



Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

Planning Register Reference Number: 20/870 (Kenmare)

APPEAL by Ivor Falvey (Killorglin Riverbank Lodges Management Company) care of Rory McGillicuddy and Associates of 3 Annadale Road, Killorglin, County Kerry against the decision made on the 24th day of March, 2021 by Kerry County Council to grant subject to conditions a permission to Donna Morgan care of David Moriarty of Room 8 Collis Sandes House, Tralee, County Kerry.

Proposed Development: As revised by further public notices received by the planning authority on the 26th day of February, 2021, the proposed development now consists of making elevational changes and change of use of basement to family flat ancillary to the existing dwellinghouse at number 4 Killorglin Riverbank Lodges, Castleconway, Killorglin, 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 steeply sloping nature and limited size of the site, to the design and layout of both the existing dwelling unit and of the proposed apartment, which is not directly connected to the main house, and to the absence of any specific justification for the need for a self-contained apartment, it is considered that the proposed development would not form a single integral dwelling unit or facilitate the re-integration of the family flat into the main dwellinghouse when no longer required. The proposed development would, therefore, be inconsistent with the planning authority's policy on family flat extensions as set out in 13.7 of the Kerry County Development Plan 2015-2021, would create an undesirable precedent and would be contrary to 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 *29th* day of *July* 2021.

