

An  
Coimisiún  
Pleanála

**Commission Order  
ACP-323528-25**

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**Planning and Development Act 2000, as amended**

**Planning Authority: Tipperary County Council**

**Planning Register Reference Number: 2560534**

**Appeal** by Margaret O'Sullivan of 11 Killnasalla, Nenagh, County Tipperary against the decision made on the 5<sup>th</sup> day of August, 2025 by Tipperary County Council to grant, subject to conditions, a permission to Gary, Sinead and Jamie Roche care of Mike Lyons of 14 Bellewood, Ballyneety, County Limerick in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** The construction of a vehicular entrance, dwellinghouse, domestic garage, connection to main services together with all associated site works at Saint Conlans Road, Gortlandroe, Nenagh, County Tipperary.

### **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations set out below.**

## Reasons and Considerations

Having regard to the nature of the development, the location within a built up area that offers easy access to the required services and supports, the design, nature and scale of the proposed development and the pattern, character and density of development in the vicinity, and to the provisions of the Nenagh and Environs Development Plan 2024-2030 and the Tipperary County Development Plan 2022-2028, as well as national guidance including Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the character of the area, would not seriously injure the amenities of adjacent residential property and would be acceptable in terms of traffic safety and convenience. 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, 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 dwelling shall be not used for any non-residential use unless planning permission is granted for such a use. The garage shall be used only for purposes incidental to the enjoyment of the dwelling house and shall not be used for any residential, commercial or industrial purpose.

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

3. Prior to development commencing a revised site layout plan to a scale of 1:500 shall be submitted for the written agreement of the planning authority showing the following:
  - (a) Proposals for a boundary screen and landscaping along the eastern boundary of the site at the interface of where the site adjoins the residential property to the east, between the garage on this adjoining property and public road by the provision of a solid boundary 1.8-metre-high fence or similar agreed structure.
  - (b) Proposals in relation to the boundary treatment to the other external site boundaries.
  - (c) A timescale for the implementation of boundary proposals and landscaping proposals agreed under this condition.

**Reason:** To preserve and protect the residential amenities of the area and in the interest of proper planning and sustainable development.

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and surface water management.

5. Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann to provide for a service connection(s) to the public water supply and wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

6. Details in relation to the design and construction of the proposed entrance to the site shall comply with the detailed requirements of the planning authority for such works and services. Any damage to the footpath and restoration works in relation to the grass verge shall be at the applicants' expense.

**Reason:** In the interest of traffic safety and visual amenity.

7. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

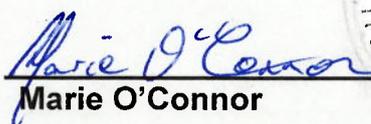
**Reason:** In the interests of visual and residential amenity.

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 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.

9. 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 Coimisiún 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.



Marie O'Connor

Marie O'Connor

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

Dated this 09 day of December 2025