Inspector's Report
PL-501686-CN-26

Development	Construction of 2 dwelling units, upgrade driveway and associated site works.
Location	Drumbannan, Bailieborough, Co Cavan
Planning Authority	Cavan County Council
Planning Authority Reg. Ref.	2560621
Applicant(s)	Martin O'Brien
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Anthony & Carla Dowling & Brian McHugh
Observer(s)	None
Date of Site Inspection	17th September 2026
Inspector	Aisling MacNamara

1.0 Site Location and Description

1.1. The site is located within the built up area of the settlement of Bailieborough in County Cavan. The site forms part of the side garden of an existing two storey semi detached house located within a residential area. The red site boundary forms part of a larger site outlined in blue which contains the curtilage of the existing house and which is within the control of the applicant. The site is located on the corner of L76157 local tertiary Lakeview road which adjoins the western and southern boundary. There is an existing gateway access to the L76157 at the northwestern corner of the site. The site is elevated and overlooks a public open green space, the R165 main road and surrounding area including Baileborough Lough. Existing residential properties adjoin to the rear and eastern boundaries. Levels fall steeply from north to south across the site outlined in blue.

2.0 Proposed Development

2.1. Permission is sought for the following:

- construction of 2 no. semi detached 2 storey dwellings (2 bed),
- upgrade of existing driveway, car parking, connections to existing services, landscaping and associated site works adjacent to the existing dwelling.

Area of site – 0.098ha. Proposed works – 202sqm.

Proposed source of water supply: public mains; proposed wastewater management / treatment: public sewer; proposed surface water disposal: soakpit.

Revised details and drawings submitted at further information and clarification of further information stage (advertised as 'significant' 12th February and 28th May 2025). The car parking and driveway area is altered and footpath is shown along Lakeview road.

Note the site layout drawing refers to works at the existing building as exemption ref no. 408. The report of the case planner states that proposed extension to the rear of the existing property was deemed exempt under ref 408.

3.0 Planning Authority Decision

3.1. Decision

By order dated 22nd June 2026, the planning authority decided to grant permission subject to 20 conditions.

Condition 9: Prior to commencement of development the developer shall submit a revised site layout plan for the agreement of the planning authority. The plan shall provide details showing a shared surface arrangement along the L76157-0 within the applicants ownership; the developer shall liaise with the MD Engineer on signing, lining and public lighting; the developer shall bear costs; timeline for delivery of shared surface to be agreed.

Condition 10: Requires retaining walls to be designed, supervised and certified by engineer.

Condition 20: The glazing to ensuite area at first floor for proposed unit 02 shall be opaque glass.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Case planners report of 1st December 2025 recommends further information on 7 items.
- Further Information requested on 9th December 2025 as follows:

  (1) Planning authority has concerns regarding overlooking to the property amenity space on the northeastern boundary. Submit site sectional drawing to demonstrate existing / proposed ground levels.

  (2) Submit revised site layout plan to demonstrate dimensions for private open space in line with minimum standards of Sustainable Compact development guidelines 2023 and CDP chapter 13.4. Private open space to be usable, i.e. flat, steep gradients, awkward shapes not acceptable.

  (3) Submit site layout demonstrating provision for refuse storage. Each house to have adequate screened storage for three wheelie bins.

(4) Submit revised elevation drawings illustrating finish (obscure glazing) to window between existing dwellings on eastern boundary and proposed dwellings.

(5) Submit revised elevational drawings showing windows to neighbouring property.

(6) Address needs of vulnerable road users and provide details of pedestrian connectivity between R165 and Lakeview along narrow section of L76157-0.

(7) Confirm unobstructed sight lines along L76157, 2.4m x 70m to edge public road including third party consent if required; submit drawing showing turning circle for vehicles entering the driveway and manoeuvring within the curtilage of site.

- Response to FI request received on 30th January 2026. Revised drawings submitted.
- Case planners report of 2nd March 2026 recommends clarification of further information.
- Clarification of further information requested 10th March 2026 on 2 items:

  (1) The applicant has not provided satisfactory details on how pedestrian connectivity will be ensured between the R165 and Lakeview along narrow section of L76157-0 but state they are willing to give the Council provision for pedestrian footpath along the road to allow for connectivity. Submit further details.

