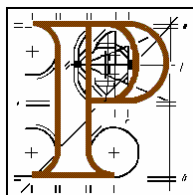


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

Clonmel Borough

Planning Register Reference Number: 12/65

An Bord Pleanála Reference Number: PL 52.241772

APPEAL by Pat Bourke of 49 Rockwood, Old Road, Cashel, County Tipperary against the decision made on the 21st day of February, 2013 by Clonmel Borough Council to grant subject to conditions a permission to Colman Walsh care of Ed Walsh Architect of Enterprise Centre, The Square, Cahir, County Tipperary in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Modifications to existing permission planning register reference number 11/21 to include change of use to Retail Pharmacy Business for part of the ground floor, entrance ramps and steps complete with rail and signage at Mary Street Medical Centre, Mary Street, Clonmel, County Tipperary.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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

Having regard to the zoning of the site, its central location within the town and the size and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of the zoning objectives for the area and in the context of an architectural conservation area, would not seriously injure the residential amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed illuminated double sided projecting sign at first floor level shall be omitted from the development.

Reason: In the interest of visual amenity and protecting the special interest of the Architectural Conservation Area.

3. Details of any externally visible nameplates, advertising signs, symbols, canopies or other projections or additions to the façade or railings of the building shall be submitted for the written agreement of the planning authority prior to the commencement of development.

Reason: In the interest of visual amenities.

4. Prior to commencement of development, details of the materials, colours and textures of the proposed ramp, railings and planter shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

5. Security shutters, if required, shall be located behind the windows and shall be of the lattice see-through type. Full details shall be submitted to the planning authority for agreement.

Reason: In the interest of visual amenity.

6. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

7. All service cables associated with the proposed development (such as electrical, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

8. The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of amenities and public safety.

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

Dated this day of 2013.