



An  
Bord  
Pleanála

**Board Direction**  
**BD-014266-23**  
**ABP-314560-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/10/2023.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

### **Reasons and Considerations**

Having regard to the nature and scale of the development the subject of this retention application, the provisions of the Kerry County Development Plan 2022 – 2028 and having regard to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or general amenities of the area or of property in the vicinity, would not be detrimental to the character of the area and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 6<sup>th</sup> day of July and the 22<sup>nd</sup> day of July 2022, 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 and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. All relevant conditions attached to the parent permission, PA registration reference 16/1189 shall be strictly adhered to.

**Reason:** In the interest of clarity and the proper planning and sustainable development of the area.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, without a prior grant of planning permission.

**Reason:** In the interest of the amenities of the area.

4. The front boundary shall be reinstated to a maximum height of 1m and shall consist of sod and stone or native stone. The constructed wing walls and piers shall be clad in native stone.

Full details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, and all works to the roadside boundary shall be carried out within six months of the date of this permission.

**Reason:** In the interest of visual amenity.

5. The site shall be landscaped in accordance with condition 14 of planning permission 16/1189 and the scheme shall be submitted to, and agreed in

writing with, the planning authority prior to commencement of development.  
Any new planting shall be carried out in accordance with the agreed scheme  
and shall be completed within six months of the date of this permission.

Any plants which die, are removed or become seriously damaged or  
diseased, within a period of five years from the completion of the development  
shall be replaced within the next planting season with others of similar size  
and species, unless otherwise agreed in writing with the planning authority.

**Reason:** In order to screen the development, in the interest of visual  
amenity.

**Board Member**



**Date:** 24/10/2023

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Peter Mullan