



Planning and Development Acts 2000 to 2018

Planning Authority: Tipperary County Council

Planning Register Reference Number: 18/600386

Appeal by Mary Larkin care of DH Ryan Architects of 1 Liberty Square, Thurles, County Tipperary against the decision made on the 25th day of May, 2018 by Tipperary County Council to grant subject to conditions a permission to John J. Ronayne Construction Limited care of W. O. Morrissey and Son Architects of Thomas Street, Clonmel, County Tipperary in accordance with plans and particulars lodged with the said Council.

Proposed Development: Permission to demolish and remove the existing house and to construct three number houses complete with external works and site development works, the proposed houses will comprise two number semi-detached, two-storey, three-bedroom houses facing, and accessed from Dublin Road and one number detached dormer type three-bedroom house facing, and accessed from the access road to Ard Carraig; all at site at Dublin Road and Ard Carraig, Thurles, 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 residential zoning objective for the area and the pattern of development in the area, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 the 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 developer shall provide for wayleave for the maintenance of the existing sewer line serving the adjoining dwelling to the west. A minimum six metres wayleave shall be provided for and shall be accessible to vehicular traffic. The developer shall provide for protection of the existing sewer line during construction works. Details in this regard shall be submitted to the planning authority for written agreement prior to commencement of development. Such measures shall be implemented unless provision is made for re-routing the sewer subject to agreement with all relevant parties.

Reason: In the interest of orderly development.

3. Prior to commencement of development, details of the materials, colours and textures of all the external finishes to the proposed houses shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of orderly development and the visual amenities of the area.

4. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. [All existing over ground cables shall be relocated underground as part of the site development works.]

Reason: In the interests of visual and residential amenity.

5. Surface water from the site shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures, off-site disposal of construction/demolition waste and a scheme for dust and dirt control.

Reason: In the interests of public safety and residential amenity.

7. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

8. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Dated this day of 2018.