



An
Coimisiún
Pleanála

Inspector's Report PL-501199-LS-26

Development	Retention and change of use of bar and private accommodation to be used as accommodation for persons seeking international protection.
Location	Peadar's Bar, Mary Street, Durrow, Co. Laois
Planning Authority	Laois County Council
Planning Authority Reg. Ref.	2560418
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 Community Council Durrow Development Forum Sean & Anne Conroy

Observer(s)	Brian Stanley T.D. & Cllr. Caroline Dwayne Stanley William & Linda Hastings Angela Walsh Sarah Dempsey Cllr. Oliver Cooney Brandon McPherson Seamus Campion Ruth Campion & Michael Moran Lorcan Mahony Nicky Cashin Shane & Terri Dunne Margaret Aylward & Others Imelda O'Brien Catherine Fitzpatrick Mary Donohue Margaret Nevin Liam & Heather Donohue Amy Lalor Liam & Kay Clancy PJ & Marian Aylward Susan Lawlor Mary Doogue Carmel Murphy & Evelyn Clancy Fred & Liz Townsend
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Date of Site Inspection	10 th July 2026 & 27 th July 2026
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1.0 Introduction

- 1.1. The existing former public house and associated first floor former private accommodation has been adapted for use as emergency accommodation for displaced Ukrainian residents and is currently in use for this said purpose. Although the Applicant states this was carried out under emergency exemption rights at the time, the subject application and appeal seek to retain this said current use and then to redevelop and extend onto the existing building for the purposes of providing IPAS accommodation.
- 1.2. A concurrent application and appeal, ref. no. PL-501198-LS-26, on a nearby site, c. 33 metres to the north 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.
- 1.3. 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 'Peadar's 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 0.073 hectares and includes a rear garden space. Access to the rear of the property is available via a side lane/ archway.
- 2.2. The subject appeal site is located within Durrow Architectural Conservation Area.
- 2.3. There is a Protected Structure on the opposite west side of Mary Street within c. 17 metres to the southwest of the subject appeal site, Durrow Pharmacy, (Ref. No. RPS 158, NIAH Ref. No. 12900922 – Regional Status).

3.0 Proposed Development

3.1. The Proposed Development can be summarised as follows:

- The development consists of accommodation to be used as accommodation for persons seeking international protection under the IPAS Scheme.
- The application relates to the following:
 - Retention of the Change of Use of the former public house (Peadar's Bar) and former private first floor accommodation, to its current use as emergency accommodation for displaced Ukrainian residents. The existing building comprises 10 no. bedrooms (6 no. on the ground floor and 4 no. on the first floor) and a living room (stated to measure 16.1 sqm), kitchen/ dining room (stated to measure 19.8 sqm) and a bathroom (stated to measure 8.2 sqm) and all on the first floor.
 - Permission for the construction of a single storey extension to the rear of the building to be used for accommodation of 3 no. additional bedrooms, ground floor kitchen (15 sqm), communal; living/dining room (41.3 sqm), laundry Room (12.1 sqm), Male and Female Bathroom and Showering facilities.

4.0 Planning Authority Decision

4.1. Decision

- 4.1.1. The Local Authority issued a Request for Further Information on 10 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 24th March 2026 subject to 15 no. Conditions.

Condition no's. 2, 3, 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** states 1) *Please be aware that Laois Fire Authority did not assess this application and 2) The Fire Authority recommends that the Applicant's be informed that they are required to comply with all relevant Building Regulations. Note: Laois County Council Building Control Department may need to be consulted on same.*
- The **Road Design Office** recommended Further Information be sought in relation to Surface Water Drainage.

- 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 *‘the plans in respect of the above proposed development have been examined and this office has 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 128 no. observation submissions 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

Planning Applications

- **25/60398:** INCOMPLETE APPLICATION
- **24/60666:** Applicant: Marc Lennon.

1. 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.

2. Construct a single storey extension to the rear of the existing building to be used as a guesthouse/hostel consisting of 4 additional bedrooms, a living/dining room, 4 water closets, minor revisions to windows on both sides of the existing elevations and all associated site works.

Further Information was Requested on 20/12/2024 on 4 no. main points relating to:

- i) *Demonstration of Compliance with Failte Ireland Quality Standards.*
- ii) *Documentary evidence to demonstrate that the property is in use as a traditional tourist guesthouse/ hostel. If the property is in use to accommodate International Protection Applicants, the Applicant is advised that the use described in the public notices is not accurate. The applicant is requested to comment on this matter.*
- iii) *Proposals for an appropriately sized refuse area/ revised site layout plan.*
- iv) *Comment on the Third Party Submissions received.*

The Application (24/60666) was WITHDRAWN by the Applicant on 01/04/2025.

- **98/537:** Retain Shopfront and Sign to Public House. Permission was GRANTED in August 1998 subject to 2 no. conditions.
- **94/304:** Retail toilet and pool room. Permission was GRANTED in August 1994 subject to 3 no. conditions.

Planning Enforcement

- UD 22/50: Unauthorised Development File. File Closed.

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:
- **SWD 5:** *Ensure that in public and private developments in urban areas, both within developments and within the public realm, seek to minimise and limit the extent of hard surfacing and paving and require the use of sustainable drainage techniques for new development or for extensions to existing developments, in order to reduce the potential impact of existing and predicted flooding risks.*
 - **SWD 8:** *Promote storm water retention facilities for new developments and to incorporate design solutions that provide for collection and recycling of surface water in accordance with Sustainable Urban Drainage Systems as recommended in the Planning System and Flood Risk Management: Guidelines for Planning Authorities (DoEHLG, 2009) and Laois County Roads and Drainage Standards, or as amended.*
 - **DM SWD 1:** *Sustainable Drainage Systems*

Detailed proposals for Sustainable Drainage Systems (SuDS) should be submitted which demonstrate that the development would not result in

surface water discharges affecting neighbouring lands without agreement and/or the public road.

The following should be taken into consideration:

- 1) Store rainwater for later use (rainwater harvesting);*
- 2) Use infiltration techniques such as porous hard surfaces, soft landscaping and green roofs;*
- 3) Attenuate rainwater in ponds, swales or open water features for gradual release;*
- 4) Attenuate rainwater by storing in tanks or sealed water features for gradual release;*
- 5) Discharge into storm water collection system or watercourse (subject to license) having regard to capacity and quality of discharge;*

Soakaways are suitable for single family dwelling houses but are not suitable for urban areas.

