in population would not, in my opinion, be overly significant having regard to normal anticipated growth levels for a settlement of its size. Although it is accepted to be likely that existing GP service may have limited existing capacity, it is my opinion that the scale of the proposed development alone is not such that it would give rise to a dramatic or significant increased demand upon said existing GP services. I note, in any case, that the proposed development is likely to be for a temporary period and that permission has already been granted for the use of the subject building as a Guesthouse/ Hostel. The additional demand upon existing GP services that the proposed development would likely generate would be in the short to medium term as opposed to the medium to longer term for the concurrent proposal.

9.4.9. In summary and having regard to the foregoing, I consider the proposed development, as presented, to be acceptable in terms of its anticipated impact upon local health services, particularly since such demand is likely to arise in the short to medium term and the scale of development proposed would not be out of keeping with normal anticipated growth levels for a settlement of this size.

- *Childcare Facilities and Local Sports and Recreation Facilities*

9.4.10. I do not dispute the findings of the Applicant in relation to the likely spare capacity of the Local Childcare Facilities and Local Sports and Recreation Facilities to cater for the needs of the proposed development and I am satisfied that the Applicant has

suitably demonstrated there is sufficient capacity in such existing facilities to cater for both the proposed development and, indeed the concurrent proposal presented under appeal Ref. no. PL-501199-LS-26.

- *Conclusion on Social and Community Infrastructure*

9.4.11. Having regard to the foregoing, it is my opinion that there is sufficient spare Social and Community Infrastructure capacity in the area to cater for the subject proposal.

9.5. **Density and Population Increase**

- *Density*

9.5.1. I note the concerns of the Appellant in relation to the density of the proposed development. The Appellant refers to the Compact Settlement Guidelines, 2024, where it is stated that *‘when calculating net densities for shared accommodation, such as student housing, four bed spaces shall be the equivalent of one dwelling.’* The Appellant considers the proposed development equates an approximate residential density of c. 50 dwellings per hectare. The proposed development, in my opinion, is not directly comparable to Student Accommodation and I therefore do not consider the calculation of a residential density of 4 bedspaces to 1 residential unit to be applicable in this instance. The proposed development is instead 1 no. unit with 10 no. bedrooms. Therefore, in my view, the proposed density and intensity of development is appropriate for this town centre context.

9.5.2. I note one of the Appellants refers to a precedent appeal case ref. no. 312541-22. This said case reference relates to an unrelated form of development in an entirely different setting and, in my opinion therefore, bears little or no relevance to the subject proposal.

- *Population Increase*

9.5.3. The Appellant refers to the Temporary Accommodation Guidelines and acknowledges that while the subject application is not seeking permission for temporary accommodation of the type referenced in the said Guidelines, the recommendations contained therein are useful in determining an appropriate location for accommodation. In relation to the current population the guidelines state that *‘there should be a general objective not to disproportionately alter the balance of established communities; anything in excess of 5% of the current population should*

be very carefully assessed.' The Appellant submits that the subject proposal together with the concurrent proposal, Appeal Ref. No. PL-501199-LS-26, equates to 67 persons and that this represents a population increase of 7% for Durrow. I agree with this figure of 7% which appears to be derived from the 2016 population figure of 835 persons for the urban area of Durrow, as referenced in the development plan, and the 2022 Census figure of 946 persons for the same urban area. Although the said Temporary Accommodation Guidelines and the recommendations contained therein are not directly applicable to the subject proposal, a cumulative increase in population for both proposals, at 7%, in my view, is not insignificant and exceeds the 5% recommendation for what is a similar form of development.

- 9.5.4. The proposed development, by itself, has capacity for 33 no. persons which I estimate equates to an increase of c. 3.5% based on the 2022 census figure for the urban area of Durrow (946 persons) and is not, in my opinion, overly significant having regard to the size and scale of the existing settlement. I also note that permission has already been granted at the subject premises under planning reg. ref. no. 24/60198 for use as a Guesthouse/ Hostel and that there are no substantial redevelopment works proposed under the subject application and appeal. Having regard to the foregoing, and the recommended population threshold of 5% for a similar form of development, it is my opinion that a proposed population increase of c. 3.5%, as presented under the subject application and appeal would be acceptable.

