

An
Bord
Pleanála

Board Direction
BD-018097-24
ABP-319128-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/11/2024.

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 Kerry County Development Plan 2022 -2028 and the policy objectives KCDP 11-78, KCP11-79 and KCD 11-81 to protect the landscapes in visually sensitive areas by ensuring that any new developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area, the proposed renovation and restoration works, including part one and part two storey rear extensions, whilst strongly contemporary in form are sympathetic to the character of the existing structure in terms of the retention of the principal form and ridge height of the building to the road frontage.

In addition, having regard to policy objective KCDP 5-30 regarding the efficient use of the existing housing stock and taking into account the separation distance between the existing property and the proposed extension, the proposed room design, positioning of windows and use of the rooms that overlooking from these spaces would not adversely impact on the privacy and established residential amenities of the adjoining properties.

Having regard to the proximity of the proposed carparking area to the junction of a regional road and the access point to the Greenway it is considered that a revised

vehicular access and parking layout would ensure that the proposed development would have no adverse impact on traffic safety.

As such, it is considered that, subject to compliance with conditions set out below, the proposed development would comprise the efficient use of existing housing stock and would not seriously injure the residential amenities of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority, 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. (a) The replacement roof covering to the existing A-pitch roof shall be slate or tile which shall be either black, dark grey or blue black. The colour of the ridge tile shall match the colour of the roof.
(b) The use of white uPVC shall not be permitted on windows, doors, facias, soffits and guttering.
(c) The stone of the old store building, proposed to be part demolished, shall be reused in the construction of the new wall proposed between the existing store and the existing concrete southern boundary to be supplemented, as necessary, with natural stone which shall be sourced locally.

Reason: In the interest of visual amenity and to help integrate the structure into the surrounding area.

3. The developer shall submit a revised vehicular access and parking layout to the planning authority for agreement, which addresses the proposed provision

of external lighting and any potential conflict with traffic at the junction of the laneway and the regional road including the access point to the Greenway.

Reason: In the interest of traffic safety and visual amenity.

4. (a) The landscaping scheme shown on drawing number 202317/21 and details contained in Arboricultural Assessment & Report, as submitted to the planning authority on the 20 day of December 2023 shall be carried out within the first planting season following substantial completion of external construction works.
(b) Prior to commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout fences not less than 1.5 metres in height. This protective fencing shall enclose an area covered by the crown spread of the branches, or at minimum radius of two metres from the trunk of the tree or centre of the shrub, and to a distance of two metres on each side of the hedge for its full length, and shall be maintained until the development has been completed.
(c) No construction equipment, machinery or materials shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing. No work shall be carried out within the area enclosed by the fencing and, in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree to be retained.
(d) All planting shall be adequately protected from damage until established. 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 the interest of residential and visual amenity and to protect trees and planting during the construction period.

5. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 on

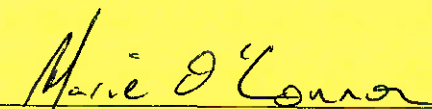
Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written.

Reason: To safeguard the amenity of property in the vicinity.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member


Marie O'Connor

Date: 06/11/2024