



---

**Planning and Development Acts 2000 to 2017**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 17/126**

**Application for Leave to Appeal** against the decision of the planning authority by Girish Nair and others care of 31 Fortfield, Killerisk, Tralee, County Kerry having an interest in land adjoining the land in respect of which Kerry County Council decided on the 30<sup>th</sup> day of August, 2017 to grant subject to conditions a permission to Alan Kelly care of David Moriarty and Associates of 28 Liosdara, Tralee, County Kerry.

**Proposed Development:** Construction of 15 dwellinghouses (five blocks of three terraced dwellinghouses) and to alter the layout of the estate road and site services with ancillary site development works as granted under planning register reference number 13/308147, all at Fortfield, Killierisk, Tralee, 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.

---

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

**Dated this      day of                                      2017**