- **FRM 2:** *Ensure that all development proposals comply with the requirements of the Planning System and Flood Risk Management-(DEHLG 2009) and to ensure that the Justification Test for Development Management is applied to required development proposals and in accordance with methodology set out in the guidelines and new development does not increase flood risk elsewhere, including that which may arise from surface water runoff.*
- **FRM 13:** *Ensure new development does not increase flood risk elsewhere, including that which may arise from surface water runoff.*
- **DM FRM 1:**

Flood Risk Assessments

Flood risk management will be carried out in accordance with the Flood Risk Management Guidelines for Planning Authorities, Department of Environment, Community and Local Government (2009). Development proposals on lands

that may be at risk of flooding should be subject to a flood risk assessment, prepared by a suitably qualified person, in accordance with the guidelines.

Proposals for minor development to existing buildings in areas of flood risk (e.g. extensions or change of use) should include a flood risk assessment of appropriate detail.

For any development proposal in an area at moderate or high risk of flooding that is considered acceptable in principle (i.e. has passed the Plan Making Justification Test), the site specific FRA must demonstrate that appropriate mitigation measures can be put in place and that residual risks can be managed to acceptable levels. This includes a number of mitigation measures, which could include:

- Site Layout and Design*
- Ground Levels, Floor Levels and Building Use*
- Raised Defences*
- Green Corridor*

The precise solution will depend on the site specific details, all of which shall adhere to the Flood Risk Management Guidelines for Planning Authorities, Department of Environment, Community and Local Government (2009), or where relevant more up to date guidance.

- **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 Protection: Guidelines for Planning Authorities' (2011) Department of 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). 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. 190 metres to the north;
- River Nore SPA (Site Code 004233) c. 216 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 3 no. Third Party Appeals, as follows

- Durrow Community Council
- Durrow Development Forum
- Shane & Anne Conroy

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.

Sean & Anne Conroy

- Inadequate and Inconsistent Site Mapping
 - The Maps submitted with the subject application/ appeal and the previous application (2460666) are inconsistent, incomplete and misleading.

- Other lands in the control or ownership of the Applicants' Partner are not shown on the Site Location Map.
 - The total area outlined as 'Lands in Ownership' plus the adjacent plot in the ownership of the Applicants' Partner, have been in use as a single plot over the past 5 or 6 years and are connected via an illuminated driveway (for which no planning permission was sought or obtained). There is 1 no. single point of vehicular entry/ exit accessing both premises and also the 'Lands in the Ownership'.
 - Without clear and consistent boundary definitions, the Appellant submits that the Local Authority could not have assessed the cumulative impacts of the proposed development. The decision is therefore fundamentally flawed.
- Flood Risk
 - The Applicant has failed to properly assess Flood Risk. The Appellant has provided photographic evidence of a previous flood event (in January 2016) on the subject appeal site and in the wider locality.
 - The Appellant refers and quotes from Section 7.1 of the Strategic Flood Risk Assessment of the Laois County Development Plan, 2021 to 2027, in relation to Flood Risk and considers the Applicant has been deliberately misleading in relation to Q. 18.
 - Point no. 8 of the Request for Further Information relates to on-site attenuation. The Appellant submits that given the mapping discrepancies, how is the entire area of the site calculated. In addition, the submitted drawings show a proposed uPVC Surface Water Pipe running from the flood area shown in photo 1 through the attenuation chamber to the outfall. The Appellant raises this as a cause for concern on a site which is known to flood regularly.
 - The Pub remained open until late 2022. The Applicant's Planning Report is factually incorrect in this regard as it indicates that it remained vacant from 2016 to 2022, when it ceased trading and was subsequently repurposed to accommodate Ukrainian residents. The

premises were in fact rarely vacant, despite the misleading information in the planning application. It would appear claiming the premises as vacant would add greater weight to the argument in favour of the granting of permission.

- Inaccuracies and Inconsistencies in the Application Documentation
 - The Applicants Planning Report refers to Ukrainian Residents. This is not referenced in the Public Notices.
 - Condition no. 2 of the Notification of Decision restricts the use to that described in the public notices and does not permit any other use, without a specific grant of planning permission. A question therefore arises as to what is to happen the current Ukrainian residents who are currently accommodated in the premises and if this would have a bearing on the decision made? The Appellant considers this draws into question the reliability of the application overall, including the basis upon which the Local Authority decision to reached.
- Failure to Properly Consider the Third Party Submissions
 - Point no. 10 of the Request for Further Information advised the Applicant of the 128 no. Third Party Submissions and invited a Response in relation to same. The Applicants' Response has failed to address the issues raised and serves to undermine the credibility of the decision making process.
 - The Appellant has provided some examples such as the Applicants written response to Point no. 2 of the Third Party Objection Point in relation to an existing gate, Point no. 3 relating to camera locations, incorrect details of relevant planning history.
 - In relation to Point no. 8 of the Response to Further Information, the Local Authority Planner has deemed it to be acknowledged. It is unclear if this means the response is not acceptable and, if so, how can it be appropriate to grant permission.
 - The Appellant, in his submission to Laois County Council, highlighted unauthorised development in the form of the aforementioned

illuminated driveway connecting both premises, which facilitates access for potential residents which in turn creates an unacceptable security risk and privacy issue for adjoining properties including that of the Appellant. This issue has not been addressed by the Local Authority.

- Inadequate Assessment of Planning History and Compliance Issues
 - The Appellant considers that the Applicant has shown blatant disregard for the planning process over a long number of years and, in this regard, refers to the previous history of unapproved developments at the subject appeal site and the other premises of the Applicant on Mary Street.
 - The Applicant provides a Newspaper extract in relation to a previous license renewal case for the subject premises.
 - The Applicant considers a series of failed, withdrawn and resubmitted Planning Applications including the current application have contained untruthful, misleading and inconsistent information. The Applicant considers the Local Authority did not address these matter and that they should be taken into consideration when assessing the 2 no. applications.

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 Applicant submits the proposed

development is centrally located, is proximate to services and that this is supported by the submitted Community Audit. As per the Laois County Development Plan, Durrow has 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 Éireann, 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.
- Sean & Ann Conroy
 - Site Mapping
 - The Applicant submits that land owned by the Applicant's Partner are not included in the mapping as it is not part of the subject site.
 - Flood Risk
 - The Flooding shown in the Appeal submission is to the rear of the subject appeal site but is not on the appeal site. This flooding is unusual and only occurred during seriously high rainfall events. The Local Authority Planner notes the site is '*outside the confines of the flood zone*'.
 - Stormwater attenuation and disposal is addressed in the application. The Roads Department stated no objection to the Further Information Response received, subject to conditions.
 - Inconsistencies and Inaccuracies in the Application Documentation
 - By allowing Ukrainian tenants to stay, the Appellant submits that the Applicant is not complying with Condition no. 2. The Applicants state

that said Condition no. 2 will allow for the Ukrainians to remain in the building and accommodate new International Protection Applicants. The Applicant states that Ukrainians living in Ireland are intitled to apply for IPAS Accommodation and that therefore, there is no issue in relation to compliance with Condition no. 2.

