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## Planning and Development Acts 2000 to 2019

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 19/440**

**Appeal** by Barry MacRonald care of Garry Power of Tobernabrone, Piltown, County County Kilkenny against the decision made on the 13<sup>th</sup> day of August, 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:** Construct a detached garage at AGLISH South, Mooncoin, 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 2 and the reason therefor.

## **Reasons and Considerations**

Having regard to the provisions of the Kilkenny County Development Plan 2014-2020, the current Kilkenny County Council Rural Design Guide, and the information submitted with the application and the appeal, it is considered that the visual impact of the proposed development would be acceptable subject to it being relocated to a position behind the building line where it will not present as a visually dominant feature and would not seriously injure the visual amenities of the area.

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

**Dated this            day of            2020.**