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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 17601435**

**Appeal** by Anthony Deane of Townsfield House, Main Street, Cloughjordan, County Tipperary against the decision made on the 6<sup>th</sup> day of September, 2018 by Tipperary County Council to grant subject to conditions a permission to Simon Horgan care of Kenneth Hennessy Architects Limited of Anglesea House, Anglesea Street, Clonmel, County Tipperary in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** (a) Change of use from former bank to residential, (b) demolition of single storey buildings to rear, (c) construction of two-storey, split level mono pitch extension to rear, (d) refurbishment of existing building and alterations to front elevation, (e) associated site boundary and site development works. The existing building is a protected structure - reference number S 599 - in the North Tipperary County Development Plan 2010, all at the former AIB premises, Main Street, Cloughjordan, 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 proposal to conserve the deteriorating fabric of a Protected Structure, and to the limited extent of the proposed two-storey extension to the rear; it is considered that the proposed development, subject to compliance with the conditions set out below, would be in the best interests of the retention of the maximum amount of original fabric of the Protected Structure, would not seriously injure the residential amenities of the area, and would 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 as amended by further plans and particulars submitted to the planning authority on the 13<sup>th</sup> day of August 2018; except as may otherwise be required in order to comply with the following conditions. Where such conditions require 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 upper half of the staircase window shall be in permanently obscured glazing.

**Reason:** To eliminate potential overlooking of adjoining property, in the interest of residential amenity.

3. The landing window onto the flat-roof of the existing strong-room shall only be used for access for maintenance purposes. The flat-roofed areas of the former bank (which are to be retained) shall not be used for amenity purposes by occupants or visitors.

**Reason:** To prevent overlooking of adjoining property to the north and south, in the interest of residential amenity.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water to soakaways within the boundaries of the site, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

5. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

**Reason:** In the interest of visual amenity.

6. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of Environment, Heritage and Local Government in July 2006.

**Reason:** In the interest of sustainable waste management.

7. A schedule (and appropriate samples) of all materials to be used in the external treatment of the development, to include plasterwork, roofing materials, windows, doors and rainwater goods, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure an appropriate standard of development and conservation.

8. The applicant shall comply with the following requirements in relation to the restoration of the Protected Structure, which shall be carried out in accordance with the document “Architectural Heritage Protection – Guidelines for Planning Authorities”, issued by the Department of Arts, Heritage and the Gaeltacht in 2011:
  - (a) the replacement/repair of any plasterwork on the façade of the building (including the balustrade), and
  - (b) the retention of the two original timber doors and their door cases in the eastern wall of the banking hall.

Details of the procedures to be followed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure an appropriate standard of restoration works for this protected structure.

9. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site, and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and façades structure and/or fabric.
- (b) All repair works to the Protected Structure shall be carried out in accordance with best conservation practice, as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities”, issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery; and shall be designed to cause minimal interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.
- (c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings) and skirting boards, shall be protected during the course of refurbishment.

**Reason:** To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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 the 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 the Board 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.

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**Dave Walsh**

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

**Dated this            day of            2019.**