



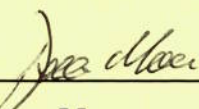
An
Coimisiún
Pleanála

Commission Direction
CD-001260
PL-501487-KY-26

The submissions on this file and the Inspector's report were considered at a meeting held on 11 September 2026.

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

Planning Commissioner:



Declan Moore

Date:

14th day of September 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Objective KCDP 5-26 (Renovation and Restoration of Buildings) of the Kerry County Development Plan 2022-2028 promotes the viable re-use of vernacular dwellings without losing their character and supports applications for the sensitive restoration of traditional dwellings as permanent places of residence. On the basis of the information submitted with the application and appeal, the Commission considered that in its current specific design form, including for example in terms of materials, roof pitch and alterations to fenestration at the original core dwelling, the proposed development and the development for which retention permission is sought that has been carried out on site has resulted in the loss of character of the original vernacular cottage. The proposed development and the development for which retention permission has been sought would be contrary to the provisions of objective KCDP 5-26 of the Kerry County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development and the development for which retention permission is sought, would seriously injure the visual amenities of this open and exposed site, in its current form, with particular reference to the views from the west of the structure and in the absence of clearly detailed and capable landscaping mitigation as part of the application and appeal documentation at this location. The proposed development and the development for which retention permission is sought, would, therefore, be contrary to the proper planning and sustainable development of the area.

3. In the absence of information in relation to the disposal of effluent on the site, the Commission is not satisfied, that the effluent arising from the proposed development could be adequately disposed of on site. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and development of the area.

4. In the absence of information in relation to the sightlines available at the vehicular entrance and measures to control the runoff of surface water from the site on to the public road, the Commission is not satisfied that the proposed development would not create a traffic hazard. Therefore, the proposed development would be contrary to the proper planning and development of the area.

Note

The Commission noted that its refusal for ABP 322752, an application to retain completed works and permission for new works, for essentially the same elements covered in the current proposal, was accompanied by 4 Notes for the consideration of the applicant in any future application.

The Commission was not satisfied that the applicant adequately addressed the matters raised in the notes or made changes to the current application to evidence consideration of the (then) Board's notes. For example. Note 4 mentioned discrepancies, the current site plan is poorly dimensioned and suggests that the driveway traverses the percolation area and addresses the road at a different angle to that apparent in site photographs, with no accompanying commentary.