

An  
Bord  
Pleanála

**Board Direction**  
**BD-016538-24**  
**ABP-316107-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/06/2024.


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

#### **Reasons and Considerations**

1. Having regard to the site location, relevant provisions in the Kilkenny City and County Development Plan 2021-2027, including objective 6A which seeks to ensure the creation of attractive, liveable, well designed, high quality places and Section 13.4.1 which sets out requirements regarding residential density, it is considered that the proposed development, by reason of its height, scale, massing and density at this prominent site, on O'Loughlin Road, adjacent to two areas of open space and established two-storey dwellings, would constitute an overdevelopment of the site and would seriously injure the amenities of the area and of property in the vicinity. Furthermore, the Board considered the development, as proposed, would be out of character with the pattern of development in the vicinity, would be substandard in its form, would not successfully respond to its setting, including proposed interfaces with areas of public open space and would seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the Specific Planning Policy Requirement 4 of the Sustainable Urban Housing: Design Standards for New Apartments 2023, taking particular account of the low level of dual aspect apartments proposed, the lack of communal open space, the absence of windows in some bedrooms and the overall layout of the scheme, it is considered that the proposed accommodation would be substandard and would seriously injure the residential amenity of future occupants. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to the site's zoning as set out in the Kilkenny City and County Development Plan 2021-2027, for which the objective is to protect, provide, and improve residential amenities, and the location of the site adjoining an existing residential estate, the Board was not satisfied that a justification for the proposed office element of the development had been made. The proposed development would, therefore, contravene the said Development Plan zoning objective and would be contrary to the proper planning and sustainable development of the area.

**Board Member**

  
Martina Hennessy

**Date:** 11/06/2024