



An
Bord
Pleanála

Board Direction
BD-003904-19
ABP-304411-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/08/2019.

The Board decided to make a split decision, to

- (1) grant retention permission (subject to conditions) for the retention of minor physical external changes to existing multi-purpose commercial building.

for the reasons and considerations marked (1) under and subject to the conditions set out below, and

- (2) refuse permission for change of use of existing light industrial (Class 4) portion of the existing building as a dedicated commercial storage area ancillary to the existing office located within the same building.

for the reasons and considerations marked (2) under.

In deciding not to accept the Inspector's recommendation to refuse retention permission for the minor external changes to the existing building, the Board considered that these physical works, which confer no legal status on any use within the building, are compatible with the design and form of the existing building, would not constitute an inappropriate design change to the building and would be acceptable in terms of the visual amenity of the area.

Reasons and considerations (1)

Having regard to the scale and form of the physical changes to the existing building, it is considered that, subject to compliance with the condition below, the development for which retention is sought, would not adversely impact the physical appearance or character of the existing building, would be acceptable in terms of the visual amenity of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Condition

1. the development shall be retained in accordance with the plans and particulars lodged with the application.

Reason: In the interests of clarity.

Reasons and Considerations (2)

1.

On the basis of the information submitted with the application and appeal, which confirms that the proposed commercial storage area use will be open to visiting members of the public, and that the existing office use is an integral component of this proposed use, it is considered that the proposed overall use of this premises is not sufficiently described in the documentation submitted with the application and appeal, in terms of the overall unit of activity including the authorised status of the linked office use, and that the full scope of future generated activity at the proposed commercial premises is not properly detailed. In this regard the Board is not satisfied, on the basis of the information presented within the application and appeal, that the proposed change of use would be in accordance with paragraph 5.6.2 '*Enterprise in the Open Countryside*' of the South Tipperary County Development

Plan 2009 (as varied) which records that *'uses that would entail significant customer draw, including non-farm related shops/retailing will not be considered appropriate'* and is not, therefore, in accordance with Policy ED9. The proposed development would, therefore, be contrary to the provisions of the development plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

2.

It is considered that the proposed change of use would result in additional traffic movements to and from the subject site, at an entrance/egress point where sightlines are substandard. In this regard, the proposed development would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member:

Date: 28/08/2019

Chris McGarry