



An
Coimisiún
Pleanála

Direction
CD-020826-25
ABP-322692-25

The submissions on this file and the Inspector's report were considered at a meeting held on 30/09/2025.

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

Planning

Commissioner:

Date: 01/10/2025

Mary Gurne
Mary Gurne

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the nature and scale of the development proposed to be retained, consisting primarily of the retail of convenience and comparison goods, its location on an out of centre site, to the high vacancy rate in the town centre of Tipperary, and to the Guidelines for Planning Authorities on Retail Planning (2012), in particular Section 2.5.2 which states that only in exceptional circumstances where it can be demonstrated that there are no sites or potential sites available either within the centre or on the edge of these centres should an out-of-centre site be considered, and Section 4.8 in relation to applications for change of use which states that planning authority

must not approve such development unless it is satisfied that there will be no negative impact on the vitality and viability of the retail core, it is considered that it has not been adequately demonstrated that the proposed development would not adversely impact the vitality and viability of the town centre. The development proposed to be retained would therefore be contrary to the retail hierarchy and policies set of the Tipperary County Development plan, in particular Policy 7-4 which aims, inter alia, to protect the vitality and vibrancy of town centres in line with the Guidelines for Planning Authorities on Retail Planning (2012), and Objective 7-A of the development plan in relation to supporting the Town Centre First approach. The proposed development would therefore, in itself and by the precedent it would set, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the nature of the development proposed to be retained consisting primarily of the retail of convenience and comparison goods it is considered that the development proposed to be retained would materially contravene planning condition number 6(a) of the original planning permission for the site (Planning Register Reference 06/581696) which restricts the use of the development to retail warehousing for bulky goods. Having regard to the level of vacancy within the town centre which could accommodate the sale of non-bulky comparison and convenience goods, it is considered that the development if permitted for retention could adversely impact the vitality and viability of the town centre and would establish an undesirable precedent, and would therefore be contrary to the proper planning and sustainable development of the area.