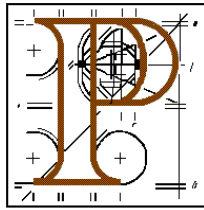


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Kerry County Council**

**Planning Register Reference Number: 17/817**

An Bord Pleanála Reference Number: ABP-300050-17

**APPEAL** by John Kelly care of Brendan O'Connell and Associates of 11 Gas Terrace, (Old Prospect House), Tralee, County Kerry against the decision made on the 12<sup>th</sup> day of October, 2017 by Kerry County Council to refuse permission for the proposed development.

**PROPOSED DEVELOPMENT:** Construction of a private shed at side of existing garage and all associated site works at Castletown, Kilflynn, County Kerry.

## **DECISION**

**GRANT permission for the above proposed development in accordance with the plans and particulars lodged with the said council, based on the reasons and considerations under and subject to the conditions 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 provisions of the current Kerry County Development Plan 2015-2021, the location of the site, and the pattern of existing and permitted development in the vicinity, together with the information submitted as part of the planning application, and the appeal, the Board is satisfied that the proposed development would be acceptable in terms of design and scale and would not adversely impact the residential amenities of existing adjacent properties, or the visual amenities of the area and would be acceptable in terms of traffic safety, subject to compliance with appropriate conditions, and would, therefore, be in accordance with the proper planning and sustainable development of the areas

### 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 submitted to An Bord Pleanála on the 27<sup>th</sup> day of October, 2017, 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. The shed shall not be used for any purposes other than the storage and maintenance of the mini digger and associated landscaping equipment, without a prior grant of planning permission.

**Reason:** In the interest of residential amenity.

3. The shed hereby permitted shall be constructed in block and shall have a smooth plaster finish and the roof shall be finished in slate to match that of the existing garage and house on the site.

**Reason:** In the interest of visual amenity.

4. The boundary of the site in the vicinity of the shed shall be landscaped, using only indigenous deciduous trees and hedging species, and the existing boundaries shall be retained in full. Full details of landscaping proposals shall be submitted for the written agreement of the planning authority prior to the commencement of any development on site. 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 order to appropriately screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

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

**Dated this            day of            2018**