



An  
Bord  
Pleanála

**Board Direction**  
**BD-005493-20**  
**ABP-306052-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on March 20<sup>th</sup>, 2020.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the pattern of permitted development in the area, to the provisions of the Kilkenny County Development Plan 2014-2020, and to the information submitted with the application, it is considered that, subject to compliance with the conditions set out below, the proposed development would be compatible with the wider existing uses of the hotel and golf club at Mount Juliet Estate, would not seriously injure the residential or visual amenities of adjoining residential properties, would not interfere with the setting of any Protected Structures, and would be acceptable in terms of pedestrian and traffic safety. The proposed development 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 plans and particulars submitted on the 9<sup>th</sup> day of October 2019, 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 external seating shall be limited to the six number seats and three tables, as shown on drawing number GA-p6.01 Rev. c, as submitted to the planning authority on the 9<sup>th</sup> day of October 2019. The remainder of the open external area shall remain free of all seating or tables, whether permanent or temporary, and the existing landscaping in this area shall be retained.

**Reason:** In the interest of clarity.

3. Site development and building works shall be carried out only between the hours of 0800 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:** In order to safeguard the residential and recreational amenities of property in the vicinity.

4. No signage of any kind, relating to the proposed use, shall be erected on the subject building, or elsewhere within the Mount Juliet Estate, without a separate grant of planning permission, notwithstanding the provisions of the Planning and Development Regulations 2001, as amended

**Reason:** In the interests of visual amenity, and to allow the planning authority to assess the impact of any such signage on the area, and on the setting of Protected Structures, through the statutory planning process.

5. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no change of use of the subject premises from the hereby permitted use as a coffee shop (which is deemed to be a café/restaurant and not a retail shop) shall occur unless authorised by a further grant of planning permission.

**Reason:** In the interests of clarity and to allow the planning authority to assess the impact of any subsequent change of use of the subject premises through the statutory planning process.

**Board Member**

**Date:** 24<sup>th</sup> March 2020

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Philip Jones