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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 20/834**

**APPEAL** by William O'Reilly care of Walsh and Walsh Architects Limited of The Square, Cahir, County Tipperary against the decision made on the 16<sup>th</sup> day of September, 2020 by Tipperary County Council to refuse permission.

**Proposed Development:** 1. Construction of proposed single storey dwelling; 2. proposed site entrance with boundary walls and gate; 3. proposed wastewater treatment system and percolation area; and 4. all associated drainage and site development works, all at Kilcash, Ballypatrick, 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

It is the policy of the planning authority, as set out in Policy SS4 (Housing in the Rural Countryside) as set out in the South Tipperary County Development Plan 2009-2015 (as varied), to facilitate individual dwellings in the open countryside for person(s) who are intrinsic to the area, have a demonstrated housing need and who are seeking to provide a home for their own occupation. However, in this application the applicant already owns a house in the rural area and as such, is not considered to have a demonstrated housing need. The proposed development would, therefore, be contrary to Policy SS4 as set out in the South Tipperary County Development Plan 2009-2015 (as varied) and would be contrary to the proper planning and sustainable development of the area.



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**Stephen Bohan**

**Member of An Bord Pleanála**

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



Dated this *4<sup>th</sup>* day of *May* 2021.