  (2) The applicant has not provided drawing showing the turning circle for vehicles entering the driveway and manoeuvring within the curtilage of the site. Submit further details.

- Response to CFI received 21st May 2026. Revised site layout plan and vehicle swept path analysis submitted.
- Case planners report of 15th June 2026 recommends grant of permission.

3.2.2. Other Technical Reports

- Senior Executive Scientist 06/11/2025: Low risk of significant impacts on environment. No objection.
- Road Design Office
    - 21/11/2025: Notes this section of L76157-0 (serves secondary access to Lakeview / Drumbannon housing estate) is extremely narrow, difficult for cars to pass, no pedestrian facilities, within 50km/hr speed limit zone. TTA not required. Recommend additional information be requested (i) Address the needs of vulnerable road users and provide details on how pedestrian connectivity will be ensured between the R165 and Lakeview housing estate along the narrow section of L76157-0, (ii) Submit detailed drawings demonstrating how adequate sightlines will be achieved; submit drawing to show the turning circle for vehicles entering the driveway and manoeuvring within the curtilage of the site.
    - 16/02/2026: Reviewed the FI response of 30/01/2026 (i) Not provided satisfactory details on how pedestrian connectivity will be provided between R165 and Lakeview along narrow section of L76157-0 but instead state they are willing to give the Council provision for a pedestrian footpath along the road to allow for connectivity. (ii) Has not provided a drawing showing turning circle for vehicles entering the driveway and manoeuvring within the curtilage of the site.
    - 09/06/2026: Reviewed the CFI response of 21/05/2026: (i) Applicant does not have ownership of land to deliver continuous footpath without steps – would not be accessible for road users, if permission granted recommend applicant provide shared surface arrangement along L76157-0 – appropriate given low speed – should be designed in accordance with DMURS incorporating suitable signage and road markings. Final designs to be agreed. Applicant to bear costs of agreed measures. (ii) Swept path analysis drawing shows there is adequate space within curtilage to allow vehicles safely manoeuvre and park on site.

- MD Engineer 17/11/2025: Seek further information regarding (i) sightlines to L76157 (70m to nearside edge from 2.4m back) including third party consent letters where appropriate, (ii) no surface water from roofs or paved areas to flow from site onto road.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

A number of third party submissions received from residents of the surrounding area objecting to the proposed development.

4.0 Planning History

8817308 – erect extension to dwellinghouse – approved 1988

5.0 Policy Context

5.1 Development Plan

Cavan County Development Plan 2022-2028 (as varied)

Site is within the settlement of Bailieborough. Balieborough is designated a 'self sustaining town'. Population is targeted to increase to 3380 by 2028 with housing supply target of 295 between 2022-2028.

Site is zoned 'Existing Residential'

Objective: *Protect and enhance the amenity of developed residential communities.*

Vision: *Ensure that any new development does not adversely impact upon the amenity of existing residential properties. New housing and infill developments should be in keeping within the character of the area. Seek to enhance associated open space and community uses and improve the quality of existing residential areas.*

Chapter 2 Settlement Strategy

Bailieborough Sustainable Communities Development Objectives

- BSC 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 Bailieborough.
- BSC 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 7 Transportation and Infrastructure

Regional and Local Roads Development Objectives

- RLR 01 Facilitate and carry out improvements to sections of regional and local roads that are deficient in terms of alignment, structural condition or capacity, where resources permit, and to seek to maintain that standard thereafter.
- 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.

Car Parking Development Objectives

- 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.

Table 7.4: Parking Standards

Residential

Maximum car parking requirement - 2 spaces per unit, smaller bedroom units to be examined on a case by case basis

Chapter 13 Development Management

Infill Sites in Urban Areas Development Objectives

- ISUA 01 Proposals for infill development shall accord with the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024) or any updates thereof; and the Design Manual for Urban Roads and Streets, 2013, DoECLG or any updates thereof.
- ISUA 02 Infill development shall take account of the character of the area and where possible retain existing features such as building line, height, railings, trees, gateways.

