



Planning and Development Acts 2000 to 2020

Planning Authority: Tipperary County Council

Planning Register Reference Number: 20/883

APPEAL by Catherine and Robert Webster care of Michael Reilly of “Radharc Na Coille”, Mullinahone, County Tipperary against the decision made on the 30th day of September, 2020 by Tipperary County Council to refuse permission for the proposed development.

Proposed Development: Construction of a 1.5 storey dwellinghouse, domestic garage, entrance, install septic tank including associated site works, at Newtown (E.D. Colman), Fethard, 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 a 'rural area in the open countryside', as identified in the South Tipperary County Development Plan 2009 (as varied). Furthermore, given its location proximate to the large towns of Clonmel and Cashel, the subject site is considered to be located in an area that is designated under urban influence, where it is national policy, as set out in National Policy Objective 19 of the 2018 National Planning Framework and the Sustainable Rural Housing Guidelines for Planning Authorities, issued by the Department of the Environment, Heritage and local Government in April 2005, to facilitate the provision of single housing in the countryside, based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements. Having regard to the submissions made in connection with the application and appeal, the Board is not satisfied that the applicants have sufficiently demonstrated a rural housing need to live in this rural area as required under Policy SS4 of the Development Plan, having regard to the proximity of the site to the village of Fethard and the viability of this settlement. It is considered, therefore, that the applicants do not come within the scope of the housing need criteria as set out in the South Tipperary County Development Plan 2009, (as varied) or in national policy for a house at this location.

In the absence of an identified locally based, site specific economic or social need to live in the area, it is considered that the proposed development would contribute to the development of random rural housing in the area, would exacerbate the existing pattern of ribbon development and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Dave Walsh

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

Dated this day of 2021.