9.6. Qualitative Standards

- *Natural Light*

- 9.6.1. Section 4.2.6 of the National Standards (*Accommodation Offered to People in the Protection Process Apply to the Living Conditions and Services Provided to Residents Within Accommodation Centres, 2020*), (*the National Standards*) relates to 'Guidelines for the Bedrooms'. Item f) of same refers to '*sufficient natural light*'.
- 9.6.2. The principle for Bedrooms labelled no. 1, 2, 3, 5, 6, 8 and 10 for use as bedrooms for overnight accommodation (Guesthouse/ Hostel) is already established under planning reg. ref. no. 24/60198. These said Bedrooms are all served by an existing window positioned on an external wall. The windows serving Bedrooms no. 5, 6 & 8 open onto a covered side access. Although the said covered access somewhat restricts the extent of natural light entering these said bedrooms, I am satisfied that

the extent of natural light remaining would be acceptable. I am also satisfied that the bedrooms labelled no. 1, 2 & 3 receive sufficient natural light. Bedrooms labelled no. 9 and 10 on the first floor would similarly receive sufficient natural light. Bedrooms labelled no. 4 and 7 on the submitted plans do not have a window to an external wall but are instead each served by an existing roof light. The principle for the use of these said 2 no. bedrooms for overnight accommodation (Guesthouse/ Hostel) is similarly already established under said previous permission, reg. ref. no. 24/60198. It is my opinion that each of these said bedrooms would likely also receive sufficient natural light. I am satisfied that each of the 10 no. bedrooms proposed would receive sufficient natural light as per the requirements for same set out in Section 4.2.6 of the National Standards.

- *Bedroom Floorspace/ Ceiling Height*

9.6.3. I note the Applicant's Accommodation Compliance Sheet as well as the submitted plans. As per the above National Standards (Section 4.2.2) the Minimum Space Requirement for each resident per bedroom is 4.65 sqm. The Applicant has, in my opinion, demonstrated that each of the 10 no. bedrooms exceeds this minimum per person floor space. Similarly, each of the 10 no. bedrooms is shown to have a minimum ceiling height of 2.4 metres as per Section 4.2.3 of the National Standards. The Applicant has therefore also satisfied this element of the standards in relation to bedroom ceiling heights.

- *Food Catering and Cooking Facilities*

9.6.4. Theme 5 of the National Standards relates to Food, Catering and Cooking Facilities. I note it is proposed to provide 1 no. Shared Kitchen/ Dining room (23.8 sqm), a Living Room (20.7 sqm) and a separate Dining Room (23 sqm) to cater for the indicated capacity of 33 persons. As there is a self-catering option provided, it is my opinion, that the proposed development, as presented, is compliant with the provisions of Theme 5 of the National Standards.

9.6.5. The remaining themes (6 to 10) of the National Standards are post planning requirements and not, in my view, of particular relevance to the assessment of the subject appeal.

- *Conclusion on Qualitative Standards*

9.6.6. Each of the 10 no. bedrooms proposed would receive sufficient natural light and are of sufficient size and ceiling height. By providing a self-catering option, the Applicant has demonstrated compliance with Theme 5 of the National Standards relating to Food, Catering and Cooking Facilities. I am satisfied that the Applicant has suitably demonstrated compliance with the National Standards.

9.7. **Traffic and Parking**

9.7.1. I note the concerns raised in the Appeals in relation to Traffic, Access and Parking. The subject appeal site and associated rear yard area can be accessed via an existing gated vehicular entrance from Mary Street. The Applicant has not proposed any on-site Car Parking. There are 10 no. bedrooms proposed. Car Parking Standards are set out in Table 10.3 of the Laois County Development Plan, 2021 to 2027 where a Car Parking Standard of 1 space per bedroom applies to Hotels, B&B's and Guesthouses subject to a note which states the following:

- Note:
 - *Bars and lounges, dancing areas, accommodation and function rooms to be calculated separately. Any development type not listed above shall be determined by the Planning Authority.*
 - *Where settlements are covered by a Local Area Plan or Village Policy Statement, the provision for parking shall comply with the relevant document*

9.7.2. There is no specific Car Parking Standard set out in the Development Plan for IPAS centres. I note, as per the nearby concurrent application and appeal, planning reg. ref. no. 25/60418 (appeal ref. no. PL-501199-LS-26), that no Car Parking spaces are similarly proposed.

