



Planning and Development Acts 2000 to 2018

Planning Authority: Kerry County Council

Planning Register Reference Number: 18/297

APPEAL by Pat and Mary Carmody of “Rathmore House”, Rock Road, Killarney, County Kerry against the decision made on the 6th day of November, 2018 by Kerry County Council to grant subject to conditions a permission to Mary Corkery care of Reeks Consulting Engineers of Rock Road, Killarney, County Kerry.

Proposed Development: Retain extract ducting to the Barry's Lane side Number 65/66 High Street, Killarney, County Kerry, as amended by the further public notice received by the planning authority on the 12th day of October, 2018.

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 design and positioning of the extract ducting on Barry's Lane which does not extend above the eaves height of the building, it is considered that the development for which retention is sought would seriously injure the visual amenities of the area and residential amenities of property in the vicinity. As such, the development for which retention is sought would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the extract duct visually detracts from the building and from Barry's Lane. It also was not satisfied that injury to residential amenities from odour arising from the extract duct would not arise. A ducting system of more discreet design which extracts above eaves height may resolve this matter.

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

Dated this day of 2019.