

An
Coimisiún
Pleanála

Commission Order
PL-500855-KY

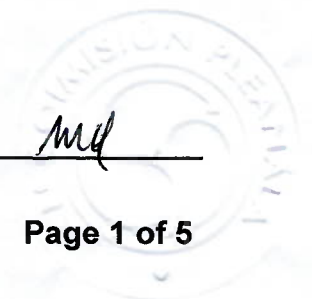
Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 25/172

Appeal by Gerard MacSweeney against the decision made on the 28th day of January, 2026 by Kerry County Council to grant subject to conditions a permission to Robert Killeen in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a traditional-style, single storey dwellinghouse with a mezzanine attic level for storage only, reflecting the design approved under outline permission (An Coimisiún Pleanála reference number ABP-314276-22). The proposed entrance will be realigned to a 45-degree angle and an existing entrance closed and replaced with a new boundary wall. The development will include all associated site works, underground service connections, landscaping and surface water management, all at the rear of Saint Mary Terrace and Saint Mary Road, Townland of Inch, Killarney, County Kerry, as revised by the further public notices received by the planning authority on the 23rd day of December, 2025.



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.

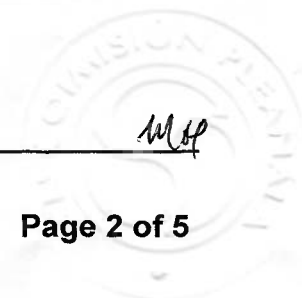
Reasons and Considerations

Having regard to the pattern of development in the area and its residential zoning under the Kerry County Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the character of the area or the amenities of property in the vicinity, would provide an adequate standard of residential amenity to future occupiers, would be acceptable in terms of traffic safety and convenience, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed 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 December, 2025 and on the 23rd day of December, 2025, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

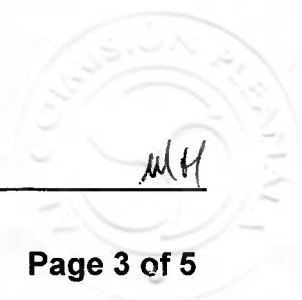
Reason: In the interest of clarity.



2. (a) The proposed dwelling shall be single storey only.

(b) All proposed rooflights (six number) shall be omitted from the proposed development.

(c) Prior to commencement of development, the concrete block wall along the length of the northern boundary shall be rebuilt to a height of 1.8 metres, suitably capped and rendered on both sides.
Reason: In the interest of clarity and the proper planning and sustainable development of the area.
3. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
Reason: In the interest of visual amenity.
4. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.
Reason: In order to safeguard the amenities of property in the vicinity.
5. All service cables associated with the proposed development, such as electrical, telecommunications and communal television, shall be located underground.
Reason: In the interest of visual and residential amenity.



6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

7. Prior to commencement of development, the developer shall enter into a water and wastewater connection agreement with Uisce Éireann.

Reason: In the interest of public health.

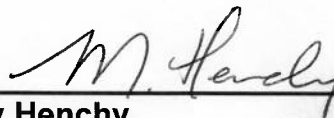
8. The developer shall comply with all requirements of the planning authority in relation to transport and traffic matters.

Reason: In the interest of public safety.

9. The construction of the proposed 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. This plan shall provide details of intended construction practice for the proposed development, including noise management measures and off-site disposal of construction/demolition waste.

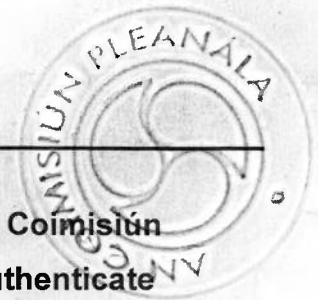
Reason: In the interest of public safety and residential amenity.

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme. **Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mary Henchy

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



Dated this 4th day of *Feb* 2026.