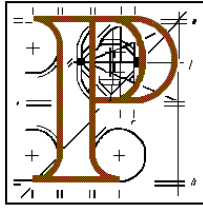


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Kilkenny County Council

Planning Register Reference Number: 17/616

An Bord Pleanála Reference Number: ABP-300394-17

APPEAL by Andrew Lenny care of Larkin Associates of 1a Saint Canices Court, Dean Street, Kilkenny against the decision made on the 10th day of November, 2017 by Kilkenny County Council to refuse permission.

PROPOSED DEVELOPMENT: Change of use of retail unit number 1 to four apartment units (three number two bedroom and one number single bedroom apartment units) and all associated site works. This is an amendment to permissions granted under planning register reference numbers 00/691, 02/471, 03/1039, 04/1673 and 05/1610. All at Glenvale, Ballyragget, County Kilkenny.

DECISION

REFUSE permission for the above proposed development based on 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

1. In the absence of information with respect to the adequacy of the wastewater treatment system serving the site, the Board is not satisfied that the wastewater treatment system has adequate capacity for the proposed increase in wastewater loading. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to the information on file, it is considered that the proposed development would result in an unsatisfactory standard of residential and visual amenity for future occupants of the apartments by reason of inadequate provision of good quality, properly landscaped, private and communal open space. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The developer has failed to demonstrate adequate provisions in relation to the car park for: (a) construction details of the footways, kerbing and drainage to the rear of the apartments; (b) commercial delivery details and waste storage; and, (c) traffic calming and the provision of a footpath to the car parking area. The proposal for car parking to serve the apartments is unsatisfactorily located remote from the units. The developer has, therefore, not demonstrated that the proposed development would not give rise to traffic hazard and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018.