



An
Bord
Pleanála

Board Order
ABP-313232-22

Planning and Development Acts 2000 to 2021

Planning Authority: Kerry County Council

Planning Register Reference Number: 22/51

Appeal by Anne Enright of 3 Clieveragh Park, Listowel, County Kerry against the decision made on the 15th day of March, 2022 by Kerry County Council to grant subject to conditions a permission to Michael and Sarah Long care of John Nolan, Associated Building Surveyors of First Floor, 28 Church Street, Listowel, County Kerry in accordance with plans and particulars lodged with the said Council:

Proposed Development: (a) Demolish complete single storey garage/utility room to side of house. (b) Demolish single storey porch to front of house. (c) Construction of two-storey pitched roof extension to side of house. (d) Construction of single storey flat roof extension to rear of house. (e) Construction of single storey flat roof extension to front of the house. (f) Reposition of front window first floor at front of house. (g) Reposition and alter opening size to rear window first floor. (h) Construct roof light to existing pitch roof at rear of dwelling. (i) And all associated site works at 4 Clieveragh Park, Listowel, County Kerry.

P.C.

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.

Reasons and Considerations

Having regard to the pattern of permitted development in the area, to the provisions of the Kerry County Development Plan 2015-2021, and the Listowel Town Development Plan 2009-2015 as amended and varied, and to the layout and design as submitted, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of adjoining properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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

Reason: In the interest of clarity.

P.C.

2. Water supply and drainage arrangements, including the 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.

3. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

P.C.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this *10th* day of *August* 2022

