



Comhairle Contae Thiobraid Árann
Tipperary County Council

Chief Executive's Report

Part 8 Development
Cahir Car Park, Church Street, Cahir
Reference P8.21.17

December 2021

1. NATURE AND EXTENT OF THE PROPOSED DEVELOPMENT AND THE PRINCIPAL FEATURES THEREOF:

The proposed development comprises the following elements:

- The demolition of an existing structure (the former Castle Court Hotel), associated outbuildings and boundary walls.
- Demolition and reconfiguration works to outbuildings to the rear of the Market House Building (Market House is a Protected Structure S241).
- The construction of a new carpark, access road and junction onto Church Street including all site accommodation works. Vehicular and pedestrian access is to be provided off Church Street with a provision provided for an additional future pedestrian link through the adjacent Market House Building site onto Old Church Street.
- The carpark will comprise of 91 spaces in total including 86 no. car parking spaces (including 3 no. disabled spaces and 4 no. Electric parking spaces), 3 no. standard bus and 2 no. minibus parking spaces and bicycle parking facilities.
- The provision of 2 no. twin electric charging points to accommodate 4 no. electric car charging spaces on site.
- All ancillary site works including retaining walls, bicycle parking, public lighting, bollards, landscaping, surface water drainage, connections to public services, signage, etc.
- The provision of electric parking capacity signage at the main entrance to the carpark.
- Alterations to Church Street, including the provision of a raised table section of carriageway, provision of paved pedestrian areas and the relocation / removal of street furniture, road markings and street parking and all associated siteworks.

The proposed development is located within the Cahir Town Architectural Conservation Area (ACA) and is located adjacent to Protected Structures No. S241 and S246.

A site layout plan of the development and a map showing the development location is attached to this report.

2. SITE DESCRIPTION AND LOCATION:

The proposed development is to be located off (east of) Church Street in Cahir town centre. The development site is approx. 0.4 hectares in area and is made up of a green field site and a brown field site. The site is primarily backland to existing properties on Church Street. The site contains the former Castle Court Hotel building and associated outbuildings, walls and these are to be demolished.

3. PUBLIC CONSULTATION:

Plans and particulars of the proposed development together with the project Appropriate Assessment Screening Assessment, Environmental Impact Assessment Screening Report and other supporting reports and assessments were available for inspection and purchase from the 30/9/2021 to the 03/11/2021 at the following locations:

- Tipperary County Council, Civic Offices, Emmet Street., Clonmel, Co. Tipperary, E91N512
- Tipperary County Council, Civic Offices, Limerick Road, Nenagh, Co. Tipperary, E45 A099
- Tipperary-Cahir-Cashel Municipal District Offices, Rosanna Road, Tipperary Town, Co. Tipperary, E34 WD51
- Cahir Library, The Square, Cahir, Co. Tipperary (from 11am – 2pm on Tuesdays and from 10am – 2pm on Fridays during the above period)

Details of the proposed development were also available online at www.tipperarycoco.ie.

Submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area could be made by 4.30 pm on Thursday 18th of November 2021.

4. PRESCRIBED BODIES:

The Part 8 was referred to the following internal sections and prescribed bodies;

- An Chomhairle Ealaíon
- An Taisce
- Fáilte Ireland
- Irish Water
- Department of Housing, Local Government and Heritage
- The Heritage Council
- Transport Infrastructure Ireland (TII)
- Environmental Protection Agency
- Waterways Ireland
- Housing Section
- Roads Capital
- Environment and Climate Control
- Water Services
- District Engineer

The response received from An Taisce is addressed as submission No. 3 below. The TII responded and advised that they had no comments to make.

5. SUBMISSIONS RECEIVED:

10. no. submissions were received during the statutory consultation period. The submissions are listed in order of the date of receipt below. A summary of the submissions in addition to the consideration and recommendation of the Chief Executive are included under Section 8 of this report. It is considered that the implementation of the requirements and conditions as set out under Section 11 of this report will address the issues raised in the submissions received.

Submission Ref	Name and Address	Date received
1	Ed Walsh, Walsh and Walsh Architects, The Square, Cahir, Co. Tipperary	22/10/2021
2	Liam and Patricia Roche, Tinsely House, The Square, Cahir, Co. Tipperary	02/11/2021
3	AnTaisce, Tailors' Hall, Back Lane, Dublin, D08 X2A3	08/11/2021
4	Francis Sampson, Church Street, Cahir, E21 WD68	09/11/2021
5	William and Breda Lonergan, Church Street, Cahir, Co. Tipperary	09/11/2021
6	Francis Sampson, Church Street, Cahir, E21 WD68	09/11/2021
7	Cahir Development Association, Enterprise Centre, Market Yard, Cahir, Co. Tipperary	18/11/2021
8	PJ O'Meara, Chairperson, Cahir Social and Historical Society, Newtownadam, Cahir, Co. Tipperary	18/11/2021
9	Deputy Mattie McGrath TD	18/11/2021

10	Breda Gallagher, Chairperson, Cahir Tidy Towns	19/11/2021
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6. PLANNING POLICY CONTEXT:

DEVELOPMENT PLAN OR OTHER DESIGNATIONS

The **Cahir Local Area Plan (LAP) 2021-2027** contains the following policies/objectives that are relevant to the proposed development.

The lands on which the development is proposed is zoned for Town Centre use the objective of which is to provide and enhance the service base of the town through the provision of mixed-use development including retail, office, service and community facilities.

The site subject to the Part 8 is located within the Architectural Conservation Area (ACA) and the Zone of Archaeological Potential (ZAP) associated with Cahir.

Part of the site adjoins the boundary of the Co-Op Opportunity Site. Policy TC 2 of the LAP seeks to facilitate the re-development of Town Centre Opportunity Sites (as identified in Figure 10) in accordance with the guidance set out in Appendix 1 and compliance with the development management standards of the County Development Plan. The lands subject of the Part 8 proposal are identified as car parking on the indicative layouts developed for the Co-Op opportunity site.

The Development Framework for the Co-Op site sets out a requirement for the design and layout to include secondary pedestrian / cycle access point(s) from Church Street into the site opposite the post office, and opposite St Paul's Church and from the L34244.