- Failure to Properly Consider Third Party Submissions
 - The Applicant submits that the submissions were all read in full and summarised, that many of the issues overlapped and that, for this reason, it may appear some of the issues were not addressed.
 - Regarding the existing gate, the Applicant states that they intend to liaise with the adjoining resident in relation to this matter.
 - Cameras have been placed on the site for security reasons. The Applicant states he is willing to relocate/ remove said cameras, if conditioned to do so.
 - A previous non-compliance case at the subject appeal site was addressed at the time it arose, retention for a toilet and pool room area was granted in 1994 and retention of a shopfront and signage was granted in 1998. The compliance issues have been resolved as the aspects of the withdrawn application that require retention have been included in the subject application.
 - The development discussed by the Appellant is exempted development and therefore does not require planning permission.
- Planning History
 - The Appellants concerns in relation to previous planning history are addressed above.

8.3. Planning Authority Response

- None

8.4. Observations

8.4.1. A total of 24 no. Observations were received from the following:

- Brian Stanley T.D. & Cllr. Caroline Dwayne Stanley,
- Cllr Oliver Clooney,
- William & Linda Hastings, Angela Walsh, Sarah Dempsey, Brandon McPherson, Seamus Campion, Ruth Campion & Michael Moran, Lorcan Mahony, Nicky Cashin, Shane & Terri Dunne, Margaret Aylward & Others, Imelda O'Brien, Catherine Fitzpatrick, Mary Donohue, Margaret Nevin, Liam & Heather Donohue, Amy Lalor, Liam & Kay Clancy, PJ & Marian Aylward, Susan Lawlor, Mary Doogue, Carmel Murphy & Evelyn Clancy, Fred & Liz Townsend

8.4.2. All 24 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:

- Lack of justification for subject proposal (Department of Justice)
- Government Policy is to house IPAS residents in a small number of large centres as stated by numerous Govt. Ministers
- Access to natural light
- Capacity of Local Services. The Local Primary School is at capacity. There is limited access to basic Primary Care. Inadequate Community Audit.
- Lack of Support Services, Potential Social Isolation for Future Residents including Potential Lack of Community Integration
- Proposals with Transportation Policy Objectives TRANS 1 and TRANS 8
- Lack of Public Transport
- Fire Safety and Emergency Vehicle Access (See Condition no. 3)
- Lack of Community Engagement
- Impact on Residential Amenity contrary to Policy DM R3, Noise Impact and General Disturbance

- Environmental Impact
- Biodiversity Impact
- Failure to Provide Adequate Information
- Failure to identify and assess a clearly defined development
- Inadequate Response and Assessment to/ of Point no's 1-3, 5, 6, 9 and 10 of the Request for Further Information
- Inconsistent and Irrational Evidential Standard
- Reliance on Non-Specific and Non-Probativ e Material
- 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
- Delay by the Local Authority in publishing the Appeals

8.5. Further Responses

- None

9.0 Assessment

9.1. Introduction

- 9.1.1. The development includes both retention and permission. The retention element relates to a change of use of the former public house and former first floor private accommodation to its current use as emergency accommodation for displaced Ukrainian residents. The permission element is for the construction of a single storey extension to the rear of the building to be used for accommodation of 3 no. additional bedrooms and associated ancillary accommodations. The public notices also refer to the proposed development consisting of accommodation to be used as accommodation for persons seeking international protection under the IPAS Scheme. As the proposed development includes both retention and permission, I have first assessed below the proposed retention element and then the proposed permission element.

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

- Zoning
- Retention and Change of Use of Former Public House to and former first floor private accommodation to its current use as emergency accommodation for displaced Ukrainian residents.
 - Relevant Planning Exemptions and Current Planning Status
 - Qualitative Standards for Temporary Accommodation – Adequate Natural Light
 - Qualitative Standards for Temporary Accommodation – Accommodation Standards (Existing Development to be Retained)
 - Qualitative Standards for Temporary Accommodation – Conclusion
- Permission for accommodation to be used as accommodation for persons seeking international protection under the IPAS Scheme.
 - National Policy, Standards and Guidelines
 - Qualitative Standards - National Standards – Proposed IPAS Accommodation
- Social and Community Infrastructure
- Density and Population Increase
- Architectural Conservation Area (ACA)
- Flood Risk and Surface Water
- Traffic and Parking
- Access for Emergency Vehicles and Fire Safety
- Residential Amenity
- Water and Wastewater Infrastructure Capacity
- Response to Further Information

- Overall Conclusion on Retention and Permission
- Other Matters
 - *Validity of the Planning Application – Site Location Map – Blue Line*
 - *Inaccuracies and Inconsistencies in the Application Documentation*
 - *Condition no. 2 of Notification of Decision to Grant Permission*
 - *Consideration of Third Party Submissions*
 - *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)). 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. **Retention and Change of Use of former Public House and former first floor private accommodation to its current use as emergency accommodation for displaced Ukrainian residents.**

- *Relevant Planning Exemptions and Current Planning Status*

9.3.1. I note the planning exemptions set out under Class 20F of the Planning and Development Regulations, 2001 to 2026, which relate to the 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 for certain defined purposes. The exemption includes a hotel, shop and office but does not relate to a Public House. I therefore do not consider this exemption (Class 20F) to be applicable to the former use of the subject premises as a Public House.

- 9.3.2. I note a separate exemption under the Planning and Development (Amendment) (No.2) Regulations 2018 - S.I. No. 30 of 2018 - which came into operation on 8 February 2018, provides 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. As per Article 10 6) b) of the Planning and Development Regulations, 2001 to 2026, the exemption includes a Change of Use to residential use from Class 12 (Public House). I note the requirements as set out in Circular Letters PL02/2022 and PL01/2018 when the exemption was introduced and first extended which remain in place. One of the requirements of the above exemption is that the structure was to have been vacant for at least 2 years prior to the commencement of the relevant works, with such works being required to be completed by 31 December 2025. A number of other conditions and limitations also apply.
- 9.3.3. It is unclear if the Applicant availed of the above exemption for a change of use of certain commercial premises to residential use as both the Applicant and indeed the Local Authority make no express reference to the current planning status of the subject appeal site/ premises aside from the Applicant stating that changes were made to the ground floor former pub area to accommodate the incoming use and that this was carried out under emergency exemption rights at the time. I note that both the previous proposal presented by the Applicant under planning reg. ref. no. 24/60666, which was withdrawn, and the current subject proposal include retention. As there is no planning permission in place for the existing use of the premises and as the Applicant has not clearly demonstrated that the current use of the premises is exempt from a requirement to obtain planning permission, it is my opinion that current use of the premises may not be planning compliant. This, in my opinion, is supported by the fact that the Applicant has sought retention and change of use.

