



Planning and Development Acts 2000 to 2019

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 19/388

Appeal by Seamus and Lillian Kelly of West Street, Callan, County Kilkenny against the decision made on the 9th day of December, 2019 by Kilkenny County Council to grant subject to conditions a permission to Droichead Family Resource Centre care of D. Brennan and Associates of Level 2, 25 James Street, Kilkenny in accordance with plans and particulars lodged with the said Council:

Proposed Development: (a) Retention planning permission for change of use of current facility from school use to family resource centre use along with retention of an existing related sign affixed to the entrance to the site, (b) planning permission for a new associated but separate small crèche building and (c) retention planning permission for the existing 'Men's Shed' building in place, all at West Street, Callan, County Kilkenny as amended by the revised public notice received by the planning authority on the 13th day of September, 2019.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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

Having regard to the nature and extent of the development proposed and the development proposed to be retained, the previous use of the site, its location in an urban area, and the relevant provisions of the current Development Plan for the area, including the zoning objective for the site as set out in the Callan Local Area Plan 2019-2025, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not seriously injure the residential amenities of the area, or depreciate the value of property in the vicinity, would be acceptable in terms of pedestrian and traffic safety and convenience, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development and the development proposed to be retained shall be carried out, completed and retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on 13th day of September 2019 and 13th day of November 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The Family Resource Centre, creche and 'Men's Shed' shall not operate outside the period of 0800 to 2200 hours Monday to Friday and 0830 to 1200 hours on Saturday.

Reason: In the interest of residential amenity.

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Irish Water.

Reason: In the interest of public health.

5. A maximum of 25 on-site car parking spaces only shall be provided as indicated on drawing number FI-1-08 received by the planning authority on the 13th day of September, 2019 and titled Traffic Control and Pedestrian Access. The markings shown on this drawing shall be provided on site within six months from the date of this Order.

Reason: In the interest of encouraging the use of sustainable modes of transport.

6. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

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

Dated this day of 2020.