



An
Bord
Pleanála

Board Order
ABP-320623-24

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 2460458

Appeal by Patrick Heffernan of Ballyvadin, Fethard, County Tipperary against the decision made on the 26th day of July, 2024 by Tipperary County Council to grant permission, subject to conditions, to Maurice Regan care of Wigham McGrath and Partners Limited of Arderra, Mooncoin, via Waterford, County Kilkenny for the proposed development.

Proposed Development: Retention of permanent removal of the now demolished structures and now filled lagoon on lands at Ballyvadin, Fethard, County Tipperary. These structures comprised of the following: store (87.10 square metres), storage shed (45.82 square metres), stable building (55.44 square metres) and corrugated shed (143.52 square metres).

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 location of the development proposed for retention within an established agricultural landholding and the modest nature and scale of the proposal, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not be prejudicial to public health and would not be detrimental to the amenities of this rural area and, therefore 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.

Reason: In the interest of clarity.

2. No surface water from within the site boundaries shall discharge onto the public road or adjoining properties.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

3. Where roadside boundary has been removed a new boundary hedge shall be constructed the composition of which shall be agreed in writing with the planning authority. Existing trees and hedgerows along the roadside boundary of the site shall be preserved and maintained, unless otherwise agreed in writing with the planning authority.

Reason: To protect the rural character and visual amenities of the area.


Marie O'Connor

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

Dated this 05 day of June 2025.