

An
Bord
Pleanála

Board Order ABP-315285-22

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 22/60397

Appeal by James Ó Murthuile care of HRA Planning of 3 Hartstonge Street, Limerick against the decision made on the 16th day of November, 2022 by Tipperary County Council to grant subject to conditions a permission to Martin Flynn care of Michael O'Brien of Tinarana, Killaloe, County Clare in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of renovations and alterations to existing house and septic tank and percolation area and provision of gravel parking area and other associated site works, all at Townlough Upper, Portroe, Nenagh, County Tipperary.

Decision

GRANT permission for the above 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 provisions of the Tipperary County Development Plan 2022-2028 and the previous use of the building, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would be in accordance with national and local planning policy, provides for the refurbishment of an existing house, and would not seriously injure the visual amenities of the area. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed 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 23rd day of October, 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The site shall be landscaped in accordance with a comprehensive scheme of landscaping using only deciduous trees and hedging species, details of which shall be submitted to the planning authority and agreed in writing within three months of the grant of permission. This scheme shall include the following:
 - (a) A plan to scale of not less than 1:500 showing –
 - (i) Landscaping for the retaining bank to the front of the dwelling.

- (ii) Soft landscaping for a minimum of 50% of the hardstand area of the hardstanding area.
 - (iii) The species, variety, number, size and locations of all proposed trees and shrubs.
 - (iv) Details of boundary planting.
- (b) A timescale for implementation.

Reason: To assimilate the development into the landscape and in the interest of visual amenity.

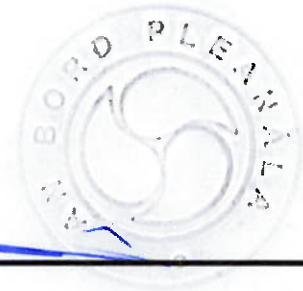
3. All surface water run-off from roofs, driveways and paved area shall be collected and disposed of within the curtilage of the site by means of soak pits designated in accordance with BRE 365 standards. Surface water run-off shall not be allowed to discharge onto adjoining properties.

Reason: To avoid interference with other properties and to prevent traffic hazard.

4. A Certificate of Compliance (including photographs) prepared and signed by an Architect, Engineer, Surveyor or Technician to state that the septic tank and percolation area and associated works have been installed in accordance with EPA Code of Practice requirements shall be submitted to the planning authority within three months of the grant of permission.

Reason: In the interest of public health.

5. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001, as amended, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the dwellinghouse without a prior grant of planning permission.
Reason: In the interest of residential amenity and in order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the dwelling.



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

Dated this *05th* day of *December* 2023.