



An  
Bord  
Pleanála

**Board Direction**  
**BD-018081-24**  
**ABP-318699-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/11/2024.

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 nature of the proposed development the Board considered that the proposed development, subject to the conditions set out below, would not seriously injure the amenities of the area of property in the vicinity and would otherwise be in accordance with the proper planning and sustainable development of the area. In coming to this conclusion the Board had particular regard to the policies and provisions following:

- National Planning Framework
- The view that the proposal was consistent with Climate Action and Low Carbon Development (Amendment) Act 2021
- Policy Statement on Security of Electricity Supply
- The view that the proposal was consistent with Climate Action Plan 2024
- Regional Spatial & Economic Strategy for the Southern Region
- Kilkenny County and City Development Plan 2021-2027

## **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application to the Planning Authority on the 5th of October 2023, 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 interests of clarity.

2. The developer shall engage a suitably qualified archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, and groundworks associated with the development.
  - (a) The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.
  - (b) Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with National Monuments Service regarding appropriate mitigation which may include preservation in-situ or full archaeological excavation.
  - (c) The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

**Reason:** To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest

3. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of

working, noise and dust management measures and off-site disposal of construction/demolition waste and shall include appropriate traffic management proposals where work phases impact the public road network.

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

4. The developer shall ensure that the locations of all proposed pole sets comply with the minimum separation distances in relation to residential properties and water courses as set out under ESB Safety Guidelines and Code of Practices, and that locations along the public road network comply with the provisions of TII Publication "*Cross Sections and Headroom, DN-GEO-03036*" May 2003. Details of any changes to pole set locations will be agreed with the Planning Authority.

**Reason:** In the interests of safety and protection of residential amenity and traffic safety.

Board Member

  
Paul Caprani

Date: 05/11/2024