



An
Bord
Pleanála

Board Order
PL 10.248651

Planning and Development Acts 2000 to 2017

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 17/39

Appeal by Maureen and John King of Evenwood, Warrenstown, Johnstown, County Kilkenny against the decision made on the 8th day of May, 2017 by Kilkenny County Council to grant subject to conditions a permission to Kilkenny and Carlow Education and Training Board care of Brian Dunlop Architects of Patrick's Court, Patrick Street, Kilkenny in accordance with plans and particulars lodged with the said Council.

Proposed Development: Development consisting of the construction of a special needs unit extension to the front of the building, construction of an extension to the side and rear to include a new construction studies room and associated preparation room and four number new classrooms, construction of a new one way traffic system with new vehicular exit from the site onto the R639 and amendments to the existing entrance and removal of two number prefabricated classrooms. Permission to include all associated demolition work, elevational changes, internal modifications to some existing rooms, connection to existing school services and all associated site works at Coláiste Mhuire, Warrenstown, Johnstown, 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 nature of the proposed development and the existing use on the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of property in the vicinity, would be acceptable in terms of traffic safety and convenience and 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 13th day of April 2017, 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 interests of clarity.

2. The overall layout of the development, and in particular the internal road network, shall be carried out in accordance with the Proposed Site Layout plan submitted to the Board on the 6th day of July, 2017 on drawing number 151083(1)/SK/17 Rev. P1. Details relating to the precise location of the exit point onto the public road, and any revisions in relation to traffic management on the regional road, location of kerbs and bollards and other traffic calming measures shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of any development works.

Reason: In the interest of clarity and in the interests of traffic safety.

3. The site shall be landscaped in accordance with the scheme of landscaping submitted to the planning authority on the 13th day of April, 2017. Precise details in relation to site boundaries, in particular the southern boundary of the site, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of any development works on the site. A timescale of the implementation of the scheme shall also be submitted. The applicant shall be responsible for the replacement of any failures of species should they occur.

Reason: In the interest of visual and residential amenity.

4. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

6. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

