



Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 22/60246

APPEAL by Lorraine Hartigan care of David King of Collorus House, Lauragh, Kemare, County Kerry and by Teresa Hartigan care of Richard Foley Planning Consultancy Limited of Ballyerk, Moyne, Thurles, County Tipperary against the decision made on the 23rd day of September, 2022 by Tipperary County Council to grant subject to conditions a permission to Seamus Maher care of Neil O'Connor of Corville, Roscrea, County Tipperary.

Proposed Development: Provision of new agricultural entrance to lands and all associated site works, all at Togher, Templetuohy, Thurles, County Tipperary.

Decision

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

Reasons and Considerations

The Board was satisfied that the principle of an agricultural entrance is acceptable and supported by policy, subject to protecting natural services of the environment, as expressed through Policy 10-3 of the Tipperary County Development Plan 2022-2028. Notwithstanding the acceptability of the general principle of an agricultural entrance, it appears to the Board that there are other existing entrances serving the farm complex. Based on the information provided with the application and appeals and noting that there was no first party response to the appeals, it has not been adequately demonstrated that the proposed agricultural entrance, requiring the removal of 70 metres of existing hedgerow is necessary or justified. Accordingly, the Board is not satisfied that the proposed development would not result in unnecessary loss of mature hedgerow and associated biodiversity and would not seriously injure the amenities of the area. Therefore, the proposed development would be contrary to proper planning and sustainable development of the area.



Patricia Calleary

Member of An Bord Pleanála

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

Dated this 16 day of November 2023.