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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 22/191**

**Appeal** by Dermot and Martina O'Mahony of Bayside, Sandhills Road, Ballyheigue, County Kerry against the decision made on the 27<sup>th</sup> day of September, 2022 by Kerry County Council to grant subject to conditions a permission to Paddy O'Meara Properties Limited care of John Joe Lewis Architectural Services Limited of 4 Silver View, Nenagh, County Tipperary in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Renovate and extend existing dwelling house along with all ancillary site works at Sandhills Road, Ballyheigue, 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.**

## Reasons and Considerations

Having regard to the established use of the site for residential purposes and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the character of the existing dwelling or the residential or visual amenities of the area, and 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 as amended by the further plans and particulars submitted on the 31<sup>st</sup> day of August 2022, 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.

2. The development shall be revised as follows:
  - (a) The first-floor extension including the patio area shall be omitted from the development.
  - (b) The roof over the proposed den area on the ground floor shall be in keeping with the roof style of the existing dwelling.

Revised plans and particulars incorporating these changes shall be submitted for the written agreement of the planning authority prior to any development taking place on the site.

**Reason:** In the interest of visual amenity.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

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

4. Details of the external finishes of the proposed development, which shall match the external finishes of the existing dwelling, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Any stonework shall be constructed of natural stone local to the area. The use of white uPVC shall not be permitted on windows, doors, fascias, soffits and guttering.

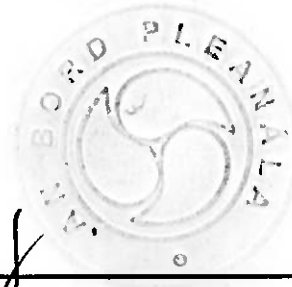
**Reason:** In the interest of visual amenity.

5. Any external lighting shall be suitably cowled to prevent overspill outside the site.

**Reason:** To control light pollution in the rural environment.

6. The developer shall institute appropriate measures to prevent material being drawn from the site onto the public road. No earth, soil or other material from this site shall be drawn or deposited onto the public road. Any damage to the access road/public road during construction works shall be repaired at the applicant's expense.

**Reason:** To avoid a traffic hazard and protect public property.



A handwritten signature in black ink, appearing to read 'Mary Gregg', is written over a horizontal line.

**Mary Gregg**

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

Dated this 7<sup>th</sup> day of December 2023