4.4 Protecting and Enhancing the Historic Core

Cahir Town Centre has a history of settlement stretching back to early Christian times. The modern layout of the town was largely established in the 18th century and the town has an extensive and impressive array of ecclesiastical, industrial and fortification architecture still in use. The layout and buildings in the historic core are largely unaltered since the early 19th century, and the architectural and cultural quality of the place can support regeneration initiatives in the town. New development within the town centre and historic core will be required to: consider the historic layout of the town; conserve and enhance the setting of historic buildings and monuments; improve existing route ways and public spaces and promote increased residential occupancy.

TC4: Ensure the enhancement and protection of building and streetscapes within the ACA. In the assessment of development proposals, the Council will have regard to:

- a) The impact of the proposed development on the character and appearance of the ACA in terms of compatibility of layout, urban grain, design, colour and finishes, massing of built form and architecture;
- b) The impact of the proposed development on the existing amenities, character and heritage of these areas; and,
- c) The need to retain important architectural and townscape elements such as shopfronts, sash windows, gutters and down pipes, decorative plasterwork, etc.

TCO4.2 Prepare a plan for the improvement of the public realm in Cahir, including proposals for redesign of the square, improving the pedestrian environment for residents and visitors, and traffic management in the town.

TCO4.3 Work with landowners and other stakeholders to seek the redevelopment of the identified Opportunity Sites for town centre uses over the lifetime of the Plan.

TCO4.5 Encourage and facilitate the regeneration and reuse of vacant, disused and derelict sites and to take action, where appropriate, through legislative mechanisms.

TCO4.8 Support the provision of cycle parking facilities and electric vehicle charging points in the town centre subject to ensuring traffic and pedestrian safety.

TM2. Ensure that new developments are designed to comply with Design Manual for Urban Roads and Streets (2019) including making provision for pedestrian and cycle infrastructure and enhancing connectivity and accessibility to the town.

NBH4. Safeguard sites, features and objects of archaeological interest (in situ where practicable or as a minimum, preservation by record) included in the Record of Monuments and Places and sites.

IU3. Require that all development proposals demonstrate that appropriate Sustainable Urban Drainage Systems (SuDS) are examined and where feasible provided.

8.5 Built Heritage & Archaeology

Cahir has a high-quality built heritage, dating from the early part of the 12th century when the King of Thomand, Conon na Cathrach O'Brien built the castle on the site of an earlier earthen fort. From the late 18th century, the modern development of the town took place. Prominent buildings such as Cahir House, the Market House and the Inn were built during the late 1700s and early 1800s. Manor Mills on the bridge of Cahir, The Suir Mills on the Cashel Road, and the Cahir Abbey Mills were built in the years 1775-1790, reminders of the impressive industrial heritage of Cahir. St. Paul's Church, Erasmus House and Swiss Cottage were all designed by John Nash, one of the foremost architects of the Regency and Georgian eras, and best known for his work on Buckingham Palace.

Cahir has an Architectural Conservation Area and Zone of Archaeological Potential. These areas will be managed and developed in accordance with the policies set out in the relevant legislation, the County Development Plan (CDP) and the policies sets out in the Town Centre section above.

In accordance with the policies of the CDP, the Council will encourage the sympathetic restoration, re-use and maintenance of protected structures thereby ensuring their conservation and protection. In considering proposals for development, the Council will have regard to the Architectural Heritage Protection Guidelines for Planning Authorities, (DAHG2011) or any amendment thereof, and proposals that will have an unacceptable impact on the character and integrity of a protected structure or adjoining protected structure will not be permitted.

7. PLANNING ASSESSMENT:

PRINCIPLE OF PROPOSAL

The proposed development forms part of a wider plan for Cahir town centre where the principal aim is to make the square and adjoining streets more attractive, where more space and priority is given to pedestrians and visitors and where space for cars and car parking is reduced. A separate Part 8 is currently on display for enhancement of the Square and adjoining streets.

The proposed development seeks to develop an off-street car park with capacity for 86 new car parking spaces, 2 mini bus and 3 bus parking spaces. The quantum of parking is viewed as necessary to off-set the loss of parking that will arise from the enhancement works to the Square and adjoining streets and to cater for the existing and future needs of the town. The development includes for off street bus parking, which is lacking in this area, at a location in close proximity to the Cahir train station. The development is also proximate to Market House which is being re-developed into a business hub and is in close proximity to the Granary which is planned to accommodate the Cahir library service.

The proposals include for development of wider footpaths and removal of on-street parking on Church Street, these elements are designed to link with the proposals for enhancement of the Square and adjoining streets.

The proposal will develop a new use on lands that are currently vacant and disused and will provide connectivity between the new car park and the Square via Market house.

The proposal is in conformity with the town centre land use zoning objectives for the site and with the following policies/objectives of the Cahir LAP 2021:

- TCO4.5 Encourage and facilitate the regeneration and reuse of vacant, disused and derelict sites and to take action, where appropriate, through legislative mechanisms.
- TCO4.8 Support the provision of cycle parking facilities and electric vehicle charging points in the town centre subject to ensuring traffic and pedestrian safety.

Part of the site adjoins the boundary of the Co-Op Opportunity Site as designated under the Cahir LAP 2021. The lands subject of the Part 8 proposal are identified in the Cahir LAP for car parking on the indicative layouts developed for the Co-Op opportunity site and the development can link with and serve the future Co-Op site when developed. The Development Framework for the Co-Op site sets out a requirement to include secondary pedestrian / cycle access point(s) from Church Street into the site opposite the post office, and opposite St Paul's Church and from the L34244.

The development does not include for direct pedestrian connectivity with the existing arched laneway opposite the post office, this was explored but the lands were not available. The proposed development allows for development of a future linkage from this laneway. The development does not impair or interfere with the other access objectives for the Co-Op site.

DEVELOPMENT DESIGN

The car park will, in the main, be located behind the existing streetscape on Church Street and will be largely screened to view. Access to the car park will be from Church Street through the site currently occupied by the former Castle Court Hotel and associated buildings that will be demolished, as they are currently in a state of dereliction and dangerous structures. This will create an opening in the existing street scape and the loss of a continuity of buildings within the towns Architectural Conservation Area (ACA).

