

An  
Bord  
Pleanála

Board Order  
ABP-313085-22

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 21/1521**

**Appeal** by Michael Price care of Walsh Architectural and Planning Consultants of Lakelands House, Waterville, County Kerry against the decision made on the 24<sup>th</sup> day of February, 2022 by Kerry County Council to refuse permission for the proposed development.

**Proposed Development:** (a) Retention of existing dwelling within revised boundaries, (b) retention of foundations of shed to rear and (c) permission to complete shed, all at Ballycarnahan, Caherdaniel, County Kerry.

## **Decision**

**GRANT permission for the above development based on the reasons and considerations under and subject to the conditions set out below.**



## Reasons and Considerations

Having regard to the established principle of a house on the site and the design, character and layout of the development, it is considered that, subject to compliance with the conditions set out below, the development would not adversely impact on the visual amenities of the area, would be consistent with the provisions of the Kerry County Development Plan 2022-2028 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained 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 and the development shall be carried out and completed in accordance with the agreed particulars.

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

2. This permission does not include the proposed domestic garage. Within three months of the date of this Order, a revised site layout demonstrating the omission of the proposed domestic garage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development on the site.

**Reason:** In the interest of the visual amenities of the area.

3. Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations 2001, as amended, or any other statutory provision modifying or replacing them, shall not be carried out within the curtilage of the house without a prior grant of planning permission.

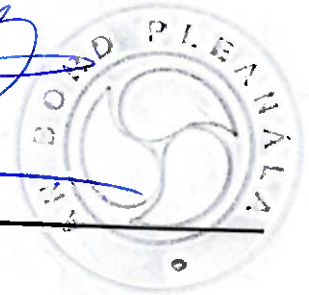
**Reason:** In the interest of the visual amenities of the area.

4. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

  
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**Joe Boland**

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



Dated this *3<sup>rd</sup>* day of *October* 2023.