



An
Bord
Pleanála

Board Order
ABP 317138-23

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 23/220

Appeal by Mossie and Eileen Nelligan care of P. Ó Toráin of Bothar Chordal, Oilean Chiarraí, Contae Chiarraí against the decision made on the 25th day of April, 2023 by Kerry County Council to refuse permission for the proposed development.

Proposed Development: Retention of a bungalow with attic development as constructed and connected to all services on revised site boundaries at Doon West, Ballybunion, County Kerry.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to the restricted and 'backland' nature of the site, it is considered that the development proposed to be retained, by reason of its scale, form and design, would constitute overdevelopment of the site, resulting in inadequate private open space to serve the dwelling, which would seriously injure residential amenities, would result in a sub-standard development, and would create a precedent for other similar developments. The development proposed to be retained would, therefore, be contrary to proper planning and sustainable development of the area.
2. The development proposed to be retained would contravene materially conditions numbers 1 and 3 attached to planning register reference number 08/2224, an existing permission for development of this site. The proposed development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Henchy

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

Dated this *18th* day of *Sept* 2023