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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 19/601377**

**Appeal** by Matthew Paul Bishop of 616 Railway Cottages, Limerick Junction, Tipperary, County Tipperary against the decision made on the 6<sup>th</sup> day of August, 2020 by Tipperary County Council to grant subject to conditions a permission to Joseph Ryan care of Michael Mooney of Brickendown, Mayfield, Cashel, County Tipperary in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention of existing extension and associated site works located to the rear at number 615 Railway Cottages, Limerick Junction, Tipperary, County Tipperary. The proposed development was revised by further public notices received by the planning authority on the 13<sup>th</sup> day of July, 2020.

**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 design and scale of the development, the existing building on site and the pattern of development within the area, it is considered that the retention of the development, subject to compliance with the conditions set out below, would not adversely impact on the residential amenities of neighbouring properties, or result in an increase in flood risk on site or within neighbouring properties. The development is considered to be in accordance with the policies and objectives of the current North Tipperary County Development Plan in relation to extensions and alterations. The retention of the development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 12<sup>th</sup> day of May 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 authority and the development shall be retained and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. All surface water run-off generated from roofs, driveways and paved areas within the appeal site shall be collected and disposed of within the curtilage of the site by means of soakpits designed in accordance with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting 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 within six months of the date of this Order 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 property owner or, in default of such agreement, the matter shall be referred to An Bord Pleanála 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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**Michelle Fagan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2020.**