

An
Bord
Pleanála

Board Order
ABP-309245-21

Planning and Development Acts 2000 to 2020

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 20/709

APPEAL by SFT Moore Developers Limited care of Michael Reilly of “Radharc Na Coille”, Mullinahone, County Tipperary against the decision made on the 14th day of December 2020 by Kilkenny County Council to refuse permission.

Proposed Development: (a) Retention of extension built to the rear of Cook's footwear shop, (b) permission for change of use from commercial use to residential and (c) planning permission to complete the project to accommodate two dwellings including associated site works at Main Street, Urlingford, County Kilkenny.



Decision

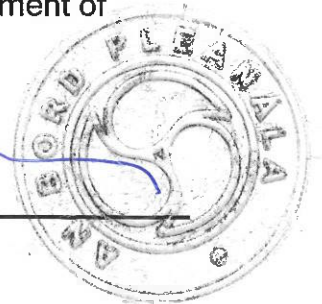
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

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

Having regard to the proximity of the rear two-storey extension to the north-east site boundary, together with its scale and height, it is considered that the development proposed for retention and the proposed development would seriously injure the residential amenity of the adjoining property by reason of its overbearing impact, failure to demonstrate that the sunlight and daylight values for the neighbouring dwelling and associated private open space would not be adversely affected, and by reason of the poor quality of design, scale, bulk and height of the extension. The development proposed for retention and the proposed development would be contrary to the policy as stated in Section 12.5.6 of the Kilkenny County Development Plan 2014-2020, that the principal requirement for any proposed domestic extension is that the design should have regard to the need for light and privacy of adjoining properties. The development proposed for retention and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



John Connolly

Member of An Bord Pleanála

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

Dated this *24th* day of *MAY* 2021.