



An
Coimisiún
Pleanála

Inspector's Report PL-501536-CN-26

Development	The construction of 8 no. dwellings, all associated and ancillary site works.
Location	Creighan, Cavan , County Cavan
Planning Authority	Cavan County Council
Planning Authority Reg. Ref.	2560511
Applicant(s)	Bridget Booysen
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Bridie Reilly & Residents
Observer(s)	None
Date of Site Inspection	17 th September 2026
Inspector	Aisling MacNamara

1.0 Site Location and Description

- 1.1. The site is located in Creighan at the southern environs of Cavan town. Access to the site is from the L25008 local tertiary Ballyjamesduff road which is a cul de sac road serving a small number of residential properties, some undeveloped land parcels and the Lidl supermarket site. The cul de sac road terminates at a northern point close to the R198 regional road and there is an existing footpath link between the cul de sac and the regional road. The road is accessed from the south via Ballinagh Road and R935. This nearby southern area is built up with a mixture of commercial and residential properties including the Moynehall Retail Park and Cavan Institute.
- 1.2. The proposed development site is undeveloped agricultural land located between two existing residential properties (the southern dwelling is a HSE care home facility).

2.0 Proposed Development

- 2.1. Permission is sought for the following:

The construction of 8 no. serviced dwellings (4 pairs of three storey, three bed semi detached dwelling), to construct new entrances, connect to existing public services and all associated and ancillary site works.

Area of site – 0.24ha

Proposed works – 1096sqm

Revised drawings and details were submitted at further information stage (advertised as significant). Revised site layout, elevation and floor plan drawings were submitted showing the design of the dwellings altered from a three storey semi detached to a two storey three bed semi detached format.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. By order dated 27th May 2026, the planning authority decided to grant permission subject to 27 conditions.
- 3.1.2. Condition 8 required 1.8m brick walls along northern and southern boundaries (from front building line to rear site boundary) and rear boundary.
- 3.1.3. Condition 11 relates to external materials and finishes. The condition requires a brick finish on the gable elevations of the dwellings along the northern and southern boundary of the site.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The case planners report dated 20th October 2025 recommends further information.
- Further information was requested on 22nd October 2025 in relation to 9 items:
 - (1) Submit revised plans with design sympathetic to surrounding residential area and which integrates differing masses to improve visual amenity – scheme would benefit from enhanced design in terms of form, layout and configuration.
 - (2) Provide area calculations of private and public open space.
 - (3) Submit details of traffic implications having regard to cul de sac location and details of surface water drainage at public road.
 - (4) Show there will be no overlooking of adjoining properties.
 - (5) Submit evidence of Uisce Eireann connection agreement to public water and wastewater network.
 - (6) Submit landscaping plan.
 - (7) Submit revised proposal showing minimum 2m public footpath along frontage of site. The new footpath kerb shall be set back an additional

500mm from the existing kerb line on the public road to the north of the proposed development.

(8) Submit details of public lighting.

(9) Submit lighting design report.

- Further Information response received 21st April 2026. The further information response was deemed 'significant' and revised public notices were advertised.
- The case planner's report dated 20th May 2026 recommends grant of permission.

3.2.2. Other Technical Reports

- Senior Executive Scientist

Report of 19/09/2025 – recommends approval subject to conditions in relation to CEMP, control of discharges during construction, runoff, water quality and environmental protection measures, control of hydrocarbons, surface water to be managed in accordance with the surface water drainage system detailed in the received documentation.

- Road Design Public Lighting

Report of 20/10/2025 – Submit LED public lighting scheme in accordance with Council's policy; submit lighting design report

Report of 30/04/2026 – no further comment

- Environmental Services

Report of 24/09/2025 – recommends conditions in relation to management of construction waste and waste disposal.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

Third party observations received from residents of the area objecting to the proposed development.

4.0 Planning History

There is no recent planning history of relevance.

