

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council.

Planning Register Reference Number: 2360161

Application for Leave to Appeal against the decision of the planning authority by Sinead Ní Shuilleabhain and others of Baile Reo, Baile na nGall, Trá Lí, Contae Chiarraí having an interest in land adjoining the land in respect of which Kerry County Council decided on the 12th day of June, 2024 to grant, subject to conditions, permission to Dara Herlihy care Michael Moriarty of Kilcooly, Ballydavid, Dingle, County Kerry, in accordance with the plans and particulars lodged with the said Council.

Proposed Development: Full planning permission to construct a dwelling house and detached domestic garage served by proprietary wastewater treatment system with all associated ancillary works, at Ballynabuck, Ballydavid, Dingle, County Kerry.

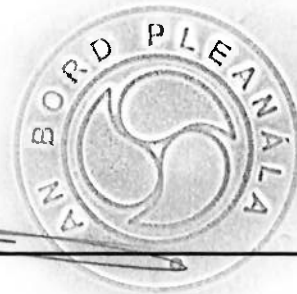
Decision

GRANT leave to appeal under section 37(6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the submissions and documents received in connection with the application for leave to appeal and the condition set out in the planning authority's decision, it is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition 1 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 1 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.




Liam Bergin

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

Dated this 31st day of 3rd 2024.