

An
Bord
Pleanála

Board Direction
BD-010445-22
ABP-312589-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 05/04/2022.

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 provisions of the Kilkenny City and County Development Plan 2021-2027, to the location of the site in an established residential area and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area and would be acceptable in terms of 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 19th day of November 2021 and the 8th day of December 2021, 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 existing 1.8m roadside blockwork roadside wall shall be reduced to 1.2m. Details including the finish of the wall shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of work on site.

Reason: In the interest of proper planning and sustainable development.

3. (a) Prior to commencement of development, the developer shall submit to, and agree in writing with, the Planning Authority an alternative entrance detail and layout maintaining the existing footpath and giving priority to pedestrians and cyclists.

(b) The developer shall agree in writing with the Municipal District Office the finishes, construction make-up and detailing of the proposed access and shall ensure that the access is clearly defined with contrasting material types.

(c) The existing kerbing shall be dropped for vehicular access and the footpath / entrance reconstructed to cater for traffic loading.

(d) The applicant shall provide dished curbing and tactile paving at all crossing points along pedestrian desire lines within the development.

Reason: In the interest of traffic safety.

4. The playground shall be in compliance with relevant European Standards, EN1177 (safety surfacing) and EN1176 (playground equipment) and shall be certified as being fit for play by a suitably qualified independent play inspector prior to use.

Reason: In the interest of clarity, public safety and proper planning and sustainable development.

5. Comprehensive details of the proposed public lighting system to serve the development shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development. The agreed lighting system shall be fully implemented and operational before the proposed development is made open to the public.

Reason: In the interest of public safety and visual amenity.

6. Water supply and drainage arrangements, including the 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.

7. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

8. The development shall be taken in charge by the Parks Department of Kilkenny County Council upon completion of works, which includes for the maintenance and upkeep of the park.

Reason: In the interests of proper maintenance and to provide for the protection of the environment.

9. Construction and demolition waste shall be managed in accordance with a construction waste management and demolition plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management

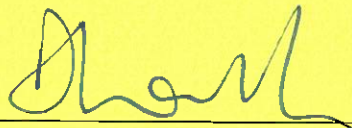
Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

10. The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, 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 amenities of adjoining property in the vicinity

Board Member



Dave Walsh

Date: 05/04/2022