5.0 Policy Context

5.1 Development Plan

Cavan County Development Plan (CDP) 2022-2028 (as varied)

Site is within the settlement boundary of Cavan Town Local Area Plan (variation no.1 of CDP).

Under the core strategy and settlement strategy, Cavan Town is designated a tier 1 Key Town, with population targeted to grow from 11,794 in 2022 to 12,674 in 2028 and 13,053 in 2031.

Site is zoned Proposed Residential

Objective: Provide for new residential development in tandem with the provision of the necessary social and physical infrastructure.

Vision: Ensure the provision of high quality new residential environments with good layout and design, high energy efficiency rating, sustainable transport links and within walking distance of community facilities. Provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities. All Proposed Residential zoned lands within the plan is subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the application of the Vacant Site Levy for residential purposes where appropriate. Where appropriate, development design proposals shall provide for further access to adjacent zones of residential lands in order to facilitate their future access and development.

Specific objective no. 29 With respect to lands within Flood Zones A and B (with underlying zoning as Proposed Residential), permissible Uses shall be constrained

to those water compatible and less vulnerable uses as relevant to the particular Flood Zone, (refer to the accompanying Strategic Flood Risk Assessment and Plan Section 13.7)

Note - the site is not shown to be on flood extent land on the Cavan Fluvial Flood Extents, OPW FINAL CFRAM maps.

Chapter 2 Settlement Strategy

2.2 Key Town Cavan Town Local Area Plan 2022-2028

CTG 06 Encourage and foster the creation of attractive, mixed use, sustainable communities that include a suitable mix of housing types and tenures with supporting facilities, amenities and services that meet the needs of the entire community and accord with the principles of universal design and Age Friendly standards.

CSC 01 Provide for new residential development in accordance with the requirements of the HNDA Housing and Core Strategy.

CSC 02 Require that an appropriate mix of housing type, tenure, density and size is provided in all new residential developments to meet the needs of the population of Cavan Town.

CSC 03 Encourage the appropriate redevelopment of brownfield and infill sites for residential uses within the footprint of the existing built-up areas.

Chapter 3 Housing

HS 09 Support the development of quality residential schemes with a range of housing options having regard to the standards, principles and any specific planning policy requirements (SPPRs) set out in the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024); Urban Development and Building Heights Guidelines for Planning Authorities' (2018) and the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2023).

Chapter 4 Sustainable Communities

SH 02 Achieve densities for new housing that respect the local character of surrounding areas whilst making efficient use of land.

Chapter 7 Transportation & Infrastructure

RLR 02 Safeguard the carrying capacity and safety of the Council's regional and local road network.

RLR 05 Implement the recommendations of the Design Manual for Urban Roads and Streets (DMURS 2019) in relation to urban streets and roads within the 50/60 kmph zone.

CP 01 Require development proposals to provide adequate car parking provision and associated servicing arrangements. The specific amount of car parking will be determined according to the characteristics of the development and its location having regard to the standards set out in Table 7.4.

FDW 05 Ensure new developments provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems where appropriate in new development and the public realm.

FDW 06 Incorporate the requirement for Sustainable Urban Drainage Systems where appropriate in local authority projects and private development sites.

Chapter 13 Development Management

13.3.12 Urban Design

UD 01 Require all developments to adequately address the Key Indicators of Quality Urban Design and Placemaking as indicated in the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024), and accompanying Appendix D: Design Checklist - Key Indicators of Quality Urban Design and Placemaking, or any update thereof.

RD 01 Encourage densities where appropriate in accordance with the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (DHLGH, 2024) or any update thereof.

RD 03 Ensure densities of proposed developments reflect the key attributes and character of the surrounding/ adjoining area.