This impact must be viewed in the context of the benefit of the overall scheme where the town centre environment will be significantly enhanced, where a new car park will be developed that will cater for existing and future needs of the town. The impact must also be considered in the context of the condition of the existing buildings on site, the buildings have been subject to vandalism and fire damage which has rendered their condition as dangerous. The buildings have been vacant for a considerable period thereby generating anti-social behaviour. The buildings present an inactive and visually poor frontage to Church Street.

The former Castle Court Hotel building is not a protected structure and is not listed on the National Inventory of Architectural Heritage. The original building was previously used as a Parochial House and contains some features of built heritage interest, however much of the remaining fabric and features of interest have been lost due to fire damage. The Architectural Heritage Impact Assessment submitted with the Part 8 application proposes that the former hotel building is demolished in phases and any features of interest recoded by photographic record. This will preserve any remaining features of interest by record.

An Architectural Heritage Impact Assessment (AHIA) has been undertaken in respect of the development by ACP Architectural Conservation Professionals. The AHIA report notes the Castle Court Hotel is negatively impacting on the ACA in its current form.

A new boundary wall with railing will be erected along the street elevation either side of the entrance to the car park, with the wall extending out from the buildings at either end. The building at the southern end of the site is a protected structure (S246). The Architectural Heritage Impact Assessment (AHIA) considers the development will not impact on this adjoining protected structure. The new entrance wall with railing will rise to a height of 2.4 metres maximum and will have a sandstone facing and capping. The wall and railings are a simple and non-obtrusive design.

The development includes for public realm improvements to Church Street which tie in with the public realm improvements proposed for the Square and adjoining streets under a separate Part 8. The improvements comprise widening of footpaths, development of a raised table and undertaking of planting and are considered acceptable.

The development includes for a pedestrian access from the car park through to the Square via Market House. This pedestrian link will be developed in a manner that will ensure its use does not impact on the amenity of adjoining property owners. The works associated with developing the pedestrian link do not impact on the character or special interest of Market House which is a protected structure.

ACCESS

The main vehicular access to the site is from the entrance on Church Street with a pedestrian link provided between the car park and the Square via Market house. The vehicular access arrangements and on-site circulation arrangements are considered acceptable. Adequate circulation space is provided for the turning movements for the vehicle types that will use the car park. The access arrangements and car park layout and design have been subject to a Traffic Assessment and Road Safety Audit. The Traffic Assessment shows that the access junction into the car park will operate within capacity and the turning movements will not negatively impact the operation of other junctions within the town centre.

FLOODING

A Flood Risk Assessment has been undertaken in respect of the proposed development and same concluded that the site is not at risk of flooding.

SERVICES - WASTEWATER DISPOSAL AND SURFACE WATER DISPOSAL

The proposals present no impact on existing water / wastewater collection and drainage services. These services are existing.

ARCHAEOLOGY

The site is within the zone of archaeological interest associated with Cahir. An Archaeological Impact Assessment has been undertaken in support of the application and same recommends the following measures are undertaken:

- Any excavations associated with the proposed development that take place within the existing road network be monitored by a suitably qualified archaeologist.
- A programme of archaeological testing be carried out within the accessible portion of the site prior to the commencement of construction. These works should be carried out under licence to the National Monuments Service of the Department of Housing Local Government and Heritage (DoHLGH). Dependant on the results of the assessment, further mitigation may be required such as preservation in-situ or by record and/or archaeological monitoring. Any further mitigation will require approval from the National Monuments Service of the DoHLGH.

The above measures will be undertaken as part of the development.

8. SUMMARY OF SUBMISSIONS & CHIEF EXECUTIVE OFFICER'S RECOMMENDATION'S:

This section summarises the key points raised in the submissions on the Part 8 proposal and also gives the consideration and recommendation of the Chief Executive Officer to the points made, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area, and any relevant policies or objectives.

Ref. No.	Submission Name & Address
1	Ed Walsh, Walsh and Walsh Architects, The Square, Cahir, Co. Tipperary
<p>Summary</p> <p>The submission raises concerns with the proposal to demolish the disused building on Church Street to develop the car park due to its creating a large and unsightly gap in what could otherwise be an attractive street facade.</p> <p>The submission notes the extensive works to the footpaths and removal of parking spaces and considers the design of the street front piers and rails as suited to a rural location.</p> <p>The submission notes the retaining wall to properties backing the site would be 4.5 metres high.</p> <p>The submission acknowledges the requirement for car parking for the town but considers this could be provided in the large undeveloped area east of the site with access from the Clonmel road and railway station. The submission considers this could also provide a relief traffic circulation path.</p> <p>The submission notes little interaction with the proposed development and adjoining site to the east and considers it possible the proposed development will clash with the optimum layout for the larger area, the submission suggests a masterplan should be prepared for the entire Opportunity Site.</p> <p>The submission considers the car park area will result in drab spaces surrounded by remnants of rear extensions offering little possibility of creating useful frontage.</p> <p>The submission raises concerns with the inadequacy of the Part 8 drawings and documents noting the electronic file was difficult to download due to its size and costly to purchase. The submission considers that the street elevation lack sufficient detail and does not include an elevation showing the parking area visible from the street. The submission considers a 3D model should have been prepared.</p> <p>The submission considers that special measures to ensure an informed public debate should have been undertaken in view of Covid.</p> <p>The submission notes that the Local Authority's track record in promoting quality design and protecting the visual aspects of the town's fabric is poor and that previous attempts to demolish valuable structures to facilitate parking were avoided after strong local protest.</p>	
<p>Consideration</p> <p>The demolition of the former Castle Court hotel is a necessary element of the development in order to provide access to the proposed car parking area.</p> <p>The former Castle Court Hotel building is not a protected structure and is not listed on the National Inventory of Architectural Heritage. The original building was previously used as a Parochial House and contains some features of built heritage interest, however much of the remaining fabric and features of interest has been lost due to fire damage. The Architectural Heritage Impact Assessment submitted with the Part 8 application proposes that the former hotel building is demolished in phases and any remaining features of interest are recorded by photographic record.</p> <p>It is acknowledged that the proposal will create an opening into the existing streetscape on Church Street and the loss of continuity of buildings within the towns Architectural Conservation Area (ACA). This impact must be viewed in the context of the benefit of the overall scheme where (taken with the Part 8 proposals for the Square and adjoining streets) the town centre environment will be significantly enhanced and a new car park will be developed that will cater for existing and future needs of the town. The impact must also be considered in the context of the condition of the existing buildings on site, the buildings have been subject to vandalism and fire damage which has rendered their condition as dangerous. The buildings have been vacant for a considerable</p>	

period thereby generating anti-social behaviour and an inactive and visually poor frontage to Church St. It is considered, when viewed in the context of the foregoing, that the benefits of the proposed development outweigh the loss of the existing buildings on site and associated impacts on the streetscape and ACA.

