



Planning and Development Acts 2000 to 2018

Planning Authority: Tipperary County Council

Planning Register Reference Number: 18/601319

APPEAL by Dualla Village Preschool care of Fortress Planning of Canopy Street, Cashel, County Tipperary against the decision made on the 3rd day of January, 2019 by Tipperary County Council to refuse permission.

Proposed Development: Erection of a portacabin for sessional use for childcare facilities including before-school care from 7.30am to 9.10am (ages 4-12 years), preschool care from 9.20am to 12.20pm (ages 2.5-5 years) and after-school care from 2.00pm to 6.00pm (ages 4-12 years) Monday to Friday, connection to public services and all associated works in the curtilage of Number 13, Lios Dubhaile, Dualla Village, County Tipperary.

Decision

REFUSE permission for the above proposed development in accordance with 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

The site of the proposed development is located within an area zoned 'Existing Residential' in the South Tipperary County Development Plan 2009 (as varied). The stated objective of this zoning is 'To preserve and enhance existing residential development and residential amenity and provide for additional facilities where gaps are identified'. A childcare facility is open for consideration within this zoning. Having regard to the nature, design, scale and intensity of use of the proposed development on a site that is severely restricted both in terms of area, access arrangements and car parking, it is considered that the proposed development would seriously injure the residential amenities of the surrounding area by reason of noise and adverse visual impact and would endanger public safety by reason of a traffic hazard arising from vehicle turning movements in the immediate vicinity of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019