



An
Coimisiún
Pleanála

Commission Order
PL-501487-KY

Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 26/60238

APPEAL by Ivan O'Brien against the decision made on the 12th day of May, 2026 by Kerry County Council to refuse permission.

Proposed Development: Retention of an existing dwelling with revised boundaries at Dromotoor, Ballyheigue, County Kerry.

Decision

REFUSE permission for the above development for the reasons and considerations set out below.

Reasons and Considerations

1. Objective KCDP 5-26 (Renovation and Restoration of Buildings) of the Kerry County Development Plan 2022-2028 promotes the viable re-use of vernacular dwellings without losing their character and supports applications for the sensitive restoration of traditional dwellings as permanent places of residence. On the basis of the information submitted in connection with the planning application and the appeal, the Commission considered that, in its current specific design form, including for example in terms of materials, roof pitch and alterations to the fenestration at the original core dwelling, the proposed development and development for which retention permission is sought has resulted in the loss of character of the original vernacular cottage. The proposed development and development proposed to be retained would be contrary to the provisions of Objective KCDP 5-26 of the Kerry County Development Plan 2022-2028, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development and development proposed to be retained would seriously injure the visual amenities of this open and exposed site, in its current form, with particular reference to the views from the west of the structure and in the absence of clearly detailed and capable landscaping mitigation as part of the planning application and the appeal documentation at this location. The proposed development and development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

3. In the absence of information in relation to the disposal of effluent on the site, the Commission is not satisfied that effluent arising from the development can be adequately disposed of on site. The proposed development and development proposed to be retained would be prejudicial to public health, and would, therefore, be contrary to the proper planning and sustainable development of the area.
4. In the absence of information in relation to the sightlines available at the vehicular entrance and measures to control the run-off of surface water from the site on to the public road, the Commission is not satisfied that the development would not create a traffic hazard. The proposed development and development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.


Declan Moore

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



Dated this 18th day of September 2026.