

An  
Bord  
Pleanála

**Board Order**  
**ABP-318657-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 23/218**

**Appeal** by Keith Kinchella care of 2HP of The Arches, Gas House Lane, Kilkenny, County Kilkenny against the decision made on the 13<sup>th</sup> day of November, 2023 by Kilkenny County Council to grant subject to conditions a permission to LHM Properties Holdings Limited care of RMLA Limited of Unit 3B, Santry Avenue Industrial Estate, Santry Avenue, Santry, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The development will consist of (i) replacement of fascia and projection signage (totalling circa three square metres); (ii) provision of an ancillary off-licence sales area of circa 48.8 square metres in the ground floor retail unit; (iii) associated plant area to be provided at first floor level; (iv) minor works including new automatic sliding entrance doors, replacement shopfront glazing and internal fit out works; and (v) all ancillary site services and site development works on a site at Unit 36, High Street, 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.**

## **Reasons and Considerations**

Having regard to the Kilkenny City and County Development Plan 2021-2027 including Section 2.9.5, 3.4.4 and 13.24, and the Guidelines on Retail Planning published in 2012, the Board considered that the development, if carried out in accordance with the attached conditions, would not injure the amenities of the area and would accord with the proper planning and sustainable development of the area.

## **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 prior to commencement of development, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars.


**Reason:** To ensure that the development accords with the permission.

2. The proposed projecting sign on the plans and particulars shall not be erected or displayed.

**Reason:** To avoid clutter and maintain the visual amenity of the City Centre Architectural Conservation Area.

3. Prior to commencement of development the developer shall submit to, for the written agreement of, the planning authority, revised proposals for the fascia sign, including a drawing specifying the wording, colours and materials to be used and detailing the means of illumination and the brightness thereof. The sign shall be installed strictly in accordance with the agreed particulars.

**Reason:** To maintain the visual amenity of the City Centre Architectural Conservation Area.

  
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**Mick Long**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

Dated this 27<sup>th</sup> day of June 2024.