Corner/Side Garden Sites Development Objectives

- CGS 01 Require corner site/side garden development proposals to have regard to the following criteria:

- Size, design, layout, building line and the relationships with existing dwellings and immediately adjacent properties
- External finishes
- Floor areas and the accommodation standards for the occupants
- Car parking for the existing and proposed developments
- Private open space for existing and proposed development. Side/ gable and rear access/maintenance space, where possible, and refuse storage areas.

Overlooking and Overshadowing Development Objectives

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 02 Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and

where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.

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

OO 07 Daylight and sunlight levels should generally be in accordance with the recommendations of 'A New European Standard for Daylighting in Buildings en17037:2018 UK National Annex BS EN17037:2019, and the associated BRE Guide 209 2022 Edition (June 2022)', and any updates thereof.

Design and Layout Development Objectives

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 12 Design that maximises access to natural daylight and minimises overshadowing and loss of light.

Private Open Space Development Objectives

- POS 01 Require that new development has regard to the character of the area in which they are located in terms of requirements for 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.

5.2 National Guidance / policy

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

Design Manual for Urban Roads & Streets, 2019

5.3 Natural Heritage Designations

There are no sites designated for natural heritage in this 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 is received from the residents of adjoining residential property at 'Sunnybank Cottage' and at 'Lakeview'. The grounds of appeal are summarised as follows:

- Opposed the development. No issue with development of site in principle.
- Traffic impact assessment – The access lane is the sole means of access to the existing dwelling and the proposed new dwellings. A more detailed assessment of traffic implications should of been required before permission was granted. Request ACP consider whether the traffic impacts have been adequately addressed.
- Road safety – The access lane has average carriageway width of c 3m varying between c 2.8m to 3.1m. The lane has no pedestrian footpaths and limited opportunities for vehicles to pass. Concerned that additional traffic will increase these conflicts.
- Parking provision and vehicle manoeuvring – The proposal comprises the existing dwelling (to be extended) together with 2 new semi detached dwellings. Concerned that the parking and manoeuvring arrangements may be insufficient for three family dwellings. There is no practical opportunity for parking on the laneway. The nearest public parking area is across the public road and not practical because pedestrians must cross near a bend where

visibility may be limited and lighting poor. Request ACP examine whether the proposed parking and turning arrangements are satisfactory.

- Overdevelopment of the site – Submit that the proposal represents overdevelopment of the site. Concerned regarding intensity of development on site served by constrained access lane and limited space for parking and manoeuvring.
- Request ACP set aside the decision of the planning authority.
- Photographs attached showing roadway and traffic.

7.2. Applicant Response

Applicant has submitted a response to the grounds of appeal. The response is summarised as follows:

- Smith & Associates Architects letter –
  - Underutilised site within town boundary, 300m walk to centre. Objectives SCZ01 and SCZ02 support regeneration of underused infill lands. The proposal is sustainable use of land.
  - Intensity of development – refer 13.5.4, CGS01 and Sustainable Residential Developments in Urban Areas Guidelines. Floor and roof levels match the adjoining house. The size, floor areas, design, layout, density, plot ratio, private open space, parking, building lines, finishes – comply with Guidelines. Proposal is high quality design complementary to existing residential zoned area. Will enhance area. Provides much needed accommodation.
  - There is local housing need – confirmed by Council.
  - Confirm proposal is in keeping with proper planning and sustainable development of the area and meets the development plan. The concerns of appellant have been addressed as part of the application process. Request ACP uphold the decision of the planning authority and grant permission.
- DBFL Engineers report–

- Traffic impact assessment – Do not agree access lane is sole access. There are three access points from R165 serving Drumbannan. Additional traffic is low scale and would not have material impact on surrounding road network. Traffic and Transport Assessment not warranted. This is consistent with TII's Traffic and Transport Assessment Guidelines.
- Road safety – There are three access points available from R165. The two northern access points provide two way access for the subject site and other Drumbannan residents. The development also includes a new footpath along the access lane which will improve pedestrian provision and road safety compared with the existing arrangement. There would be no material increase in vehicle conflict on lane.
- Parking provision and manoeuvring – On site parking provided. Not reliant on public parking. Swept path analysis submitted – demonstrates sufficient space for vehicles to safely access, manoeuvre within and exit parking spaces. The proposed parking and manoeuvring arrangements are appropriate. Vehicle activity would be low and would not give rise to significant traffic or road safety issues.

