

An  
Bord  
Pleanála

## Board Order ABP-317905-23

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 22/1205**

**Appeal** by Timothy Foster of Curraheen, Tralee, County Kerry and by Peter Sweetman and Wild Irish Defence CLG care of Peter Sweetman of P.O. Box 13611, Bantry, County Cork against the decision made on the 16<sup>th</sup> day of August, 2023 by Kerry County Council to grant permission subject to conditions to Michael Quirke care of Ger O'Keeffe Consulting Engineers Limited of Friary Lane, 4 Day Place, Tralee, County Kerry.

**Proposed Development:** Retain slurry tank and all associated site works at Curraheen, Tralee, County Kerry.

### Decision

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

## Reasons and Considerations

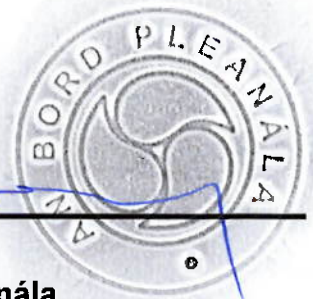
Having regard to the Kerry County Development Plan 2022-2028, including Objective KCDP 9-55 which seeks to encourage best practice in the design and construction of new agricultural buildings and installations to protect the environment, natural and built heritage and residential amenity, the specific location of the development proposed to be retained in close proximity to adjoining dwellinghouses and to the unroofed nature of the development, the Board is not satisfied that the development proposed to be retained would not seriously injure the residential amenities of properties in the vicinity in terms of noise and odour and that capacity issues with the slurry tank would not arise. It is considered that the development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.



**Martina Hennessy**

**Member of An Bord Pleanála**

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



Dated this 9<sup>th</sup> day of October 2024.