

An
Bord
Pleanála

Board Order ABP-320122-24

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 24/60072

Appeal by Donal and Margaret Kennedy of Donmar, Camas, Cashel, County Tipperary against the decision made on the 21st day of June, 2024 by Tipperary County Council to grant subject to conditions a permission to Raymond Heney care of William Trehy of Colman, Fethard, County Tipperary in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of double garage, ancillary mechanical pits and all associated site works and permission to construct attic storage area, all at Camus, Cashel, 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

The Board considered the planning history, particularly the size of the garage previously permitted at this location, the overall size of the site, and the information submitted by way of further information regarding the proposed use of the garage which is incidental to the enjoyment of the dwellinghouse. Having regard to the nature, scale, proposed use and design of the development proposed to be retained and proposed development, and the character of the general area, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained and proposed development would not affect the character of the area, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out 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 30th day of May. 2024, 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 development shall be retained, carried out and completed in accordance with the agreed particulars.

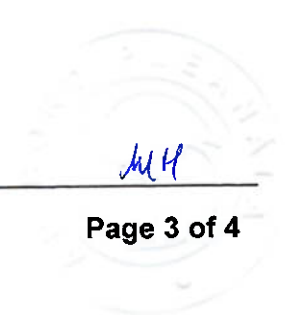
Reason: In the interest of clarity.

2. The garage and the associated yard area shall be used only for purposes incidental to the enjoyment of the dwellinghouse as detailed in the submission received by the planning authority on the 30th day of May, 2024, and shall not be used for any residential, commercial or industrial purposes.

Reason: In the interest of the proper planning and sustainable development of the area.

3. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Within three months of the date of this Order, the developer shall submit details for the disposal of surface water from the site and the timeframe for carrying out of these works for the written agreement of the planning authority.

Reason: In the interest of public health and sustainable drainage.



4. 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 prior to commencement of development 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 22nd day of November 2024.