



An
Bord
Pleanála

Board Order
ABP-309664-21

Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

Planning Register Reference Number: 20/500 (Tralee)

APPEAL by Eileen Mary Griffin care of Declan Noonan and Associates of Upper Main Street, Dingle, County Kerry against the decision made on the 12th day of February, 2021 by Kerry County Council to refuse permission.

Proposed Development: Construction of two number two-storey apartment blocks consisting of four number apartments in each served by on-site parking, all connected to public services and also to include associated site works at Ballyvelly, Tralee, 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 location of the proposed development in an area zoned "R2" - existing residential in the Tralee Town Development Plan 2009-2015 (as extended), and to the design and layout of the application as lodged and all the design options proffered, the Board considered that the southern block would seriously injure the amenities of properties in the vicinity by reason of overlooking and overbearance. Furthermore, the Board considered that the proposed development as lodged with the planning authority and as amended by the further information would seriously injure the residential amenities of number 1 Caheranne Village in particular, by reason of overbearance and overshadowing. The Board concluded that the proposed development would seriously injure the residential amenities of property in the vicinity of the site and, therefore, would not be in accordance with the proper planning and sustainable development of the area.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 3rd day of Sept. 2021.