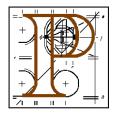
An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Kilkenny County

Planning Register Reference Number:17/64

An Bord Pleanála Reference Number: ABP-300085-17

APPLICATION FOR LEAVE TO APPEAL against the decision of the planning authority by Edward Kennedy and Eileen Kennedy having an interest in land adjoining the land in respect of which Kilkenny County Council decided on the 13th day of October, 2017 to grant subject to conditions permission to Cliodhna O' Reilly care of Mark Kennedy of 30 Dominic Street, Kilkenny.

PROPOSED DEVELOPMENT: Demolition of existing outbuildings, construction of 14 number dwellings comprising two number two-storey four bedroom houses, six number two-storey three bedroom houses, two number two-storey 2 bedroom houses and four number single-storey two bedroom houses together with proposed boundary treatments, landscaping, connection to existing services, new roadside entrances and all other associated site works all at Kilkenny Street, Freshford, County Kilkenny.

DECISION

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

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.

REASONS AND CONSIDERATIONS

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 1 imposed by the planning authority to which the grant is subject (which requires development to be completed in accordance with a revised layout received by the planning authority on the 19th day of September, 2017), and,
- (ii) the imposition of condition number 1 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land, by reason of the overlooking concerns associated with the revised housing layout, as identified by the applicant for leave.

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

Dated this day of

2017.