



An  
Coimisiún  
Pleanála

Commission Order  
ABP-322601-25

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**Planning and Development Act 2000, as amended**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 2460829**

**APPEAL** by Homeland DAL Limited care of OSL-Butler & Co. Consulting Engineers of 38 Eastgate Drive, Little Island, Cork against the decision made on the 28<sup>th</sup> day of April 2025 by Kerry County Council to refuse permission for the proposed development.

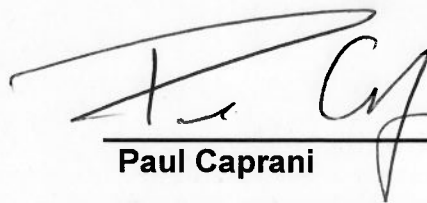
**Proposed Development:** The construction of 12 number two-storey three-bed semi-detached residential dwelling units and all associated services and site development works at Dun Alainn, Clieveragh, Listowel, County Kerry.

## **Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

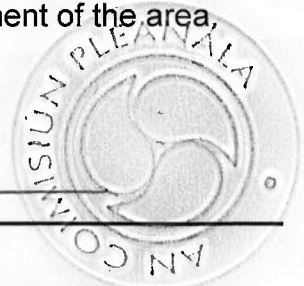
## Reasons and Considerations

1. On the basis of the information submitted with the application and appeal, the Commission was not satisfied the proposed development would be fully in compliance with Section 13.2.4 of Volume 1 of the Kerry County Development Plan 2022-2028, which requires the application of SuDS in new developments and proposals to extend existing developments. The Commission was concerned that the development as proposed could exacerbate and accentuate flooding in the area in the absence of a more detailed and comprehensive sustainable surface water and storm water disposal arrangements. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of the lack of permeability, together the lack of quality public open space incorporating improved biodiversity, would conflict with the provisions of section 11.2.6 of the current development plan for the area and the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



**Paul Caprani**

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



Dated this *24<sup>th</sup>* day of *September* 2025.