



Planning and Development Acts 2000 to 2019

Planning Authority: Kerry County Council

Planning Register Reference Number: 19/91

APPEAL by Michael McElligott care of David Moriarty and Associates of 28 Liosdara, Oakpark, Tralee, County Kerry against the decision made on the 28th day of March, 2019 by Kerry County Council to refuse permission to the said Michael McElligott.

Proposed Development Construct two new car spaces at front of each dwelling and all ancillary site works, all at 3 and 4 Rosscourt, Church Street, Tarbert, County Kerry.

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 planning history of the site and principles of good traffic management and attendant road safety, the Board considers that the existing vehicular access and car parking provision for the dwelling houses on the site are preferable to the alternative arrangements now proposed. It is considered, therefore, that the proposed development would result in an unwarranted material contravention of condition number 12 of the permission granted under planning register reference number 08/493, which requires that the existing vehicular access and car parking provision only be used by residents of these two dwelling houses. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Dave Walsh

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

Dated this day of 2019.