



An Bord Pleanála

PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kilkenny County

Planning Register Reference Number: 15/380

An Bord Pleanála Reference Number: PL 10.245406

APPEAL by Paula O'Meara of 1 Sycamore Close, Greenhill Village, Carrick-on-Suir, County Tipperary and by Janet McDonald of Newton, Graignamanagh, County Kilkenny against the decision made on the 18th day of August, 2015 by Kilkenny County Council to grant subject to conditions a permission to Paddy Power PLC care of Niall Phelan Architects of 14 Birchfield Park, Goatstown, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Combination of units numbers 9, 10, 11 and part of unit number 17 into one large unit measuring 191 square metres in area and change of use of the amalgamated unit from retail use to betting office use. Permission for four number satellite dishes, four number condenser units mounted on the existing roof, proposed signage, internal modifications an associated works, at all Loughboy Shopping Centre, Bohernatounish Road, Loughboy, Kilkenny.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development and its location within an area zoned as 'neighbourhood centre' in the Kilkenny City and Environs Development Plan 2014-2020, it is considered that, subject to compliance with the conditions set out below, the proposed development would not constitute a material contravention of the development plan, would not seriously injure the visual amenities of the area, and would otherwise 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 and relates only to the site of units numbers 9, 10, 11 and part of number 17 as shown on drawing No. 1468/13, 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. The wall mounted sign proposed on the southern elevation shall be omitted from the proposed development and shall not be erected.

Reason: In the interest of visual amenity and to prevent an undesirable precedent for further such signage within the neighbourhood centre.

3. No more than 25% of the shop windows shall be covered in advertising at any one time. Advertising shall not be attached directly to the shop window but shall be set back by at least 30 cm.

Reason: In the interest of visual amenity.

4. No external security shutters shall be erected on any of the commercial premises unless authorised by a further grant of planning permission. Details of all internal shutters shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.