The submission includes for footpath widening and landscaping works on Church Street together with traffic calming. A consequence of the footpath widening will be the loss of parking spaces, this loss will be more than compensated for in the proposed car park. The loss of parking is also required to achieve required sight lines at the entrance.

The Cahir LAP 2021 sets out development objectives (under Appendix 1) for the former Co-Op site that adjoins the car park site to the east. The lands subject of the Part 8 proposal are identified in the Cahir LAP for car parking on the indicative layouts developed for the Co-Op site and the development can link with and serve the future Co-Op site if developed. In this regard developing the proposed car park at the subject location is considered appropriate.

The options of alternative access points via the Co-Op site as suggested in the submission are not available at this time. This land is privately owned. The car park layout allows for future connectivity with the adjoining lands to the east if these lands come forward for development at a future date. The development of the proposed car park does not impair the future development of the Co-Op lands.

It is accepted that the car park area will adjoin the rear boundaries of some properties on Church St and Old Church street. While the proposals include for retaining walls it is not considered that same will negatively impact on the amenity of adjoining properties. The car park itself will be adequately lit and supervised by CCTV to ensure adequate security is provided.

It is not accepted that the Part 8 drawings or documentation are inadequate. The drawings and documentation clearly describe and illustrate the nature and extent of the application and include expert assessment on Natura 2000 impact, drainage, flood risk, traffic, road safety, archaeology and architectural heritage.

The Part 8 process meets the requirements of governing legislation regarding public consultation where all drawings and documentation could be viewed in the office of the Council or viewed online. In addition to this, pre-application consultation was undertaken during August-September 2021 on the wider public realm proposals for Cahir, the car park was included in this consultation. Furthermore in order to comply with pandemic restrictions online pre-planning stakeholder workshops were also held on 16th and 17th August 2021.