7.3. Planning Authority Response

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

- The planning authority notes the contents of the appeal. The issues raised have no bearing on the assessment of 2560621. Submit ACP uphold the decision of the planning authority to 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 policies and guidance, I consider that the main issues in the appeal are as follows:

- principle of development
- design and layout
- private open space
- roads and parking considerations
- other issues

8.2. **Principle of development**

8.2.1. Under the Cavan County Development Plan 2022-2028, the site is located within the settlement of Bailieborough on lands zoned 'Existing Residential' where the objective is to 'protect and enhance the amenity of developed residential communities'. The proposal to construct two new dwellings on the side garden of an existing dwelling is in accordance with the zoning objective.

8.2.2. The proposal to increase the intensity of development on an existing residential site within the built up area is in accordance with higher order planning objectives in the development plan and in the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities to promote compact development.

8.2.3. I am satisfied that the proposal is acceptable in principle.

8.3. **Design and layout**

8.3.1. The layout drawing submitted 21st May 2026 shows the proposed new units and the existing house. This is a prominent corner site in an established area. Levels across the site fall north to south across the site from 100.8 to 97.8. The existing vehicular gateway to the site is at the upper northwestern corner which is close to the main Lakeview road. The existing topography and access points pose some constraints to development.

8.3.2. Objective CGS01 of the CDP relates to development on corner side garden sites.

8.3.3. The proposed units no.1 and 2 are laid out with front elevation facing north and there is no direct frontage to the roads. This is contrary to the established pattern of the existing houses along the row to the east however is similar to the building and

driveway pattern on the adjoining lands to the north. Due to the steep levels at the site and to the location of the entrance, it is reasonable to locate the driveway at the upper northern part of the site. The front doors will be visible from the entrance. The orientation means that rear private gardens have sunnier southerly aspect. The site is to be bounded with existing hedge which will screen the rear garden areas.

8.3.4. The proposed new houses have ground to ridge height of 7.9m, are of traditional suburban design and finished in render and brick and slate roof. The form, height and finishes are similar to others in the area.

8.3.5. Overall, having regard to the characteristics of the site and to the pattern of development in the area, I am satisfied that the proposal will integrate into the area and will not significantly compromise visual amenity.

8.4. **Private open space (potential new issue)**

8.4.1. Whilst private open space issues were considered by the planning authority during the assessment of the application, it was not raised as a significant appeal issue, however does relate to intensity of development, which is an appeal issue.

8.4.2. The Sustainable and Compact Settlement Guidelines set out specific planning policy requirements for residential development. SPPR2 sets out the minimum private open space standards for houses stating that a 2 bed house is to be provided with a minimum of 30sqm private open space.

8.4.3. Objective POS2 of the CDP states that a two bedroom unit is to be provided with 30sqm private open space.

8.4.4. The site layout drawing shows private amenity areas of 60sqm to unit 1 and 58sqm to unit 2. These areas contain side passages that do not provide for amenity. Due to the fall in ground levels across the site, the amenity space is stepped. There is limited information on retaining walls. I am not satisfied that the plan shows that there is a satisfactory quantity and form of private open space that is ‘at level’ and directly accessible from the interior of the house, to provide for the functional needs of residents.

8.4.5. The construction of the parking spaces to the rear of the existing house means that the open space for this house is restricted to the front of the house. This is not

private open space. The existing house will not be provided with acceptable private open space.

