



An
Bord
Pleanála

Board Order
ABP-312742-22

Planning and Development Acts 2000 to 2021

Planning Authority: Tipperary County Council

Planning Register Reference Number: 21/1518

APPEAL by Kate Duggan care of Town and Country Resources Limited of Breska, Clarina, County Limerick against the decision made on the 7th day of December, 2021 by Tipperary County Council to grant outline permission, subject to conditions, to Paddy Grace care of John Joe Lewis Architectural Services Limited of 4 Silver View, Nenagh, County Tipperary.

Proposed Development: Construction of dwellinghouse, garage, wastewater treatment system, entrance, driveway along with all ancillary site works, at Shanbally, Norwood, Nenagh, County Tipperary.

Decision

REFUSE outline permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate on a road at a point where sightlines are restricted in both directions. Furthermore, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the applicant has demonstrated sufficient legal interest to ensure that the sightlines as required under the Tipperary County Development Plan 2022-2028 can be provided and maintained. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the proximity of the appeal site to a Protected Structure (Reference number TRPS355) and the elevated nature of lands relative to the grounds of the Protected Structure and the open and exposed views of the site from both the Protected Structure and the surrounding lands, the Board is not satisfied that the proposed development and mitigations set out in the appeal response, would sufficiently ameliorate visual impacts on the Protected Structure and its curtilage. In addition, the proposed development would seriously injure the visual amenities of the area. The proposed development would be contrary to Policy 13-1 of the Tipperary County Development Plan 2022-2028 in this regard and 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 12th day of June 2023.

