



An
Bord
Pleanála

Board Order
PL 08.248504

Planning and Development Acts 2000 to 2017

Planning Authority: Kerry County Council

Planning Register Reference Number: 16/1238

Appeal by Neil and Marie Burke and Ted Kiely care of HRA Planning of 3 Hartstonge Street, Limerick against the decision made on the 19th day of April, 2017 by Kerry County Council to grant subject to conditions a permission to Brendan Cleary care of Griffin Project Management of 51 New Street, Killarney, County Kerry.

Proposed Development: (1) Permission for alterations and extensions to bed and breakfast, more particularly: (a) construction of five bedrooms at 2nd floor level, (b) construction of private living quarters at ground and 1st floor level and (c) carrying out of alterations at 1st floor level and (2) Retention of the conversion of eight bedrooms to four holiday suites complete with associated fire escapes. All at Scrahane, Muckross Road, Killarney, County Kerry.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the restricted nature of the site and the pattern of development in the area, it is considered that the proposed development (including the development proposed to be retained), by reason of its overall design, scale, height and positioning on site relative to the site boundary, would seriously injure the residential amenity of the adjoining properties, in particular to the north by reason of visual obtrusion, overbearing impact, overlooking and overshadowing. Furthermore, the proposed development would adversely affect the development potential of the adjoining lands thereby seriously injuring the amenities and depreciating the value of property in the vicinity of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017