

An
Bord
Pleanála

Board Direction
BD-019178-25
ABP-321323-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/03/2025.

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 planning history of the site, with particular reference to planning register reference number 19/56 (An Bord Pleanála reference number ABP-305914-19), the pattern of development in the area, the site location within the settlement boundary of Gowran, the scale, form and design of the proposed development, and the provisions of the Kilkenny City and County Development Plan, 2021-2027, 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 or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would constitute an acceptable form of development at this location. 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 11th day of October, 2024 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. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions (including conditions numbers 5 and 6) of the permission granted on the 3rd day of June, 2020, under planning register reference number 19/56 (An Bord Pleanála reference number ABP-305914-19), and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission

3. The mitigation measures contained in the submitted Natura Impact Statement shall be implemented in full.

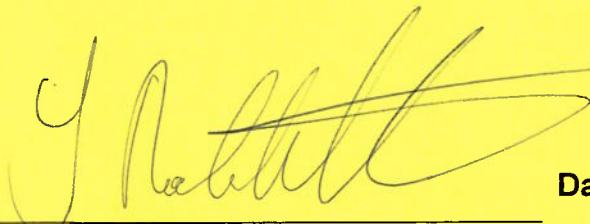
Reason: To protect the integrity of European Sites.

4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the

application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member

A handwritten signature in black ink, appearing to read 'Tom Rabbette', written over a horizontal line.

Tom Rabbette

Date: 12/03/2025