



An  
Bord  
Pleanála

Board Order  
**ABP-319484-24**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 24/60036**

**APPEAL** by Declan McCarthy care of CW Planning and Engineering Services of Castleshannon, Causeway, County Kerry against the decision made on the 19<sup>th</sup> day of March, 2024 by Kerry County Council to refuse permission.

**Proposed Development:** (1) Retention of converted garage to living accommodation and (2) all associated site works at Barrow, Ardfert, County Kerry.

## **Decision**

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

## Reasons and Considerations

1. The development proposed to be retained, a separate detached one number bedroom unit, is contrary to the development management criteria for such a unit and does not, by reason of its position and separation from the existing dwelling unit, lend itself to future reintegration. The development proposed to be retained is, therefore, contrary to Objective KCDP 7-21 and Development Management Standards and Guidelines section 1.5.6.4 (Dependent Relative Accommodation) of the Kerry County Development Plan 2022-2028. The retention of the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The Board is not satisfied on the basis of the submissions made in connection with the planning application and the appeal, that effluent from the development can be satisfactorily treated and disposed of on-site notwithstanding the proposed use of the existing septic tank and percolation area. The development proposed to be retained would, therefore, be prejudicial to public health.



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**Emer Maughan**

**Member of An Bord Pleanála**

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

Dated this 11<sup>th</sup> day of March 2025