



An
Coimisiún
Pleanála

Commission Order
PL-501190-TY-26

Planning and Development Act 2000, as amended

Planning Authority: Tipperary County Council

Planning Register Reference Number: 2560611

Appeal by Risteárd Mac Uilliam against the decision made on the 23rd day of March, 2026 by Tipperary County Council to grant subject to conditions a permission to Grainne O'Higgins in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of a three-storey terraced house with an existing commercial premises on the ground floor from a single residential dwelling to multiple residential units. Proposed works include a new shopfront, new windows and doors, a new kitchen and bathroom and new roof lights - the house is a Protected Structure all at 5 Church Street, Cloughjordan, County Tipperary as revised by further public notices received by the planning authority on the 18th day of December, 2025.

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 of the proposed development and the established use on the site, it is considered that, subject to compliance with the conditions below, the proposed development would not adversely impact upon the established residential amenities of neighbouring properties, would not adversely impact on the visual amenities of the area and would be acceptable in terms of traffic and pedestrian safety. Furthermore, it is considered that the proposed development will facilitate the continued residential use of this protected structure which is located within the Cloughjordan Architectural Heritage Area and will thus contribute to the protection of the architectural heritage of the area and is supported by Policy SO8 of the Tipperary County Development Plan 2022-2028. In addition, the intensification and consolidation of residential use on this town centre site is supported by national, regional and local planning policies including Policy SO6 of the above-mentioned development plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 27th day of November 2025 and on the 11th day of February 2026, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The development hereby permitted shall be used solely for the purposes detailed in the plans and particulars submitted with the application. No further change of use shall take place without a prior grant of planning permission, (notwithstanding the exempted development provisions of the Local Government (Planning and Development Regulations 2001, as amended).
- (b) The ground floor commercial unit shall be used solely as an art studio. The installation and use of ceramic kilns for processing of materials is not permitted pursuant to this Order.

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

3. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Éireann.

Reason: In the interest of orderly development.

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

Reason: In the interest of public health.

5. Prior to the commencement of development, the applicant shall submit to, and agree in the writing with, the planning authority the following:
- (a) A detailed photographic record, cross-referenced with annotated survey drawings of the site identifying all works which have taken place in recent years as a record of the protected structure prior to the undertaking of works pursuant to this Order.
 - (b) Full details of the replacement windows, doors and shopfront detail within existing openings. The design of the replacement windows and doors shall reference surviving, historic fabric and detail elsewhere on this terrace and shall retain all existing historic opening dimensions and stone window cills (unless otherwise agreed with the planning authority).
 - (c) Full details of any replacement eaves gutters or downpipes required for stormwater which shall be of high-quality, cast-iron or cast aluminium to match the historic profile.
 - (d) Full details of the retention of the existing historic, panelled timber door and surround in-situ within the proposed ground level commercial unit, with fire-proof infill constructed, as specified by project architect, on entrance hall side of this opening.

Reason: To protect the architectural heritage, in the interests of the common good and the proper planning and development of the area.

6. The proposed development shall fully accord with all drawn details and with the recommendations for mitigation of impacts contained within the Architectural Heritage Impact Assessment (AHIA) received by the planning authority on the 27th day of November 2025.

Reason: To protect the architectural heritage, in the interests of the common good and the proper planning and development of the area.

7. Works on the site will be overseen by a suitably experienced conservation professional who will submit a final works record to the planning authority on completion of the project, along with certification that all works to cogent elements of the protected structure were carried out in accordance with conservation best practice.

Reason: To protect the architectural heritage, in the interests of the common good and the proper planning and development of the area.

8. The developer shall pay to the planning authority a financial contribution in respect of public Infrastructure and carparking facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or 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 the 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.



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



Dated this 10th day of August 2026