



An
Bord
Pleanála

Board Order
ABP-311205-21

Planning and Development Acts 2000 to 2021

Planning Authority: Kerry County Council

Planning Register Reference Number: 21/628

Appeal by Ray and Clodagh Hanafin care of Ger O’Keeffe Consulting Engineers Limited of Friary Lane, 4 Day Place, Tralee, County Kerry against the decision made on the 3rd day of August, 2021 by Kerry County Council to refuse a permission for the proposed development.

Proposed Development: (a) Retention permission to retain existing store at rear ancillary to the use of the dwelling house, to include for storage of items and work equipment associated with the dwelling house use, home office, service area for house vehicles, and space for storage of applicant’s hobby car collections and (b) permission for site landscaping works all at Barrakilla, Tralee, 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 nature and extent of the store to be retained, its location within the site and to the pattern of development in the area, it is considered that the development, subject to compliance with the conditions set out below, would not seriously injure the residential or visual amenities of the area or 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 retained, carried out and completed in accordance with the plans and particulars lodged with the application and by the further plans and particulars received by An Bord Pleanála on the 25th day of August, 2021, 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The structure hereby permitted to be retained shall be used as a private domestic garage/store solely for purposes incidental to the enjoyment of the dwellinghouse and shall not be used for human habitation, commercial, trade or industrial purposes.

Reason: To restrict the use of the garage/store structures in the interest of residential amenity.

3. The landscaping scheme as shown on the plan submitted to An Bord Pleanála on the 25th day of August, 2021 shall be carried out within the first planting season following the date of this order.

Reason: In the interest of residential and visual amenity.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 21st day of Dec. 2021