

Planning and Development Act 2000, as amended

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 25/38

APPEAL by Sylvia Heffernan against the decision made on the 4th day of July, 2025 by Kilkenny County Council to refuse permission for the proposed development.

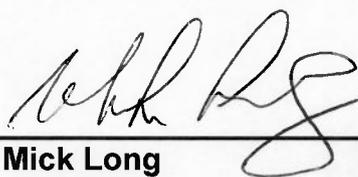
Proposed Development: (A) Alterations to site boundary, including boundary treatment. (B) Alterations and provision of a vehicular entrance to residential site, including all associated site works related to these changes, all at De Clare House, Gallowshill, Bennettsbridge Road, Kilkenny.

Decision

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

Reasons and Considerations

1. Having regard to the planning history of the site, including planning enforcement issues from previous planning applications associated with the subject site, it is considered that the proposed development to include an alteration of the site boundary, would contravene conditions attached to an existing permission for development, including condition numbers 1, 4, 5, 6 and 7 under planning register reference number 23/118 attached to the permission granted by Kilkenny County Council on the 12th day of April, 2024. The Commission cannot be satisfied that the proposed development would not facilitate the consolidation and intensification of unauthorised development and non-compliance with previous planning permissions permitted at the subject site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the Amenity/Greenlink/Biodiversity conservation/Open space/Recreation zoning objective in Kilkenny City and County Development Plan 2021, wherein the northern portion of the site is located, the Commission considers that the proposed development, of extending the residential boundary and curtilage would materially contravene the zoning objective, as set out in the Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Mick Long

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this  day of  2026.