



---

**Planning and Development Acts 2000 to 2018**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 18/209**

**Appeal** by Cignal Infrastructure Limited care of 4Site, 4Site House, Raheen Business Park, Limerick against the decision made on the 28<sup>th</sup> day of November, 2018 by Kilkenny County Council to grant subject to conditions a permission/outline permission to the said Cignal Infrastructure Limited in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Installation of replica chimneys and telecommunications equipment on the roof, and equipment cabinets installed internally at the Freshford Community Hall. The building is located within an Architectural Conservation Area, all at Freshford Community Hall, The Square, Freshford, County Kilkenny.

**Decision**

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the

**Planning and Development Act, 2000 to REMOVE condition number 2 and the reason therefor.**

## **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 scale and location of the proposed works, the Board considered that the proposed works proposed to be omitted in accordance with condition number 2 would not seriously injure the visual amenities of the area, or the character of the Architectural Conservation Area and the setting of the Saint Lachtain's Romanesque doorcase and, therefore, decided to remove condition number 2. The proposed development would be in accordance with the proper planning and sustainable development of the area.

---

**Paul Hyde**

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

**Dated this            day of            2019.**