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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: P.18/832**

**Appeal** by Defigo Holdings 1 Limited care of RW Nowlan and Associates of Number 37 Lower Baggot Street, Dublin against the decision made on the 15<sup>th</sup> day of February, 2019 by Kilkenny County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Modifications to previously permitted development, granted under planning register reference number P.16/348. The modifications will include minor amendments to the site layout, change of house type, and all associated works, all at Friars Hill Estate, Harristown, Borris Road, Graiguenamanagh, County Kilkenny.

## **Decision**

**Having regard to the nature of the condition 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 ATTACH condition number 1. (b) and the reason therefor.**

## **Reasons and Considerations**

Having regard to the pattern of development in the area, the planning history of the site, and the need to complete the development of this housing estate in accordance with the parent permission (previously granted under planning register reference number P.16/348), particularly as it relates to roads and drainage issues, it is necessary to attach condition number 1. (b), in the interests of the residential amenity of existing and future residents of the estate and in the interest of public health.

## **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.

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**Stephen Bohan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2019.**