- *Qualitative Standards for Temporary Accommodation – Adequate Natural Lighting*

9.3.4. The revised Temporary Accommodation Guidelines (June 2023 and Updated October 2023) (the Revised Guidelines) are applicable to the assessment of the retention element of the proposed development and include a requirement under Section 4 (General Standards & Provisions) F - Lighting that *'every room used, or intended for use, as a habitable room, shall have adequate natural lighting.'*

9.3.5. I note the bedroom labelled no. 3 on the submitted plans has a single inward opening window on the side southern elevation. The subject building at this location is slightly stepped back off the adjacent building to the south. I estimate the window opening at this location to be a maximum of c. 400 mm from the side block wall of the adjacent building. The window does not provide any meaningful aspect aside from a view of said un-plastered block wall. At the time of my site inspection the said bedroom no. 3 was dark and gloomy. In my opinion, the said existing window presents a poor outlook and aspect and does not provide what can be considered to represent adequate natural light to said existing bedroom. I incidentally note, as per the plans for the proposed IPAS accommodation, that this existing bedroom no. 3 is not proposed as a future bedroom for IPAS accommodation and that it is instead proposed as a future kitchen with no external window, i.e. with the existing bedroom window shown to be blocked up.

9.3.6. The proposed development to be retained does not, in my opinion, satisfy the requirements of the Revised Guidelines in relation to adequate natural lighting in habitable rooms, specifically existing Bedroom labelled no. 3 on the submitted plans.

- *Qualitative Standards for Temporary Accommodation – Accommodation Standards (Existing Development to be Retained)*

9.3.7. The Revised Guidelines under Section 5 a) iii), which relates to Shared facilities, state that *'there should be provision made for a Lounge/Recreation area: 1 m²/person with a minimum provision of 20 m².'* The existing Living Room on the first floor is stated to have a maximum floor area of 16.1 sqm, which is below the said recommended minimum standard of 20 sqm. I also note this is the only Living Room for the property and that direct internal access to same is not available from the ground floor, where the majority (6 no.) of the 10 no. existing bedrooms are located.

9.3.8. In relation to Family Accommodation standards and sanitary facilities, in particular, the Revised Guidelines recommend that this should be provided within the family private space for the exclusive use of the family and that the bathroom area should be a minimum of 4 sqm. At the time of my site inspection, some of the bedrooms were in family use, including the Bedrooms labelled no. 1 and 4 on the submitted plans. I estimate the en-suite bathroom for said Bedroom no. 1 measures a maximum of c. 2.9 sqm and c. 2.3 sqm in the case of Bedroom no. 4. There are 4 no. bedrooms at first floor level. The bedroom labelled no. 7, at the time of my pre-arranged site inspection of the property, was not available for inspection but is understood to be allocated to one individual. The remaining 3 no. Bedrooms at first floor level appeared to be in family use. There is 1 no. bathroom at first floor level and, it would appear that it is shared by all first floor occupants. The Revised Guidelines recommend that the sanitary facilities should be provided within the family private space for the exclusive use of the family.

9.3.9. The existing Kitchen/ Dining room, which is located adjacent to the existing Living Room at first floor level, has a stated area of 19.8 sqm. The Applicant has not provided information as to the current occupancy rate. The Revised Guidelines, in relation to Kitchen Facilities for families, state they *'should allow for members of a family to dine together. Kitchen facilities, preferably with an associated dining area, shared between two families (or a maximum of 10 people) should ordinarily be acceptable.'* The Applicant, in my opinion, has not suitably demonstrated how the existing development to be retained would satisfy this requirement.

9.3.10. I further note there were no built in wardrobes in any of the 9 no. bedrooms which I inspected and that this is a stated requirement of the revised Guidelines for both single and family occupants. There were in fact no wardrobes in any of the said bedrooms.

- *Qualitative Standards for Temporary Accommodation – Conclusion*

9.3.11. As per the revised Guidelines, the proposed development to be retained does not achieve adequate natural lighting in the case of existing bedroom no. 3, does not satisfy the minimum recommended Lounge/ Recreation room standard of 20 sqm and does not achieve the recommended minimum bathroom size of 4 sqm for family accommodation, in the case of bedrooms labelled no. 1 and 4 on the submitted

plans. In addition, as the Applicant has not provided sufficient information as to current occupancy format or occupancy rates, it is unclear whether or not the existing first floor bathroom would be for the exclusive use of a single family or if it is shared with other residents. Such an arrangement would not adhere to the Guidance recommendations. Also, none of the 9 no. bedrooms inspected included any in built wardrobes which is a stated requirement of the revised Guidelines for both single and family occupants. Finally, as the location of the Kitchen/ Dining Room and sole Living Room is located at first floor level and is not directly accessible from the ground floor, it is unclear as to how access to said Rooms is managed, whether the rooms are available for the use of all residents and whether there is sufficient space to cater for existing occupancy rates.

9.3.12. Although it is accepted that the Revised Guidelines recognise, in the event of the conversion of an existing premises for Family Accommodation, that some compromises will be necessary from the ideal, it is my opinion that the extent of non-compliance, as set out above, is not insignificant. Therefore, as the Applicant has not suitably demonstrated compliance with the said Revised Guidelines, which includes minimum standards, it is my opinion that the development proposed to be retained does not achieve an acceptable standard of accommodation as envisaged in said guidelines and is not, as a result, in accordance with the proper planning and sustainable development of the area.

9.3.13. Notwithstanding the above concerns regarding the below standard of existing accommodation proposed to be retained, for the purposes of completeness, I have assessed the remainder of the proposed development and the additional issues raised in the appeals below.

9.4. Permission for accommodation to be used as accommodation for persons seeking international protection under the IPAS Scheme – Compliance with Quality Standards

- *National Policy, Standards and Guidelines*

9.4.1. 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 future use of the subject premises

for IPAS Accommodation, in my opinion, broadly aligns with the general principle of the Strategy which is to provide accommodation for IPAS applicants.

- 9.4.2. Standards of IPAS 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.

- *Qualitative Standards - National Standards – Proposed IPAS Accommodation*

- 9.4.3. I note the proposals for IPAS accommodation which includes a proposed extension to the rear of the existing building. I note 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*. In my view, the proposed IPAS accommodation and extension demonstrate compliance with the National Standards in terms of sufficient natural light to the proposed 11 no. bedrooms (existing bedroom no. 3 shown omitted) and the recommended minimum bedroom floorspace. Notwithstanding, as set out further above, the existing development proposed to be retained, in the first instance, does not satisfy specific minimum standards of the Temporary Accommodation Guidelines (May 2022).

