



An
Bord
Pleanála

Board Direction

PL10.248511

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15th August 2017.

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 zoning of the site as 'Existing Residential' in the Thomastown Local Area Plan 2009-2020 and to the policies as set out in the Kilkenny County Development Plan 2014-2020, under which childcare facilities are permissible and the limited nature and extent of the proposed childcare use ancillary to the main dwelling house on the site, it is considered that subject to compliance with the conditions below, the proposed extension and change of use to a childcare facility would be in accordance with the zoning for the site, would not seriously injure the amenities of property in the vicinity and would be acceptable in terms of traffic safety and convenience. 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 24th day of March, 2017, except as may 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 proposed childcare facility shall not operate outside the period of 08.30 to 12.30 hours Monday to Friday inclusive except public holidays. Prior to the operation of the childcare facility the operator shall submit to, and agree in writing with, the planning authority details of the proposed signage.

Reason: In the interest of residential and visual amenity.

3. The number of children to be accommodated within the premises shall not exceed 11 at any time on any day.

Reason: To limit the development in the interest of residential amenity.

4. The two no. additional on-site car parking spaces shall be provided prior to the opening of the childcare facility.

Reason: In the interest of public safety and orderly development.

5. Water supply and drainage arrangements, including 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.

6. 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 Bord 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.

Board Member

Date: 15th August 2017

Maria FitzGerald