

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Tipperary County

**Planning Register Reference Number: 16/600304**

An Bord Pleanála Reference Number: PL 92.246804

**APPEAL** by Donie and Aileen Corcoran care of Ryan Architectural Solutions Limited of Parkstown, Horse and Jockey, Thurles, County Tipperary against the decision made on the 31<sup>st</sup> day of May, 2016 by Tipperary County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Construction of a gate lodge building, use of existing entrance with minor changes to achieve sight line, installation of septic tanks and with all associated site works, all at Millgrove House, Tincurry, Cahir, County Tipperary. (This site contains a protected structure reference number S158)

## DECISION

**REFUSE permission for the above proposed development based on the reasons and considerations 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

1. Having regard to the provisions of the South Tipperary County Development Plan 2009, as varied, and of the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of Environment, Heritage and Local Government in April 2005, it is considered that, based on the submissions made in connection with the application and appeal, the applicant does not come within the scope of the rural housing need criteria as set out in the Development Plan and Guidelines, and in particular does not comply with Policy SS4 as set out in the Development Plan. Furthermore, it is considered that the subject site would be an inappropriate location for the provision of ancillary family accommodation under Section 10.11.8 of the Development Plan, and that it has not been demonstrated that such accommodation could not be provided within the existing Millgrove House or its associated outbuildings. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the identified risk of flooding at this location and to the provisions of the Planning System and Flood Risk Management Guidelines for Planning Authorities 2009, the Board is not satisfied, on the basis of the submissions made in connection with the application and the appeal, that the proposed development would not give rise to the creation of a flood risk. The proposed development would be located in an area which is at risk of flooding and would, therefore, be contrary to the proper planning and sustainable development of the area.

---

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

**Dated this                      day of                      2016.**