



Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

Planning Register Reference Number: 20/447

Appeal by Helmut Becker and Andrea Munderloh care of Diarmuid Twomey of Annagloor, Millstreet, County Cork against the decision made on the 14th day of July, 2020 by Kerry County Council to grant subject to conditions a permission to Roland Konings care of MOL Consulting Engineers Limited of Kilmurry Business and Technology Park, Kilmurry, Kenmare, County Kerry in accordance with plans and particulars lodged with the said Council:

Proposed Development: Permission to (a) retain the existing garage and wood store as constructed, (b) permission to demolish the wood store and (c) permission to extend the garage, construct a new wood store and all ancillary site works, all at 3 Beechwood Grove, Gortagass, Kenmare, County Kerry.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars 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 Kerry County Development Plan 2015-2021, to the nature and scale of the development and to the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not seriously injure the visual amenities of the area, or the residential amenities of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out, completed and retained in accordance with the plans and particulars lodged with the application, 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 external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing garage in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. The landscaping scheme, including the proposed beech hedge on the north-eastern boundary of the site, shown on drawing number MOL015-20-03, as submitted to the planning authority on the 21st day of May, 2020 shall be carried out within the first planting season following substantial completion of external construction works.

Reason: In the interests of residential and visual amenity.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 3 of Part 1 of Schedule 2 to those Regulations shall be erected within the rear garden area without a prior grant of planning permission.

Reason: In the interest of the amenities of the area.

5. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to private domestic storage purposes only and not for any commercial, habitation or agricultural uses (as specified in the lodged documentation), unless otherwise authorised by a prior grant of planning permission.

Reason: To protect the amenities of property in the vicinity.

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

Dated this day of 2020.