



An
Coimisiún
Pleanála

Commission Order
ACP-322918-25

Planning and Development Act 2000, as amended

Planning Authority: Tipperary County Council

Planning Register Reference Number: 2560307

Appeal by Maureen and James Hally care of Fortress Planning of Canopy Street, Cashel, County Tipperary against the decision made on the 4th day of June, 2025 by Tipperary County Council to refuse outline permission for the proposed development.

Proposed Development: A cluster development, to include renovating and extending an existing cottage, two new dwellings, shared entrance, internal road network, wastewater treatment systems/percolation areas and all associated works at Churchquarter, Kilfeacle, County Tipperary.

Decision

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

Reasons and Considerations

1. The proposed development, by reason of the detached location of the site relative to the village core and being outside of the Settlement Boundary for Kilfeacle, would not comply with Appendix 5 Design and Best Practice for Cluster Housing Schemes in Rural Villages set out in the Tipperary County Development Plan 2022-2028 as the site does not link effectively and contribute positively to the village form as per Policy 5-6. The site of the proposed development being within an area under urban influence would amount to uncoordinated and speculative ribbon development, would undermine the sequential development of the designated village of Kilfeacle and would not be in accordance with Policy 5-6, 5-11 and 5-12 of the development plan and GO1 of the Settlement Guide. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Access to the subject site is proposed via a relocated existing entrance off the National Secondary Road N74 where the posted speed limit is 80 kmph. It is considered that the proposed development would involve the intensification of use of an existing relocated entrance directly onto the National Secondary, N74 Route by reason of the additional traffic likely to be generated by the new development proposed, conflict with Policy 12-4, as set out in the Tipperary County Development Plan 2022-2028 and conflict with the Spatial Planning and National Roads, Guidelines for Planning Authorities (January 2012) which seek to curtail development along National Roads, to safeguard the strategic role of the National Road Network and to avoid intensification of existing accesses to national roads. The traffic movements likely to be generated by the proposed intensified use of the relocated existing entrance onto the N74 would by itself or by the precedent which the grant of permission for it would set for other relevant development,

would adversely affect the use of a national road by interfering with the capacity, efficiency, and free flow of traffic on this strategic route and, therefore, endanger public safety by reason of traffic hazard.



Emer Maughan

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 30th day of October 2025.