

An
Coimisiún
Pleanála

Commission Order
ABP-321092-24

Planning and Development Act 2000, as amended

Planning Authority: Tipperary County Council

Planning Register Reference Number: 24182

APPEAL by John King care of Planning Street of Collorus House, Kenmare, County Kerry against the decision made on the 24th day of September 2024, by Tipperary County Council to refuse permission for the proposed development.

Proposed Development: Retention of additional dwelling, as constructed, at rear of site numbers 5, 6, 7 townhouses (three number) previously granted (Tipperary County Council register reference 211017 refers) and permission to complete same all at Flannan Street, Nenagh, County Tipperary.

Decision

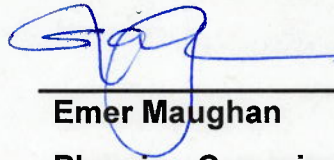
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

The development proposed to be retained, having regard to the limited access arrangements and inadequate street frontage and its relationship to the properties fronting Saint Flannan Street, it is considered that the proposed development represents inappropriate backland development, would result in a substandard residential unit, would injure the amenities of property in the vicinity by reason of uncoordinated piecemeal development and would not accord with the provisions of Section 4.10 of Volume 3 Appendix 6 of the Tipperary County Development Plan 2022-2028, relating to back-land and infill development, which are considered to be reasonable. The development proposed to be retained, would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission had regard to the backland location of the dwelling to the rear of Saint Flannan Street and agreed with the planning authority's assessment of the poor access arrangement which involves transversing through a long narrow (circa 19 metre length and circa 0.9 metre width) corridor internally and a long laneway externally before reaching the entrance to the dwelling. Furthermore, the Commission considered that the development proposed to be retained would be out of character with the prevailing built form of the area, and disagreed with the Inspector's view in relation to the precedent set by number 11A Saint Flannan Street to the south of the subject site, that whilst also a single storey backland dwelling, number 11A enjoys the benefit of a 4 metre wide vehicular access from the street which offers a significant advantage to the character of the development when compared to the subject site.

The Commission also considered that the internal layout of the dwelling to be retained offers a poor standard of accommodation with regards to daylight and sunlight, internal room dimensions, layout and overall design and has further issues with regards to the usability of the area of open space, between the rear of numbers 5,6 and 7 Saint Flannan Street and the front of the subject site, but given the substantive reason for refusal set out above, decided not to seek further information on these matters at this juncture.



Emer Maughan

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 2nd day of October 2025.