



An
Bord
Pleanála

Board Order ABP-315357-22

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 22595

Appeal by Tony Kennedy care of O'Dwyer Draughting Services of 7 Mullally Grove, Cappamore, County Limerick against the decision made on the 1st day of December, 2022 by Tipperary County Council to grant subject to conditions a permission to Whites Funeral Directors of Ayle, Cappawhite, County Tipperary in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of (1) single storey extension to the side with rooflights, (2) elevational changes to front/rear/side elevations and (3) a permanent awning/roofed area to the front elevation of the existing building, all at Main Street Upper, Cappawhite, 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 existing use on site, the small scale and nature of the development proposed to be retained, and its location, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 and the development shall be retained in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within three months of the date of this Order or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mary Henchy

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

Dated this *28* day of *Dec* 2023.