



Planning and Development Acts 2000 to 2018

Planning Authority: Kerry County Council

Planning Register Reference Number: 18/501

Appeal by Alfred E. Jones care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin against the decision made on the 17th day of July, 2018 by Kerry County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use of leisure rooms to holiday home, comprising of two bedrooms, bathroom, living, kitchen and dining area along with retention of two number roof lights to south facing roof and door in lieu of window to north facing front elevation at Staigue, Dunkerron South, County Kerry.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to ATTACH condition number 4 and the reason therefor.

Reasons and Considerations

Having regard to:

- (a) the planning history associated with the subject appeal site,
- (b) the holiday home nature of the proposed development/non-permanent primary place of residence,
- (c) the rural settlement strategy set out in Section 3.3 of the Kerry County Development Plan 2015-2021, and
- (d) severely inadequate restricted access,

it is considered that condition number 4 should be attached to the grant of planning permission.

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.

Philip Jones

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2019.