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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 22/129**

**Application for Leave to Appeal** against the decision of the planning authority by Paul Drury of 20 Bondfield Close, Tunbridge Wells, Kent, England, having an interest in land adjoining the land in respect of which Kilkenny County Council decided on the 22<sup>nd</sup> day of April, 2022 to grant subject to conditions permission to Jane and Gary McEvoy care of PBA Architects of Stoneyford, County Kilkenny.

**Proposed Development:** A new two-storey dwelling, domestic garage, waste water treatment system, new residential site entrance, plus all associated site works, all at Bonnetsrath, County Kilkenny.

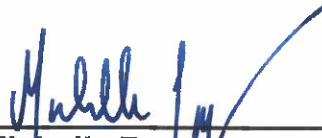
**Decision**

**GRANT** leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

## Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

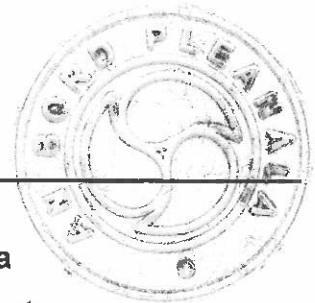
- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of conditions numbered 6 and 7 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of conditions numbered 6 and 7 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate  
the seal of the Board.



Dated this 7<sup>th</sup> day of June 2022.