- *Conclusion on Qualitative Standards for the proposed development to be retained and the proposed IPAS Accommodation*

- 9.4.4. The proposed development comprises retention and permission. I have discussed the proposed retention element above which is considered to be below the minimum qualitative standards for that form of development as set out in the Revised Temporary Accommodation Guidelines (June 2023 and Updated October 2023).

- 9.4.5. The proposed redevelopment and extension of the existing premises for use as IPAS accommodation satisfies the National Standards in terms of sufficient natural light to the proposed 11 no. bedrooms (existing bedroom no. 3 shown omitted) and the achievement of recommended minimum bedroom floorspace.

9.5. Social and Community Infrastructure

- 9.5.1. I note as part of the Response to point no. 10 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*
- 9.5.2. 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 for IPAS accommodation will create a demand for 4 no. primary school places. This calculation does not include the concurrent appeal (ref. no. PL-501198-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.
- 9.5.3. 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.
- 9.5.4. 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.
- 9.5.5. The availability of Local Primary School places would typically be determined on a case by case and first come first served basis. In my opinion, owing to the nature of the proposed development, it would not be until the proposed extension to the rear of the property would be completed in full, that the anticipated demand for 4 no. school places would arise. In that scenario, such demand would likely be in the medium to

longer term as opposed to the short to medium term anticipated for the 4 no. places required under the concurrent appeal, (ref. no. PL-501198-LS-26). Having regard to same, I am not satisfied that the Applicant has suitably demonstrated there is sufficient capacity in the Local Primary School to cater for the proposed development, in addition to the demand created by the concurrent appeal proposal.

9.5.6. In addition, the Applicant has not taken account of the abovementioned housing development which, although understood to be still under construction, would likely serve to create a further additional demand into the medium to long term which would likely place further demand on any available school places.

9.5.7. 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*

9.5.8. 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 the capacity of existing health services is not referenced as a specific requirement of the National Standards.

9.5.9. 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 34 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.

9.5.10. I note however, in the case of the subject proposal, that it would not be until after the completion and occupation of the overall development, including the proposed extension to the rear, that the full capacity of the subject proposal (34 no. bedspaces) would be reached. When compared to the concurrent proposal reg. ref. no. PL-501198-LS-26 (33 no. bedspaces), which has already been granted and developed for use as a Guesthouse/ Hostel and is in effect ready to be adapted for its proposed IPAS Centre use, the subject proposal, if permitted, would likely have a longer lead in time. By that time, and in the event of the concurrent proposal being developed, there is likely to be less spare capacity in said GP Services to cater for the proposed development. This would be further compounded by the fact that the nearby permitted Housing Development would likely be occupied at that stage, thereby resulting in a further increased demand on local health services.

9.5.11. In summary and having regard to the foregoing, it is my opinion that the Applicant has not suitably demonstrated there to be sufficient capacity in local health services, particularly local GP services, to cater for the proposed development.

- *Childcare Facilities and Local Sports and Recreation Facilities*

9.5.12. 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-501198-LS-26.

- *Conclusion on Social and Community Infrastructure*

9.5.13. Having regard to the foregoing, it is my opinion that the Applicant has not demonstrated that there is sufficient spare Social and Community Infrastructure capacity in the area to cater for the proposed development. In particular, the Applicant has not suitably demonstrated there is sufficient capacity in the Local Primary School or Local Health Services, to cater for the proposed development, in

addition to the demand created by the concurrent appeal proposal (Appeal Ref. no. PL-501198-LS-26).

9.6. Density and Population Increase

- *Density*

9.6.1. 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 11 no. bedrooms. Therefore, in my view, the proposed density and intensity of development would be appropriate for this town centre context.

9.6.2. I note one of the Appellant 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 therefore, in my opinion, bears no relevance to the subject proposal.

- *Population Increase*

9.6.3. 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-501198-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 applicable only to the retention element of the subject proposal, the anticipated cumulative increase in population of c. 7% is not, in my view, insignificant and would exceed the 5% recommendation for what is a similar form of development.

- 9.6.4. The proposed development, by itself, has capacity for 34 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. In the case of the concurrent proposal, as appeal ref. no. PL-501198-LS-26 refers, I note that permission has already been granted for its use as a Guesthouse/ Hostel and that it has already been adapted for that said use. The further adaptation of that said premises to IPAS Accommodation would, in my view, if permitted, take place over a short space of time as it is, in effect, ready to be adapted for its proposed IPAS Centre use. The subject proposal to provide IPAS Accommodation, if permitted, would likely have a longer lead in time compared to the proposal presented under the concurrent appeal and together would result in an anticipated cumulative increase in population of c. 7%.
- 9.6.5. 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%, would be acceptable. A population increase of c. 7%, in the scenario of the subject proposal for IPAS Accommodation being permitted alongside the concurrent proposal presented under appeal ref. no. PL-501198-LS-26, would in my opinion, be excessive. The combined proposals and the resultant increase in population would not therefore, in my opinion, be in the interests of the proper planning and sustainable development of the area.

9.7. Architectural Conservation Area (ACA)

- 9.7.1. 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 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. In addition to the above specific detailed matters referenced, the Development Management Standard (DM ACA 1) also requires that certain information to be submitted with respect to applications for permission for restoration, refurbishment, demolition development or change of use of buildings / structures within 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. In my opinion, as the subject proposal relates to an existing building of heritage value within Durrow ACA, is infill development which includes alterations, a sizable extension, a change of use and refurbishment of the existing building, development management standard DM ACA 1 is applicable to the assessment of the subject proposal. An Architectural Assessment Report, as required under DM ACA 1, which has not been provided by the Applicant in this instance, would assist in the assessment of the subject proposals and the potential impact of same upon the established character and setting of the ACA. I would however note the proposed single storey extension is to the rear of the existing premises, would not be readily visible from the main street and that the remainder of the proposed works are contained within the building and do not include any external alterations to the front of the building.

- 9.7.2. The Commission may wish to seek further information in relation to this issue however, having regard to the more substantive reasons for refusal set out further above, it may not be necessary to pursue the matter.

9.8. Flood Risk and Surface Water

- *Flood Risk*

- 9.8.1. One of the Appellants, a nearby resident to the south, has raised the issue of Flood Risk at the subject appeal site. The said Appeal submission includes a photograph of a previous flood event in 2016, which is stated to be in the area of the proposed extension and a flood event in 2026, which is stated to be in the extended site area. The Appellant considers the issue of Flood Risk has not been properly assessed or addressed.

