



An  
Bord  
Pleanála

## Board Order ABP-319235-24

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 23/60896**

**Appeal** by James Fitzpatrick of 39 Upper Gladstone Street, Clonmel, County Tipperary against the decision made on the 13<sup>th</sup> day of February, 2024 by Tipperary County Council to refuse permission.

**Proposed Development:** Retention of rear extension to dwelling at 39 Upper Gladstone Street, Clonmel, County Tipperary.

### **Decision**

**REFUSE** permission for the above development for the reasons and considerations set out below.

## Reasons and Considerations

1. It is considered that the materials and finishes used on the extension proposed to be retained are out of keeping with the existing dwelling, are substandard and are not reflective of a domestic use, and that the extension represents an incongruous feature to the rear of the dwelling, is overbearing on the private space of the adjacent dwelling, seriously injures the amenity of properties in the vicinity, and sets an undesirable precedent for other similar developments. The development proposed to be retained would be contrary to Section 4.12 (Domestic Extensions) of Volume 3 Appendix 6 of the Tipperary County Development Plan 2022-2028, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The existing rainwater goods and sewer connections serving the development proposed to be retained overhang the adjoining property at 40 Upper Gladstone Street and discharge into service connections on this property, which causes serious injury to the amenity of this adjoining property. The Board is not satisfied that the proposals submitted to the planning authority with respect to rainwater goods under further information are implementable within the application site boundary. Having regard to the above considerations, the development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

  
**Liam Bergin**

**Member of An Bord Pleanála**

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

**Dated this 20<sup>th</sup> day of August 2024.**