

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Kerry County Council**

**Planning Register Reference Number: 17/805**

An Bord Pleanála Reference Number: ABP-300110-17

**Appeal** by Michael Carmody care of Brendan Nolan of 28 Church Street, Listowel, County Kerry against the decision made on the 10<sup>th</sup> day of October, 2017 by Kerry County Council to refuse permission for the proposed development.

**Proposed Development:** Retention of agricultural entrance at Knockamoothane, Listowel, 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 siting of the development for which retention is sought within an area designated in the Kerry County Development Plan 2015-2021 as 'Rural General', an area that is considered, from a visual impact point of view, to have the ability to absorb a moderate amount of development without significantly altering its character, and to the minor visual impact arising from the opening of the entrance onto the public road, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not adversely impact on the visual amenities of the area, would not conflict with the development plan provisions for development within areas designated 'Rural General', and would, therefore not, be contrary to the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained as per plans and particulars lodged with the application, except as may otherwise be required 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 as required and the development shall be completed in accordance with the agreed particulars.

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

2. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services and shall be implemented within three months of the date of this order.

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

3. The entrance hereby permitted shall be used solely as an agricultural entrance to serve the lands shown on submitted drawings.

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

4. A landscaping scheme, using indigenous hedgerow and tree species shall be submitted to, and agreed in writing with, the planning authority within three months of the date of this order.

**Reason:** 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.**