

An
Coimisiún
Pleanála

Commission Order
ABP-322401-25

Planning and Development Acts 2000 to 2024

Planning Authority: Kerry County Council

Planning Register Reference Number: 2560076

Appeal by Donal Kelly care of Brendan O'Connell and Associates of 11 Market Place (Old Prospect House), Tralee, County Kerry against the decision made on the 4th day of April 2025 by Kerry County Council in relation to an application by Donal Kelly for retention permission to retain (a) existing dwelling on site (b) existing workshop on site (c) to retain existing garage which is being used as a self-contained private single bedroom unit, all within revised boundaries at Dromultan, Castleisland, County Kerry in accordance with the plans and particulars lodged with the said Council (which decision was to grant, subject to conditions permission, for the retention of an existing dwelling on site and to refuse permission for retention of an existing workshop on site, and refuse permission to retain an existing garage which is being used as a self-contained private single bedroom unit, all within revised boundaries).

Decision

GRANT permission, subject to conditions for the retention of the existing dwelling and the revised boundaries in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below.

REFUSE permission for refuse permission for the retention of the workshop and for retention for the converted domestic garage to a self-contained unit based on the reasons and considerations marked (2) under.

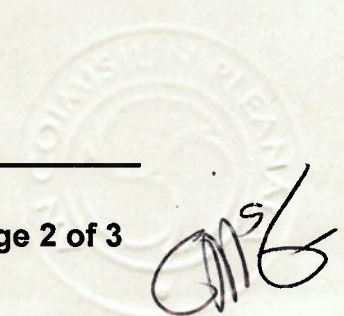
Reasons and Considerations (1)

Having regard to the planning history of the site, and to the nature and extent of the house for which retention permission is sought, it is considered subject to the following condition, that the development for which retention permission is sought, would not seriously injure the amenities of the area and would constitute an acceptable form of residential development at this location. This element of the development for which retention permission is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

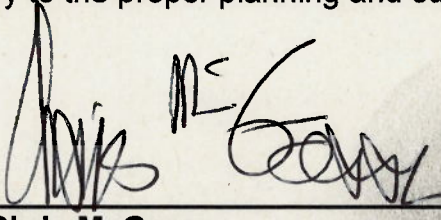
1. The retention development of the existing dwelling and revised site boundaries shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 12th day of February 2025.

Reason: In the interest of clarity.

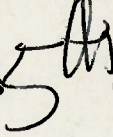
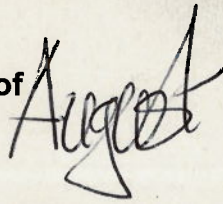
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Reasons and Considerations (2)

1. It is considered that the retention of the converted garage as a self-contained private single bedroom unit, by reason of its location separate to the existing dwelling with no direct link between the two unit, is not an integral part of the main dwelling unit and is not capable of being integrated into the existing dwelling unit, and would, therefore, materially contravene Volume 6, Development Management Standards and Guidelines section 1.5.6.4 of the Kerry County Development Plan 2022-2028. This element of the development for which retention permission is sought would constitute overdevelopment of the site and would set a precedent for similar type development and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the retention of the existing workshop, would result in overdevelopment of the rural site when take in conjunction with existing such structures on site and would, therefore, materially contravene Section 1.5.10.9 of the Kerry County Development Plan 2022-2028 which states that the cumulative area of all structures on site shall not exceed 70m² for private domestic use and storage only. Thia element of the development for which retention permission is sought would, therefore, be contrary to the proper planning and sustainable development of the area.


Chris McGarry

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

Dated this  day of  2025.