



**KILKENNY COUNTY COUNCIL**

**PLANNING AND DEVELOPMENT ACTS 2000 (AS AMENDED)**

**Delegated Officer's**

**Order No:** 621

**Reference Number:** 22/590

**Name of Applicant:** Pat Hayes  
**Address:** C/- Liam Ryan  
Station House  
Attanagh  
Co Laois

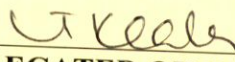
**Nature of Application:** PERMISSION to renovate and extend dwellinghouse, install septic tank with percolation system, construct garage, relocate vehicular entrance and all associated site works

**Location of Development:** Castletown Galmoy Co. Kilkenny

**ORDER:**

Pursuant to the Planning and Development Acts 2000 (as amended) it is hereby decided for the reason(s) set out in the First Schedule hereto to **GRANT** PERMISSION for the development as described above in accordance with the plans, particulars and other documents submitted subject to the 9 no. conditions specified in the Second Schedule hereto, the reason for the imposition of the said conditions being set in the said Second Schedule.

I further order that PERMISSION **BE GRANTED** subject to the 9 no. conditions, unless an appeal which is not subsequently withdrawn is lodged with An Bord Pleanala within four weeks beginning on this date.

  
DELEGATED OFFICER

**DATED :** 28/10/2022

Tel no. Planning Section: 056-7794010  
Website: [www.kilkennycoco.ie](http://www.kilkennycoco.ie)

2021) shall be submitted to the Planning Authority prior to occupation of the extended house. The certificate shall be completed by a suitably qualified and indemnified person and shall include a site specific 'as constructed' layout plan and cross-sectional drawing through the effluent treatment system and associated percolation area. A generic cross-section is not acceptable. Proof of indemnification insurance shall be submitted with the certificate.

(ii) The complete on-site wastewater treatment system shall be installed and maintained in accordance with the manufacturer's instructions.

**Reason:** In the interests of public health and to provide for the protection of the environment.

**Footnote: The certificate to be completed will accompany the Final Grant of Permission. A list of qualified persons is available on the Council's website or from the planning counter.**

4. The applicant must connect to the group water scheme for potable water supply and sign connection agreement prior to the commencement of the development and adhere to the standards and conditions set out in that agreement. A copy of this agreement shall be forwarded to the planning authority **one month** in advance of development works commencing on site.

**Reason:** In the interests of public and environmental health.

5. Clean stormwater from the development including yard area shall be managed within the curtilage of the landholding via suitably sized soakaways designed in accordance with BRE Digest 365 – Soakaway Design.

**Reason:** In the interests of environmental protection.

6. During the construction phase of the development, the developer shall ensure that all operations at the site shall be managed and programmed in such a manner as to minimise waste production. The developer shall also ensure that procedures are in place to deal with any litter arising during the construction phase of the development. Wastes sent off site for recovery or disposal including waste soil, subsoil and rubble, shall only be conveyed by an authorised waste contractor and transported from the proposed development site to an authorised site of recovery/disposal in a manner which will not adversely affect the environment.

**Reason:** In the interests of environmental protection.

- 7.
- a) All the works to create the new entrance to the proposed development shall be carried out prior to the development works.
  - b) The gradient at the new entrance to the site shall comply with the NRA Design Manual for Roads and Bridges.
  - c) The area between the sight visibility lines and the edge of the public road shall be grass seeded or surfaced and maintained by the applicant.

- d) The entrance to the development shall be suitably surfaced. The applicant shall liaise with the Castlecomer Area Office in relation to the tie-in to the public road.
- e) No surface water run-off from the site shall discharge onto the public road.

**Reason:** In the interests of general and traffic safety and to protect the integrity of the public road network

- 8 The material finishes to the outside of the house shall be as per the drawings submitted, unless otherwise agreed in writing with the Planning Authority prior to commencement of development.

**Note:** Where practicable, the use of uPVC in doors, windows and rainwater goods including gutters, downpipes, fascia, soffits etc. is discouraged in favour of more sustainable materials such as timber/metal. The use of reconstituted stone is also discouraged in favour of natural stone.

**Reason:** In the interest of the environment and the retention of rural character and visual amenity.

- 9 All external finishes to the proposed garage shall match those of the dwelling house. The garage shall solely be used for purposes incidental to the residential enjoyment of the dwelling and shall not be used for any of the following:

- habitable purposes
- the housing of animals
- commercial purposes

**Reason:** In the interest of residential amenity and the proper planning and development of the area

#### **FOOTNOTES**

Section 34 (13) of the Planning & Development Acts 2000 - 2022 states:

“A person shall not be entitled solely by reason of a Permission under this section to carry out any development.”

Developers are obliged to comply with other legislation and to avoid infringement of third party rights.

If there is no appeal against this decision, a Final Grant of Permission in accordance with the Decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanála. (See attached).

It should be noted that until a Final Grant of Permission has been issued, the development in question is NOT AUTHORISED and works cannot be carried out.

Applicants are advised to consult with the Chief Fire Officer with regard to the fire safety of this development. It should be clearly noted that Kilkenny Fire Service strongly recommends that there should be at least one smoke detector in every domestic premises.

**Please note that the Site Notice shall be removed by the applicant following the notification of the planning authority decision under Article 31.**