

An  
Bord  
Pleanála

Board Order  
ABP-310149-21

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 21/90**

**Appeal** by Peter Raftice care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 6<sup>th</sup> day of April, 2021 by Kilkenny County Council to refuse permission for the proposed development.

**Proposed Development:** To alter existing farm entrance to serve the existing dwelling house (permitted under planning permission reference number 17/719) and all associated works and retention permission for roadway leading from the upgraded entrance to the existing permitted house at Jerpoint West, Thomastown, 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 established and permitted residential use on the site, the existing separate farmyard access off Station Road, the relationship of the subject access and access road to the dwelling house permitted under planning reference 17/719, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 4<sup>th</sup> day of May, 2021, 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars.

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

2. The entrance gates shall be set back not less than four metres and not more than six metres from the edge of the public road. The wing walls forming the entrance shall be splayed at an angle of not less than 45 degrees and shall not exceed one metre in height.

**Reason:** In the interest of traffic safety.

3. No surface water shall discharge onto the public road or adjoining properties.

**Reason:** In the interest of traffic safety and to prevent pollution.

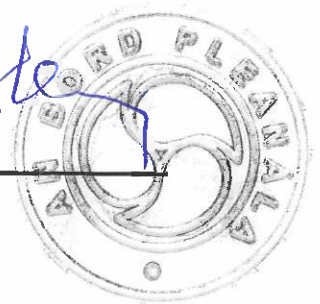
4. Within three months of this Order, the applicant shall submit to, and agree in writing with, the planning authority full details regarding the proposed sightline improvements at the junction of the cul de sac and Station Road, including the long-term maintenance of the realigned hedgerow and grass verge.

**Reason:** In the interest of traffic safety.



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**John Connolly**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board**



Dated this 24<sup>th</sup> day of January 2022