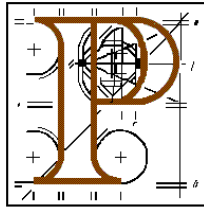


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Kilkenny County**

**Planning Register Reference Number: 15/282**

An Bord Pleanála Reference Number: PL 10.245421

**APPEAL** by Chris and Claire Ogilvie-White care of Enda McDonald of Rathwell House, Terrerath, New Ross, County Wexford against the decision made on the 20<sup>th</sup> day of July, 2015 by Kilkenny County Council to grant subject to conditions a permission to Tullogher Rosbercon Gaelic Athletic Association Club care of Mark O'Brien of Shanbogh Upper, via New Ross, County Kilkenny in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** The development consists of reconfiguration, ground levelling and earth works, and the installation of posts and ball stop nets on juvenile pitch at Brownstown, via New Ross, County 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 planning history of the site and the location within an established Gaelic Athletic Association club facility, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area and would 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 14<sup>th</sup> day of July, 2015, 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. Works shall not commence on site until the planning authority confirms in writing that all works required under conditions numbers 5 and 6 of planning register reference number P09/120 have been completed to its satisfaction.

**Reason:** In the interest of orderly development and traffic safety.

3. The proposed ground levelling shall extend to a maximum of 80 metres in a south-easterly direction from the existing north-western boundary of the juvenile pitch. Beyond this point, any regrading shall not result in an increase in existing ground level by more than 0.8 metres maximum. Details of the regrading of the south-eastern portion of the pitch shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the residential amenity of the adjacent dwelling to the south-west.

4. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority a construction management plan for the works. This shall include details for hours of work, control of run-off, storage of topsoil and other materials, protection measures for trees and the wastewater treatment plant on the site, arrangements for control of dirt on the highway from heavy vehicles, and other such matters as required by the planning authority to protect local amenities and prevent damage or congestion on the public highway.

**Reason:** In the interest of orderly development and the protection of amenities.

---

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

**Dated this            day of            2016.**