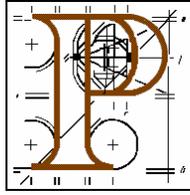


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2007

## North Tipperary County

**Planning Register Reference Number: 08511138**

An Bord Pleanála Reference Number: PL 22.233272

**APPEAL** by William Ryan and Hazel Gallagher care of Lewis Shinnors and Associates of 4 Silver View, Nenagh, County Tipperary against the decision made on the 19<sup>th</sup> day of March, 2009 by North Tipperary County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Construction of a dwellinghouse, domestic garage, pumping station, access via existing entrance and all ancillary works at Youghal, Newtown, Nenagh, County Tipperary.

## DECISION

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

1. The proposed development, which is located in an area defined as a 'stronger rural area' under the Sustainable Rural Housing, Guidelines for Planning Authorities, issued by the Department of the Environment, Heritage and Local Government in April, 2005, would be situated to the rear of an existing row of 15 number. houses along a length of approximately 270 metres of a regional road, located in the rural countryside outside of any defined settlement or centre. The proposed backland development would constitute the haphazard overdevelopment of an area designated area of high amenity associated with Lough Derg, where it is the stated policy of the Council to resist the development of houses under policy HSG8(a) 'Housing in High Amenity Areas' under the North Tipperary County Development Plan, 2004-2010 and 'Western Area Local Area Plan', 2006. The Board is not satisfied that the applicants have demonstrated that they comply with the criteria set out under Policy HSG8(a) for a house at this rural location. The proposed development would be contrary to the Sustainable Rural Housing, Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local government in April, 2005 and the development plan, and would, therefore, be contrary to the proper planning and sustainable development of the high amenity area.
2. The proposed development would result in additional access/egress movements to/from the R494 regional road, a strategic corridor, via an existing vehicular entrance that does not achieve adequate sightline distance, at a location where there is a proliferation of existing vehicular entrances to residential and other properties. The proposed development would, therefore, endanger public safety by reason of a traffic hazard and would be contrary to the stated policy of the Council to resist development on that strategic corridor, under TRANS 4 'Preserving Road Capacity' in the North Tipperary County Development Plan, 2004-2010, and 'Western Area Local Area Plan', 2006.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2009.**