



An
Bord
Pleanála

Board Order
ABP-312678-22

Planning and Development Acts 2000 to 2021

Planning Authority: Tipperary County Council

Planning Register Reference Number: 21/1680

Appeal by Timothy, Mary and Jennifer Tierney of Cornamult, Terryglass, Nenagh, County Tipperary against the decision made on the 18th day of January, 2022 by Tipperary County Council to grant subject to conditions a permission to Martina Tierney care of Shoreline Property Consultancy of Slevoyre, Terryglass, Nenagh, County Tipperary.

Proposed Development: Construction of a single storey detached dwelling house, detached domestic garage, wastewater treatment system, site entrance and all ancillary site works at Ashgrove, Terryglass, Nenagh, County Tipperary.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to:
 - (a) the objectives of the Tipperary County Development Plan 2022-2028, including Policy SO-3 and Policy 4-1, which seek to discourage urban generated housing in rural areas and to direct provision for housing into towns and villages such as Terryglass,
 - (b) the location of the site within a rural area under urban influence, as identified in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005, and
 - (c) National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, seeks 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,

it is considered that the nature of the housing need is urban generated and that the applicant has not demonstrated an economic or social need to live in a rural area having regard to the viability of smaller towns and rural settlements and that the proposed development does not comply with National Policy Objective 19 of the National Planning Framework. The proposed development would contribute to the encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located within a Designated Primary Amenity Area where emphasis is placed on the importance of protecting the visual amenity and the landscape quality and character of the area in accordance with Policy 11-17 of the Tipperary County Development Plan 2022-2028. Having regard to the existing pattern of ribbon development in the area and the extent of boundary removal along the R493 Regional Road, it is considered that the proposed development would seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The location of the entrance for the proposed development is directly onto the R493 Regional Road, a designated strategic transport corridor, at a location where the speed limit of 80 km/hr applies. It is the policy of the Spatial Planning and National Roads Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in January 2012, as reflected in Policy 12-4 of the Tipperary County Development Plan 2022-2028, to maintain and protect the safety, capacity and efficiency of the road network. The proposed entrance and the additional turning movements created by the proposed development would interfere with the unobstructed, safe and free flow of traffic on the route and would materially contravene Policy 12-4 of the Tipperary County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Martina Hennessy

Member of An Bord Pleanála

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

Dated this 29th day of May 2023.