

30 Ardarra
Portroe
Nenagh
Co. Tipperary.

REGISTERED POST.

Secretary
An Bord Pleanála
67 Marlborough Street
Dublin 1
DO1V 902

AN BORD PLEANÁLA		24.7.2019
LDG-	017752-19	
ABP-		
25 JUL 2019		
Fee: €	220	Type: <u>Cheq</u>
Time:		By: <u>R. Post</u>

Re: Application to appeal decision to Section 5 declaration issued to Portroe G.A.A., c/o John Joe Lewis, Architectural Services dated 2nd July 2019.

Dear Sirs,

I confirm that I wish to appeal the decision of Tipperary County Council to grant a Section 5 Declaration to Portroe G.A.A. Club dated 2nd July 2019. I confirm that I reside at 30 Ardarra, Portroe, Nenagh, County Tipperary, adjacent to Portroe G.A.A. Club.

On 29th January 2019 I wrote to Tipperary County Council outlining my concerns in relation to development to the property and in particular the installation of netting and extremely large posts close to my boundary.

Despite numerous calls I made to Tipperary County Council I heard nothing from them until I received in the post their letter, a copy of which is **enclosed** dated 5th July 2019.

I confirm that myself and other residents in Ardarra are very concerned in relation to the erection of these posts and netting and the prospective danger they could cause to us and our property.

It is not correct to say that Portroe G.A. A. replaced existing netting. They erected these new extremely high posts and new netting without applying for Planning Permission. They also reconfigured the playing field and erected an internal roadway.

I enclose cheque in your favour in the sum of €220.00 being the appropriate fee together with the following :

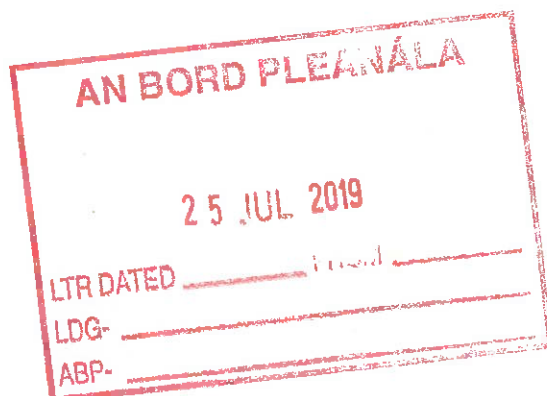
1. Copy letter from Tipperary County Council dated 5th July 2019
2. Copy declaration under Section 5 dated 22nd July 2019
3. Copy my development complaint form dated 29th January 2019 together with copy photographs submitted with this form.

I would be obliged if you could please acknowledge receipt of my appeal and confirm that same is correct and complete.

Yours faithfully,

Jacqueline Kennedy
.....
JACQUELINE KENNEDY

ENC.





Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
Cluain Meala,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Clonmel,
Co. Tipperary

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
An tAonach,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Nenagh,
Co. Tipperary

t 0761 06 5000
e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Our Ref

Your Ref

Date

TUD-19-014

5th July, 2019

**Re: Development at Portroe GAA Club, Ardarra,
Portroe, Nenagh, Co. Tipperary.**

Dear Madam,

I refer to correspondence received from you on 29th January 2019 in relation to the above.

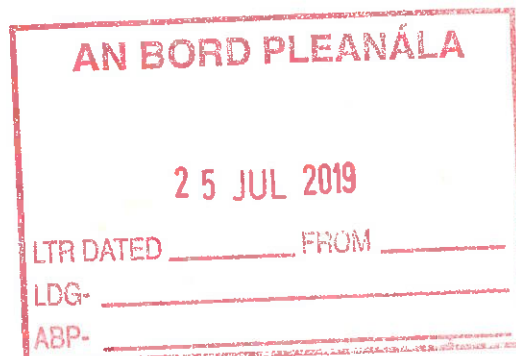
Please be advised that this matter has been investigated by our Enforcement Officer and I attach, herewith, copy Section 5 Declaration issued to Portroe G.A.A., C/o John Joe Lewis, Architectural Services Ltd., 4 Silver View, Nenagh, Co. Tipperary dated 2nd July, 2019.

