

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 21/1231**

**Appeal** by Freda Delaney care of David King Planning Street of Collorus House, Laragh, Kenmare, County Kerry against the decision made on the 19<sup>th</sup> day of May, 2022 by Tipperary County Council to grant permission, subject to conditions, to Seamus McKeogh care of Michael Barker and Company of Riverpoint, Lower Mallow Street, Limerick for development comprising retention of (a) kitchen extension, open living area and associated works to dwelling, (b) former stables converted to out-buildings at rear of dwelling, and (c) new stables building, adjoining sand arena, access road, hard standing area and all ancillary site development works at Ballycorrigan, Ballina, County Tipperary in accordance with the plans and particulars lodged with the said Council.

**Decision**

**GRANT permission for retention of (a) kitchen extension, open living area and associated works to dwelling, and (b) former stables converted to out-buildings at rear of dwelling in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.**

**REFUSE permission for retention of new stables building, adjoining sand arena, access road, hard standing area and all ancillary site development works based on the reasons and considerations marked (2) under**

## **Reasons and Considerations (1)**

Having regard to the rural location of the site, and to the nature, character and scale of the development proposed for retention, it is considered that, subject to compliance with the conditions set out below, this element of the development proposed for retention would not seriously injure the amenities of the area and would, otherwise be in accordance with the proposed planning and sustainable development of the area.

## **Conditions**

1. The development shall be carried out, completed and retained 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 22<sup>nd</sup> day of March, 2022, and the 27<sup>th</sup> day of April 2022, 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 and the development shall be carried out, completed and retained in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The converted stables shall not be used for any commercial, industrial or business purposes and shall not be rented or leased independently of the existing dwelling on site.

**Reason:** In the interest of orderly development.

3. All foul effluent and slurry generated in the farmyard shall be conveyed through properly constructed channels to the proposed and existing storage facilities and no effluent or slurry shall discharge or be allowed to discharge to any stream, river or watercourse, or to the public road.

**Reason:** In the interest of public health.

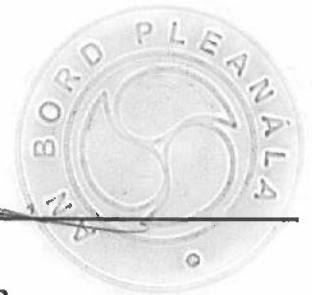
## Reasons and Considerations (2)

Having regard to the location of the new stable block in close proximity to an adjacent dwelling, the Board was not satisfied that sufficient information had been provided to justify the siting of the new stables at this location and considered that the retention of this element of the development would impact negatively on the appellants residential amenity.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered the totality of the information on file and found that the appellants residential amenity was adversely affected by the selection of this particular location.

  
**Liam Bergin**

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



Dated this 22 day of September 2023.