Development objectives are set out under the following sections:

13.4.2 Building Height

BHDO 03 The appropriate maximum or minimum height of any building will be determined by | The prevailing building height in the surrounding area | The proximity

of existing housing | The formation of a cohesive streetscape pattern, including height and scale of the proposed development relative to width of street or area of open space. | The impact of any Protected Structures, Architectural Conservation Areas (ACAs) and/or sensitive sites. | Design shall take into account overlooking and privacy | Proposal should not interfere with scale, amenities and visual quality of existing development

13.4.7 Private Open Space

POS 02 Require the following minimum open space requirements for new dwelling houses - One bedroom - 20sqm, 2 bedroom - 30sqm, 3 bedroom - 40sqm, 4 bedroom+ - 50sqm.

13.4.9 Overlooking and Overshadowing

OO 01 Maintain at least 16 metres separation distance between opposing habitable room windows at the rear and/or side of houses, duplex units and apartment units, above ground floor level.

OO 04 Any window proposed at ground floor level should not be less than 1 metre from the boundary it faces.

13.4.10 Design and Layout

DL 01 Require that all proposals for residential development demonstrate compliance with the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024) Buildings Heights Guidelines for the Planning Authorities (2018), or any updates thereof.

DL 03 Planning proposals for housing schemes are required to present a considered design approach to tailor the scale, design, layout and density of housing in responding to the individual character of the respective town or village.

Other:

National monument located outside of the site to the northeast.

5.2 National guidance

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

5.4 Natural Heritage Designations

There are no sites designated for natural heritage in the surrounding area.

6.0 EIA Screening

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.

7.0 The Appeal

7.1. Grounds of Appeal

A third party appeal has been received from residents of Creighan. The issues raised are summarised as follows:

Strongly opposed the development

- Scale and character – overdevelopment of constrained residential site; out of keeping with existing homes on cul de sac; change in scale will visually dominate the road and seriously alter the character of the area which is predominantly bungalows and two storey dwellings; scale, height and density is excessive and incompatible with established character.
- Non compliance with sustainable planning and residential design principles.
- Loss of residential amenity - Loss of privacy – the inclusion of large upper level windows and balconies would overlook nearby gardens and living spaces, cause unacceptable loss of privacy for long established households; visual intrusion; overshadowing; increased activity.

- Traffic and road safety concerns – The road is already narrow and congested – restricted road width, parking issues. Adding 8 new houses will result in heavy turning movements and increased risk to pedestrians and children. The cul de sac is not designed to cater for this level of traffic. Development results in increased movement conflicts, lack of turning head in cul de sac, existing difficulties manoeuvring and turning, cars regularly park on roadway.
- Emergency and safety concerns – Cul de sac road is a long road with no secondary exit; already beyond recommended limits - excessive length of existing cul de sac c 250m; absence of turning area for fire engines and ambulances; note HSE care centre located on cul de sac – any delay in emergency access may have serious consequence; no evidence that development can safely accommodate emergency vehicles. Letter submitted from Staff Nurse, Oakvale HSE stating insufficient consideration given to emergency access arrangements noting that cul de sac is sole access route and residents concerned that obstructions could delay emergency response times.
- Impact on the community – currently safe and quiet – the development will reduce quality of life for existing residents – traffic risks and loss of amenity.
- Precedent – will set undesirable precedent for unsuitable intensification, undesirable pressure on local infrastructure.
- lack of consideration of cumulative impacts – 8 new dwellings at end of already constrained cul de sac places additional demands on road infrastructure, parking, service access, drainage, pedestrian safety, emergency access arrangements.
- Conclusion – request ACP refuse permission.
- Conflicts with objectives of Cavan County Development Plan – inconsistent with objectives to ensure new residential development integrates with existing communities, protects residential amenity, provides safe and efficient access, promotes sustainable movement patterns, ensures high quality urban design.
- Conflicts with DMURS - Lack of pedestrian connectivity and sustainable transport links, absence of pedestrian permeability links, absence of cycling

connectivity, lack of secondary access route, concentration of dwellings at cul de sac termination point, increased vehicular dependency and traffic generation.

- Failure to comply with principles of proper planning and sustainable development.