Should you have any queries in relation to this matter, please contact Planning Section, Nenagh at 0761 06 5000.

Yours faithfully

for Director of Services

Jacqueline Kennedy,
30, Ardarra,
Portroe,
Nenagh,
CO. TIPPERARY.



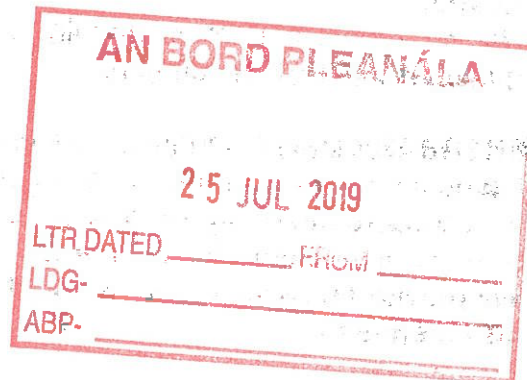
clubhouse to stand for emergency vehicles is development and is exempted development, as the proposal meets Class 33 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

This decision is based on the information presented as part of the Section 5 Declaration Application received on 10th June, 2019.

NOTE: Any person issued with a Declaration of a Planning Authority may refer the Declaration for review to An Bord Pleanála, 64 Marlborough Street, Dublin 1, within four (4) weeks of the date of issue of the Declaration and on payment of the prescribed fee.

Yours faithfully,


for Director of Services.





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S5/19/54

2nd July, 2019

Portroe G.A.A.,
C/o John Joe Lewis,
Architectural Services Ltd.,
4, Silver View,
Nenagh,
CO. TIPPERARY.

Re: Declaration under Section 5 of the Planning and Development Act 2000

Dear Sir/Madam,

I refer to your application for a Section 5 Declaration received on 10th June, 2019 in relation to the following proposed works:-

Replacement of existing netting and reinstatement of internal access roadway from clubhouse to stand for emergency vehicles at Garrykennedy, Portroe, Co. Tipperary.

WHEREAS a question has arisen as to the whether the replacement of existing netting and reinstatement of internal access roadway from clubhouse to stand for emergency vehicles is development and is or is not exempted development:

AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to –

- (a) Sections 2, 3 & 4 of the Planning and Development Act 2000 (as amended)
- (b) Article 6 & 9 (iii) of the Planning and Development Regulations 2001, as amended,
- (c) Class 33 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended)

AND WHEREAS Tipperary County Council has concluded that –

The development consisting of the replacement of existing netting and reinstatement of internal access roadway from clubhouse to stand for emergency vehicles at Portroe GAA is exempted development as it does fall under the exempted development provisions as set out under Section 4 of the Planning and Development Act 2000, as amended.

NOW WHEREAS Tipperary County Council, in exercise of the powers conferred on it by section 5(2)(a) of the 2000 Act, as amended, it is hereby decided that replacement of existing netting and reinstatement of internal access roadway from

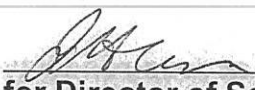
AN BORD PLEANÁLA
25 JUL 2019
LTR DATED _____ FROM _____
LDG- _____
ABP- _____

clubhouse to stand for emergency vehicles is development and is exempted development, as the proposal meets Class 33 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended).

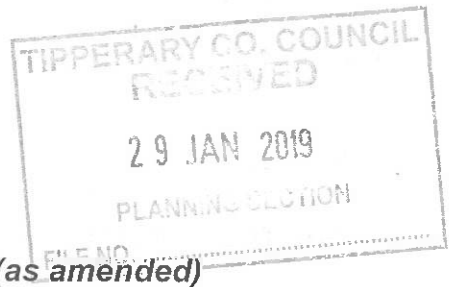
This decision is based on the information presented as part of the Section 5 Declaration Application received on 10th June, 2019.

NOTE: Any person issued with a Declaration of a Planning Authority may refer the Declaration for review to An Bord Pleanála, 64 Marlborough Street, Dublin 1, within four (4) weeks of the date of issue of the Declaration and on payment of the prescribed fee.

Yours faithfully,


for Director of Services.

