



Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 21/1033

Appeal by Chris McCarthy of 45 Highfield Grove, Clonmel, County Tipperary and by Skyline Scaffolding Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 24th day of January, 2022 by Tipperary County Council to grant subject to conditions a permission to the said Skyline Scaffolding Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of (1) general signage on the existing building, (2) alterations to the existing building to that which was granted under planning reference number 19600740 including metal shutters, exterior lighting, extended length, width and height of the building, the omission of parapet walls to the sides and rear of the existing building, the existing blue trim around cladding throughout the existing building and the use of vertical trapezoidal metal cladding to the sides of rear of the existing building instead of horizontal flat metal cladding as permitted and (3) elements of the existing site layout including existing concrete yard, some existing kerbing, some existing perimeter fencing and existing internal fencing and gates and existing entrance gates and all associated site development works, as well as planning permission to (4) complete the car park and driveway, (5) widen driveway into

car park and (6) create a yellow hatched buffer zone on the existing concrete yard on the western side of the site and all associated site development works, all at Clonmel Business Park, Cashel Road, Clonmel, County Tipperary, as revised by the further public notices received by the planning authority on the 20th day of December, 2021, which included for permission for the installation of an attenuation tank, removal of part of the concrete yard along the western boundary and installation of landscaping along same boundary.

Decision

GRANT permission for the above development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the zoning objective, the design, layout and scale of the development, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained and proposed development would not seriously injure the amenities of the area or of property in the vicinity and would not adversely or materially impact on the character of the building or the streetscape. The development proposed to be retained and proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.



Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 20th day of December, 2021, 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 prior to commencement of development and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

The mesh fence along the western boundary shall be removed and replaced with a two-metre-high solid wooden acoustic barrier fence, or other similar material, as agreed with the planning authority.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

3. A 750-millimetres strip shall be removed along the full length of the concrete yard at the western end of the site and this area shall be landscaped, using only indigenous species, in accordance with an overall landscaping scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity and to promote biodiversity.

4. (a) Within four weeks of the grant of permission, unless otherwise agreed in writing with the planning authority, the yellow hatched buffer zone shall be marked on the existing concrete yard and the proposed car parking spaces within the yard area of the site shall be clearly delineated.
- (b) The buffer zone shall not be used for staff parking and shall only be used for the following activities:
 - (i) Entry into the zone by vehicles to complete turning manoeuvres.
 - (ii) Transit through the zone to move material where necessary.
 - (iii) Vehicles/activity/groundworks associated with planting and maintenance of the hedge, fencing and the concrete area within the buffer zone.
- (c) The buffer zone shall not be used for the storage of materials, goods or other waste associated with the proposed development.
- (d) The parking and circulation aisles shall be reserved solely for the parking of vehicles and shall not be used for the storage of materials, goods or other waste associated with the proposed development.

Reason: In the interests of clarity and residential amenity.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

6. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

7. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.



Stephen Brophy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 26th day of September 2023.