

An  
Bord  
Pleanála

Board Order  
ABP-312341-21

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 21/1166**

**Appeal** by Sean and Pearl Myers of 4 Oak Hill, Ballydribbeen, Killarney, County Kerry and by Stephen and Christine Coffey of 3 Oak Hill, Ballydribbeen, Killarney, County Kerry against the decision made on the 2<sup>nd</sup> day of December, 2021 by Kerry County Council to grant subject to conditions a permission to Caragh Neeson care of Ger Murphy of Glebe Lane, Killarney, County Kerry in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of one number off-road car space with dipped footpath access to dwelling at 33 Oak Hill, Killarney, County Kerry.

## **Decision**

**GRANT permission for the above development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**



## Reasons and Considerations

Having regard to the provisions of the Killarney Town Development Plan 2009-2015 (as extended and varied) (Variation number 4 adopted on the 17<sup>th</sup> December, 2018), the residential nature of development in the area and the scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, would not result in a traffic hazard and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

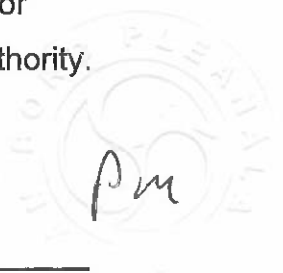
## Conditions

1. The proposed development shall be carried out in accordance with the plans and particulars lodged with the application, 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 prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

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

2. The road works associated with the proposed development, including the setting out of the entrance, paving and surface finishes, shall be carried out and completed in accordance with the Design Manual for Urban Roads and Streets and the requirements of the planning authority.

**Reason:** In the interest of traffic safety and orderly development.

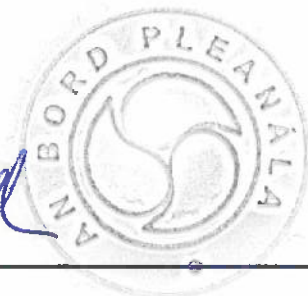


3. The disposal of surface water from the site shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.



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**Peter Mullan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

Dated this *17<sup>th</sup>* day of *February*, 2023.