



Planning and Development Acts 2000 to 2020

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 19/954

Appeal by Wallslough Residents Group care of Peter Thompson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 19th day of June, 2020 by Kilkenny County Council to grant subject to conditions a permission to Virginia Health Foods Limited care of Nextgen Design of Kyleva, Knocktopher, County Kilkenny in accordance with plans and particulars lodged with the said Council:

Proposed Development: Proposed change of use of the existing equestrian events and conference centre to light industrial unit for dry foods processing and packaging. (i) Proposed internal changes and reconfigured internal building layout, (ii) Proposed external changes – four number new pedestrian fire exits, two number new level loading docks with pest proof roller shutter doors, two number new AOV's, blocking up of one number arena doorway. Provision of new pest proof roller shutter doors to existing large arena doors. Provision of two number new flues. Reconfiguration of existing surface car park to provide for 20 number spaces and three number disabled spaces, (iii) Proposed retention of a small side extension (29 square metres), and (iv) Proposed internal mezzanine (36 square metres) and all associated site works, at Wallslough, County Kilkenny.

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 provisions of the Kilkenny County Development Plan 2014-2020 and the National Planning Framework published by the Government in 2018, to the permitted use on the site as an equestrian and conference centre, and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed change of use would not seriously injure the amenities of the area. would be acceptable in terms of traffic safety and convenience, and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed 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 the 26th day of May, 2020, and by the further plans and particulars received by An Bord Pleanála on the 12th day of August, 2020, 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. All staff and delivery/transfer traffic associated with the proposed development shall access the site via the Regional road (R700) only. Clear signage in this regard shall be provided. Details of the signage shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of traffic safety.

3. All goods, including raw materials, manufactured goods, packaging, and crates shall be stored or displayed only within the enclosed building.

Reason: In the interest of visual amenity,

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

Reason: In the interest of public health.

5. Water supply and drainage arrangements, including the 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.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

John Connolly

Member of An Bord Pleanála

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

Dated this day of 2021.