

An
Coimisiún
Pleanála

Commission Order
ABP-321147-24

Planning and Development Acts 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 24/66

Appeal by Eddie and Sue Nicholson care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, Newbridge, County Kildare against the decision made on the 3rd day of October, 2024 by Kerry County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Demolition of the existing dwellinghouse, construction of a new dwellinghouse with family flat, decommissioning of the existing tank and construction of a new wastewater treatment unit with associated site works, all at Treanoughtragh, Glenbeigh, County Kerry.

Decision

Having regard to the nature of the conditions the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act 2000, as amended, to AMEND condition number 4 so that it shall be as follows for the reason set out and to ATTACH condition number 11 and the reason therefor.

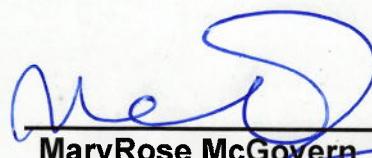
4. (a) All external finishes of the proposed house shall be neutral in colour, tone and texture. Prior to commencement of construction of the house, details of the materials, colours and textures of all the external finishes to the proposed house shall be submitted to, and agreed in writing with, the planning authority.
- (b) Stonework to the external walls of the proposed house shall be constructed of natural stone which shall be sourced locally.

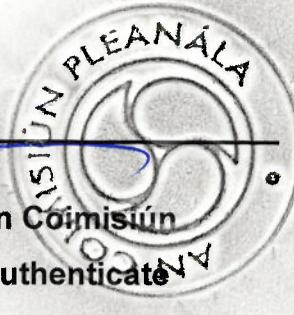
Reason: To integrate the proposed house into the surrounding area.

Reasons and Considerations

Having regard to the location of the site, and noting the topography of the area and the pattern of development in the vicinity, it is considered that the proposed first floor element of the replacement house, by reason of its limited scale, nature and design and to its elevation with respect to nearby properties, would not detract from the character of the proposed dwelling and would not seriously injure the visual or landscape amenities of the area or the residential amenities of property in the vicinity. The planning authority's condition number 4(a) requiring the omission of the proposed first floor element is, therefore, not warranted and condition number 4 should be amended accordingly.

It is further considered, having regard to the acceptability of the proposed first floor element, that the planning authority's condition number 11 should be attached and not amended.


MaryRose McGovern
Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 11th day of December 2025.