9.7.3. I note as per the Department of Justice & Equality, National Standards, the issue of Car Parking is not referenced and that the availability of a transport service which meets the reasonable needs of residents, is set out as an Indicator (7.2.2) for Standard 7.2. I am satisfied, having regard to the type of accommodation proposed, the presence of existing of on-street car parking and a dedicated public car parking

at the Square, further to the north, that the non-provision of dedicated Car Parking at the subject appeal site would be acceptable in this instance.

- 9.7.4. I note Condition no. 8 of the Notification of Decision to Grant permission relates to the provision of Bicycle Parking Spaces in accordance with relevant standards set out in the Laois County Development Plan, 2021 – 2027. In my opinion, such a condition or similar, would not be untypical in similar scenarios and would serve to encourage active travel.
- 9.7.5. In reaching the above conclusions, I have had regard to various Development Plan Transportation Policy Objectives referenced in the Appeals including TRANS 8, TRANS 14, TRANS 28, TRANS 31 and DM TRANS 10. I have also had regard to the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities, 2012, which in my opinion is not of particular relevance to the subject proposal owing to the limited traffic and transportation issues arising. I further consider, for the same reasons, that a Traffic Impact Assessment is not required.

9.8. Access for Emergency Vehicles and Fire Safety

- 9.8.1. I note a concern is raised in one of the appeal observations in relation to access for Emergency Vehicles. There is existing direct pedestrian access to the ground and first floor of the building from the Mary Street, as well as access from the side access laneway and 2 no. access points to the rear. In this regard, I would have no concerns in relation to Ambulance access to the building in the case of an emergency. Similarly, I would have no concern in relation to access to the front, side and rear of the building from Main Street in the case of Fire as a Fire Tender could readily park on Mary Street and all entrances are within c. 45 metres of this location. The issue of Fire Tender Access would therefore, in my opinion, not appear to be a serious constraint on development and appears to be acceptable in principle.
- 9.8.2. The issue of Fire Tender access however forms part of the requirements for a Fire Safety Certificate. I note the Chief Fire Officer provided a Report in relation to the subject application which states '*i) Laois Fire Authority did not assess this application*' and '*ii) The Fire Authority recommends that the Applicant's be informed that they are to comply with all relevant Building Regulations and all relevant Building Control Regulations. Note: LCC Building Control Department may be consulted on same.*'

9.8.3. The issue of compliance with Fire Safety Standards/ Building Regulations would be evaluated under a separate legal code and thus need not concern the Commission for the purposes of this appeal.

9.9. Architectural Conservation Area (ACA)

9.9.1. Under planning reg. ref. no. 24/60198, planning permission has already been granted for retention of the rear extension (60 sqm), retention of a rear toilet block (31 sqm) and retention of a Change of Use of the existing bar on the ground floor and private accommodation on the first floor for use as a guesthouse/hostel on both ground and first floor. I have reviewed the plans and drawings submitted with planning reg. ref. no. 24/60198 and I have compared them to the plans and drawings submitted under the subject application and appeal. The subject application and appeal is solely focused on a proposed Change of Use of the permitted Guesthouse/Hostel permitted under Reg. Reg 2460198, for accommodation to be used for persons seeking international protection.

9.9.2. I note ACA Development Management Standard DM ACA 1 which is concerned with ensuring that applications for new development within or affecting an ACA (infill development, conversions, alterations, extensions, shopfronts, advertisements) pay attention to details matters such as finishing materials, rainwater goods, fenestration details, any external illumination, scale, layout, built form, proportions, and building lines and relationship of proposals to the site and surrounding area. In addition to specific design matters referenced, the Development Management Standard (DM ACA 1) also states that certain information is required to be submitted with respect to applications for permission for restoration, refurbishment, demolition development or change of use of buildings / structures with Architectural Conservation Areas (ACA), namely An Architectural Assessment Report as per the Architectural Heritage Protection: Guidelines for Planning Authorities (2011) Department of the Arts, Heritage and Gaeltacht, carried out by a suitably qualified person and a comprehensive schedule of proposed work that follows the guidelines set out in the Architectural Heritage Protection: Guidelines for Planning (2011) Department of the Arts, Heritage and Gaeltacht.

9.9.3. The proposed development, as presented, which includes an existing building of heritage value within the ACA is not accompanied by An Architectural Assessment

Report nor indeed a comprehensive schedule of proposed work which follows the Architectural Heritage Protection: Guidelines for Planning Authorities (2011). However, as the principle for the existing structure, as extended, is already established under planning reg. ref. no. 24/60198 and as the subject proposal solely relates to a Change of use of said structure which relates to the type of residential accommodation proposed, I am satisfied that no significant Architectural Heritage issues arise under the subject application and that therefore the principle of the proposed development, as presented, is acceptable from an Architectural Heritage perspective.

