

Planning and Development Acts 2000 to 2021

Planning Authority: Kilkenny County Council

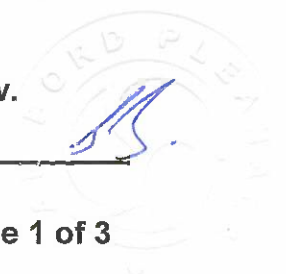
Planning Register Reference Number: P21/6

Appeal by High Street Social Limited care of Brock McClure of 63 York Road, Dún Laoghaire, County Dublin against the decision made on the 8th day of March, 2021 by Kilkenny County Council to refuse permission for the proposed development.

Proposed Development: Alterations to previously granted planning permission conditions, Order number ABP-307372-20 - namely, the omission of condition number 6 and amendments to condition number 7 to allow for the proposed development to operate normal bar/restaurant trading hours as covered under bar/restaurant licensing legislation, at 21 High Street, Kilkenny which is a protected structure.

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 established and permitted restaurant use on the site, the General Business zoning objective governing the site in the current development plan for the area, the City Centre location and mixed use neighbourhood character, the prevalence of similar land uses in the City Centre and their associated planning histories, it is considered that, subject to compliance with the conditions set out below, the use of the rear yard area within prescribed time restrictions and removal of the time restrictions for the entire premises, would be in accordance with the proper planning and sustainable development of the area.


Conditions

1. The outdoor garden area shall be closed to patrons from 23:00 to 12:00 seven days a week and the noise mitigation measures indicated in the 'Noise Management Plan' submitted to An Bord Pleanála as part of the appeal documentation shall be fully implemented.

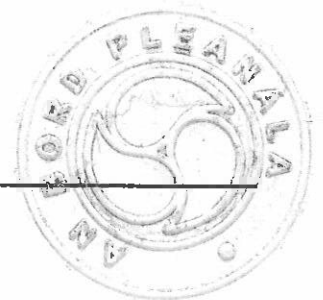
Reason: In the interest of orderly development.

2. The hours of the operation of the restaurant shall be in accordance with the relevant licencing legislation and government restrictions.

Reason: In the interests of orderly development.



Stephen Bohan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this *3rd* day of *February* 2022.