

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kilkenny County

Planning Register Reference Number: 15/540

An Bord Pleanála Reference Number: PL 10.246393

APPEAL by Teresa Kelly of Holly Cottage, Castlecomer, County Kilkenny against the decision made on the 7th day of March, 2016 by Kilkenny County Council to grant subject to conditions a permission to the Castlecomer Demesne Company Limited care of Reddy Architecture and Urbanism of 41 Dean Street, Kilkenny in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of unauthorised pedestrian gateway or access and permission for the modification of the pedestrian gateway or access with the erection of two number cut-stone piers, painted metal gate and all other associated site works at Castlecomer Demesne (a Protected Structure, Reference Number C853), Castlecomer, 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 zoning objectives for the area and the pattern of land use in the vicinity it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed for retention would not unduly impact on the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars lodged on the 10th day of February 2016, except as may otherwise be required in order to comply with the following conditions. Where conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed modifications by way of erection of two cut stone piers, metal gates and associated site works shall be completed within six months of the date of this order.

Reason: In the interest of visual amenity.

3. No material from the works shall enter the River Barrow and River Nore Special Area of Conservation (Site Code number 002162). No planting of Cherry Laurel (*Prunus Laurocerasus*) shall occur along the pathway.

Reason: To ensure the protection of the natural heritage on the site.

4. A schedule of all materials to be used in the development shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: To ensure an appropriate standard of development /conservation.

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

Dated this day of 2016.