



Planning and Development Acts 2000 to 2021

Planning Authority: Tipperary County Council

Planning Register Reference Number: 20968

Appeal by Sean Mulholland Insultations Limited care of HRA Planning, Chartered Town Planning Consultants of 3 Hartstonge Street, Limerick City against the decision made on the 18th day of June, 2021 by Tipperary County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention for (a) a manufacturing shed and sewing station; (b) storage building; (c) septic tank and percolation area; and (d) all associated site works, planning permission is sought to relocate the existing site entrance and to provide a new entrance set back from the public road and all associated site works at Gortacurra, Killea, Templemore, County Tipperary.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the

Planning and Development Act, 2000 to REMOVE condition number 2 and the reason therefor.

Reasons and Considerations

Having regard to the North Tipperary County Development Plan 2010 (as varied and extended), the location of the site, to the nature and scale of the development and the business operations on the site, it is considered that the development for which retention permission and permission is sought, subject to removal of condition number 2, would not have an adverse impact on the environment, amenities of adjoining properties or be visually detrimental to the character of the area or result in traffic hazard, and would comply with Policy ED9 of the North Tipperary County Development Plan 2010 (as varied and extended). The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board noted the specific scale and form of the activity and by reference to Policy ED9 of the North Tipperary County Development Plan 2010 (as varied and extended) determined that the development for which retention permission and permission is sought was not of itself of a scale that would be inappropriate under this policy. Furthermore, the Board also considered the appropriateness of the inclusion of condition number 2 relative to a 'temporary permission' and shared the Inspector's concerns in this regard.



Stephen Bohan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *12th* day of *May* 2022