

An
Coimisiún
Pleanála

Commission Order
PL-501185-KY-26

Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 2561096

Appeal by Sheila Sugrue against the decision made on the 31st day of March, 2026 by Kerry County Council to grant subject to conditions a permission to Colm and Zara Conlon in accordance with plans and particulars lodged with the said Council.

Proposed Development: Planning permission is sought for the demolition of an existing three-bedroom single-storey terraced house; and construction of a new five-bedroom two-storey, part single storey, residential house, with rooflights. Proposed works also include boundary treatments, construction of detached single storey bin store to front, landscaping, drainage works and all ancillary works necessary to facilitate the development at The Colony, Ventry, County Kerry as revised by further public notices received by the planning authority on the 5th day of March, 2026.

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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 provisions of the Kerry County Development Plan 2022-2028 as varied, including the Existing Residential land use zoning of the site, to the established residential use on the site and the pattern of development in the area, and the design of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would be in keeping with the established pattern of development at this location and would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The 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 25th day of February, 2026 and the 5th day of March, 2026, 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

- (a) The first-floor front elevation window to snug/dining room shall be reduced in width by 500 millimetres.

Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

- 3. (a) Prior to commencement of development, the developer shall demonstrate that the construction works can be carried out to ensure the structural stability of the adjoining properties. This shall be carried out by a suitably qualified person.
- (b) The developer shall comply with all recommendations set out in the Method Statement Report prepared by OC Architects and received by the planning authority on 25th day of February, 2026.
- (c) A pre-commencement photographic survey of boundary conditions and the condition of adjoining property, where consented to by the owners/occupiers, shall be undertaken.

Upon completion of construction a similar survey shall be carried out. Surveys shall be submitted to the planning authority for written agreement.

Reason: In the interest of the proper planning and sustainable development of the area and to ensure an adequate record of adjoining conditions is provided.

4. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water which shall also provide for appropriate Sustainable Urban Drainage Systems (SuDS), shall comply with the requirements of the planning authority for such works.

Reason: In the interest of public health.

6. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive and 0800 to 1400 hours on Saturdays, and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. The construction of the development shall be managed in accordance with a Construction and Environmental 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 development, including noise and dust management measures, waste management and recycling of materials, environmental protection measures, welfare facilities, site deliveries, complaints procedure, pest control and traffic management arrangements.

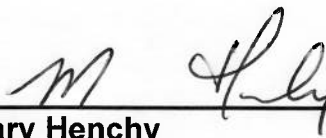
Reason: In the interest of public safety, environmental protection, and residential amenity.

9. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

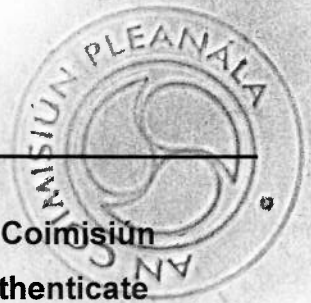
10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the 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 the 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 *27th* day of *July* 2026