



An
Coimisiún
Pleanála

Direction
CD-021102-25
ACP-323049-25

The submissions on this file and the Inspector's report were considered at a meeting held on 29/10/2025.

The Commission decided on a majority of 2 to 1, to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning

Commissioner:


MaryRose McGovern

Date: 30/10/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

The proposed development, providing for the removal and set back of an extensive length of roadside boundary to facilitate sight visibility from the existing private lane, would contravene Section 12.11.10.1 (Roads Development Management Requirements) of the Kilkenny City and County Development Plan 2021-2027, which states that the required sight distances in respect of single houses in the countryside should not be achieved by the extensive removal of hedgerows, ditches, embankments, trees or old walls. Furthermore, in the absence of certainty regarding the delivery of works to address intensification in use of the laneway; the development as proposed, by reason of its substandard width and alignment would danger public

safety by reason of traffic hazard and obstruction of road users. The development as proposed would therefore be contrary to the proper planning and sustainable development of the area.

Note:

The Commission noted the commercial use of premises adjacent to the proposed development, and the absence of detailed information regarding the required separation distances to be achieved between the proposed domestic wastewater treatment system, and the adjacent commercial use, in accordance with the Environmental Protection Agency's Code of Practice. While ordinarily this would warrant further consideration and potentially a request for further information, in this instance given the substantive reasons for refusal above, it was decided not to pursue this matter under the current appeal.