



An  
Bord  
Pleanála

**Board Order**  
**ABP- 311662-21**

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**Planning and Development Acts 2000 to 2021**

**Amendment of Board Order**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 21/489**

**Development Concerned:** Construct six number semi-detached houses on sites 12,13,14,15,16 and 17 and all associated site works at Fairway Drive, The Links, Sandhill Road, Ballybunion, County Kerry as revised by the further public notices received by the planning authority on the 23<sup>rd</sup> day of August, 2021.

**WHEREAS** the Board made a decision to grant permission with conditions, in relation to the above-mentioned development by order dated the 2<sup>nd</sup> day of August, 2022:

**AND WHEREAS** it has come to the attention of the Board that due to a clerical error, a condition was omitted from the Board's Order (Condition number 13),

**AND WHEREAS** the Board considered that the correction of the above-mentioned error would not result in a material alteration of the terms of the Board's decision,

**AND WHEREAS** having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the appeal, the subject of this amendment,

**NOW THEREFORE** in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-mentioned decision by the insertion of Condition Number 13 of its order and the reason therefor, so that it shall be as follows for the reason set out:

**Condition**

13. Prior to the commencement of any house in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house), pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

**Reason:** To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

*Dr Maria FitzGerald*  
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**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *14<sup>th</sup>* day of *September* 2022

