



An
Coimisiún
Pleanála

Commission Order
PL-501510-TY

Planning and Development Act 2000, as amended

Planning Authority: Tipperary County Council

Planning Register Reference Number: 25/61095

Appeal by Goatenbridge Developments Limited against the decision made on the 13th day of May, 2026 by Tipperary County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of six number detached, two-storey dwellinghouses comprising four number four-bedroom and two number three-bedroom, including the removal of the rising walls for five dwellings which had commenced on foot of planning register reference number 05/623, and all associated site development works and underground services, all at Goatenbridge, Ardfinnan, Clonmel, County Tipperary.

Decision

Having regard to the nature of the conditions the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000, as amended, to AMEND condition number 4 and the reason therefor so that it shall be as follows, and to ATTACH condition number 8 and the reason therefor.

4. No unit permitted under this permission shall be occupied until all existing services, including water, surface water, wastewater, foul water, telecoms, electricity, roads, footpaths and public lighting within the estate are completed to the written satisfaction of the planning authority.

Reason: In the interest of orderly development.

Reasons and Considerations

In deciding to amend condition number 4, the Commission considered that the wording of the condition was onerous, unreasonable and unnecessary with respect to the requirement that no unit can be sold until all supporting water, surface water and wastewater services, roads, footpaths and public lighting within the estate are completed to the written satisfaction of the planning authority. The Commission also decided to remove the word etc. from the condition because it affords a wide discretion to the planning authority to include unspecified infrastructure after the proposed development is completed and adds an unnecessary element of uncertainty to the condition.

In deciding to attach condition number 8, the Commission noted that the planning authority has stated that the applicant was requested on two occasions to engage with Uisce Éireann and to submit a Confirmation of Feasibility. After the applicant did not comply with both requests, a standard planning condition was attached to the permission that no development should commence on site until the developer had obtained a Connection Agreement from Uisce Éireann for the provision of water services necessary to service the proposed development. Furthermore, Uisce Éireann has made an observation to the Commission requesting that condition number 8 be retained because it must be satisfied that capacity exists in the water supply infrastructure to supply the proposed development. In addition, the Connection Agreement will set out the relevant standards to which any water services infrastructure must adhere to during the construction period, which is standard practice prior to the commencement of any development on site.



Patricia Calleary

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Planning Commissioner of An Coimisiún

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

Dated this *28* day of *September* 2026.