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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 21/1621**

**APPEAL** by Phil and Josephine O'Callaghan and others of Tower View Drive, Dungarvan Road, Clonmel, County Tipperary, and by Sean Murphy care of Walsh and Walsh Architects, The Square, Cahir, County Tipperary against the decision made on the 4<sup>th</sup> day of July, 2022 by Tipperary County Council to grant permission subject to conditions to Sean Murphy in accordance with the plans and particulars lodged with the said Council.

**Proposed Development:** Demolition of existing single storey dwelling, construction of seven two-storey dwellings, including three terraced, two-bedroom dwellings, and four terraced dwellings consisting of three two-bedroom dwellings, and one three-bedroom dwelling, new site entrance, including boundary walls and gate, and all associated site development works and services, all at Dungarvan Road, Clonmel, County Tipperary. The proposed development was revised by further public notices received by the planning authority on the 8<sup>th</sup> day of June 2022.


**Decision**

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

## Reasons and Considerations

The Board considered that the proposed development, by reason of its poor layout and design, including inadequate provision of quality amenity space, limited landscaping, unsatisfactory design of houses numbers 1 to 3, with the rear elevations facing the Dungarvan Road, insufficient private open space, and the lack of communal facilities that would normally be provided for such 'retirement facilities', would constitute a poor quality environment, would not achieve optimum use of this zoned and serviced lands and would set an undesirable precedent for substandard development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board shared the views of the Inspector and the planning authority regarding the omission of proposed dwellings 1 to 3. However, it was considered that the substantive issues relating to layout and design could not be adequately addressed by condition.



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Stephen Bohan

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

Dated this *9<sup>th</sup>* day of *January* 2024.