

An  
Bord  
Pleanála

Board Order  
ABP-317118-23

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 22/606**

**Application for Leave to Appeal** against the decision of the planning authority by Marie O’Rahilly of Ballinahoun, Knocknagoshel, County Kerry having an interest in land adjoining the land in respect of which Kerry County Council decided on the 19<sup>th</sup> day of April, 2023 to grant subject to conditions a permission to Eileen and Jeremy Collins care of Donal Brosnan Architectural Design and Development Limited of Reacashla, Brosna, Tralee, County Kerry.

**Proposed Development:** Construction of a dwellinghouse, domestic garage, on-site wastewater treatment system comprising of a mechanical aeration unit and soil polishing filter, site entrance and all associated site works, all at Ballyduff, Knocknagoshel, Tralee, County Kerry.


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## Decision

**REFUSE** leave to appeal under section 37 (6) of the Planning and Development Act 2000, as amended, based on the reasons and considerations set out below.

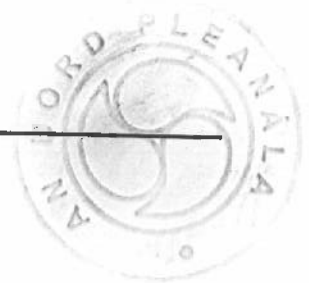
## Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.



**Una Crosse**

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



Dated this 22nd day of May 2023.