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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 21/926**

**Appeal** by Bernard and Geraldine Moloney care of SJK Engineering and Surveying Limited of Dun Mara Schoolfield, The Spa, Tralee, County Kerry against the decision made on the 6<sup>th</sup> day of October, 2021 by Kerry County Council to grant subject to conditions a permission to Michael Cronin care of Griffin Project Management of 51 New Street, Killarney, County Kerry in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** (1) Permission to retain dwellinghouse as constructed to date and (2) permission to complete the construction of the dwelling house all in accordance with plans and particulars submitted.  
6 Bishop Moynihan's Crescent, Kilcoolaght, Killarney, 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 policies and objectives as set out in the current Killarney Town Development Plan, to the scale and nature of the development and to the nature and character of the surrounding environment, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained and completed would constitute an acceptable form of development at this location and would not seriously injure the amenities of the area. The development proposed to be retained and completed 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, as amended by the further plans and particulars submitted to the planning authority on the 23<sup>rd</sup> day of September 2021, except as may otherwise be required in order to comply with the following condition.

**Reason:** In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted under planning register reference number 19/1003, and any agreements entered into thereunder.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

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**Stephen Bohan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2022.**