7.2. Applicant Response

The applicant has submitted a response to the appeal. The key issues raised are summarised as follows:

- Cover letter – Do not consider the development would cause such harm so as to warrant withholding permission; the development accords with the zoning objective for the land; appeal does not explain basis for why the proposal does not integrate with the residential area, does not show that would generate unsustainable travel and does not identify architectural design deficit.
- Information set out in relation to site and environs, planning history and description of proposed development, planning policy and Council decision. Planning policy referenced includes National Planning Framework, Sustainable Residential Development and Compact Settlement Guidelines, Urban Design Manual Best Practice Guidelines, Design Manual for Urban Roads and Streets, Urban Development and Building Height Guidelines, Regional Spatial and Economic Strategy, Cavan County Development Plan (noting settlement strategy, population projections and housing targets, zoning of site as Proposed Residential Land).

Rebuttal of grounds of appeal:

- Overall development concept – The proposal wholly accords with the zoning objective.
- Scale and character – disagree that scale / character not acceptable; there are a mix of housing types in this area; revised designs were submitted at FI stage reducing height from 3 storey to 2 storey; area has medium density; proposal represents efficient use of underused land within walking distance of

county town; development is in character with existing form of residential development – Ballyjamesduff road has mix of one and two storey houses.

- Residential amenity

Appearance of streetscape – designed for individual purchasers; design is modern suburban appearance – is in character with surrounding area.

Amenities of existing homes – revised designs submitted at FI stage deemed acceptable by planning authority (removal of third floor/balconies); proposal will not affect amenity in terms of overshadowing and visual intrusion; traditional internal room layouts are proposed; will not result in overlooking - rear elevation contains bedroom and ensuite at first floor, toilet will have obscure glass, rear bedroom only used at night time when curtains drawn and neighbouring gardens not in use.

- Connectivity – Site is in proximity to services and facilities; site has access to transport links between Ballyjamesduff Road and road network; militates against travel by private car.

- Traffic and safety –

References to DMURS relate to provision of new roads and footpaths in new housing estates not to existing road network and existing carriageway.

Ballyjamesduff Road already exists in a no through road condition and revisions to its character are beyond the remit of the application / responsibility of applicant.

Safety – Carriageway varies in width, drivers may use existing lay by or vehicular entrances – this is not dangerous situation; linear alignment of road provides road users with ample visibility; road improvements proposed; no through nature of road – carriageway can cater for minimal number of additional traffic movements of development; proposal will not adversely affect safety or free flow of traffic; emergency vehicles will not be hindered from accessing the HSE facility (small scale facility – 4 adults requiring support) – the facility will not be impacted by the development – no conflicting turning movements, the public road is accessed from the south and the development is beyond the HSE facility; appellants have overstated the difficulties which

the new houses would create; existing cul de sac arrangement and absence of secondary emergency access route is a matter for Cavan County Council; no evidence that owners have sold / relocated due to road safety issues, no evidence of accidents in the area.

- Precedent – each application is dealt with on its merits.
- Concluding comment - Proposal is small estate on residential zoned land located in Cavan a county town and of type which accords with principles of sustainability. The development would not harm amenity, ecology or safety so as to warrant refusal. Invite ACP to endorse the decision of the Council and grant permission for this much needed residential development proposal.

7.3. Planning Authority Response

The planning authority has responded to the grounds of appeal, summarised as follows:

- Appeal noted, matters were addressed in the planners reports, request that ACP uphold the decision of the planning authority and grant permission.

7.4. Observations

None

8.0 Assessment

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

- Principle of development
- Density
- Design and placemaking
- Parking and traffic considerations

- Residential amenity
- Other issues

8.2. Principle of development

- 8.2.1. The site is in an area zoned 'Proposed Residential' in the Cavan County Development Plan (CDP) 2022-2028 which has a zoning objective 'to provide for new residential development in tandem with the provision of the necessary social and physical infrastructure'. I am satisfied that the proposed residential development of the site is acceptable in principle on Proposed Residential zoned land.