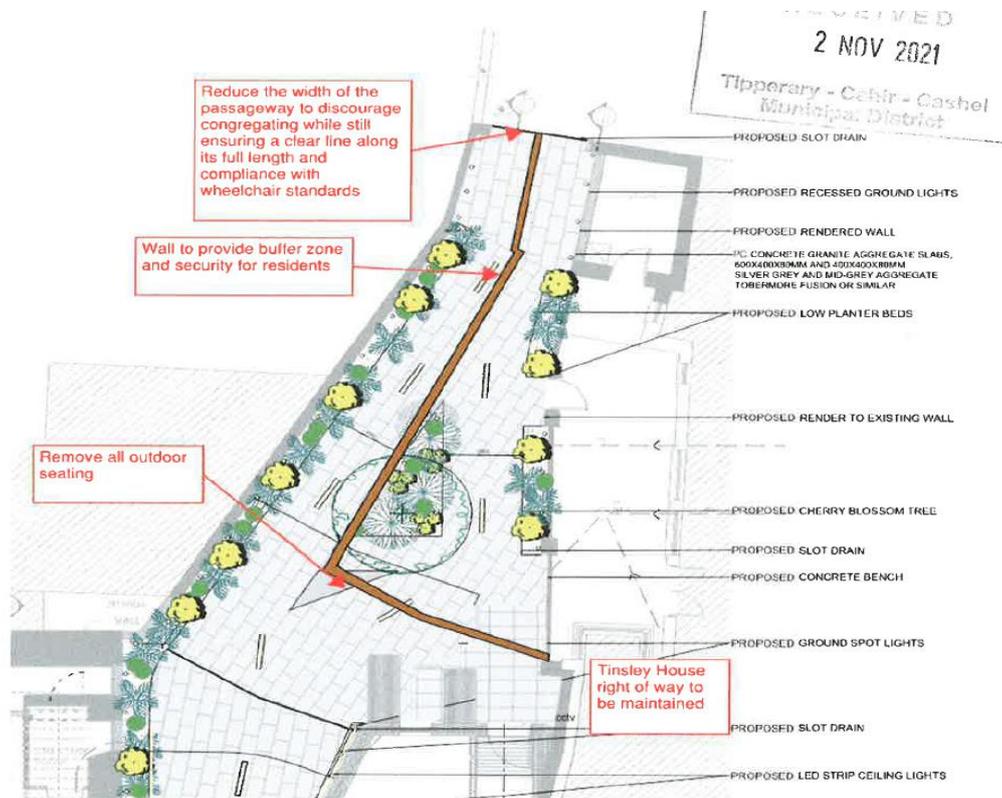
Recommendation

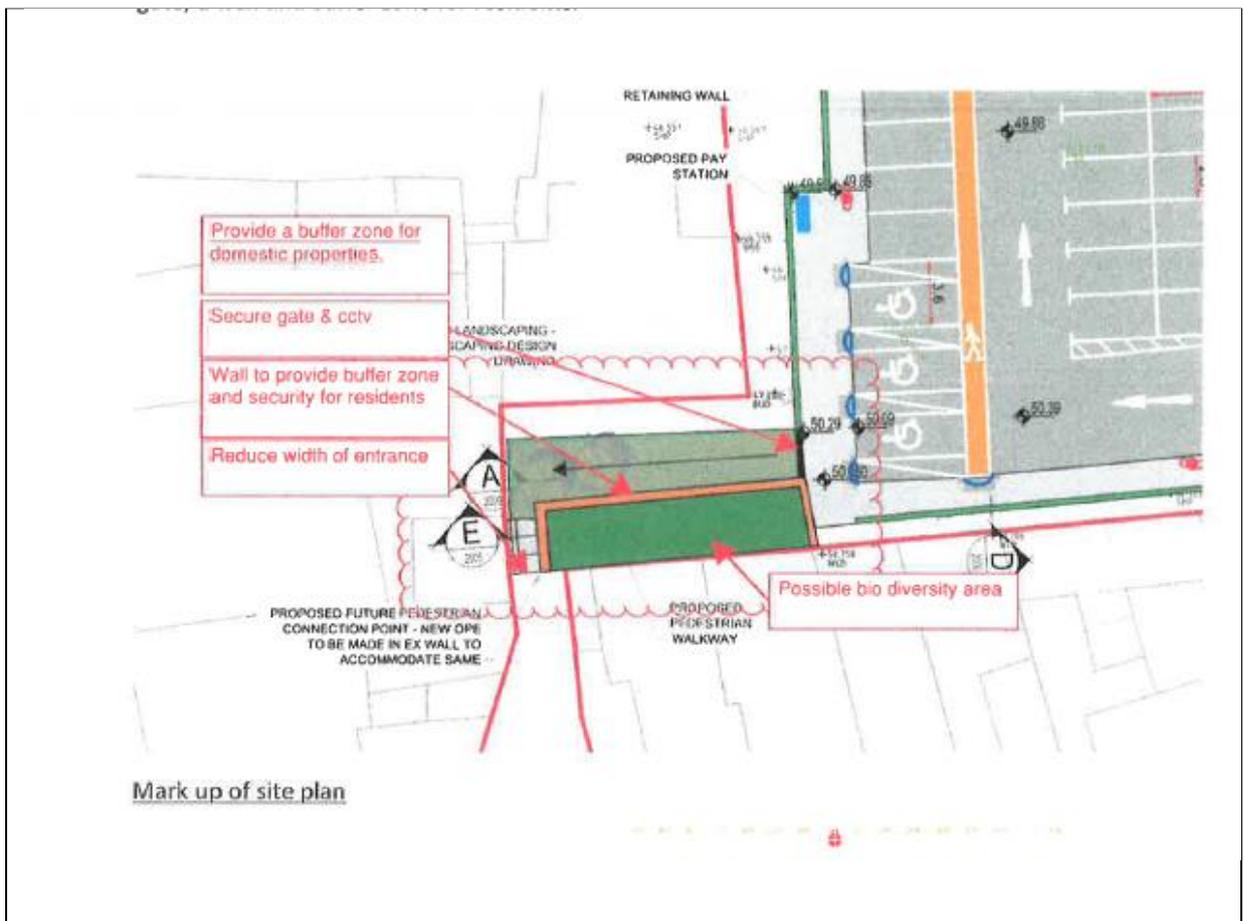
No change is recommended arising from the foregoing consideration.

Ref. No.	Submission Name & Address
2	Liam and Patricia Roche, Tinsley House, The Square, Cahir, Co. Tipperary
Summary	
The submission raises concerns with the impact of the development on the safety, security and residential amenity enjoyed by their property and requests that the development is modified to include a protective wall to provide increased separation between the proposed new pedestrian link and their property. The submission includes marked up plans showing the modifications required (See below).	

The submission requests that the car park access times are limited to between 6AM-7PM and the access passageway is limited to between 9AM-5PM.

The submission cites advice received from the Garda crime prevention officer that seating is removed from the passageway, that trees are removed, the passageway width is reduced to prevent anti social behaviour and that same is covered by adequate CCTV and that the operating times are controlled.





Consideration

In order to address the points of concern made in the submission the following measures are proposed:

Walkway section north of Tinsely House

- The walkway can be re-located away from the existing boundary wall at the rear of Tinsely House and 2 new lockable gates added on the carpark side, one to access the walkway and one to access the landscaped area for maintenance purposes. This change is illustrated on Updated drawing 11170-2003_P1
- Carpark operating times will be as agreed with Tipperary County Council and access to the pedestrian walkway will be controlled by a lockable gate.
- A light cowl / shield will be installed on the lighting serving the walkway to prevent light spillage beyond the site boundary. The average lux level in this area will be 9.7 lux to ensure pedestrians can use the ramp safely.
- The walkway will be covered by CCTV.
- The walkway will be developed at levels that will not allow for overlooking of adjoining residential properties to the south or west. The Walkway and adjoining boundary levels are shown on drawings 11170-2005_P1 and 11170-2007_P1 attached to this report.

Walkway section west of Tinsely House

- All landscaping, planting and seating will be removed from the walkway.
- The walkway will be laid out and developed as per drawing 1829-T-104 attached to this report.
- Use of the walkway will be controlled by lockable gates.
- This section of walkway will be covered by CCTV and will be lit using low level or wall mounted light types that will not interfere with the amenity of the adjoining property.

Recommendation

It is recommended that

- i) the development is amended to incorporate the changes illustrated on drawings 11170-2003_P1, 11170-2005_P1 , 1170-2007_P1 and landscape drawings attached to this report.
- ii) The walkway is adequately lit and covered by CCTV and access to same will be controlled.
- iii) Boundaries to the walkway are developed to provide adequate screening to adjoining properties.

Ref. No.	Submission Name & Address
3	An Taisce, Tailors' Hall, Back Lane, Dublin, D08 X2A3
Summary	
<p>The submission considers the development would be seriously injurious to the urban design and established character of Church Street and would result in the loss of a building, which is part of the social history of the town and represents malplanning.</p>	
<p>The submission notes the benefit of the Part 8 proposals for Market House would be undermined if the proposed development were to proceed. The effect of the demolition would leave a scar, breaching the character and cohesion of Church Street.</p>	
<p>The submission considers the proposal is not linked to any sustainable transport initiative for Cahir and its environs and that it fails to meet the obligation of the Council under Page 13 of the June 2021 Programme for Government to take immediate action to remove space occupied by private cars and SUVs in urban areas and provide for a significant shift from car use to walking and cycling for trips in and around and to and from the surrounding environs of towns to town centres.</p>	
<p>Current levels of car use in and around Cahir and Irish towns nationally are unsustainable in resource use, air and noise pollution and public realm blighting.</p>	
<p>The submission recommends the Part 8 application should be withdrawn, and</p> <ol style="list-style-type: none">1. an appropriate new use be found for the former Rectory/ Hotel building in Church Street,2. a transport and mobility strategy be introduced for the town and environs to significantly reduce car use in favour of walking and cycling to create a healthier and more attractive town.	
Consideration	
<p>The demolition of the former Castle Court hotel is a necessary element of the development in order to provide access to the proposed car parking area.</p>	
<p>The former Castle Court Hotel building is not a protected structure and is not listed on the National Inventory of Architectural Heritage. The original building was previously used as a Parochial House and contains some features of built heritage interest, however much of the remaining fabric and features of interest has been lost due to fire damage. The Architectural Heritage Impact Assessment submitted with the Part 8 application proposes that the former hotel building is demolished in phases and any remaining features of interest are recoded by photographic record.</p>	

