



Planning and Development Acts 2000 to 2020

Planning Authority: Tipperary County Council

Planning Register Reference Number: 19/600859.

Appeal by Bulrush Horticulture Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 6th day of April, 2020 by Tipperary County Council to refuse permission for the proposed development.

Proposed Development: Retention of existing portacabin with toilet and canteen, storage containers, weighbridge, wastewater treatment system/polishing filter and yard at Glenahilty Bog, Glenahilty, Clooughjordan, 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 provisions of the current North Tipperary Development Plan, 2010, as extended, the established use of the site and to the nature and extent of the structures to be retained, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought 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 development for which retention is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 12th day of September, 2020, 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) This permission shall apply for a period of five years from the date of this Order. The portacabin, storage container, concrete yard and any associated ancillary structures shall then be removed from the site and the wastewater treatment plant shall be decommissioned, unless, prior to the end of that period, planning permission for their retention beyond that date shall have been granted.
- (b) The site shall be reinstated on removal of the portacabin, storage container, concrete yard and any associated ancillary structures and on decommissioning of the wastewater treatment plant. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority at least one month before the expiry of this permission.

Reason: To enable the impact of the development to be re-assessed, having regard to changes in technology and design during the specified period.

3. The material being stored in the area above the wastewater treatment system and polishing filter shall be removed within three months of the date of this Order.

Reason: In the interest of public health.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020.