



An
Bord
Pleanála

**Board Order
PL 92.249153**

Planning and Development Acts 2000 to 2017

Planning Authority: Tipperary County Council

Planning Register Reference Number: 17/600432

Appeal by Joseph Ryan of Cherrytree House, Coole, Newport, County Tipperary against the decision made on the 18th day of August, 2017 by Tipperary County Council to grant subject to conditions a permission to John Healy of Newport Memorials, Freagh, Newport, County Tipperary in accordance with plans and particulars lodged with the said Council:

Proposed Development: Retention of (a) change of use from domestic garage to light industrial shed for the engraving of headstones and monuments, (b) two number metal storage containers/tool sheds, and (c) two number temporary wooden clad portacabin offices, all in connection with the existing commercial yard, at Newport Memorials, Coole, Newport, 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 of the development to be retained and to the planning history of the site it is considered that, subject to compliance with the conditions set out below, the retention of the development would not detract from the character and visual amenities of the area or seriously injure the residential amenities of property in the vicinity. The retention of the development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This grant of permission is for the retention of development as stated in the public notices lodged with the application on the 27th day of April, 2017.

Reason: In the interest of clarity.

2. This grant of permission is for a period of five years from the date of this order. On or before the expiry of the period of five years, the structures shall be removed from the site. unless, prior to the end of the period, permission for their retention for a further period shall have been obtained.

Reason: To allow for a review of the development having regard to the circumstances then pertaining and in the interest of clarity and orderly development.

3. The development shall only be used between 0800 hours and 1800 hours on Mondays to Fridays inclusive (excluding public holidays), and between 0800 hours and 1600 hours on Saturdays. No activities shall occur on Sundays and public holidays.

Reason: In the interest of residential amenity.

4. The noise level shall not exceed 55 dB(A) rated sound level (that is, corrected sound level for a tonal or impulsive component) at the nearest noise sensitive location in this case a habitable dwelling between 0800 and 1800 hours, Monday to Friday inclusive, and shall not exceed 45 dB(A) at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order.

Reason: To protect the residential amenities of property in the vicinity of the site.

5. Within one month of the date of this order. The existing scrap/waste material on the site shall be removed and disposed of to an unauthorised/licensed landfill where required. No accumulation of waste material, debris, derelict vehicles or plant shall be permitted on site. All raw materials shall be stored within the approved storage sheds and no raw materials or waste products shall be placed or stored outside these structures.

Reason: In the interest of proper planning and sustainable development, and of visual amenity.