9.10. Residential Amenity

- 9.10.1. The impact of the proposed development upon established residential amenity is raised in the Appeal Observations. Reference is made, in particular, to Policy DM 3, stated to designed to protect the residential amenity (quality of life) of existing neighbours. It is stated that the proposals could lead to issues like overshadowing, noise, or loss of privacy for the adjoining properties on Mary Street. I can find no specific Policy DM 3 in the Development Plan. I note this said policy relates to the previous Development Plan.
- 9.10.2. In my opinion, owing to the low rise nature of the proposed development, the former use of the subject appeal site as a public house, the established use of the subject appeal site as a guest house, that it would not result in any discernible loss of privacy and would not give rise to any overshadowing of neighbouring property. Anticipated noise levels would not, in my opinion, be untypical or excessive for an inner urban setting. In this regard, it is my opinion that the proposed development, as presented, would be acceptable in terms of its impact upon the established residential amenities of the area.

9.11. Tourism and Economic Impact

- 9.11.1. The issue of the potential impact of the proposed development upon Tourism and Economic Development, as per Chapter 8 of the Development Plan, is raised in one of the Appeal Observations where it is submitted that the proposals will result in a loss of a guesthouse/ hostel from the towns inventory.
- 9.11.2. While, the proposed development, as presented, would indeed result in the loss of permitted guesthouse accommodation, it would nonetheless likely be for a temporary

period. I note the town is already well served in terms of tourist accommodation in the form of 2 no. existing hotels proximate to the subject appeal site. In this regard, I would not anticipate that any loss of tourism, arising as a result of the proposed development, would be significant or sustained over a long period of time. The tourism impact of the proposed development therefore, in my opinion, would be acceptable in principle. The re-use of a previously vacant property, in my view, would in principle present a positive, as opposed to a negative, economic benefit for the wider area.

9.12. Water and Wastewater Infrastructure Capacity

9.12.1. I note the concerns of the Appellant in relation to existing Water, Wastewater and Surface Water Infrastructure Capacity. Section 5.2 of Volume 2 – Settlement Strategy of the Laois County Development Plan, 2021 to 2027, relates to Durrow where it is stated that Durrow has *‘sufficient capacity in terms of both water and waste water to facilitate the development and growth provided in the lifetime of this plan’*. I note the Application was referred to Uisce Eireann and that a Response was not received. I note as per the Wastewater Treatment Capacity Register, which is an online register updated by Uisce Eireann and is freely available to access, that the Durrow WWTP (D0289) has a Green Status which means there is spare capacity available. Having regard to the foregoing, and in the absence of any definitive information to the contrary, I am satisfied that there is adequate water and wastewater capacity to cater for the proposed development.

9.12.2. The Appellant refers to a previous Appeal case, ref. no. ABP-305701-19 and states this was refused due a lack of confirmed wastewater capacity. This said Appeal relates to a Strategic Housing Development in Naas, County Kildare, which was Granted on Appeal. The said development was not refused due to a lack of confirmed wastewater as stated by the Appellant.

9.13. Response to Further Information

9.13.1. One of the Observers to the Appeal considers the Applicants’ Response to certain points of the Request for Further Information and the Assessment of same by the Local Authority is inadequate. The specific concerns are raised in respect of Point no’s 1 to 6, 8 and 9 of the Request for Further Information. I have reviewed the Request for Further Information and the assessment of same by the Local Authority,

particularly the reference items. The Applicant has, in my opinion, suitably addressed the queries raised under points 1 and 2 of the Request for Further Information, which pertain to Accommodation Standards and the status of any contracts for IPAS Accommodation with the Department of Justice.

9.13.2. Point no. 3 is concerned with the proposed development description presented in the public notices. I note the Applicants' Response to this issue which essentially clarifies the nature of the proposed development and in my opinion, has suitably addressed the issue raised.

