An Bord Pleanála

Ordú Boird

ABP-318087-23

Na hAchtanna um Pleanáil agus Forbairt 2000 go 2022

Planning and Development Acts 2000 to 2022

Údarás Pleanála: Comhairle Contae Chiarraí

Planning Authority: Kerry County Council

Uimhir Thagartha an Chláir Phleanála: 2360016

Planning Register Reference Number: 2360016

Achomharc ó Thraolach Ó Buachalla agus Fintan Valentine faoi chúram Declan Brassil and Company as Teach Lincoln, Sráid an Fhionnuisce, Margadh na Feirme, Baile Átha Cliath in aghaidh an chinnidh a rinne Comhairle Contae Chiarraí ar an 29 Lúnasa, 2023 cead a thabhairt, faoi réir coinníollacha, de réir na bpleananna agus na sonraí a taisceadh leis ian gComhairle réamhráite.

An Fhorbairt atá Beartaithe: Is é a bheidh i gceist leis an bhforbairt seo ná athruithe ar an dtigh aon stór, lena n-áirítear: an síneadh ar chúl an tí a leagadh; aguisíní stór nua a thógaint, bothán ina measc, piaraí nua agus feabhas ar an bpríomhshlí isteach, dabhach shéarachais nua agus láthair síothlaithe nua agus gach obair bainteach leis, ag Baile Icín, Dún Chaoin, Contae Chiarraí

An Cinneadh

Ag féachaint do nádúr an choinníll is ábhar don achomharc, tá an Bord sásta nach bhfuil údar leis an iarratas ábhartha a chinneadh ag an mBord amhail is dá mbeadh sé déanta chuige ar an gcéad dul síos agus, bunaithe ar na cúiseanna. agus na breithnithe atá leagtha amach thíos, ordaíonn sé don Chomhairle sin faoi fho-alt (1) d'alt 139 den Acht um Pleanáil agus Forbairt, 2000 coinníoll uimhir 3(a)(1) agus an chúis atá leis a BHAINT.

Cúiseanna agus Cúrsaí

Ag féachaint do shuíomh agus scála an tsínidh bheartaithe is ábhar don achomharc, d'fhoirm agus do shuíomh an tí atá ann cheana agus do na síntí molta eile, agus dá dhearadh, do charachtar agus dá leagan amach, dá charachtar agus dá leagan amach, meastar nach mbeadh tionchar dochrach ag an síneadh molta ar chúl, lena n-ionchorpraítear an limistéar cistine/itheacháin ar charachtar tírdhreacha nó ar íogaireacht tírdhreacha an cheantair, agus nach mbeadh sé ag teacht salach ar fhorálacha agus cuspóirí Phlean Forbartha Contae Chiarraí 2022-2026 mar a bhaineann siad le híogaireacht tírdhreacha. Mar sin bheadh an fhorbairt atá beartaithe ag teacht le pleanáil chuí agus forbairt inbhuanaithe an cheantair.

Appeal by Traolach Ó Buachalla and Fintan Valentine care of Declan Brassil and Company of Lincoln House, Phoenix Street, Smithfield, Dublin against the decision made on the 29th day of August, 2023 by Kerry County Council to grant, subject to conditions, a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development consists of planning permission for alterations to existing single-storey dwelling including demolition of existing rear annex, proposed new single storey extensions, including attached garden store, new piers and improvement works to existing entrance on to public road, new septic tank and percolation area and all associated site works, at Bhaile Icín (Ballyickeen), Dún Chaoin (Dunquin), County Kerry.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 3(a)(1) and the reason therefor.

Reasons and Considerations

Having regard to the location and scale of the proposed extension the subject of the appeal, to the form and location of the existing house and other proposed extensions, and to its design, character and layout, it is considered that the proposed extension to the rear incorporating the kitchen/dining area would not adversely impact on the landscape character or sensitivity of the area, and would not conflict with the provisions and objectives of Kerry County Development Plan 2022-2026 as they relate to landscape sensitivity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Martina Hennessy

Comhalta den Bhord Pleanála atá údaraithe go cuí chun séala an Bhord a fhíordheimhniú

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

Dátaithe ar an 31st **lá seo de** May **2024**