

An
Bord
Pleanála

Board Order
ABP-310968-21

Planning and Development Acts 2000 to 2021

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 21/429

APPEAL by Margaret Foran care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 8th day of July, 2021 by Kilkenny County Council to grant subject to conditions a permission to Shane Gaule care of Seán Walsh of Grange, Mooncoin, County Kilkenny.

Proposed Development: To retain indefinitely minor design changes to existing dormer dwelling (relative to Planning Application 19/43) and all associated works at Ballynearla, Kilmacow, County Kilkenny.

Decision

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

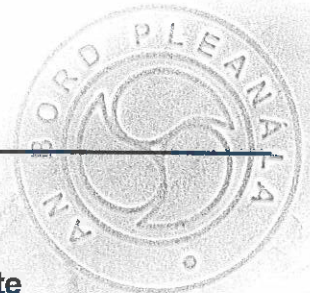
Reasons and Considerations

In the absence of evidence that consent has been granted to transfer occupancy to another qualifying person, the development would, by reason of a change of the occupancy/ ownership of the subject dwelling, contravene materially two conditions attached to an existing permission for development namely, condition numbers 11 and 12 attached to the permission granted by Kilkenny County Council on the 15th day of May 2019 under planning register reference number 19/43. Therefore, the Board is precluded from granting planning permission for the development.



Michelle Fagan

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



Dated this 9th day of August 2022