9.13.3. Point no. 4 of the Request for Further Information again related to the Public Notices and the accuracy of same where the Local Authority expressly referred to the use of the property either partly or completely to house displaced persons from the Ukraine in which case the property may already be used in this capacity and the public notices may therefore be incorrect as a result. In Response, the Applicant states *'the property currently only has the owner living in the property in the first-floor level, we would note that Ukrainian residents would be currently accommodated in the former Peadar's Bar, and not the subject property and we believe this is where the confusion is.'* Although at least one of the ground floor bedrooms appeared to be occupied at the time of my site inspection, I cannot confirm whether or not this would contradict the above statement by the Applicant and I therefore accept said statement to be true. I am also conscious of the fact that planning permission is already in place for the use of the subject premises as a Guesthouse/ Hostel, as planning reg. ref. no. 24/60198 refers. In my opinion, the Applicant suitably addressed the issues raised.

9.13.4. Point no. 5 poses a similar question to that of Point no. 4 relating to the stated vacancy of the property. The Applicant provided a similar response. I refer to my comments above in relation Point no. 4. I am satisfied that the Applicant suitably addressed the issues raised under point no. 5 of the Request for Further Information.

9.13.5. Point no. 6 related to the number of proposed bedspaces. I am satisfied that the Applicant suitably addressed the issues raised under point no. 6.

9.13.6. Point no. 8 of the Request for Further Information relates to access to the rear of the premises which was unavailable at the time of the site inspection. In Response, the

Applicant refers to an on-site meeting and associated site inspection. I am satisfied that the Applicant suitably addressed the issues raised under point no. 8.

9.13.7. Point no. 9 of the Request for Further Information related to the 129 no. submissions received. The Applicants' Response to said submissions was comprehensive in my opinion and suitably responded to the majority of issues raised. I am satisfied that the Applicant suitably addressed the issues raised under point no. 9 of the Request for Further Information.

- *Conclusion re the Applicants Response to Further Information*

9.13.8. In my opinion, the Applicants Response to Further Information suitably addressed all of the 9 no. main points raised.

9.14. Conditions 3, 4, 5 and 8

9.14.1. One of the Observers to the Appeal considers the attachment of such as 3, 4, 5 and 8 is indicative as to the inadequacy of the proposal. In my opinion Conditions 3, 4 and 5 are relatively standard and are not indicative of any specific shortcomings of the proposed development. Condition no. 8 relates to bike parking and is, in my opinion, appropriate in a scenario where there is no on-site car parking proposed.

9.15. Other matters

- *Lack of Community Engagement*

9.15.1. The issue of a lack of community engagement is raised in the observation submissions to the Appeal. I note Section 4.0 of the Comprehensive Accommodation Strategy for International Protection Applicants, 2024, is concerned with Communications and recognises that there will be a requirement for a broader communication strategy that takes account of the short, medium and long terms goals of the new approach, both targeted – at local community level, and broad-based thematic – at national level. The Communications Strategy notes there will be a strong focus on community and local engagement including engaging directly with elected representatives, relevant Local Authorities, and other entities and individuals and considers this will help to improve the flow of information regarding arrivals into areas and to help equip local communities with the accurate information required to help them understand the current situation, to put in place structures to ensure

planning for the provision of essential and support services, like healthcare and education and to assist with the welcome and integration process for new arrivals.

9.15.2. I am unaware of any meaningful Community Engagement carried out on behalf of the Applicant prior to the lodgement of the subject application and concurrent appeal, ref. no. PL-501199-LS-26. Although such Community Engagement, as recommended in the Strategy, represents best practice, there is, in my view, no statutory obligation on behalf of the Applicant to conduct such Community Engagement.

- *Material Contravention*

9.15.3. The issue of a perceived Material Contravention of the Laois County Development Plan, 2021 to 2027, is raised in one of the Appeal submissions. In short, by reason of the over-intensification of use which is considered disproportionate to the settlement, the Appellant considers the proposal to Material Contravene the said Development Plan. I do not agree with this assessment and, in my opinion, there is no definitive evidence to suggest the proposed development represents such a Material Contravention of the Development Plan.

- *Delay by the Local Authority in publishing the Appeals*

9.15.4. The above issue is raised in a number of the Appeal Observations. The Local Authority has not responded to this issue. This, in my view, is an administrative issue for the Local Authority and is outside the scope of this appeal.

10.0 AA Screening

10.1. I have considered the proposal in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in the urban area of Durrow, at a distance of approximately 138 metres from River Barrow and River Nore SAC (Site Code: 002162) and approximately 172 metres from the River Nore SPA (Site Code 004233), c. 172 metres to the north, which are the closest European Sites.

