



Planning and Development Acts 2000 to 2018

Planning Authority: Tipperary County Council

Planning Register Reference Number: 17/601426

Appeal by Thomas Wright of Killerk North, Fethard, County Tipperary against the decision made on the 18th day of July, 2018 by Tipperary County Council to grant subject to conditions permission to Tommy O'Brien of Red City, Fethard, County Tipperary in accordance with plans and particulars lodged with the said Council.

Proposed Development: (1) Retention of the location of, as constructed unauthorized vehicular access, including, roadside boundary walls/wing walls. (2) Permission to realign the existing unauthorized roadside boundary to achieve maximum sight lines, and for the completion of the existing entrance and including the removal of part of existing wall boundary/wing wall to the east of the site, and also including the provision of a drainage channel at entrance. (3) Retention of the existing unauthorized first floor extension to existing shed. (4) Replace existing open porch with a new conservatory to the front of existing dwelling. (5) All associated site development works to facilitate the proposed development at Red City, 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 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 design and scale of the subject development, the fact that the entrance for which retention is sought serves an existing dwelling, the level of sightlines available and its location on a lower category road with low traffic volumes, it is considered that the development for which retention is sought would be acceptable in terms of traffic safety, and the proposed development, subject to compliance with the conditions set out below, would be acceptable in terms of the visual amenity of the area. The development for which retention is sought, and the proposed development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, and carried out and completed (as applicable) in accordance with the plans and particulars lodged with the application as amended by revised particulars submitted to the planning authority on the 28th day of June, 2018, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. Within three months of the date of this Order, the block boundary walls to the east and to the west of the entrance shall be replaced by post and rail fences, which shall be erected behind the sightlines as denoted in green on the revised site layout plan submitted to the planning authority on the 28th day of June, 2018.

Reason: In the interests of visual amenity and traffic safety.

3. The first floor area of the shed for which retention is sought shall be used solely for purposes incidental to use of the dwelling on site and shall not be used as an independent dwelling unit or for any commercial or industrial purposes.

Reason: In the interest of orderly development.

4. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.
- (b) The access driveway to the subject development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent pollution.

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

Dated this day of 2018.