



An
Bord
Pleanála

Board Order ABP-318656-23

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 23/1020

Appeal by Patrick Lynch and Catherine Barry care of Ger O'Keeffe Consulting Engineers Limited of Friary Lane, 4 Day Place, Tralee, County Kerry against the decision made on the 22nd day of November, 2023 by Kerry County Council to grant subject to conditions a permission to Lorraine Smith care of Stephen Kearney of Dun Mara, Schoolfield, The Spa, Tralee, County Kerry in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retain office/storage building as constructed to the rear of the existing dwellinghouse for the ancillary use of the dwelling, all at 27 Glencairn, Caherslee, Tralee, County Kerry.

Decision

GRANT permission for the above 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 zoning of the site, the pattern of development in the area, and the nature, scale and design of the development proposed to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not injure the residential or visual amenities of the area or of property in the vicinity, and would, therefore, be in accordance with the proper planning sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, except as otherwise may 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 and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The structure shall be used solely for purposes incidental to the enjoyment of the dwellinghouse and shall not be used for human habitation or for commercial purposes, sold leased or otherwise transferred or conveyed, save as part of the dwellinghouse.

Reason: To protect the amenities of property in the vicinity.

3. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

Reason: In the interest of public health.



Tom Rabbette

Member of An Bord Pleanála

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

Dated this 12th day of August 2024.