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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 19/393**

**APPEAL** by Moroney Electrical Contractors Limited care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 30<sup>th</sup> day of July, 2019 by Kilkenny County Council to refuse permission.

**Proposed Development:** Development of a new dwellinghouse to the rear of 103 Patrick Street, along with all site and ancillary works. The development is located within the Patrick Street Architectural Conservation Area. 103 Patrick Street is referenced on the National Inventory of Architectural Heritage (NIAH register number 12001039), all at 103 Patrick Street, Kilkenny.

**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**

1. Having regard to the zoned serviced and city centre location of the site, to its location in the rear garden of an existing house that forms part of an existing terrace on the western side of Patrick Street, to the presence of other backland sites to the north west, and to the relationship of the site to surrounding buildings and lands, it is considered that the proposed development would represent an inefficient use of zoned and serviced city centre lands and a haphazard and uncoordinated form of backland development that would compromise the future comprehensive development of these backland areas, and would be contrary to the designation of the site as an Architectural Conservation Area (ACA). The proposed development would, therefore, be contrary to Objective PSACA 6 as set out in the Kilkenny City and Environs Development Plan 2014-2020 as it relates to the Patrick Street Architectural Conservation Area (ACA) and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the proposed development on the site and its relationship with the adjoining apartment development to the south east located to the rear of number 101 Patrick Street, and specifically to the extent of blank gable elevation that would face these apartment units, it is considered that the proposed development would have a negative impact on the residential amenity of occupants of these apartments by virtue of overbearing visual impact and loss of aspect. The proposed development would seriously injure the amenities and depreciate the value of property in the vicinity, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Terry Ó Niadh**

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

**Dated this            day of            2020**