9.8.2. I note, as per Section 8.16 (Durrow) of the County Laois Strategic Flood Risk Assessment which forms part of the Laois County Development Plan, 2021 to 2027, and is based on CFRAMS Flood Extents Mapping, that lands outside the defined redline boundary of the site, to the rear (east) of the subject appeal site are identified as an area of PFRA Pluvial-Indicative. This said area of land appears to include lands outlined in blue on the submitted site location map and therefore under the control of the Applicant. There is a direct vehicular access from the subject appeal site to said lands. The subject appeal site and immediate surrounding area are outside of defined Flood Zones A & B, which are focused along the River Erkina to the north.

9.8.3. I note as per Table 10.4 (Flood Zones) of Volume 1 of the Laois County Development Plan, 2021 to 2027, that in the case of Flood Zone C, (Low Probability of Flooding), the following is stated:

- *Development in this zone is appropriate from a flood risk perspective (subject to assessment of flood hazard from sources other than rivers and the coast) but would need to meet the normal range of other proper planning and sustainable development considerations.*

9.8.4. Pluvial flooding, in my view, represents a potential flood hazard from a source other than rivers and the coast. Having regard to the location of the subject site relative to an identified area of PFRA Pluvial-Indicative, which includes lands in the Applicants' control, the apparent photographic evidence of previous flood events presented by the Appellant, which includes the rear of the subject appeal site and the Applicants' acknowledgement of flooding at this location, it is my opinion, particularly having regard to the type of development proposed, which constitutes highly vulnerable development, that a Site Specific Flood Risk Assessment would have assisted in the overall assessment of a potential flood risk at this location.

9.8.5. The Commission may therefore wish to seek further information in relation to this issue however, having regard to the more substantive reasons for refusal set out further above, it may not be necessary to pursue the matter.

- *Surface Water*

9.8.6. I note point no. 8 of the Request for Further Information, which relates to the issue of surface water attenuation and disposal. I note the Applicants' Response to same,

which was prepared by Engineering Consultants and includes proposed SUDs measures in the form of an attenuation tank, with a stated capacity of 11.6 cubic metres, as shown on the proposed stormwater layout plan, Drg. no. 25-PRI-092-CE-001. In addition, the Applicants' Response includes details for the design of the attenuation chamber and a critical storm table which shows total inflow, depth, resident volume, flooded volume and total outflow from the chamber over a 120 minute timeframe and relates to a Storm Phase. The stated 11.6 cubic metre capacity of the attenuation tank would, in my opinion, appear to be sized to cater for anticipated surface water and stormwater flows at the subject appeal site alone and would therefore have capacity to cater for the proposed development. The Applicant was not requested to examine adjacent lands. In my opinion therefore, the Applicants Response to this point of Further Information suitably addressed the issues raised.

- 9.8.7. The Local Authority Planner states '*the surface water proposals have been reviewed by the Road Design Office who has no objection to same subject to conditions.*' This comment appears to relate to an earlier Report from the Roads Design Office which pre-dates the Request for Further Information. I could find no record of a second Roads Design Report following receipt of the Response to Further Information. I note Condition no. 5 of the Notification of Decision to Grant permission relates to the control and rate of Surface Water discharge and the rate of Surface Water discharge. Condition 5 b), in particular, states '*the rate of surface water discharge from the development to the public surface water network shall be regulated taking account of existing discharges from adjacent lands and provision made for such retention and throttling/ flow restriction as necessary to regulate the discharge.*' This condition, in my opinion, accounts for surface water discharges on the subject appeal site only 'the development' and 'existing' discharges to the public surface water network from adjacent lands but does not include the adjacent lands to the east.
- 9.8.8. It is unclear, in my opinion, in the event of a similar future flood event at the adjacent lands to the east and potentially the subject appeal site, how such an event would impact the proposed surface water system and associated attenuation measures on the subject appeal site. Insufficient information has been provided in this regard. A

Site Specific Flood Risk Assessment would, in my opinion, assist in the assessment of such an issue.

- 9.8.9. In summary, although the Applicant has suitably addressed the specific issues raised in point no. 8 of the Request for Further Information, the issue of a potential flood risk at the subject appeal site and adjacent lands to the east has not been suitably addressed. In the absence of a Site Specific Flood Risk Assessment therefore, I would not be satisfied that the Applicant has suitably demonstrated that the proposed development would be acceptable from a Flood Risk perspective.
- 9.8.10. As stated, noted above, the Commission may therefore wish to seek further information in relation to this issue however, having regard to the more substantive reasons for refusal set out further above, it may not be necessary to pursue the matter.

9.9. Traffic and Parking

- 9.9.1. 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 11 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*

- 9.9.2. There are no specific Car Parking Standard for IPAS centres. I note, as per the nearby concurrent application and appeal, planning reg. ref. no. 25/60417 (appeal ref. no. PL-501198-LS-26), that no Car Parking spaces are similarly proposed.

- 9.9.3. 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 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.
- 9.9.4. 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.
- 9.9.5. 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.
- 9.9.6. Notwithstanding the acceptability of the proposed development in terms of Traffic and Parking, the Commission will note there are other separate substantive reasons for refusal set out further above.

9.10. Access for Emergency Vehicles and Fire Safety

- 9.10.1. I note a concern is raised in one of the appeal observations in relation to access for Emergency Vehicles. There is existing and proposed 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 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 specific 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 existing and proposed 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.

9.10.2. The issue of Fire Tender access however forms part of the requirements of a Fire Safety Certificate. I note the Chief Fire Officer has provided a Report in relation to the subject application which states *'1) Please be aware that Laois Fire Authority did not assess this application and 2) The Fire Authority recommends that the Applicant's be informed that they are required to comply with all relevant Building Regulations. Note: Laois County Council Building Control Department may need to be consulted on same.'*

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

9.10.4. Notwithstanding the above, the Commission will note there are other separate substantive reasons for refusal set out further above.

9.11. Residential Amenity

9.11.1. 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.

9.11.2. 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, 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.

9.11.3. Notwithstanding the acceptability of the proposed development in terms of its anticipated impact upon the established Residential Amenity of the area, the

Commission will note there are other separate substantive reasons for refusal set out further above.

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.
- 9.12.3. Notwithstanding the acceptability of the proposed development in relation to the capacity of Water and Wastewater, the Commission will note there are other separate substantive reasons for refusal set out further above.