AN BORD PLEANÁLA
25 JUL 2019
LTR DATED _____ FROM _____
LDG- _____
ABP- _____



PLANNING & DEVELOPMENT ACTS 2000 (as amended)

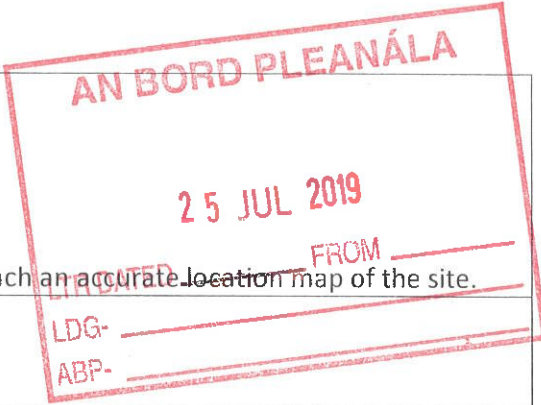
DEVELOPMENT COMPLAINT FORM

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Tipperary County Council, in accordance with Section 152 of the Planning and Development Act, 2000, as amended, will investigate complaints made and make a decision on whether to serve a Warning Letter and/or Enforcement Notice following consideration of the complaint. Complaints are generally dealt with in chronological order and as resources permit. The Planning Section may decide not to issue a Warning Letter should the complaint be considered to be trivial or minor in nature.

1. Location of Alleged Unauthorised Development or Non-Compliance with Planning Permission

<p>Full Address of the Subject Site PORTROE, GAA CLWB.</p>	<p>Please attach an accurate location map of the site.</p>
<p>Nature of Subject Site (eg residential, commercial, building site etc)</p>	



2. Nature and Extent of Alleged Unauthorised Development and/or Non-Compliance with Planning Permission:

Please supply detailed information about your complaint including planning reference numbers (if known).

Around 42 feet ^{high} poles have been erected with netting behind the house's of number's 29, 30, 31 and 32 Ardarra, Portroe. This has been an ongoing issue for year's with balls coming over, causing damage. Since they have been put up have since moved, falling forward into the field and fixed and now falling towards house's. This is off great concern because of health and safety, its an accide waiting to happen. I have lots of

photographic evidence going back alot of year. This situation needs to be treated as urgent. and plus these poles are an estimated 14 feet from the boundary ne' those house's

3. Alleged Developer Details (the person/company you believe carried out the development)

Name:
Address:

4. Alleged Owner of Property/Site (if different from above & if known)

Name: G.A.A.
Address: Ardarra, Portroe, Nenagh.

5. Complainant Details

Do you wish this information to be treated as confidential?

Yes _____ No

AN BORD PLEANÁLA
25 JUL 2019
LTR DATED _____ FROM _____
LDG- _____
ABP- _____

The above information is correct to the best of my knowledge at the date of this complaint.

Name *Jacqueline Kennedy*
Signature *Jacqueline Kennedy*
Date *28-1-19*
Address *30 Ardarra
Portroe
Nenagh*

Phone *[Redacted]*
Email *[Redacted]*

Note: you may wish to remain anonymous, and should you choose to do so, you are not required to sign the form. However, the Planning Section would appreciate the submission of your contact details to facilitate any clarification of details which may be provided.

Complaints will be formally acknowledged where contact details are provided and complainants will be informed of all formal actions taken by the Planning Section. Formal action refers to the service of a Warning Letter and/or Enforcement Notice. The Planning Section will not be in a position to disclose information on the file during the investigative process, as the disclosure of such information may prejudice future legal action which may be instigated by Tipperary County Council.

This complaint form & relevant maps, photos & other information should be submitted to:

Planning Section,
Tipperary County Council,
Civic Offices,
Limerick Road,
Nenagh,
Co. Tipperary

OR

Planning Section,
Tipperary County Council,
Civic Offices,
Emmet Street,
Clonmel,
Co. Tipperary

Enquires:

Telephone 0761 06 5000

E-Mail planning@tipperarycoco.ie

Note: Ordinance Survey Maps can be accessed on the Tipperary County Council website at www.tipperarycoco.ie. Should you require assistance in completing this form please contact the Planning Section.