8.3. Density

- 8.3.1. Objective RD01 of the CDP is to encourage densities where appropriate in accordance with the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities, 2024. Objective RD03 is to ensure densities reflect the character of surrounding areas.
- 8.3.2. It is proposed to construct 8 dwellings on site of 0.24ha. The density of the proposed development is 33/ha.
- 8.3.3. The site is located within the settlement boundary of Cavan, designated under the CDP core strategy and settlement strategy as a Key Town. Under the Compact Settlement Guidelines Key Towns are prioritised for the development of integrated and connected settlements including protection of character, amenity and heritage. Having regard to the definitions in Table 3.5 the Guidelines, I consider the site is in a 'suburban/ urban extension' area. It is a policy and objective of the Guidelines that residential densities in the range of 30dph to 50dph (net) shall generally be applied at suburban and urban extension locations. The proposed density is within this range.
- 8.3.4. There are no environmental or built heritage constraints on the site. Having regard to the accessibility criteria of Table 3.8, I consider that the site is in a 'peripheral' location. This is a small 'gap' site located within an established residential area and I am satisfied that the proposed density is an acceptable density for the development of the site. The intensity of development proposed represents efficient use of underutilised serviced land and I do not consider there is overdevelopment of this site.

- 8.3.5. The density of the proposed development is in accordance with the density standards set out in the Sustainable and Compact Settlements Guidelines and is in accordance with objective RD01 of the CDP.
- 8.3.6. This area has a mix of dwelling types and formats, generally low to medium density. I am satisfied that the proposed density is acceptable having regard to the existing character of the area and that the proposal is in accordance with objective RD03.

8.4. Design and placemaking

- 8.4.1. The 'Proposed Residential' zoning vision is to provide high quality new residential environments with good layout and design and sustainable transport links within walking distances of community facilities.
- 8.4.2. Objective UD01 of the CDP requires development to address key indicators of quality urban design and placemaking in the Sustainable Residential Development and Compact Settlement Guidelines. These guidelines set out policies and objectives and specific planning policy requirements (SPPRs) which shall be applied. Objective DL03 requires scale, design, layout and density to respond to the character of areas. Objective BHDO03 states that heights are to be determined by considerations such as prevailing building heights in the surrounding area and the formation of cohesive streetscape patterns.
- 8.4.3. It is proposed to construct the new houses on a small greenfield gap site located between existing dwellings. This surrounding area has a mix of development types including existing single bungalows, two storey detached and semi detached and terrace format houses as well as commercial and community uses including the Lidl supermarket. The site is part of a larger landbank within the control of applicant (as shown in blue) which is zoned Proposed Residential. Should the subject site be developed, the remaining zoned lands are not 'landlocked' as these lands can also be accessed directly from the public road at point further south along this road.
- 8.4.4. It is proposed to construct 8 no. two storey semi detached houses fronting onto the street, served by private gardens to the rear and parking to the front. The houses have ground to ridge height of 9.7m, are of traditional suburban design and finished in plaster and brick with slate roof. The front and rear building line of the development is similar to the existing dwellings to the northern and southern boundaries of the site. To the front of the houses, it is proposed to plant screen

hedging to demarcate plots with low front wall /brick piers. The existing roadside hedge is to be removed to make way for the development. This is mitigated by the new screen hedging and new trees which are to be planted within the rear garden of each house. Private open space is provided in accordance with the requirements of objective POS02 (private open space) and in accordance with SPPR 2 (minimum private open space standards for houses).