It is acknowledged that the proposal will create an opening into the existing street scape on Church Street and the loss of continuity of buildings within the towns Architectural Conservation Area (ACA). This impact must be viewed in the context of the benefit of the overall scheme where (taken with the Part 8 proposals for the Square and adjoining streets) the town centre environment will be significantly enhanced and a new car park will be developed that will cater for existing and future needs of the town. The impact must also be considered in the context of the condition of the existing buildings on site, the buildings have been subject to vandalism and fire damage which has rendered their condition as dangerous. The buildings have been vacant for a considerable period thereby generating anti-social behaviour and an inactive and visually poor frontage to Church St. It is considered, when viewed in the context of the foregoing, that the benefits of the proposed development outweigh the loss of the existing buildings on site and associated impacts on the streetscape and ACA.

The development provides a direct pedestrian link between the Market House and proposed car park which will benefit the use of Market House as a business hub. The development will provide a well-designed, secure walkway through the existing side and rear yard of Market House. It is not accepted that the development will undermine the Part 8 proposals for the re-development of Market House.

The statement that the proposal is not linked to any sustainable transport initiative or plan for Cahir is not accepted. The Cahir LAP 2021 under Policy TM 1 seeks to improve accessibility and movement within Cahir, reduce dependency on private car transport, increase permeability in the town, and encourage the use of energy efficient forms of transport through the promotion of walking, cycling and public transport. Action TMO 7 of the LAP seeks to review and update the South Tipperary Active Travel Towns Walking and Cycling Strategy - August 2013 as it relates to Cahir.

The proposal includes for the removal of off-street parking and widening of footpaths on Church Street thereby giving more space to pedestrians, the development will integrate with the wider proposals to significantly enhance the pedestrian environment for the Square and adjoining streets. The development includes for traffic calming on Church Street that together with the wider footpaths will make it easier for pedestrians to cross the street and access the Library, Post Office etc. The development includes for a direct pedestrian link to the Square through the new walkway through Market House. It is considered that the development will increase permeability in Cahir and will improve the environment for pedestrians.

Recommendation

There are no recommendations arising from the foregoing consideration.

Ref. No.	Submission Name & Address
4	Francis Sampson, Church Street, Cahir, E21 WD68
<p>Summary</p> <p>The submission welcomes the proposed new car park.</p> <p>The submission raises concern with the loss of on street parking spaces and the impact of the new pedestrian link on the footfall on Church Street and consequent impact on business.</p> <p>The submission raises concern with the loss of security and privacy arising from the new pathway due to the level difference between same and the Sampson property and the potential for anti-social behaviour.</p> <p>The submission raises concerns with the stability of wall that separate property from proposed pathway.</p>	

Consideration

In order to address the points of concern made in the submission the following measures are proposed:

Walkway section east of Mr Sampson's property:

- Carpark operating times will be as agreed with Tipperary County Council and access to the pedestrian walkway will be controlled by a lockable gate.
- A light cowl / shield will be installed on the lightingserving walkway to prevent light spillage beyond the site boundary. The average lux level in this area will be 9.7 lux to ensure pedestrians can use the ramp safely.
- The walkway will be covered by CCTV and access will be controlled.
- The walkway will be developed at levels that will not allow for overlooking of adjoining residential properties to the west. Walkway and adjoining boundary levels are shown on drawings 11170-2005_P1 and 11170-2007_P1 attached to this report.
- Care will be taken at construction stage to ensure the development does not impact on the stability of the boundary to Mr Sampson's property. A pre-works survey will be undertaken to ensure impact on existing boundaries are mitigated.
- There will be no trees or seating developed on the walkway

Recommendation

It is recommended that:

- i) the development is amended to incorporate the changes illustrated on drawings 11170-2003_P1 , 11170-2005_P1 , 1170-2007_P1 and landscape drawings attached to this report.
- ii) The walkway is adequately lit and covered by CCTV and access to same will be controlled.
- iii) Boundaries to the walkway are developed to provide adequate screening to adjoining properties.

Ref. No.	Submission Name & Address
5	William and Breda Lonergan, Church Street, Cahir
Summary	
<p>The submission raises concern with the loss of on street parking spaces and the impact of the new pedestrian link on the footfall on Church Street and consequent impact on business.</p> <p>The submission raises concern with the loss of security of the pathway and that it will be a source for anti social behaviour. Proposed trees and seating should be removed, CCTV should be installed with security gates, lighting and boundaries to protect residents.</p>	
Consideration	
<p>In order to address the points of concern made in the submission the following measures are proposed:</p> <p>Walkway section east of Lonergan property:</p> <ul style="list-style-type: none">• Carpark operating times will be as agreed with Tipperary County Council and access to the pedestrian walkway will be controlled by a lockable gate.	

- A light cowl / shield will be installed on the lightingserving walkway to prevent light spillage beyond the site boundary. The average lux level in this area will be 9.7 lux to ensure pedestrians can use the ramp safely.
- The walkway will be covered by CCTV and access will be controlled.
- The walkway will be developed at levels that will not allow for overlooking of adjoining residential properties to the west. Walkway and adjoining boundary levels are shown on drawings 11170-2005_P1 and 11170-2007_P1 attached to this report.
- There will be no trees or seating developed on the walkway

Recommendation

It is recommended that

- i) the development is amended to incorporate the changes illustrated on drawings 11170-2003_P1 , 11170-2005_P1 , 1170-2007_P1 and landscape drawings attached to this report.
- ii) The walkway is adequately lit and covered by CCTV and access to same will be controlled.
- iii) Boundaries to the walkway are developed to provide adequate screening to adjoining properties.