8.4.6. I am not satisfied residents will be provided with a high standard of accessible and usable private open space. This is contrary to SPPR2. In the absence of an acceptable standard of private open space being provided for the existing and proposed houses, the proposal is detrimental to the residential amenity of occupants.

8.4.7. I am not satisfied that the site can accommodate the level of development proposed and I consider that the proposal represents overdevelopment of the site.

8.5. **Roads and parking considerations**

8.5.1. Car parking

8.5.2. The existing driveway arrangement is to be redesigned and it is proposed to serve the existing house and the proposed new houses with a shared access and parking area. It is proposed to provide three car parking spaces to serve the existing house and the proposed two houses.

8.5.3. The Sustainable and Compact Settlement Guidelines set out standards for car parking. As per Table 3.8, the site is located in a 'peripheral' location. Under SPPR3, it is a specific planning policy requirement that in peripheral locations, the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling. The number of spaces provided is below the maximum. The proposed new houses are small 2 bed houses which are likely to generate lower parking demand. The site is within 5 minutes walk of the town centre shops and services. The bus stops on the R165, providing a limited local service, are in close proximity. There is public parking available in the vicinity on the Lakeview road and Lakeview car park. Having regard to the overall accessibility of the site and availability of car parking in the area, I am satisfied that the parking level is necessary and appropriate. This is in accordance with the requirements of SPPR3.

8.5.4. Objective CP01 and Table 7.4 of the CDP sets out the requirements of car parking. Having regard to the characteristics of the development and to its location, the development is served with an adequate car parking level.

8.5.5. An autotrack assessment is submitted showing turning movements in and out of the car parking spaces. Whilst the drawing shows turning, this involves a number of tight manoeuvres within a very constrained space. I have concerns regarding the design and the suitability of the site to accommodate the number of units proposed.

8.5.6. Access to and from the site

8.5.7. Whilst the drawings show existing roads, gates and boundary features, there is no topographical site survey. This is a constrained site and a topographical survey would assist in clarifying existing and proposed development at the site. That said, the following assessment is based on the information provided.

8.5.8. The site layout drawing shows the proposed entrance is provided with sightlines of 23m to northern side and 22m to southern side from 2.4m setback. Speeds at the road are slow. DMURS requires visibility splay of 24m for 30km/hr design speed. I am satisfied that sightlines are acceptable.

8.5.9. The site is accessed from the R165 via the L7617. The main vehicular access is from the northern section of the L7617 however there is also access from the southern section of the L7617. The entrance is located on the southern section. This section of road is narrow, steep and has curved alignment to the R165. This road is a key link for pedestrians, being the shortest route between many of the Lakeview houses and the town centre. This road section does not contain any footpaths. The road is substandard.

8.5.10. Subsequent to further information requests from the planning authority, the applicant submitted drawings showing footpaths along certain sections of the road on lands within their control. It is unclear if the footpaths are to be constructed by the applicant. The report of the Council's Road Design Office 09/06/2026 raises concerns that the applicant does not have control of lands to deliver a continuous footpath without steps and that the proposal does not provide an acceptable accessible solution. The report recommends that any permission be subject to condition for a shared surface on the laneway road in accordance with DMURS and on foot of this, condition 9 was attached to the grant of permission.

8.5.11. Whilst improvements to the road would benefit all road users, the proposals are vague, fragmented and not to the satisfaction of the Council's roads authority. There

is insufficient information submitted to show that a shared surface road can be provided in accordance with the design requirements of DMURS.

8.5.12. It is proposed to access the site from a substandard road. The proposed development results in an increase in traffic movements on this road. I am not satisfied that the additional movements can be accommodated having regard to the capacity constraints of the road. I have concerns that the increased turning movements at the site will conflict with other road users. The proposed development would therefore result in traffic hazard. This is contrary to objective RLR02 of the CDP which is to safeguard the capacity and safety of local roads.

8.5.13. The appellants raise whether the proposed development requires a Traffic and Transport Assessment. This is a small scale development at an infill site served by existing roads. I do not consider that a Traffic and Transport Assessment is required. This is as per the advice of the TII Traffic and Transport Assessment Guidelines PE-PDV-02045.