- 8.4.5. I am satisfied that the layout, design, form, height, finishes and scale of the development are such that it will integrate into this surrounding area without appearing at odds with the existing built environment. It will allow for passive surveillance and an attractive and animated interface. It provides quality private open space for residents and new planting which will enhance biodiversity. The proposed development will contribute to the mix of dwelling types in the area.
- 8.4.6. The site is within easy walk of local shops, services and facilities including the nearby Lidl supermarket and Cavan Institute. Cavan town centre is located c 480m to the north.
- 8.4.7. There is a footpath abutting the northern boundary of the site connecting north towards Cavan centre with cycle paths and footpaths along both sides of the R935. The site is in close proximity to bus stops on the R935 served by localink buses. To the south of the site, a new footpath has been constructed along the Ballyjamesduff roadside boundary of the Lidl site, however there are no footpaths between the site and this footpath. It is proposed to construct a new footpath along the roadside frontage of the site which will connect to the existing footpath at the northern boundary of the site. This will improve the existing facilities on Ballyjamesduff Road and will benefit the residents of the development and other users of the road.
- 8.4.8. The proposed development will be connected to the existing footpath network, will benefit from good accessibility to cycle paths and public transport and is within easy reach of services and facilities.
- 8.4.9. In conclusion, I am satisfied that proposal will provide quality design that satisfies the indicators of quality design set out in the Sustainable and Compact Settlements Guidelines and that the proposal is in accordance with objective UD 01. I am satisfied that the proposal provides a high quality residential environment with a good layout and design, promotes sustainable transport and is within walking

distance of community facilities and therefore the proposal is in accordance with the zoning vision. The proposal is in keeping with the character of the area and will not adversely impact on the visual amenities of the area.

8.5. Parking and traffic considerations

8.5.1. Parking

8.5.2. Objective CP01 requires development proposals to provide adequate parking provision and that the amount will be determined according to the characteristics of the development and its location having regard to the standards in Table 7.4. Table 7.4 requires a maximum of 2 spaces per unit.

8.5.3. It is proposed to provide each house with 2 on site parking spaces. This is in accordance with the CDP requirements.

8.5.4. Under the Sustainable and Compact Settlements Guidelines it is a specific planning policy requirement of the Guidelines that in 'peripheral' locations developments are provided with a maximum of 2 spaces where such provision is justified to the satisfaction of the planning authority. I am satisfied that the development is provided with an acceptable amount of parking to provide for the needs of the development. The proposal is in accordance with the SPPR3 requirements.

8.5.5. Traffic considerations

8.5.6. Objectives RLR02 is to safeguard the carrying capacity and safety of the county's local and regional roads. Objective RLR05 is to implement the recommendations of the Design Manual for Urban Roads and Streets, 2019.

8.5.7. The site is located on the local tertiary road L25008 which is a cul de sac road with speed limit of 50km/hr. The road is straight and has been widened in sections however near the site frontage has not been widened. The site is located at the end of the cul de sac road where traffic is light and slow moving.

8.5.8. The site layout drawings shows that the proposed development is to be constructed to allow for the widening of the existing carriageway and the construction of new 2m footpath. Sightlines can be achieved in accordance with the DMURS requirements. The road will be of standard carriageway width which allows for cars to pass.

8.5.9. Having regard to the small size of the proposed development including the nature of the existing roads in the surrounding area including the width, alignment,

construction make up and junctions in the area, I am satisfied that the existing road network can accommodate the additional traffic movements associated with the proposed development.

- 8.5.10. Third parties raise concerns regarding the impact of the proposed development on the emergency access arrangements for the existing HSE care home which adjoins the southern boundary of the site. In this regard, I am satisfied that the proposed development will not result in any works that would obstruct access to the care home.
- 8.5.11. Third parties raise concerns regarding the existing design and length of the cul de sac road and capacity to accommodate the needs of emergency service vehicles. I am satisfied that the development will not compromise existing access arrangements. The widening of the carriageway will improve the road.
- 8.5.12. Third parties have raised that haphazard parking along the road may obstruct the road. In this regard, I am satisfied that the houses are provided with a satisfactory amount of on site parking spaces. Any potential unregulated parking on the public road is an enforcement matter for the relevant authorities.
- 8.5.13. In conclusion, I am satisfied that the proposed development will not result in traffic hazard or obstruction of road users and that the proposal is in accordance with objective RLR02 of the CDP.