Ref. No.	Submission Name & Address
6	WilliamSampson, Church Street, Cahir, E21 WD68
Summary	
<p>The submission welcomes the proposed new car park.</p>	
<p>The submission raises concern with the loss of on street parking spaces and the impact of the new pedestrian link on the footfall on Church Street and consequent impact on business.</p>	
<p>The submission raises concern with the loss of security and privacy arising from the new pathway due to the level difference between same and the Sampson property and the potential for anti-social behaviour. Concerned with stability of wall that separate property from proposed pathway.</p>	
Consideration	
<p>In order to address the points of concern made in the submission the following measures are proposed:</p>	
<p>Walkway section east of Mr Sampson’s property:</p>	
<ul style="list-style-type: none"> • Carpark operating times will be as agreed with Tipperary County Council and access to the pedestrian walkway will be controlled by a lockable gate. • A light cowl / shield will be installed on the lightingserving walkway to prevent light spillage beyond the site boundary. The average lux level in this area will be 9.7 lux to ensure pedestrians can use the ramp safely. • The walkway will be covered by CCTV. • The walkway will be developed at levels that will not allow for overlooking of adjoining residential properties to the west. Walkway and adjoining boundary levels are shown on drawings 11170-2005_P1 and 11170-2007_P1 attached to this report. 	

Care will be taken at construction stage to ensure the development does not impact on the stability of the boundary to Mr Sampson's property. A pre works survey will be undertaken to ensure impact on existing boundaries are mitigated. There will be no trees or seating developed on the walkway

Recommendation

It is recommended that

- i) the development is amended to incorporate the changes illustrated on drawings 11170-2003_P1, 11170-2005_P1 , 1170-2007_P1 and landscape drawings attached to this report.
- ii) The walkway is adequately lit and covered by CCTV and access to same will be controlled.
- iii) Boundaries to the walkway are developed to provide adequate screening to adjoining properties.

Ref. No.	Submission Name & Address
7	Cahir Development Association, Enterprise Centre, Market Yard, Cahir, Co. Tipperary
Summary	
<p>The submission welcomes the proposed new car park.</p> <p>The submission raises concern with the potential for anti-social behaviour to arise in the pedestrian walkway between the proposed car park and old church street and highlight the need for proper lighting, CCTV and a closing time.</p>	
Consideration	
<p>In order to address the concerns regarding anti-social behaviour in the proposed pedestrian walkway between the car park and Old Church Street it is confirmed that the walkway will be adequately lit and will be covered by CCTV. In addition the walkway will be access controlled.</p>	
Recommendation	
<p>It is recommended that</p> <ul style="list-style-type: none"> i) the development is amended to incorporate the changes illustrated on drawings 11170-2003_P1 , 11170-2005_P1 , 1170-2007_P1 and landscape drawings attached to this report. ii) The walkway is adequately lit and covered by CCTV and access is controlled. 	

Ref. No.	Submission Name & Address
8	PJ O'Meara, Newtownadam, Cahir, Co. Tipperary
<p>Summary</p> <p>The submission confirms that Cahir Social and Historical Society is fully supportive of the County Council in its determination to regenerate Cahir through the proposed Public Realm Enhancement programme, the renovation and repurposing of the Market House and the provision of almost an additional 100 car parking spaces in the town centre through the project under consideration. Strategic investment on this scale can help secure the socio-economic viability of our heritage town for decades to come</p> <p>The submission raises the following concerns with regard to demolition of the former Castle Court Hotel/former Parochial house:</p> <ul style="list-style-type: none"> • From a heritage perspective, this building proposed for demolition (former Parochial house) is far more than just a failed hotel. The original Georgian chimneys still remain and the front steps leading to the old hotel entrance were removed from Rochestown House, between Cahir and Ardfinnan, after its destruction in 1920. • The removal of this complex would leave a massive, 21-metre gaping hole in the streetscape of Church Street, well within the boundaries of Cahir's Architectural Conservation Area (ACA). • The destruction of this property would also involve the loss of several car parking spaces and require extensive works to the public footpath <p>The submission suggests that the building could be re-purposed into office accommodation and cites a demand for same and that alternative vehicular access from the vacant Co-Op site should be explored where existing entrances are used and demolition is avoided. The submission states the development of the proposed site should not be considered in isolation from the adjoining Co-Op site.</p> <p>The submission recommends that pedestrian access is provided via the existing archway across the street from Cahir Post Office, beside McCarthy Looby Solicitors and notes there was no historic evidence of any public alley/lane at the location of the proposed pedestrian walkway.</p> <p>The submission notes that more electrical charging points may be necessary.</p>	
<p>Consideration</p> <p>The statement of support for the Council's regeneration plans for Cahir, the proposals for Market house and the principle of additional parking are noted.</p> <p>The demolition of the former Castle Court hotel is a necessary element of the development in order to provide access to the proposed car parking area.</p> <p>The former Castle Court Hotel building is not a protected structure and is not listed on the National Inventory of Architectural Heritage. The original building was previously used as a Parochial House and contains some features of built heritage interest, however much of the remaining fabric and features of interest has been lost due to fire damage. The Architectural Heritage Impact Assessment submitted with the Part 8 application proposes that the former hotel building is demolished in phases and any remaining features of interest are recorded by photographic record.</p> <p>It is acknowledged that the proposal will create an opening into the existing street-scape on Church Street and the loss of continuity of buildings within the towns Architectural Conservation Area (ACA). This impact must be viewed in the context of the benefit of the overall scheme where (taken with the Part 8 proposals for the Square and adjoining streets) the town centre environment will be significantly enhanced and a new car park will be developed that will cater for existing and future needs of the town. The impact must also be considered in the context of the condition of the existing buildings on site, the buildings have been subject to vandalism and fire damage which has rendered their condition as dangerous. The buildings have been vacant for a considerable</p>	

period thereby generating anti-social behaviour and an inactive and visually poor frontage to Church St. It is considered, when viewed in the context of the foregoing, that the benefits of the proposed development outweigh the loss of the existing buildings on site and associated impacts on the streetscape and ACA.

The options of alternative access points via the Co-Op site as suggested in the submission are not available at this time. This land is privately owned. The car park layout allows for future connectivity with the adjoining lands to the east if these lands come forward for development at a future date. The development of the proposed car park does not impair the future development of the Co-Op lands.

The proposed development does not include direct pedestrian linkage with Church St via the existing archway opposite the post office. The archway route extends through lands that are in private ownership. The development allows for future connectivity via this archway should the lands become available at a future date.

The statement regarding the lack of historic evidence of a lane at the location of the pedestrian walkway is noted. This does not preclude the establishment of a new laneway.

