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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 18/601479**

**APPEAL** by Helen O'Rourke and Sean Morrissey care of 23 Saint Patrick's Terrace, Clonmel, County Tipperary against the decision made on the 18<sup>th</sup> day of June, 2019 by Tipperary County Council to grant subject to conditions a permission to Joe and Margaret O'Sullivan care of Will McGarry of 15 Mary Street, Clonmel, County Tipperary.

**Proposed Development:** Construction of a single storey dwelling, entrance driveway, connection to underground services and associated works at Western Road, Clonmel, County Tipperary. The proposed development was revised by further public notices received by the planning authority on the 8th day of March, 2019, the 10th day of May, 2019 and the 23rd day of May, 2019, including a revised site layout drawing showing revised site boundaries.

## **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**

Having regard to the substandard nature of the existing laneway in particular the narrow width, poor surface condition and the absence of footpaths along it, as well as the absence of adequate sightlines at the junction of the laneway with both Western Road and Abbey Road, the Board considered that the proposed development would endanger public safety by reason of pedestrian and traffic hazard. The proposed development, therefore, would not be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the public laneway was substandard in terms of its overall width and surface and the absence of footpaths and adequate sightlines at its junctions with Western Road and Abbey Road. The Board did not consider that the proposed development was in accordance with the proper planning and sustainable development of the area.

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**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**