



An
Bord
Pleanála

Board Order ABP-313717-22

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: EX991

WHEREAS a question has arisen as to the whether the use of an area of land measuring six metres by 12 metres approximately for the occasional/infrequent parking of a car at Sound Road, Kenmare, County Kerry is or is not development or is or is not exempted development,

AND WHEREAS Sam Sleator care of Frank Coffee Consulting Engineer of Daly's Lane, Killorglin, County Kerry requested a declaration on this question from Kerry County Council and the Council issued a declaration on the 10th day of May 2022 stating that the matter is development and is not exempted development,

AND WHEREAS Sam Sleator referred this declaration for review to An Bord Pleanála on the 3rd day of June 2022,

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to Kerry County Council reference number EX985 and to section 138(1)(b)(ii) of the Planning and Development Act 2000, as amended,

AND WHEREAS An Bord Pleanála is satisfied that, in the particular circumstances, the referral should not be further considered by it having regard to planning authority reference number EX985 where a referral was sought with regard to a similar question as is currently being considered where the referrer sought a declaration with regard to whether the change of use of an area of land measuring approximately six metres by 12 metres to a car parking area was exempted development or not, for which the planning authority issued a declaration stating that the proposed change of use of the land to a car parking area would constitute development which is not exempted development,

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5(3)(a) of the Planning and Development Act, 2000, as amended, hereby decides that the referral should not be further considered by it.



Liam Bergin

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

Dated this 28th day of August 2024.