

An
Bord
Pleanála

Board Direction
BD-014018-23
ABP-314197-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/10/2023.

The Board did not concur with the Inspectors recommendation, the Board had regard to the Tipperary County Development Plan 2022 Car Parking requirements Table 6.4 and the Tipperary County Council Development Contribution Scheme Section 9.2. The Board considered the development proposed for retention related to an area greater than that of the bar area alone it noted that the Development Plan states the minimum car parking provision for bars is based on the public area. The Board considered the Local Authorities application of the scheme to be reasonable and to accord with the provision of the Section 48 Scheme

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Board also decided that the planning authority be directed, as follows:

Attach condition as per the Local Authority Condition 5

Reasons and Considerations:

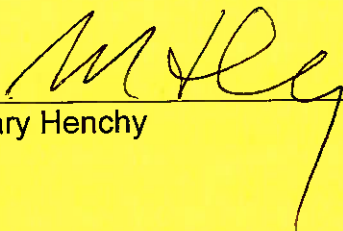
The Board noted that Table 6.4 of the Tipperary County Development Plan 2022-2028 states the minimum car parking provision for bars is based on the public area, the Board considered that this extended to an area greater than the outside bar

structure. The Board considered the Local Authorities application of the scheme to be reasonable and to accord with the provision of the Section 48 Scheme.

Section 13 of the scheme provides for phased payments where phasing has been included as part of the application or where the applicant has reached agreement with the Planning Authority, as this is an application for retention phased payments do not accord with Section 13 of the Scheme.

It is noted that the appeal relates only to the section of Condition 5 that related to Parking charge.

Board Member:



Mary Henchy

Date: 06/10/2023