

An
Bord
Pleanála

Board Order ABP-316018-23

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

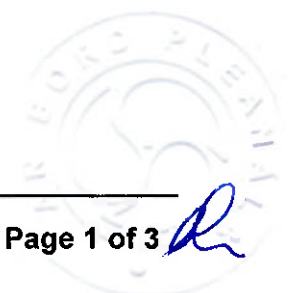
Planning Register Reference Number: 22/1297

Appeal by Ann Courtney and Michael Hickey care of Reid Associates of 2 Connaught Place, Crofton Road, Dun Laoghaire, County Dublin against the decision made on the 14th day of February, 2023 by Kerry County Council to grant subject to conditions a permission to Nora Kent care of DMA Architects of Room 8, Collis Sandes House, Killeen, Tralee, County Kerry in accordance with plans and particulars lodged with the said Council.

Proposed Development: Alter and extend the existing one-and-a-half-storey dwelling to the front and rear as well as a series of material alterations and all associated site works, all at Rossbeigh, Glenbeigh, 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 design, nature, and scale of the proposed development, the pattern of development in the area, and the provisions of the Kerry County Development Plan 2022-2028 and the Killorglin Local Area Plan 2010-2016, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities or character of the area, would not seriously injure the residential amenities or depreciate the value of properties in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

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

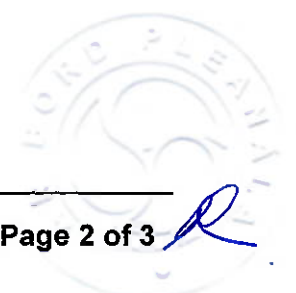
Reason: In the interest of clarity.

2. The flat roof of the rear extension shall not be used as a balcony/terrace or amenity area.

Reason: In order to protect residential amenities.

3. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to protect residential amenities.



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

Reason: In the interest of public health.

5. 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 the 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 the Board to determine the proper application of the terms of the Scheme.

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.



Mick Long

Member of An Bord Pleanála

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

Dated this 21st day of February 2024.