

An  
Bord  
Pleanála

## Board Order ABP-315238-22

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 22/60497**

**Appeal** by Thomas Wright of Killerk North, Fethard, County Tipperary against the decision made on the 5<sup>th</sup> day of December, 2022 by Tipperary County Council to grant subject to conditions a permission to Anke and Karsten Buthke care of Derek White of Hymenstown, New Inn, Cashel, County Tipperary in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Alterations and extensions to existing dwelling, decommission existing septic tank outside the boundaries of the site and install new treatment tank and tertiary treatment system within the boundaries of the site together with associated site works and drainage, all at Redcity, Fethard, County Tipperary.

### **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## Reasons and Considerations

Having regard to the nature and scale of the proposed development, the provisions of the Tipperary County Development Plan 2022-2028, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or general amenities of the area or of property in the vicinity, would not be detrimental to the character of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

3.
  - (a) Domestic effluent from the extended dwelling shall discharge to a Tertiary Treatment System and Infiltration/Treatment area (DWWTS) which shall be designed, located and constructed in accordance with the requirements of 'EPA 2021' Code of Practice - Domestic Wastewater Treatment Systems. The separation distances required under the EPA 2021 Code of Practice shall be adhered to.
  - (b) The location, construction and commissioning of the DWWTS shall be supervised by a Civil Engineer, or appropriately qualified individual, who, upon completion of works/commissioning, shall submit to the planning authority certification (to include photographs) that the system has been laid out and constructed in accordance with the EPA 2021 Code of Practice - Domestic Wastewater Treatment Systems within three months of installation.
  - (c) The owners/occupiers of the subject site shall be responsible for the maintenance of the DWWTS.
  - (d) The existing septic tank and percolation area shall be decommissioned once the proposed system is operational.


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

4. Surface water from the site shall not be permitted to drain onto the adjoining public road.

**Reason:** In the interest of traffic safety.

5. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of property in the vicinity.



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

**Dated this 24<sup>th</sup> day of August 2024.**