

**An
Bord
Pleanála**

**Board Direction
BD-014359-23
ABP-317580-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/10/2023.

Having regard to the nature and scale of the development to be retained, the nature of the receiving environment as a built-up urban area and the absence of a pathway between the application site and any European site, the Board therefore considered that the development would be unlikely to adversely affect the integrity of any European site.

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


Reasons and Considerations

1. The proposed development would be at variance with Kerry County Development Plan Objective KCDP 7.21 which permits self-contained living units ancillary to and integral to existing dwellings in specific circumstances relating to meeting the needs of dependent relatives. In the absence of any justifiable reason for a separate self-contained living unit ancillary to the existing dwelling on the site, the proposed retention of the development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposal to retain the self-contained living unit on the site would contravene materially condition No. 5 attached to an existing permission on

the site, Reg. No. 20/180, which stated that the proposed structure shall be used for domestic storage purposes only and not for any habitation uses and its retention would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposal to retain the self-contained living unit within the curtilage of the existing dwelling house would impact negatively on the residential amenities of the existing dwelling on site as well as the occupants of the proposed self-contained living unit due to the limited amount of private amenity open space, (exclusive of car parking areas), available to serve the needs of both units, which would be at variance with the standards for private open space required for dwellings in the County Development Plan. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Board Member


Mary Cregg

Date: 27/10/2023