



An
Bord
Pleanála

Board Order ABP-317259-23

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 23/140

Appeal by John Lawlor of Ballysheen, Abbeydorney, County Kerry against the decision made on the 8th day of May, 2023 by Kerry County Council to grant permission subject to conditions to Stephen O'Connor care of Brendan O'Connell and Associates of 11 Market Place, Tralee, County Kerry in accordance with plans and particulars lodged with the said Council.

Proposed Development: Build a private shed at rear of existing dwelling at Rathscannell, Abbeydorney, 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 proposed use of the shed, it is considered that subject to compliance with the conditions set out below, the proposed development would not detract from the visual or residential 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 received by the planning authority on the 12th day of April 2023 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 shed shall be used solely for purposes associated with the use of the dwelling house and shall not at any time be used for commercial, industrial or agricultural purposes.

Reason: In the interest of residential amenity.

3. The existing dwelling house and the proposed shed shall remain as an integral unit under one ownership and the shed shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: In the interest of residential amenity.

4. Details of the external finishes of the proposed development including the colour of external sheeting which shall be dark green, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. The northern boundary of the site shall be planted with a continuous hedge of indigenous species (holly, hawthorn or beech) extending from the rear access to the dwelling to the back of the site. Details of the proposed planting to include details of species, planting intervals and a timescale for implementation shall be submitted to and agreed in writing with the planning authority prior to the commencement of any development on the site.

Reason: In the interest of visual amenity.



Martina Hennessy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 5th day of March 2024