

An
Bord
Pleanála

Board Order
ABP-320920-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 24/308

Appeal by John McGough of 3 Gransha Lower, Castlemaine, County Kerry against the decision made on the 12th day of September, 2024 by Kerry County Council to grant permission, subject to conditions, to Tony Dowling care of TMG Designs Architectural and Planning Consultants of Lonhart, Killorglin, County Kerry for the proposed development.

Proposed Development: Planning permission to construct an agricultural entrance gate, and all associated site works at Gransha Lower, Castlemaine, County Kerry.

Decision

GRANT permission for the above proposed 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 relevant policies and objectives in the Kerry County Development Plan 2022-2028 and the Corca Dhuibhne Electoral Area Local Area Plan 2021-2027, including the 'M2' Mixed Use Town Centre zoning objective applicable to the site, the Board considers that, subject to compliance with the conditions set out below, the proposed development would not prejudice the future development of the site for purposes for which it is so zoned, would not seriously injure the residential or visual amenities of property in the vicinity, and would be acceptable in terms of pedestrian and traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be 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 carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. (a) The entrance hereby permitted shall be of a standard five-bar metal agricultural gate design and positioned in accordance with Site Layout Plan drawing number MH1.
- (b) Prior to commencement of development, revised drawing shall be submitted to, and agreed in writing with, the planning authority such drawings to include gateposts which shall be erected to form part of the entrance and shall be constructed to match the existing stonewall.
- (c) The existing roadside boundary shall be retained except to the extent that its removal is necessary to provide for the entrance and gateposts to the site.

Reason: To protect the amenities of the area.

3. (a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water shall discharge onto the public road or adjoining properties.
- (b) As necessary, the entrance hereby permitted shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.

Reason: In the interest of traffic safety and to prevent flooding or pollution.

4. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

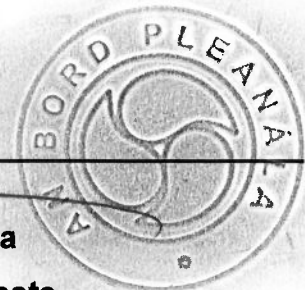
Reason: In the interests of amenities, public health and safety and environmental protection.

5. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 and 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the residential amenity of property in the vicinity.


Mary Rose McGovern

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



Dated this 20th day of May 2025.