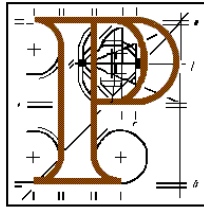


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Tipperary County

Planning Register Reference Number: 15/600672

An Bord Pleanála Reference Number: PL 92.245608

APPEAL by Helen and Laurence Walsh care of Fortress Planning of Cnoc An Ola, Cashel, County Tipperary against the decision made on the 24th day of September, 2015 by Tipperary County Council to refuse permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of demountable dwelling, domestic garages/sheds, entrance and associated driveway and hard surfacing and for permission for five years for the demountable dwelling, domestic garages/sheds, entrance and associated driveway and hard surfacing and all associated works at Curraghtarsna, Fethard, County Tipperary.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development and to the established character and pattern of development in the vicinity of the site, the Board considered that, subject to compliance with the conditions set out below, the retention of the existing dwelling for a further period of three years only would not seriously injure the amenities of property in the vicinity of the site or of the area, would be acceptable in terms of traffic safety and convenience and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the proposed retention of the existing dwelling for a further period of three years only would not seriously injure the amenities of the area and that, subject to a condition requiring that both the original dwelling on the site and the dwelling proposed for retention be served by a singular vehicular access, the proposed retention would be acceptable in terms of traffic safety and convenience.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions required details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The retention of the proposed development hereby permitted shall be for a period of three years only from the date of this order.

Reason: Having regard to the nature of the development to be retained, the Board considers it appropriate to specify a period of validity of this permission in excess of three years.

3. The dwelling to be retained for a temporary period shall not be sold on or sublet independently of the original dwelling on the site.

Reason: In the interest of clarity.

4. Vehicular access to the dwelling to be retained for a temporary period shall be via the access and entrance serving the original dwelling on the site only. The separate vehicular entrance currently serving the temporary dwelling shall be permanently closed to vehicular traffic within two months of the date of this order. Details of the arrangements for such closure shall be submitted to, and agreed in writing with, the planning authority within four weeks of the date of this order.

Reason: In the interest of traffic safety.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.