10.2. The proposed development is for the change the use of the existing pub, & guesthouse/hostel permitted under Reg. Reg 2460198, for accommodation to be used for persons seeking international protection. No specific appropriate

assessment issues were raised as part of the appeal. 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:

- The nature and scale of the works and the availability of wastewater services.
- The separation distance from the nearest European site and lack of meaningful connections.
- The screening determination of the Planning Authority.

10.3. I conclude, on the basis of objective information, that the 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.

11.0 Water Framework Directive

11.1. The Erkina_050 (IE_SE_15E010550) River lies within c. 172 metres to the north of the subject appeal site (Waterbody Status: At Risk). The site lies above the Durrow Groundwater body ((EU Code: IE_SE_G_156) (Waterbody Status: At Risk). The proposed development is detailed in section 2.0 of my report. No specific water deterioration concerns were raised in the planning appeal or observations.

11.2. I have assessed the proposed development and associated works 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.

11.3. 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.

11.4. The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development;

- Location-distance from nearest water bodies and/or lack of hydrological connections;

11.5. 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.

12.0 Recommendation

12.1. I recommend that permission be Granted for the proposed development subject to the conditions set out below.

13.0 Reasons and Considerations

13.1. Having regard to the location of the subject appeal site in the centre of Durrow, the Town Centre zoning of the lands and associated zoning objective '*to protect and enhance the special physical and social character of the existing town centre and to provide for and improve retailing and commercial activities*', the permitted guesthouse/ hostel use of the subject premises on the subject appeal site, the anticipated likely temporary use and nature of the proposed development, recommendations contained in the Comprehensive Accommodation Strategy for International Protection Applicants (IPAs), 2024, and the Department of Justice, National Standards for Accommodation Offered to People in the Protection Process Applying to the Living Conditions and Services Provided to Residents within Accommodation Centres, 2020, and to other relevant policy provisions of the Laois County Development Plan, 2021 to 2027, it is considered that subject to compliance with the conditions set out below, the proposed development would be in accordance with the proper planning and sustainable development of the area.

14.0 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 2nd day of March 2026, 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. The development shall be used for the purposes of accommodation for persons seeking international protection. The development shall not be used for any other purpose, save without a prior grant of planning permission.

Reason: In the interest of clarity.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

4. The Applicant/ Developer shall comply with the requirements of the Planning Authority in respect of the provision of on-site bicycle parking and storage.

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

5. No additional signage, advertising structures, advertisements, security shutters or other projecting elements, including flagpoles, (including that which is exempted development under the Planning and Development Regulations, 2001 as amended), other than those shown on the drawings submitted with the application, shall be erected or displayed on the buildings or within the curtilage of the site unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity and to protect the character of [the Architectural Conservation Area.

6. 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 Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

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

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

Planning Inspector

13th August 2026

Form 1 - EIA Pre-Screening

Case Reference	PL-501198-LS-26
Proposed Development Summary	Change the use of the existing pub, & guesthouse/hostel permitted under Reg. Reg 2460198, for accommodation to be used for persons seeking international protection.
Development Address	Lennon's Bar Mary Street , Durrow Townparks, Durrow , Co. Laois
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	

☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	<u>Class 10 Infrastructure Projects</u> Class 10 b) i) Construction of more than 500 dwelling units. Class 19 b) iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)
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4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☒	Screening Determination required (Complete Form 3)
No ☐	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	PL-501198-LS-26
Proposed Development Summary	Change the use of the existing pub, & guesthouse/hostel permitted under Reg. Reg 2460198, for accommodation to be used for persons seeking international protection.
Development Address	Lennon's Bar Mary Street , Durrow Townparks Durrow , Co. Laois
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).	The development has a modest footprint, comes forward as a standalone project, does not require demolition works, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
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 proposed development site is an infill site located in an urban area. The site is removed from sensitive natural habitats and designated sites and landscapes of identified significance in the County Development Plan. The site is located within an Architectural Conservation Area (ACA) however the proposed development, as presented, which relates to a Change of Use, is not anticipated to result in any discernible negative impact upon the character and setting of same. There is a Protected Structure on the adjacent site to the north however it is not anticipated to result in any discernible negative impact upon the character and setting of same. The site is not located within an area of archaeological significance.
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary,	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects,

intensity and complexity, duration, cumulative effects and opportunities for mitigation).	there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
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:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)