

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 236

Appeal by Maura Tully of Lower Main Street, Ballyporeen, County Tipperary against the decision made on the 22nd day of May, 2023 by Tipperary County Council to grant, subject to conditions, a permission to Ballyporeen Community Council CLG care of Michael Geary, Lyrefune, Ballyporeen, Cahir, County Tipperary in accordance with plans and particulars lodged with the said Council:

Proposed Development: The refurbishment of Ballyporeen Old Boys National School. Erect new fencing segregating old from new school and replace neighbouring fence with screen fence. Construct 1.8 metre walkway path on east side with entrance at Lower Main Street, Ballyporeen. Extend parking bays to include two electric charging points. Construct a new storeroom (11.8 metres wide by 1.7 metres long by five metres high) utilising existing hurling wall structure, at Lower Main Street, Ballyporeen, 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 relevant provisions of the Tipperary County Development Plan 2022-2028, which includes in Volume 2 a Settlement Plan for Ballyporeen, to the established use of the site and the land use zoning, and to the scale and nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would be acceptable in terms of pedestrian and traffic safety and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

A handwritten signature in black ink, appearing to be 'M. G.', is located in the bottom right corner of the page. It is written over a faint circular stamp that contains the text 'AN BORD PLEANÁLA' and 'TIPPERARY COUNTY DEVELOPMENT PLAN 2022-2028'.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by further plans and particulars submitted on the 27th day of April 2023, except as may otherwise be required in order to comply with the conditions set out below. 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Final details of all proposed boundary treatments, including fencing, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interests of visual and residential amenities.

3. Prior to the commencement of development, the parking area shall be surfaced and marked out, and the following details shall be submitted to, and agreed in writing with, the planning authority:
 - (a) The dual use of the carpark for school staff parking and the community use associated with the use of the old school building.
 - (b) Full details of all electric vehicle charging infrastructure.
 - (c) Details of how access to the walkway from the public road will be managed.



Reason: In the interest of traffic safety.


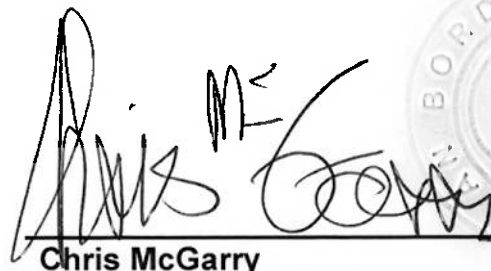
4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

An ACO Channel discharging to the existing surface water network shall be installed at the location of the new pedestrian gate.

Reason: In the interest of public health.

5. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.



Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 2nd day of May 2024.