An Coimisiún Pleanála

Commission Direction
CD-001460
PL-501692-TY-26

The submissions on this file and the Inspector's report were considered at a meeting held on 21 October 2026.

The Commission decided to refuse permission generally in accordance with the Inspector's recommendation, subject to the amendments shown in manuscript on the attached copy of the draft order / Inspector's draft reasons and considerations.

Planning Commissioner:

Emer Maughan

Date: **29th day of October 2026**

1. Having regard to the size and configuration of the site, and to the nature and form of the proposed development and the development to be retained, it is considered that the proposal would constitute a material change and intensification in the nature of the use of the site. The Commission is not satisfied that the proposed temporary use and expansion of the yard area for the storage of empty skips constitutes the continued use of the site as a workshop / store and

therefore the policy support of 8-9 relating to the continued operation and expansion of non conforming but established use of the Tipperary County Development Plan 2022-2028 would not apply. Furthermore, the proposed development and the development to be retained constitutes ad-hoc, piecemeal development and would result in the loss of amenity to adjoining property and visual detriment to the character of the area. The proposed development and development proposed to be retained would, therefore, contrary to the proper planning and sustainable development of the area.

2. Having regard to the absence of information in respect to the condition/ structural integrity and impact of the development to be retained on the raised polishing filter element of the wastewater treatment system previously permitted and constructed on site, the Commission is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that effluent is being satisfactorily treated and disposed of on-site in accordance with the provisions of the Environmental Protection Agency Code of Practice Domestic Waste Water Treatment Systems (Population Equivalent ≤10) (2021) and that no risk of groundwater pollution arises. The proposed development and development proposed to be retained would, therefore, be prejudicial to public health and be contrary to the proper planning and sustainable development of the area.