



## Board Direction

**Ref: PL92.247360**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 9<sup>th</sup> February 2017. The Board decided to refuse permission in accordance with the draft reasons and considerations set out below.

### REASONS AND CONSIDERATIONS

It is considered that the development proposed to be retained would facilitate the shop unit associated with the petrol filling station, which has been expanded in excess of 100 m<sup>2</sup> net retail floor space, including the expansion of the retail area to an adjacent commercial unit, and the expansion of ancillary retail storage to a further adjacent commercial unit. The scale of the resultant retail area facilitated by the development would be contrary to the policies set out in the North Tipperary County Development Plan 2010 - 2016 (policies ECON 28 and section 10.11), in relation to retail development, and would exceed the maximum level of net retail floor space for retail forecourt development (section 4.11.9) as set out in the Retail Planning Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government (2012). Furthermore, it is considered that the development proposed to be retained would facilitate the reinforcement and consolidation of retail development at this isolated out-of-centre location, to the detriment of the vitality and viability of the town centre of Newport. The development proposed to be retained would also facilitate ancillary retail uses on the first floor in contravention of Condition 3 of An Bord Pleanála appeal reference PL22.238305 (planning register reference number 10/51/0481). The development proposed to be retained would, therefore, facilitate development for which permission has not been obtained. Accordingly, it is considered that it would be inappropriate for the Board to give further consideration to a grant of permission for the development proposed to be retained in such circumstances.

In deciding not to accept the Inspector's recommendation to make a split decision, the Board had regard to the nature of the development and to the substantial planning history of the site, including that under An Bord Pleanála appeal reference numbers PL22.233126, PL22.238305, PL22.240736 and PL22.243115, as well as under planning authority register reference numbers 10/51/0191 and 10/51/0192, and considered that it would be inappropriate to grant permission in respect of development that would facilitate development for which permission has not been obtained.

Board Member: \_\_\_\_\_ Date: 15<sup>th</sup> February 2017  
Fionna O' Regan