

An
Bord
Pleanála

Board Direction
BD-015591-24
ABP-315587-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/02/2024.

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

Reasons and Considerations

1. Having regard to the policies of the Tipperary County Development Plan 2022-2028, in relation to rural housing need, it is considered that, as the applicant had an existing dwelling in the open countryside of County Tipperary, which was adjacent to the appeal site, it has not been demonstrated that a rural housing need exists under Development Plan Policy 5-11. The development to be retained leads to demand for the uneconomic provision of further public services in an area where these are not proposed and interferes with the rural character of the area. The development to be retained does, therefore, materially contravene the development objective, as set out in the Development Plan, and be contrary to the proper planning and sustainable development of the area.
2. Having regard to policy 5-12 of the Tipperary County Development Plan 2022-2028 in relation to ribbon development, it is considered that the development to be retained, which includes a domestic vehicular entrance on the local road with more than five existing houses within a continuous 250-meter section, constitutes undesirable ribbon development in a rural area outside lands zoned for

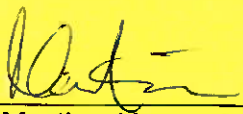
residential development and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the location of the development, the design and nature of the structure, its use as a permanent place of residence, the poor aesthetic value of the structure and the likelihood of it deteriorating overtime by virtue of the materials used in its construction, and the prevailing pattern of development in the area, it is considered that the development for which retention permission is sought would form a haphazard and substandard form of residential accommodation; would fail to accord with the 'Development and Design Standards' for residential structures as set out in Appendix 4, Rural Design Guide, of the Tipperary County Development Plan, 2022-2028, by reason of the overall design and construction of such structure and would set an undesirable precedent for similar type proposals in the area. The development for which retention permission is sought would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

While the Board noted the views of the Inspector regarding the design of the dwelling proposed for retention, the Board shared the view of the planning authority that the design does not conform to the Rural Design Guidelines of the Tipperary County Development Plan, 2022-2028, would be substandard and would negatively impact on the amenity of this rural area.

Board Member


Martina Hennessy

Date: 28/02/2024