

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 23/460

APPEAL by Kathleen Brosnan care of Declan Noonan and Associates of Upper Main Street, Dingle, County Kerry against the decision made on the 19th day of June, 2023 by Kerry County Council to refuse permission.

Proposed Development: Retention of an existing self-contained living unit ancillary to an existing dwellinghouse, at The Wood, Dingle, County Kerry.

Decision


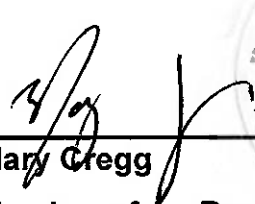
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. The proposed development would be contrary to Objective KCDP 7.21, as set out in the Kerry County Development Plan 2022-2028, which permits self-contained living units ancillary to and integral to existing dwellings in specific circumstances relating to meeting the needs of dependent relatives. In the absence of any justifiable reason for a separate self-contained living unit ancillary to the existing dwelling on

the site, the development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposal to retain the self-contained living unit on the site would contravene materially condition number 5 attached to an existing permission on the site granted under planning register reference number 20/180, which stated that the proposed structure shall be used for domestic storage purposes only and not for any habitation uses. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The proposal to retain the self-contained living unit within the curtilage of the existing dwellinghouse would impact negatively on the residential amenities of the existing dwelling on site as well as the occupants of the proposed self- contained living unit due to the limited amount of private amenity open space, (exclusive of car parking areas), available to serve the needs of both units, which would be contrary to the standards for private open space required for dwellings as set out in the Kerry County Development Plan 2022-2028. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.



Mary Gregg

Member of An Bord Pleanála

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

Dated this 15th day of November 2023.