



An
Bord
Pleanála

Board Order
ABP-313060-22

Planning and Development Acts 2000 to 2022

Planning Authority: Kilkenny County Council

Planning Register Reference Number: DEC 564

WHEREAS a question has arisen as to whether the use of former short term and long term stay accommodation for priests for short stay guests/student accommodation at the Village Campus, Kilkenny is or is not development or is or is not exempted development:

AND WHEREAS Alan Mooney care of Reddy Architecture and Urbanism of 41 Dean Street, Kilkenny requested a declaration on this question from Kilkenny County Council and the Council issued a declaration on the 21st day of February, 2022 stating that the matter was development and was not exempted development:

AND WHEREAS Alan Mooney care of Simon Clear and Associates of 3 Terenure Road West, Terenure, Dublin referred this declaration for review to An Bord Pleanála on the 21st day of March, 2022:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 3(1)(a) and 3A(1) of the Planning and Development Act, 2000, as amended,
- (b) the Department of Housing, Planning and Local Government Circular Letter PL 04/2019,
- (c) Monaghan County Council v. Brogan [1987] I.R.333
- (d) the history and nature of the Village Campus site, and
- (e) the documentation on file and the report of the Planning Inspector:

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the part of the building in question has an established use for both short term and long term accommodation,
- (b) the change of use as described does not raise planning considerations that are materially different to those that arise in relation to the established use, and
- (c) the change of use, therefore, does not amount to a material change of use and is not development:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, as amended, hereby decides that the use of former short term and long term stay accommodation for priests for short stay guests/student accommodation at the Village Campus, Kilkenny is not development.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *10* day of *July* 2024.