

An
Coimisiún
Pleanála

Commission Order
PL-501678-TY-26

Planning and Development Act 2000, as amended

Planning Authority: Tipperary County Council

Planning Register Reference Number: 25/61194

Appeal by Sheila Walsh against the decision made on the 16th day of June 2026 by Tipperary County Council to grant, subject to conditions, a permission to in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of permission to convert a single dwelling over a shop located in an architectural conservation area to three one-bedroom apartments and all ancillary works, and permission for retention of all windows to the first, second and third floors on the front façade, all at 3 Mitchel Street, Nenagh, County Tipperary, as revised by the further public notices received by the planning authority on the 28th day of May 2026.

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 location of the site on lands zoned 'Urban Core' with the objective to 'Provide for the development and enhancement of urban core uses including retail, residential, commercial, civic and other uses', to the planning policies, objectives and development standards of the Nenagh and Environs Local Area Plan 2024 – 2030, and specifically to Policy 2.4, Sections 3.2, 3.3 and 5.2, to Section 4.8 of the Tipperary County Development Plan 2022 - 2028, to NSO1 and NPOs 7 and 14 of the National Planning Framework (2025), to RPOs 11(a), 11(e) and 34 of Regional Spatial and Economic Strategy for the Southern Region 2020 - 2032 and specifically to Section 6.1 of the "Planning Design Standards for Apartments – Guidelines for Planning Authorities" (2025), to the nature, scale and design of the proposed development and development proposed to be retained relative to adjoining properties, and to the existing pattern of development in the wider area, it is considered that, subject to compliance with the conditions set out below, the proposed development is an acceptable form of development at this location, would provide an acceptable standard of residential amenity for future residents, and would not seriously injure the amenities of adjoining properties or the Nenagh Architectural Conservation Area, and 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 further information received by the planning authority on the 13th day of February 2026 and the clarification of further information received on the 1st day of April 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development hereby permitted relates to two apartments at upper floor levels.

Reason: In the interest of clarity.

3. A plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials for each apartment unit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the agreed waste facilities shall be maintained, and waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

4. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of amenities, public health and safety and environmental protection.

5. 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.

6. Prior to the commencement of development the developer shall enter into connection agreements with Uisce Éireann to provide for service connections to the public water supply and/or wastewater collection network.

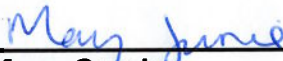
Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

7. 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: To safeguard the amenity of property in the vicinity.

8. 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.



Mary Gurrie

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

Dated this 20 day of October 2026