

**An
Bord
Pleanála**

**Board Direction
BD-012258-23
ABP-315626-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/05/2023.

The Board decided to refuse permission for the following reasons and considerations.

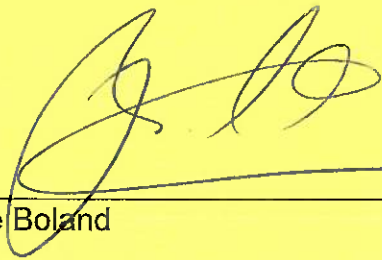
Reasons and Considerations

The Board was satisfied that the proposed development would not adversely impact on the amenities of the area. However, the Board considered that the proposed use as a bicycle shop (retail) would be contrary to the stated zoning category (Residential) and corresponding objective 'To protect, provide and improve residential amenities' as set out in the Kilkenny City and County Development Plan 2021-2027 as it is neither a use that is 'permitted' nor 'open for consideration' within this zoning category. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board agreed with the Inspector as set out in his report that subject to compliance with conditions, the proposed change of use would respect the existing character of the area, would not seriously injure the residential or visual amenity of property in the vicinity and would be acceptable in terms of traffic safety. However, the Board was satisfied that the reasons and considerations in the Inspector's report would not overcome the single matter at issue, that the retail use proposed is not a use that is

included in either 'permitted' or 'open for consideration' uses within the zoning category of the statutory plan for the area.

Board Member



Date: 24/05/2023

Joe Boland