



An
Bord
Pleanála

Board Order ABP 321746-25

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 24/60402

Appeal by James Sheehan care of Frank Coffey, Consulting Engineer of Daly's Lane, Killorglin, County Kerry against the decision made on the 19th day of December, 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: Repair, refurbish and add extension to existing house at Glencuttane Lower, Kilgobnet, Beaufort, County Kerry as revised by the further public notices received by the planning authority on the 28th day of November 2024.

Decision

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board 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 to REMOVE condition number 2 and the reason therefor, and to AMEND condition number 3 so that it shall be as follows for the reason set out.

3. The proposed development, when completed shall not be used for short term letting purposes.

Reason: In the interest of clarity.

Reasons and Considerations

Having regard to the pre-existing and long established use of the structure as a dwelling house which has been occupied, including the proposal to repair, refurbish and extend this existing house, it is considered that a condition restricting the use of the dwelling as a permanent residence for seven years is not necessary.

This grant of permission is for a proposed development to carry out works to an existing house which is not a holiday home. In the interests of clarity, it is reasonable to amend condition 3 to provide clarification that the permission relates to works to a dwelling that is not to be used for short term letting.



Mick Long

Member of An Bord Pleanála

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

Dated this 28th day of May 2025