The car park includes for the development of 4 EV charging spaces and the car park works will incorporate the necessary ducting and underground infrastructure such that additional EV parking can easily be installed at a future date.

Recommendation

There are no recommendations arising from the foregoing consideration.

Ref. No.	Submission Name & Address
9	Deputy Mattie McGrath TD
Summary	
<p>The submission welcomes the proposed new car park.</p>	
<p>The submission raises concern with the potential for anti-social behaviour to arise in the pedestrian walkway between the proposed car park and old church street and highlights the need for proper lighting, CCTV and a closing time. The submission considers seating and planting that poses a risk to adjoining property owners should be removed.</p>	
<p>The submission supports the request from the owners of Tinsley House that requests a wall be developed to protect their property. The submission states that requests from all adjoining property owners to undertake measures to protect their property should be accepted by the Council.</p>	
Consideration	
<p>In order to address the points of concern made in the submission the following measures are proposed:</p>	
<p>Walkway section north of Tinsely House:</p>	
<ul style="list-style-type: none"> • The walkway can be re-located away from the existing boundary wall at the rear of Tinsely House and 2 new lockable gates added on the carpark side, one to access the walkway and one to access the landscaped area for maintenance purposes. This change is illustrated on Updated drawing 11170-2003_P1 	

- Carpark operating times will be as agreed with Tipperary County Council and access to the pedestrian walkway will be controlled by a lockable gate.
- A light cowl / shield will be installed on the lightingserving walkway to prevent light spillage beyond the site boundary. The average lux level in this area will be 9.7 lux to ensure pedestrians can use the ramp safely.
- The walkway will be covered by CCTV.
- The walkway will be developed at levels that will not allow for overlooking of adjoining residential properties to the south or west. Walkway and adjoining boundary levels are shown on drawings 11170-2005_P1 and 11170-2007_P1 attached to this report.

Walkway section west of Tinsely House:

- All landscaping, planting and seating will be removed from the walkway.
- The walkway will be laid out, developed as per drawing 1829-T-104 attached to this report.
- Use of the walkway will be controlled by lockable gates.
- This section of walkway will be covered by CCTV and will be lit using low level or wall mounted light types that will not interfere with the amenity of the adjoining property.

Recommendation

It is recommended that:

- i) the development is amended to incorporate the changes illustrated on drawings 11170-2003_P1 , 11170-2005_P1 , 1170-2007_P1 and landscape drawings attached to this report.
- ii) The walkway is adequately lit and covered by CCTV and access to same will be controlled.
- iii) Boundaries to the walkway are developed to provide adequate screening to adjoining properties.

Ref. No.	Submission Name & Address
10	Breda Gallagher, Chairperson, Cahir Tidy Towns
<p>Summary</p> <p>Cahir Tidy Towns welcome the additional parking in Cahir but would rather the lane between the proposed car park and Old Church Street would have solid side walls with no corners or hidden areas.</p> <p>Cahir Tidy Towns would rather not have any planting and maybe some planters instead as we would see beds or trees in this area as an obstruction for cleaning and upkeep. Cahir Tidy Towns welcome the CCTV and closing time's for this lane way.</p>	
<p>Consideration</p> <p>In order to address the points of concern made in the submission the following measures are proposed:</p> <p>Walkway section north of Tinsely House</p> <ul style="list-style-type: none"> • The walkway can be re-located away from the existing boundary wall at the rear of Tinsely House and 2 new lockable gates added on the carpark side, one to access the walkway and one to access the landscaped area for maintenance purposes. This change is illustrated on Updated drawing 11170-2003_P1 • The walkway will be adequately lit and covered by CCTV. 	

- All landscaping, planting and seating will be removed from the walkway.

Recommendation

It is recommended that:

- i) the development is amended to incorporate the changes illustrated on drawings 11170-2003_P1 , 11170-2005_P1 , 1170-2007_P1 and landscape drawings attached to this report.
- ii) The walkway is adequately lit and covered by CCTV and access to same will be controlled.
- iii) Boundaries to the walkway are developed to provide adequate screening to adjoining properties.

9. APPROPRIATE ASSESSMENT & ENVIRONMENTAL IMPACT ASSESSMENT(EIA):

The development has been the subject of an Appropriate Assessment screening in accordance with Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and Article 250(1) of the Planning and Development Regulations 2001, as amended. The Appropriate Assessment screening concluded that the proposed development would not be likely to give rise to significant or indeterminate impacts on any Natura 2000 site.

Having regard to the information specified under Schedule 7A of the Planning and Development Regulations 2001, as amended, and based on an examination of the nature, size and location of the development, it is determined that there is no real likelihood of significant effects on the environment arising from the proposed development, and an Environmental Impact Assessment (EIA) is not required.

10. CONCLUSIONS & RECOMMENDATIONS:

The Planning Authority is satisfied that the proposal, subject to the following considerations being implemented, is in line with the South Tipperary County Development Plan 2009, as varied and the Cahir Local Area Plan 2021. The development is acceptable in terms of impacts on built heritage, presents no impacts on the conservation objectives of the Lower River Suir SAC or any Natura 2000 site, is acceptable in terms of access and circulation and presents no flood risk or drainage issues.

The development as set out on the plans and particulars is considered acceptable and is consistent with the principle of the proper planning and sustainable development of the area. Therefore, it is recommended that the proposed development should proceed subject to the following recommended requirements and conditions.

11. REQUIREMENTS & CONDITIONS:

The development should be subject to the following:

1. The development is amended to incorporate the changes illustrated on drawings 11170-2003_P1, 11170-2005_P1 , 1170-2007_P1 and landscape drawings attached to this report.
2. The walkway is adequately lit and covered by CCTV and access to same will be controlled.
3. Boundaries to the walkway are developed to provide adequate screening to adjoining properties.
4. Measures to be taken during construction to ensure existing boundaries to adjoining properties are not undermined or compromised.
5. The mitigation measures outlined under the Architectural Heritage Impact Assessment and Archaeological Impact Assessment shall be undertaken in full.

Signed: 

10/12/2021

Jonathan Flood

Date

District Planner



Signed:

10.12.2021

Caroline Conway

Date

Senior Executive Planner

Signed: 

10.12.2021

Eamon Lonergan

Date

A/Director of Services