



An
Bord
Pleanála

Board Order 92.RL.3512

Planning and Development Acts 2000 to 2017

Planning Authority: Tipperary County Council

Planning Register Reference Number: S5/16/73

WHEREAS a question has arisen as to whether the change of use of a vehicle repair and maintenance workshop garage area to permanent public display and information area for external windows and door samples at Knockgraffon, Cahir, County Tipperary is or is not development or is or is not exempted development:

AND WHEREAS Andy Hennessy care of Cummins and Voortman Limited of Ballyline, via Callan, County Tipperary requested a declaration on the said question from Tipperary County Council and the said Council issued a declaration on the 18th day of October, 2016 stating that the said matter is development and is not exempted development:

AND WHEREAS the said Andy Hennessy referred the declaration for review to An Bord Pleanála on the 14th day of November, 2016:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1) of the Planning and Development Act, 2000, as amended,
- (d) Articles 5(1), 6 and 10(1) of the Planning and Development Regulations, 2001, as amended, and
- (e) Parts 1 and 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended:

AND WHEREAS An Bord Pleanála has concluded that the proposal involves the change of use from class 4 use as a light industrial building to class 1 use as a shop and there is no relevant provision for exemption under the Planning and Development Regulations 2001, as amended:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the said changes from commercial vehicle repair/garage/workshop to public display area for external window and door samples at Knockgraffon, Cahir, County Tipperary is development and is not exempted development.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017