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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 20/436**

**Appeal** by Jane Gillman of Springfields, Waterford Road, Kilkenny, and by Stephen Gillman care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 9<sup>th</sup> day of October, 2020 by Kilkenny County Council to grant subject to conditions a permission to Kate and Noel Sugrue care of PDA Architects of Stoneyford, County Kilkenny in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Permission for proposed modifications to the permitted dwellinghouse granted pursuant to planning register reference number: P18/739 (An Bord Pleanála appeal reference number: ABP-304312-19) comprising as follows: (1) removal of two number permitted windows to southern elevation; (2) new Velux type roof-plane window to rear elevation; (3) new window at ground floor level to northern elevation; (4) reduction in roof pitch from that previously permitted (no increase in the proposed ridge height); and (5) completion of the modified permitted dwellinghouse on the 'as-constructed' dwelling base on the site and retention of the 'as-constructed' dwelling base and all associated works to date, at The Dormers, Waterford Road, 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:

- (a) the provisions of the Kilkenny City and Environs Development Plan 2014-2020,
- (b) the nature, scale, building line and orientation of the development proposed to be retained and completed,
- (c) the proposed height, separation distances and design specification, and
- (d) the mixed pattern of development in the area,

it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained and the proposed development would not seriously injure the residential or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 15<sup>th</sup> of September 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 within three months of the date of this Order and the development shall be retained and completed in accordance with the agreed particulars.

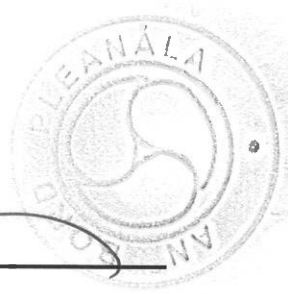

**Reason:** In the interest of clarity.

2. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this Order.

**Reason:** In order to screen the development and in the interest of visual amenity.

3. This grant of permission does not include for the garage/shed structure as indicated on the site layout plans.

**Reason:** In the interest of clarity.



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**John Connolly**

**Member of An Bord Pleanála**

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

Dated this 7<sup>th</sup> day of MAY 2021.