



An  
Coimisiún  
Pleanála

**Direction**  
**CD-020354-25**  
**ABP-322285-25**

The submissions on this file and the Inspector's report were considered at a meeting held on 28/07/2025.

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

#### **Planning**

**Commissioner:**

*Mary Gurrie*  
Mary Gurrie

**Date:** 28/07/2025

#### **DRAFT WORDING FOR ORDER**

#### **Reasons and Considerations**

Having regard to the agricultural nature of the development proposed for retention within a rural area and within an existing farm complex, the separation distance to the nearest neighbouring property and the planning history on site, it is considered that the development proposed to be retained would not be prejudicial to public health, would not give rise to a traffic hazard, and would not seriously injure the character of the landscape or the amenities of the area or of property in the vicinity. The development proposed to be retained would, therefore, be in accordance with

the provisions of the Kerry County Development Plan 2022-2028 and with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 26<sup>th</sup> day of November 2024, 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 and the development shall be retained and completed in accordance with the agreed particulars.

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

2. All uncontaminated roof water from buildings and clean yard water shall be separately collected and discharged in a sealed system to existing drains, watercourses or to appropriately sized soakaways. Uncontaminated waters shall not be allowed to discharge to soiled water and/or slurry tanks or to the public road.

**Reason:** In order to ensure that the capacity of soiled water tanks are reserved for their specific purposes.

3. All soiled waters and slurry generated by the proposed development shall be conveyed through properly constructed channels to the proposed and existing storage facilities. No soiled waters or slurry shall discharge or be allowed to discharge to any drainage channel, stream, watercourse or to the public road.

**Reason:** In the interest of public health

4. The sheds shall be used for the storage of farm machinery and the storage of hay and straw associated with the existing farmyard only. The sheds shall not be used for the housing of farm animals, for human habitation or for any



commercial purposes other than a purpose incidental to farming/horticulture, whether or not such use might otherwise constitute exempted development..

**Reason:** In the interest of orderly development and the amenities of the area.

5. 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 within three months of this grant of permission 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 Coimisiún 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.