

**An
Bord
Pleanála**

**Board Direction
BD-012298-23
ABP-312742-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 30/05/2023.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations


1. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate on a road at a point where sightlines are restricted in both directions. Furthermore, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the applicant has demonstrated sufficient legal interest to ensure that sightlines, as required under the Tipperary County Development Plan 2022-2028, can be provided and maintained.

2. Having regard to the proximity of the appeal site to a Protected Structure (Ref. TRPS355) and the elevated nature of lands relative to the grounds of the Protected Structure and the open and exposed views of the site from both the Protected Structure and the surrounding lands, the Board is not satisfied that the proposed development and mitigations set out in the appeal response, would sufficiently ameliorate visual impacts on the Protected Structure and its curtilage. In addition, the proposed development would injure the visual amenities of the area. The proposed development would be contrary to Policy 13-1 of the Tipperary County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The board considered that the developer may comply with Policy 5-11 in the current Tipperary County Development Plan 2022-2028, which defines the criteria for social or economic needs to be met for single houses in "Areas Under Urban Influence". While ordinarily this would warrant further consideration, in this instance given the substantive reasons for refusal above, it was decided not to pursue this matter under the current appeal.

Board Member


Martina Hennessy

Date: 31/05/2023