8.6. Residential amenity

- 8.6.1. The proposed houses are a modest two storey height, located in line with the existing houses along the road and orientated with front elevation addressing the public road providing passive surveillance of the public street and rear elevation addressing rear gardens. The rear elevation of the proposed houses are set back c 15-16m from the rear site boundary and the adjoining lands to the rear are undeveloped. The floor layout drawing shows gable side elevations with first floor WC windows. Having regard to the orientation, site configuration and design, I am satisfied that the proposed houses will not result in any significant level of overlooking of adjoining properties.
- 8.6.2. The proposal complies with the separation distances for overlooking and overshadowing set out in objective OO01 and OO04 of the CDP.

- 8.6.3. The proposal complies with SPPR1 of the Sustainable and Compact Settlements Guidelines regarding separation distances.
- 8.6.4. Having regard to the modest height, the layout configuration and orientation of the proposed development I am satisfied that the proposed development will not result in any significant level of overshadowing or overbearing impacts on adjoining properties.
- 8.6.5. In conclusion, I am satisfied that the proposed development will not have any significant adverse impacts on the residential amenity of surrounding properties.

8.7. Other issues

8.7.1. Surface water drainage and collection

- 8.7.2. It is proposed to dispose of surface water from the development to the existing sewer.
- 8.7.3. FDW05 and FDW06 is to ensure that new developments provide separate foul and surface water drainage systems and incorporate sustainable urban drainage systems.
- 8.7.4. Should permission be granted, it is recommended that a condition be attached requiring details to be submitted for agreement with the planning authority to show the incorporation of sustainable urban drainage measures for the attenuation and disposal of water.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located c 4.7km to Lough Oughter and Associated Loughs SAC and 4.8km to Lough Oughter Complex SPA.

There are no surface water connections between the site and the Natura 2000 site network.

Having considered the nature, scale and location of the proposed development, 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 small scale and residential nature of the development,
- lack of hydrological or ecological connection to the Natura 2000 site network,
- distance to Natura 2000 sites,

I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects.

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

10.0 Water Framework Directive

10.1. An assessment of the proposed development has been undertaken in accordance with Article 4 of the EU Water Framework Directive (2000/60/EC), as transposed by the European Communities (Water Policy) Regulations 2003, as amended, and with regard to the Water Action Plan 2024: A River Basin Management Plan for Ireland.

The receiving water environment has been identified and assessed, see attached appendix. Having regard to the nature, scale, and location of the proposed development, and the mitigation measures, as conditioned, it is concluded that the proposed development will not:

- Result in deterioration of the ecological, chemical, or quantitative status of any relevant surface water or groundwater body;
- Increase pollutant loading or alter the hydrological regime of any receiving watercourse;
- Prevent or impede achievement of environmental objectives under the applicable River Basin Management Plan.

Any residual risks are capable of being addressed through mitigation conditions.

The proposed development is considered to be in compliance with the requirements of Article 4 of the Water Framework Directive.

11.0 Recommendation

11.1. I recommend that permission be granted.

12.0 Reasons and Considerations

Having regard to the location of the subject site on lands zoned as ‘Proposed Residential’ in the Cavan Town local area plan in the Cavan County Development Plan 2022-2028, the provisions of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities and the nature, scale and design of the proposed development and the pattern of development in the area, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual and residential amenities of the area or property in the vicinity and would be acceptable in terms of traffic safety and convenience and would not be prejudicial to public health. The proposed development would therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 21st April 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2	Prior to the commencement of development the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a

	service connection(s) to the public water supply and/or wastewater collection network. Reason: In the interest of public health and to ensure adequate water/wastewater facilities.
3	(a) The internal road network serving the proposed development including parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS). (b) Footpaths shall be dishd at road junctions in accordance with the requirements of the planning authority. Details of all locations and materials to be used shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. Reason: In the interest of amenity and of traffic and pedestrian safety.
4	Prior to commencement of development, proposals shall be submitted for the written agreement of the planning authority showing revised surface water disposal measures which incorporate Sustainable Urban Drainage measures for the attenuation and disposal of surface water in compliance with the requirements of the relevant Section of the Council for such works and services. Reason: In the interest of public health and sustainable surface water management.
5	(a) All foul sewage and soiled water shall be discharged to the public foul sewer. (b) Only clean, uncontaminated storm water shall be discharged to the