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 3, 5, 6, 9 and 10 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 of the Request for Further Information 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. In my view, the clarification provided by the Applicant suitably addressed the issue raised.
- 9.13.3. Point no. 5 of the Request for Further Information related to the number of proposed bedspaces. I am satisfied that the Applicant suitably addressed the issues raised under point no. 6 of the Request for Further Information.
- 9.13.4. Point no. 6 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 and states no further issues arose. I am satisfied that the Applicant suitably addressed the issues raised under point no. 6 of the Request for Further Information.
- 9.13.5. Point no. 9 of the Request for Further Information relates to an issue raised in one of the third party submission relating to the extent of the red line boundary, which appeared to encroach onto third party lands. The Applicant provided a revised drawing in response which, in my opinion, suitably addressed the issue raised.
- 9.13.6. Point no. 10 of the Request for Further Information relates to the 128 no. submissions received. The Applicant was invited to comment. 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*

- 9.13.7. In my opinion, the Applicants Response to Further Information suitably addressed all of the 10 no. main points raised.

9.14. Overall Conclusion on Retention and Permission

- ***Retention and Change of Use of former Public House and former first floor private accommodation to its current use as emergency accommodation for displaced Ukrainian residents.***

9.14.1. The Applicant has sought retention and change of use of the former Public house to its current use as emergency accommodation for Ukrainian residents. The existing accommodation sought to be retained does not satisfy certain minimum standards as set out in the revised Temporary Accommodation Guidelines (June 2023 and Updated October 2023) (the Revised Guidelines) and does not therefore achieve an acceptable minimum standard of accommodation. The proposed retention is therefore not considered to be in accordance with the proper planning and sustainable development of the area.

- ***Permission for accommodation to be used as accommodation for persons seeking international protection under the IPAS Scheme***

9.14.2. As set out above, the proposed IPAS accommodation, which includes the adaptation of the existing building and extension onto same, in my opinion, complies with 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*) in terms of sufficient natural light to the proposed 11 no. bedrooms (existing bedroom no. 3 shown omitted) and the achievement of recommended minimum bedroom floorspace.

9.14.3. The Applicant, as per the Social and Community Infrastructure Audit has not, in my opinion, suitably demonstrated there is sufficient capacity in the Local Primary School to cater for the proposed development, in addition to the demand created by the concurrent appeal proposal, Appeal Ref. no. PL-501198-LS-26. Similarly, the Applicant has not, in my opinion, suitably demonstrated there to be sufficient capacity in local health services, particularly GP services, to cater for the proposed development, in addition to the demand created by the concurrent appeal proposal.

9.14.4. The proposed IPAS Accommodation, when considered together the concurrent appeal proposal, Ref. no. PL-501198-LS-26, would result in a combined population increase of c. 7%, i.e. c. 3.5% each. The revised Temporary Accommodation

Guidelines (June 2023 and Updated October 2023) (the Revised Guidelines) refer to a population threshold of 5% for a similar form of temporary accommodation.

Permission has already been granted at the site of the concurrent appeal for its use as a Guesthouse/ Hostel and that said premises has already been adapted for that said use. The further adaptation of that said premises to IPAS Accommodation would, in my view, if permitted, take place over a short space of time and is, in effect, ready to be adapted for its proposed IPAS Centre use. The subject proposal to provide IPAS Accommodation, if permitted, would likely have a longer lead in time compared to the proposal presented under the concurrent appeal and together would result in an anticipated cumulative increase in population of c. 7%. A proposed population increase of 3.5%, in my opinion, would be acceptable whereas a population increase of 7% would be excessive, particularly noting the anticipated shortfall in Local Primary School places and Local GP services to cater for both proposals. The combined proposals and the resultant increase in population would therefore, in my opinion, not be in the interests of the proper planning and sustainable development of the area. In addition, the issue of potential Flood Risk at the subject appeal site has not, in my opinion, been suitably addressed.

- ***Conclusion on overall proposal***

9.14.5. The proposed retention of the use of the building as temporary accommodation for displaced Ukrainian residents does not achieve relevant minimum standards of accommodation, as set out in the Temporary Accommodation Guidelines (June 2023 and Updated in October 2023) (The Revised Guidelines). The development proposed to be retained does not therefore provide an acceptable standard of accommodation.

9.14.6. When the subject proposal for IPAS accommodation is considered together with the concurrent appeal, ref no. PL-501199-LS-25, both proposals would result in an anticipated population increase of c. 7% which exceeds the 5% threshold set out in the above the Revised Guidelines, for a similar form of development. The concurrent proposal, ref. no. PL-501199-LS-25, can be readily adapted to IPAS Accommodation use whereas the subject proposal to provide IPAS Accommodation would likely have a longer lead in time. As such, the concurrent proposal, if permitted, would likely be developed first and would account for an acceptable approximate population increase of c. 3.5%, which is below to the above stated 5% threshold. The addition of

a further c. 3.5%, as proposed under the application and appeal, in my opinion, would represent a population increase of c. 7%, and would be excessive, particularly noting the anticipated shortfall in Local Primary School places and Local GP services to cater for both proposals.

9.15. Other Matters

- *Validity of the Planning Application – Site Location Map – Blue Line*

9.15.1. One of the Appellants refers to adjacent lands in the ownership of the Applicants Partner which have not been shown outlined in blue. I note the Applicants' Response to this matter. As the lands are not in the ownership of the Applicant and there is no indication that the said lands are in the control of the Applicant, it is my opinion that the submitted site location map, as amended in response to the Request for Further Information (Point no. 9), accords with the provisions of Article 22 (2) (ii) of the Planning and Development Regulations, 2001 to 2026, and is therefore acceptable.

- *Inaccuracies and Inconsistencies in the Application Documentation*

9.15.2. I note the concerns of the Appellant in relation to the above issue. I note the Applicants Further Information Response, particularly the Response to Point no. 3. In my opinion, the Applicant has suitably clarified the current use of the subject premises and has suitably explained the overall proposal.

- *Condition no. 2 of Notification of Decision to Grant Permission*

9.15.3. I note a concern of one of the Appellants that Condition no. 2 of the Local Authority decision restricts the use to that described in the public notices and does not permit any other use, without a specific grant of planning permission. I note the wording of Condition no. 2. I further note the Applicants' Appeal Response to this issue where, in short, it is submitted that the current residents can apply for IPAS accommodation as they are also seeking international protection and that therefore, there is no issue in terms of compliance with said condition.

9.15.4. The public notices refer to both retention and permission. In my opinion, the Applicants above Response has suitably addressed the issue raised and in the event of a Grant of permission being issued, the attachment of the same or a similar condition would not be unreasonable.

9.15.5. Notwithstanding the foregoing, the Commission will note there are other separate substantive reasons for refusal set out further above.

- *Consideration of Third Party Submissions*

9.15.6. One of the Appellants considers that the Applicant did not properly engage with the Third Party Submissions and that this serves to undermine the credibility of the decision making process. Specific examples raised by the Appellant include concerns in relation to the existing gate, camera locations, inadequate assessment of planning history and unauthorised development to the rear, in addition to associated security and privacy issues, and surface water attenuation and disposal.

