

## Board Order PL 08.248783

Planning and Development Acts 2000 to 2017

Amendment of Board Order

Planning Authority: Kerry County Council

Planning Register Reference Number: 16/867

**Development Concerned:** Retention and completion of dwelling as constructed as amended by the revised public notice received by the planning authority on the 9<sup>th</sup> day of May, 2017 to include (a) retention of demolition of the original dwellinghouse, (b) retention and completion of existing dwellinghouse and all site works as constructed and (c) permission for proprietary treatment unit and sand polishing filter, and all associated site works to facilitate the development; all at Derreenamucklagh, Tahilla, Killarney, County Kerry:

**WHEREAS** the Board made a decision to refuse permission in relation to the abovementioned development by order dated the 1<sup>st</sup> day of February, 2018:

**AND WHEREAS** it has come to the attention of the Board that a clerical error has occurred in refusal reason number 3 of the Board's Order:

**AND WHEREAS** the Board considered that the correction of the above-mentioned matter would not result in a material alteration of the terms of the terms of the development, the subject of the decision:

**AND WHEREAS** having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the appeal the subject of this amendment:

**NOW THEREFORE** in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the abovementioned decision so that refusal reason number 3 shall be as follows:

3. On the basis of the submissions made in connection with the application and appeal and the proximity of the proposed development to the Kenmare River Special Area Conservation (Site Code 00 2158), the Board was unable to screen out the possibility that the proposed development, either individually or in combination with other plans or projects, would be likely to have a significant effect on a European site, in view of the site's conservation objectives. In such circumstances, the Board is precluded from granting permission.

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

Dated this day of 2018