

An
Coimisiún
Pleanála

**Commission Order
PL-501387-KY-26**

Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 2660216

Appeal by Natalia Kennedy against the decision made on the 1st day of May 2026, by Kerry County Council to refuse permission for the proposed development.

Proposed Development: Retention permission to retain domestic garage as constructed and permission to complete garage at Scartlea, Muckross, Killarney, County Kerry.

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 specific nature, design and siting of the proposed development, relative to the public road and to the existing dwelling, to the provisions of the Kerry County Development Plan 2022-2028, particularly Policy Objectives KCDP 5-4 and KCDP 5-22 and to the Building a House in Rural Kerry Design Guidelines 2009, it is considered that, subject to compliance with the conditions set out below, the proposed development and the development proposed to be retained would not seriously injure the visual or residential amenities of the area. The proposed development and the development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, 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 retained, carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission (Kerry County Council register reference number: 22/500) unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.



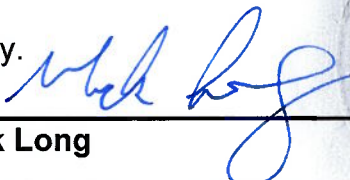
Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. A hedgerow comprised of native species shall be planted to the rear of the setback front boundary wall to form a continuous screen between the site entrance and the western boundary of the site. The hedgerow shall be planted within the first planting season following substantial completion of the garage structure. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

4. Notwithstanding reference to a new front boundary fence on the submitted Site Layout Plan, received by the planning authority on the 11th day of March 2026, the new front boundary and wing walls shall be constructed in sod and stone or native stone, as stipulated by condition number 11 of the parent permission (Kerry County Council register reference number: 22/500).

Reason: In the interest of clarity.


Mick Long

Planning Commissioner of An Coimisiún

Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 10th day of September 2026.