



An
Bord
Pleanála

**Pre-Application Consultation
pursuant to Section 177E(1A) of the
Planning and Development Acts,
2000, as amended.**

Inspector's Report 320136-24

Development Sought

Retention permission and planning permission for the following:

Retain existing sauna building, alterations to existing two bedroom flat with link corridor to existing dwelling as granted under Ref: PLC/21864.

Retain alterations to existing garage and plant room, as granted under Ref: PLC/21864, existing pump room, existing fuel & boat store, existing outbuilding consisting of garage, general storage, boiler, workshop, fuel store, equestrian store, stable & hay barn.

Retain existing timber shelter, existing machinery store, second entrance, and all ancillary site works.

Retain change in design and location of Treatment plant and percolation area as granted under Ref: PLC/21864.

Permission for alterations and extensions to the existing house, extension to garage to include games room and upgrade of ancillary treatment percolation area.

Location

Toad Hall, Puckane, County Tipperary
E45 AY19

Local Authority

Tipperary County Council.

Prospective Applicant

Michealle McCarthy

Date of Consultation Meeting

20th August 2024

Date of Site Inspection

19th August 2024

Inspector

Catherine Dillon

1.0 Introduction

- 1.1. The Board received a request on the 10th day of July 2024 from Martin Shinnors on behalf of his client Michelle McCarthy, to enter into pre-application consultations under Section 177E(1A) of the Planning and Development Act, 2000, as amended.
- 1.2. A pre-application consultation meeting was held on 20th August 2024. The purpose of this report is to inform the Board of the nature of the pre-application consultation undertaken, pursuant to Section 177E(1A) of the Planning and Development Act 2000, as amended and Part 19 of the Planning and Development Regulations 2001 as amended.

2.0 Site Location

- 2.1. The site is located c.2km west of Puckaun village and c.0.7km north of Domineer bay in Tipperary and its western boundary abuts the shores of Lough Derg. The subject site is occupied by a two-storey dwelling house, which is linked via a bridge to a separate flat unit with a garage and plant room adjoining the flat accommodation.
- 2.2. There are two vehicular entrances into the site; one along the northwestern frontage of the site which connects to the dwelling house, and the second located on the north eastern side of the site's frontage which accesses several outbuildings and agricultural structures. These outbuildings include a garage, shed, workshop, boiler room, stable block and a storage building for equestrian equipment. The horse training arena is to the east of the stable block. There is a large agricultural structure in use as a machinery store to the southwest of the horse arena area along the south eastern boundary of the site. There were a number of vintage vehicles on the site including several buses.
- 2.3. There are a number of additional structures within the site including a tree house, timber pergola type structure and a boat store on the south western area of the site.
- 2.4. There are an established group of trees along the shore line and some tree clearance and fill has taken place along the shoreline. There is a gravel access from the house to the shore. The site has a stated area of 3.81 hectares.

- 2.5. The western part of the subject site encroaches onto Lough Derg (Shannon) SPA (site code:004058) and Lough Derg pNHA. Lough Derg North East Shore SAC (site code: 002241) is c.1.3km to the north of the site.

3.0 Description of proposal

- 3.1. The works for the Substitute Consent is being sought are outlined in the documentation attached to the file, and in the presentation made to the meeting of 20th August 2024, a copy of which is appended to this file. The proposal includes the retention of the following:

- Sauna building,
- Alterations to a 2 bedroom flat linked to main dwelling and retention of extensions to house & alterations to the design,
- Garage & plant room,
- Pump room,
- Fuel & boat store,
- Outbuildings including garage, general store, boiler, workshop, fuel store, equestrian store, stable, haybarn, & machinery store,
- Change of design & location of treatment plant & percolation area,
- Horse arena,
- Second vehicular access.

- 3.2. From the documentation attached to the file the gross floor area of the existing buildings is stated as 1,514.66m², proposed works as 301m², and retention floor space as 798.81m².

4.0 Planning History

P.A Ref: 5114978: Approval to construct house and septic tank to Romano Citrini on 4/3/1992. (No plans available on P.A web site).

P.A Ref: 5117567: Refused O/L permission for 2 houses on 22/1/1996 to R. Citrini (no plans available on P.A site)

P.A Ref: 5119878: Outline permission GRANTED to R.Citrini on 8/9/1998 for one house, biocycle treatment plant, raised irrigation area & entrance. (no plans available on P.A site)

P.A Ref: 5121864/ PLC/21864: Permission GRANTED to Gerrard McCarthy for dwellinghouse, garage & biocycle on 2/5/2000. (no plans available on P.A site)

P.A Ref: 2360410: Incomplete Application to Michelle McCarthy for permission for retention sought for 1. the existing sauna building. 2. the alterations to existing two bedroom flat with link corridor to existing dwelling as granted under Ref: PLC/21864. 3. the alterations to existing garage and plant room as granted under Ref: PLC/21864. 4. the existing pump room. 5. the existing fuel and boat store. 6. the existing outbuilding consisting of garage, general storage, boiler, workshop, fuel store, equestrian store, stable & haybarn. 7. the existing timber shelter. 8. the existing machinery store. 9. the second entrance. 10. all ancillary site works. 11. the change in design and location of Treatment Plant and Percolation Area as granted under Ref: planning PLC/21864. Planning permission for 1. alterations and extensions to the existing house. 2. an extension to the garage to include games room ancillary to dwelling. 3. the upgrade of existing tertiary treatment.

This application was made INVALID on 15/6/2023 for the following reasons:

- Public notice was invalid
- Evidence of the suitability of the design of the site for the change of design of the WWTP to be retained (Art 22 (2) (c))
- Section 34 (12) Substitute consent reason.

P.A Ref: 2460181: Incomplete application to Michelle McCarthy for permission & retention as in P.A Ref: 2360410.

5.0 Legislation

Any subsequent application for Substitute Consent will be lodged under the provisions of Section 177E(1A) of the Planning and Development Act, 2000, as amended.

6.0 Prospective Applicant's Case

- 6.1. The prospective applicant noted the planning history and context and requested the pre-application consultation in order to determine the process of how to submit an application for substitute consent and what that application should contain.

7.0 Pre-Application Consultation Meeting

- 7.1. A Pre-Application Consultation meeting took place via Microsoft Teams on the 20th day of August 2024, commencing at 14.30 pm. Representatives of the prospective applicant and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting. The prospective applicant was advised in advance of the meeting that the consultation would relate solely to the administrative procedures around the lodgement of an application, and any associated requirements.

This report should be read in conjunction with the written record on file of the pre-application consultation meeting held with the prospective applicant. It is not proposed to repeat the contents of those records in detail here. The main topics raised for discussion at the meeting were as follows:

- Introductions
- Description of development and relevant background.
- Procedural Advice with regard to any subsequent application for Substitute Consent.

8.0 Conclusion

The meeting concluded with agreement that a further meeting was not needed and I, therefore, recommend that the pre-application consultation process should be closed.

Catherine Dillon
Planning Inspectorate

13th January 2025