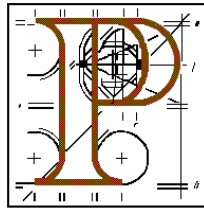


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Kerry County**

**Planning Register Reference Number: 16/1041**

An Bord Pleanála Reference Number: 08.LV.3332

**APPLICATION FOR LEAVE TO APPEAL** against the decision of the planning authority by Frank and Siobhan Lewis of Gortagullane, Muckross, Killarney, County Kerry having an interest in land adjoining the land in respect of which Kerry County Council decided on the 22<sup>nd</sup> day of March, 2017 to grant subject to conditions permission to Sean and Geraldine Pierce care of Michael Shanahan and Associates of 8 Michael Collins Road, Clonakilty, County Cork.

**PROPOSED DEVELOPMENT:** Construction of a new dwelling with installation of a septic tank treatment system and associated site works at Gortagullane, Muckross, Killarney, County Kerry.

## DECISION

**REFUSE** leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this      day of                      2017.**