

Board Order PL 10.249067

Planning and Development Acts 2000 to 2017

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 17/92

Appeal by Charles Phelan and Anne Phelan care of Thomson Planning Consultant Limited trading as Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny and by Loreto Park Residents' Association care of Katherine Larkin of New Ground Limited of Main Street, Bennettsbridge, County Kilkenny against the decision made on the 25th day of July, 2017 by Kilkenny County Council to grant subject to conditions a permission to Shane Dalton care of Brian Dunlop Architects of Patrick's Court, Patrick Street, Kilkenny.

Proposed Development: Provision of a new vehicular residential entrance and a set of residential entrance gates from Loreto Park, Kilkenny City to property at 15 Bishop's Hill, Kilkenny City. The development will consist of the removal of two car parking spaces and provision of one new car parking space, realignment of grassed verges, provision of a new three metres wide entrance through a rubble stone wall, and the reduction in height of part of the stone wall to 1.1 metres. The parent permission for the Loreto Park development is P.71/88. The site is located within the St. Canice's Architectural Conservation Area as indicated in the Kilkenny Borough Council Development Plan.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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 and the proposed development which does not include the entire site and dwelling at 15 Bishop's Hill, and, therefore, does not include a proposal in respect of the existing access from Bishop's Hill, it is considered that the proposed development, which constitutes the provision of a separate access, would be piecemeal development, would constitute disorderly development and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the nature of the proposed development would not be compatible with the nature and pattern of uses in the vicinity.

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

Dated this day of

2018