	surface water drainage system or soakpits. Reason: In the interest of public health.
6	Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. Such lighting shall be provided prior to the making available for occupation of any residential unit. Reason: In the interest of amenity and public safety.
7	The landscaping scheme shown on Site Layout Plan drawing number 25-001-504, as submitted to the planning authority on the 21st April 2026 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. Reason: In the interest of residential and visual amenity.
8	All rear gardens shall be bounded by block walls, 1.8 metres in height, capped and rendered, on both sides, to the written satisfaction of the planning authority. Reason: In the interests of residential and visual amenity.
9	Details of the materials, colours and textures of all the external finishes to the proposed dwellings/structures/buildings shall be submitted to, and

	agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.
10	The glazing to all bathroom and en-suite windows shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable. Reason: In the interest of residential amenity.
11	All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Reason: In the interests of visual and residential amenity.
12	All of the in-curtilage car parking spaces serving residential units shall be provided with electric connections to the exterior of the houses to allow for the provision of future electric vehicle charging points. Reason: In the interest of sustainable transportation.
13	Proposals for a house numbering/name scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all house numbers, shall be provided in accordance with the agreed scheme. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s). Reason: In the interest of urban legibility.

14	Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. Reason: In order to safeguard the residential amenities of property in the vicinity.
15	A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities. Reason: In the interest of environmental protection, residential amenities, public health and safety and environmental protection.
16	Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the

	agreement, to An Coimisiún Pleanála for determination. Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.
17	(a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing. (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing. (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

	Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.
18	The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme. Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.
19	Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

	Reason: To ensure the satisfactory completion of the development.
20	The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking In Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority. Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.

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.

Aisling Mac Namara
Planning Inspector

23rd September 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	501536
Proposed Development Summary	The construction of 8 no. dwellings, all associated and ancillary site works.
Development Address	Creighan , Cavan , County Cavan
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 Q.2.
	☐ No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
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. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ 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. No Screening required.	
☐ 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)	Schedule 5, Part 2, 10 (b) (i) Construction of more than 500 dwelling units 10 (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.
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: _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	501536
Proposed Development Summary	The construction of 8 no. dwellings, all associated and ancillary site works.
Development Address	Creighan , Cavan , County Cavan
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, 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 development is situated within an established settlement. The development is separated from sensitive natural habitats and designated sites. No built heritage on the site.

Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	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.
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)

Appendix 3: Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
ACP ref. no.	501536	Townland, address	Creighan , Cavan , County Cavan
Description of project		The construction of 8 no. dwellings, all associated and ancillary site works.	
Brief site description, relevant to WFD Screening		No surface water bodies on site.	
Proposed surface water details		Public sewer / drain	
Proposed water supply source & available capacity		Public mains	
Proposed wastewater treatment system & available capacity		New public sewer Cavan UWWT agglomeration – has available spare capacity (UE Capacity Register, April 2026). 2025 UE Annual Environmental Report for Cavan Town states discharge from plant does not have an observable negative impact on WFED status.	
Other issues			
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection			

Identified water body	Water body name(s) (code)	WFD status	Risk of not achieving WFD Objective e.g. at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater) Consider all phases	Mitigation measures proposed	Is mitigation sufficient? Will there be any residual impacts?
River	CAVAN_010 Green lough stream	Poor	At risk	Agriculture Urban Run-off	No hydrological pathway – note Cavan WWTP has capacity.	n/a	
Ground	Cavan	Good	Not at risk	-	surface water disposal to public network Condition to integrate sustainable on site collection and disposal	SuDS in accordance with Council requirements (condition). Standard best construction.	No residual impact
					Construction	Standard best construction CEMP (condition)	No residual impact