

An
Bord
Pleanála

Board Order ABP-319055-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 23/60336

Appeal by James and Ann Sheehy care of Warren Reidy Planning and Design Limited of Goulane, Castlegregory, County Kerry against the decision made on the 19th day of January, 2024 by Kerry County Council to refuse permission.

Proposed Development: Retention of additional floor area of an existing dwellinghouse comprising additional building width, additional building height and attic accommodation. Retention of an existing garden shed. Permission to construct a single storey extension to the rear of the existing dwelling. Permission to install additional windows comprising one number 2nd storey gable window to the rear and roof lights to the front and side of the dwelling and all ancillary site works related to all of the above, all at Emlagh West, Cooleen, Dingle, County Kerry.

Decision

GRANT permission for the above development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the residential zoning objective and the pattern of development in the vicinity of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not have a significant adverse impact on the amenities of adjoining residential properties, would provide a reasonable standard of accommodation on the site, would satisfy the objectives of the Sustainable Residential Development and Compact Settlement Guidelines (2024), would be in compliance with the policy framework provided by the Kerry County Development Plan 2022-2028 for domestic extensions and the provision of accommodation at roof level, would be compatible with the policy objectives of the Corca Dhuibhne Electoral Area Local Area Plan 2021-2027, including policy objective D-ACA-3, and, would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise 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 prior to commencement of development and the development shall be retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development (rear single-storey extension and attic level fenestration), the developer shall submit to the planning authority for written agreement revised elevation and section drawings providing for the redesign of the roof structure in order to remove the overhang of the existing barge board and soffit on the shared property boundary. The works to remove the roof overhang shall be completed prior to the occupation of the ground floor extension.

Reason: In the interest of residential amenity and orderly development.


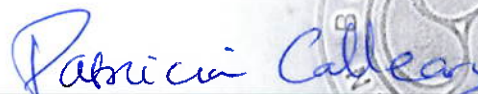
3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. Details of the external finishes of the proposed extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.
- Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 11th day of October 2024.