



An  
Bord  
Pleanála

## Board Order ABP-318818-24

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### Planning and Development Acts 2000 to 2022

**Planning Authority:** Kerry County Council

**Planning Register Reference Number:** 23/730

**Appeal** by Martin Arthur of Lime Kiln Lodge, Market Street, Kenmare, County Kerry against the decision made on the 14<sup>th</sup> day of December, 2023 by Kerry County Council to grant subject to conditions a permission to KPK Properties Limited care of Virtus of Fifth Floor, The Glass House, 11 Coke Lane, Smithfield, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention of an extension to an existing agricultural barn on the lands. The extension comprises of 166.74 square metres gross floor space, the overall barn (with extension) is 453.6 square metres, the height of the extension matches that of the existing barn at circa 6.076 metres from ground level to the highest point, all on lands at Reennagappul, and to the west of Market Street, Kenmare, 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 nature and scale of the development proposed to be retained within an established agricultural farmyard, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the visual or scenic amenity of the area, would be acceptable in terms of public health and environmental sustainability, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Appropriate Assessment Screening:**

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the development proposed to be retained on European Sites, taking into account the nature, scale and location of the development proposed to be retained, the Inspector's report, and the submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the development proposed to be retained would not be likely to have a significant effect on any European Site in view of the sites' Conservation Objectives, and that a Stage 2 Appropriate Assessment (and submission of a Natura Impact statement) is not, therefore, required.

## Conditions

1. The development shall be retained 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 17<sup>th</sup> day of November, 2023, except as may otherwise be required in order to comply with the following conditions.

**Reason:** In the interest of clarity.

2. The building shall be used for agricultural/horticultural storage and associated purposes only. The building shall not be used for human habitation or any commercial purpose other than a purpose incidental to farming/horticulture, whether or not such use might otherwise constitute exempted development.

**Reason:** In the interest of orderly development and the amenities of the area.

3. No external lighting shall be erected on the agricultural building.

**Reason:** In the interest of clarity.

4. Existing trees and hedgerows surrounding the site shall be preserved and maintained, unless otherwise agreed in writing with the planning authority.

**Reason:** To protect the rural character and visual amenities of the area.



Declan Moore

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 23<sup>rd</sup> day of JANUARY 2025.