

An
Coimisiún
Pleanála

Commission Order
ABP-320175-24

Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 24/60241

Appeal by Bernadette Adair care of Patrick Adair of Clashgannive,
Castleisland, County Kerry against the decision made on the 14th day of June,
2024 by Kerry County Council to refuse permission.

Proposed Development: Retention of existing log cabin and permission to
decommission existing septic tank and install mechanical treatment system
and sand polishing filter, all at Knockreagh, Scartaglin, County Kerry.

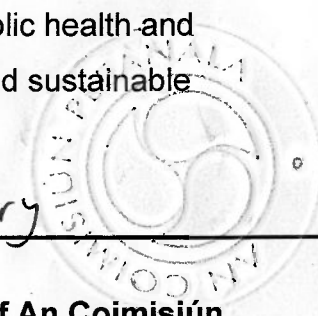
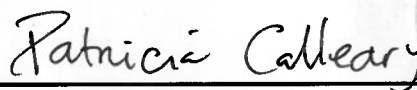
Decision

REFUSE permission for the above development for the reasons and
considerations set out below.



Reasons and Considerations

1. Rural Housing Objective KCDP 5-22, Volume 1 of the Kerry County Development Plan 2022-2028 requires that the design of housing in rural areas complies with the Building a House in Rural Kerry Design Guidelines (2009), or any update of the guidelines. The external materials of the residential structure on site, while limited in range, as required by the Guidelines, do not comprise rendered and painted blockwork, black/dark grey or blue-black slate and are not of muted earthy tones and to permit the retention of same would be contrary to the Building a House in Rural Kerry Design Guidelines (2009) in terms of House Types and Materials/Colours. The development proposed to be retained and proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The Commission is not satisfied, based on the information submitted in connection with the planning application and the appeal, and in the absence of a site suitability assessment, that effluent from the development proposed to be retained can be satisfactorily treated and disposed of on site, notwithstanding the proposed use of a proprietary wastewater treatment system. The development proposed to be retained and proposed development would be prejudicial to public health and would, therefore, be contrary to the proper planning and sustainable development of the area.



Patricia Calleary

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 09 day of October 2025.