



An
Bord
Pleanála

Board Order
ABP-321378-24

Planning and Development Acts 2000 to 2022

Planning Authority: Tipperary County Council

Planning Register Reference Number: 2460281

Appeal by Michael and Catherine Murphy care of Michael Reilly of “Radharc Na Coille”, Mullinahone, County Tipperary against the decision made on the 7th day of November, 2024 by Tipperary County Council to grant subject to conditions a permission to Michael Brannigan care of Will McGarry of 15 Mary Street, Clonmel, County Tipperary in accordance with plans and particulars lodged with the said Council.

Proposed Development: The erection of a domestic storage shed with solar panels on the roof and all associated site development works at 2 Oakwood, Ballingarry, 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 nature and scale of the proposed development of a domestic shed which complies with the provisions of Section 4.14 of the Tipperary County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with the surrounding area, would not be visually detrimental to the area nor impact negatively upon the current levels of residential amenity enjoyed at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the plans and particulars lodged on the 16th day of October 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 carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed garden room shall not be used for human habitation or for the keeping of pigs, poultry or pigeons, ponies or horses or for any other purpose other than a purpose incidental to the enjoyment of the house and shall not be used for commercial purposes without a prior grant of planning permission. In addition, it shall not be separated from the principal dwelling by lease or sale.

Reason: In the interest of residential amenity.

3. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

4. The disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

5. A landscape plan (scale 1:500) together with an accompanying planting schedule shall be submitted to the planning authority for written agreement prior to the commencement of development. The scheme shall provide for the planting of native deciduous trees and hedgerows (as appropriate) to screen the garage from the estate access road. The agreed landscaping plan and planting shall be implemented during the first planting season following the commencement of the development.

Reason: In the interest of visual amenity.



Peter Mullan

Member of An Bord Pleanála

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

Dated this 2nd day of April, 2025.