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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 19/461**

**APPEAL** by Silviu and Crina Gherca care of Mark Roberts Architecture of Green Street, Callan, County Kilkenny against the decision made on the 2<sup>nd</sup> day of October, 2019 by Kilkenny County Council to refuse permission to Silviu and Crina Gherca.

**Proposed Development** To demolish an existing single storey dwelling and a shed and permission to construct a new two-storey dwelling in its place with a detached garage and an open summer house and to replace the existing front boundary wall with a new front boundary wall with the recessed entrance relocated to the centre and all associated site works on lands, all at Unara Lodge, Number 7 Kilcreen Cottages, Kilcreen, County 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 design, scale, bulk and height of the proposed development, to the prominent location on a corner site and to the established pattern of development in the adjoining houses in Kilcreen Cottages Estate to which the appeal site is visually and physically connected, it is considered that the proposed development would constitute a visually incongruous element in the streetscape in this location and would be out of character with the existing residential properties in the vicinity. The proposed development would, therefore, seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area.

2. Having regard to the scale, bulk and footprint of the proposed development, to the proximity of the development to site boundaries, to the extent of works proposed to facilitate the reduction in ground levels on the site and the implications of such reduction for the site layout, to the house design incorporating obscure glazing to habitable rooms, and to the lack of usable private open space within the site, it is considered that the proposed development would constitute overdevelopment of the site and a form of development that would result in a poor standard of residential amenity for future occupants of the development and have an overbearing visual impact on Number 6 Kilcreen Cottage. The proposed development would, therefore, result in a sub-standard form of residential development, would seriously injure the amenities and depreciate the value of adjoining properties and would be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2020.**