8.6. **Other issues**

8.6.1. <u>Procedural</u>

8.6.2. Article 22(2) of the Planning and Development Regulations 2001 as amended set out the requirements for the contents of planning applications. Under Article 22(2)(b), the red site boundary relates to land or structures where development works will take place. The blue site boundary identifies land under the control of the applicant.

8.6.3. The site layout drawing appears to show extension to the existing house as a form of exempted development.

8.6.4. The layout drawing shows proposed works to the rear open space area of the existing house for access and parking which do relate to the application and which are on lands outside of the red site boundary.

8.6.5. The red site boundary does not accurately show all works relating to the application. This raises issues with the validity of the application. The Commission is precluded from granting permission for an invalid application.

9.0 AA Screening

9.1. I have considered this application for retention permission in light of the requirements of section 177U of the Planning & Development Act, 2000 (as amended).

9.2. The subject site is located c 13.6km to Killyconny Bog (Cloghbally) SAC and c 14.4km to River Boyne and River Blackwater SPA and River Boyne and River Blackwater SAC. There are no streams or hydrological connections between the site and the Natura 2000 site network.

9.3. The proposed development is for the construction of two new infill houses and associated works.

9.4. Having regard to the nature, scale and location of the subject development, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site.

9.5. The reason for this conclusion is as follows:

- the small scale and domestic nature of the works,
- the lack of hydrological or ecological pathways between the development and the European site network,
- the distance to the European site network.

9.6. 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.

9.7. 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 carried out in accordance with Article 4 of the Water Framework Directive and relevant EPA guidance, including best practice in sustainable drainage design.

10.2. The development incorporates appropriate surface water management measures, including Sustainable Drainage Systems (SuDS), designed to replicate greenfield runoff rates and provide treatment of surface water prior to discharge.

10.3. These measures ensure that there will be no increase in pollutant loading, no alteration of the receiving waterbody's hydrological regime, and no risk of deterioration in water quality or ecological status. Any residual risks identified during the assessment are capable of being addressed through standard mitigation measures and best practice construction management.

10.4. The proposed development will not impact on the achievement of environmental objectives for any water body and is therefore considered compliant with the requirements of Article 4.

11.0 Recommendation

11.1. I recommend refusal of permission.

12.0 Reasons and Considerations

1. Having regard to the restricted nature and location of this corner site and to its relationship with the adjoining property, it is considered that the proposed development by reason of its scale, form and design would provide inadequate private open space for the existing and proposed units and would be provided with limited access and constrained parking and turning area. The proposed development would result in overdevelopment of a limited site area and would be injurious to the residential amenity of occupants. The proposal is contrary to the 'Existing Residential' zoning objective for the land of the Cavan County Development Plan 2022-2028 which is to 'protect and enhance the amenity of developed residential communities'. The proposed development would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the scale of additional development proposed on this constrained site and to the substandard roads access to the site from a steep, narrow and poorly aligned roadway, it is considered that the additional traffic turning movements associated with the proposed development would endanger

public safety and would lead to conflict of other road users. The proposed development would therefore constitute a traffic hazard and would be contrary to objective RLR02 of the Cavan County Development Plan 2022-2028 which is to safeguard the capacity and safety of the local road network and would therefore be contrary to the proper planning and sustainable development of the area.

3. An application for planning permission is required to comply with the contents of Article 22 (2) of the Planning and Development Regulations 2001 as amended. The proposed development includes works on land that is outside of the red site boundary. The application does not comply with the requirements of the regulations and so is considered invalid. The Commission is, therefore, precluded from granting planning permission for the proposed development.

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 October 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	501686
Proposed Development Summary	Construction of 2 dwelling units, upgrade driveway and associated site works.
Development Address	Drumbannan, Bailieborough, Co 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

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	501686
Proposed Development Summary	Construction of 2 dwelling units, upgrade driveway and associated site works.
Development Address	Drumbannan, Bailieborough, Co 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 significant 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 urban residential area. The development is separated from sensitive natural habitats and designated sites. No built heritage.

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)