9.15.7. I note Point no. 10 of the Request for Further Information invited the Applicant to comment on the 128 no. submissions received by the Local Authority. I note the Applicants' Response to this point of Further Information as well as the Applicants Appeal Response. The Applicants Responses are, in my opinion, comprehensive and have suitably addressed most of the issues raised.

9.15.8. Regarding the existing gate, the Applicant states it is intended to liaise with the adjoining resident in relation to this matter. This, in my opinion, is a reasonable response to the issue raised.

9.15.9. In relation to the existing camera locations, the Applicant states these have been placed for security reasons and that they are willing to relocate/ remove said cameras if conditioned into the permission. The Applicant has not provided any specific information as to the number, type, format or location of said cameras. At the time of my site inspection, I noted 3 no. cameras, one to the front of the building, one to the rear of the building and one at the rear of the subject appeal site. In my opinion, the location of these 3 no. cameras would be consistent with the normal operation of a commercial premises and would not serve to impact negatively upon the privacy of adjacent residents.

9.15.10. In relation to the issue of an inadequate assessment of planning history, the Appellant, in my opinion, is referring to alleged unauthorised and apparently historic developments on the subject premises and the wider landholding. The Appellant refers, in particular, to the use of the overall landholding, including lands in the control/ ownership of the Applicants Partner, as a single plot, and refers to an illuminated driveway to the rear, which connects the subject appeal site to the

Applicants other lands/ premises which allows for the movement of vehicles and pedestrians between both properties.

9.15.11. The said adjacent lands are outside the defined red line boundary of the subject appeal site. At the time of my site inspection, vehicular access from the subject appeal site was available to each of the said 2 no. adjacent plots. The western boundary of the southern plot was defined by a block wall and a gated vehicular entrance, and the western boundary of the northern plot on the subject appeal site was open. I noted a surfaced access road along northern boundary of the southern plot which was overgrown and did not appear to be in recent or regular use. I didn't notice any lighting stands along said road. I note available historic satellite imagery shows a paved road along the northern boundary of the adjacent southern plot which in turn connects to the rear of the Applicants' lands to the north, the site of the concurrent appeal, ref. no. PL-501198-LS-26 refers. I note the subject appeal site was the subject of a previous unauthorised development case, which has since been closed, see UD file ref. no. UD/22/50. It is unclear whether that said case relates to the above alleged unauthorised development. In any case, the issue of planning enforcement is a matter for the Local Authority.

9.15.12. Although the Applicant has sought retention there is no express reference to the rear site boundary and the apparent merging of the subject appeal site with the northern plot to the east. The Applicant has not specified the proposed treatment of the rear west boundary and has shown a paved access/ link to same the northern plot. In my opinion, the subject appeal is lacking sufficient detail in relation to the existing and proposed rear boundary treatment, existing and proposed access arrangements to said adjacent lands and the planning status of the 2 no. sites which have been merged.

9.15.13. The Commission may wish to seek further information in relation to this issue however, having regard to the more substantive reasons for refusal set out further above, it may not be necessary to pursue the matter.

9.15.14. The relevant Appellants property is understood to be located to the immediate south of the southernmost part of the Applicants overall landholding. The Appellant is particularly concerned in relation to security and privacy. I note however that the

aforementioned road is removed from the Applicants boundary such that it would not appear to significantly impact upon the Applicants' security and privacy.

9.15.15. The issue of Surface Water Attenuation and Disposal is addressed further above.

- *Lack of Community Engagement*

9.15.16. 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.

9.15.17. 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-501198-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*

9.15.18. 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*

9.15.19. 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 190 metres from River Barrow and River Nore SAC (Site Code: 002162) and approximately 216 metres from the River Nore SPA (Site Code 004233), to the north of the site, 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. 205 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 refused for the proposed development based on the reasons and considerations set out below.

13.0 Reasons and Considerations

13.1. Having regard to

- the current use of the subject premises for the purposes of Temporary Accommodation for displaced Ukrainian residents and the recommendations contained in the Temporary Accommodation Guidelines (June 2023 and Updated in October 2023) (The Revised Guidelines), the subject proposal to be retained does not achieve adequate natural light in the case of existing bedroom labelled no. 3 on the submitted plans, the minimum family bathroom area of 4 sqm in the case of family bedrooms labelled no. 1 and 4, or the minimum recommended living room floorspace of 20 sqm.
- In addition,
 - there are no in built wardrobes in any of the 9 no. bedrooms, as recommended in the Revised Guidelines,
 - the Applicant has not suitably demonstrated that the first floor bathroom is for the exclusive use of a single family and is not shared, as recommended in the same Revised Guidelines,
 - the Applicant has not confirmed the current occupancy rate which would assist in determining how the existing development would achieve sufficient dining space to cater for the needs of all residents and families, and
 - there is insufficient information provided as to how the First Floor Kitchen/ Dining Room, to which there is no direct internal access from the ground floor, is managed, whether the said rooms are available for the use of all residents.
 - The existing development to be retained does not therefore satisfy minimum standards for Temporary Accommodation, as set out in the Revised Temporary Accommodation Guidelines (June 2023 updated in October 2023).
- The proposed development for IPAS Accommodation, when considered together with the concurrent appeal, ref. no. PL-501198-LS-26 on the nearby

site, c. 33 metres to the north, equates to anticipated combined population increase of c. 7%. This would exceed the recommended threshold of 5% as set out in the Revised Guidelines, for what is a similar form of development and is considered to be excessive having regard to the scale of the existing settlement.

- The subject appeal site and the adjacent lands to the immediate east, which are in the control and ownership of the Applicant, are understood to have been the subject of a previous pluvial flood event. The proposed development on the subject appeal site includes residential development in the form of IPAS accommodation which is classed as highly vulnerable development for the purposes of flood risk. The Applicant has not suitably addressed the issue of potential Flood Risk at the subject site and adjacent lands by means of a Site Specific Flood Risk Assessment. In the absence of same, the Applicant has not suitably demonstrated the proposed development to be acceptable from a Flood Risk perspective.

The proposed development, as presented, is therefore not considered to be in accordance with the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence 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-501199-LS-26
Proposed Development Summary	Change of use of bar and private accommodation to be used as accommodation for persons seeking international protection.
Development Address	Peadar's Bar Mary Street , 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-501199-LS-26
Proposed Development Summary	Change of use of bar and private accommodation to be used as accommodation for persons seeking international protection.
Development Address	Peadar's Bar Mary Street , 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) but is not anticipated to result in any discernible negative impact upon the character and setting of same. There is a Protected Structure on a nearby site to the west however the proposed development 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, intensity and complexity, duration,	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, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.

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

Inspector: _____ **Date:** _____

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

(only where Schedule 7A information or EIAR required)