

Board Order PL 10.249065

Planning and Development Acts 2000 to 2017

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 17/200

Appeal by Christopher Browne care of Terry Brennan of Coote's Lane, College Road, Kilkenny against the decision made on the 20th day of July, 2017 by Kilkenny County Council to grant subject to conditions a permission to Pat McGrath care of Byrne and McCabe Design of Upper Main Street, Graiguenamanagh, County Kilkenny in accordance with plans and particulars lodged with the said Council:

Proposed Development: Erection of a single storey extension to the rear of existing dwelling and all associated site works, at 26 Brandon Park, Graiguenamanagh, 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 location and design of the proposed extension, the 'existing

residential' zoning of the site, and the provisions of the Kilkenny County

Development Plan 2014-2020, 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, would not represent a flood hazard, 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, as amended by the further

plans and particulars submitted on the 27th day of June, 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 interest of clarity.

2. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the extended dwelling.

3. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

4. 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.

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

Dated this day of 2018

PL 10.249065 **Board Order** Page 3 of 3