



Inspector's Report

PL-500472-KY-25

Development	Demolish annexes of B&B, construct extension and associated site works.
Location	Bridgeview Terrace South Square, Drimna Beg, Sneem, County Kerry
Planning Authority	Kerry County Council
Planning Authority Reg. Ref.	2560037
Applicant(s)	Soth Square Properties Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Timmy O'Sullivan
Observer(s)	None
Date of Site Inspection	18 March 2026
Inspector	Natalie de Róiste

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1.0 Site Location and Description

- 1.1. The site is located in the village of Sneem, in Co. Kerry. It is a mid-terrace two-storey building on the south side of South Square (a triangular green area marked as the Fair Green on historic maps). The terrace, known as Bridgeview Terrace, has a mix of residential and commercial uses, with a pharmacy, a bookshop, and a corner shop, as well as holiday accommodation, seasonal staff accommodation, and residential use. The subject property, stated to be previously used as a Bed & Breakfast, was not in operation on the date of the site visit. There is rear access via a grass and gravel laneway to the rear, secured by a farm gate.
- 1.2. The building has an unusual relationship with its neighbour to the east; while terraced buildings are typically arranged in a side-by-side arrangement, in this instance, part of the first floor of the neighbouring building is located directly over the ground floor of the appeal building. This neighbouring building contains the bookshop to the ground floor, and residential accommodation overhead accessed by a separate street door to the front, in the usual fashion. To the rear, however, the buildings interlock, with the first floor of the residential accommodation in the bookshop building being directly above the ground floor bathroom of the appeal building, with the bedroom windows facing out onto the flat roof of the first party's kitchen extension, and beyond that, the first party's yard.

2.0 Proposed Development

- 2.1. It is proposed to construct a largely two-storey extension to the rear, facilitated by the demolition of existing extensions, and provide associated servicing and landscaping to rear. The extension, and reconfiguration of the existing accommodation, would provide 11 ensuite bedrooms, a lounge/seating/reception area to the front of the building, a kitchen, a storage/slucce room, accessible toilet, and cleaner's store.
- 2.2. The extension is largely flat-roofed, with a small area of monopitch roof over the stairwell. No roof plan has been submitted, and I have extrapolated this from the other drawings. The extension has a small single-storey element of 1.755 metres in depth, just in front of the neighbour's windows, and a partially pitched roof set behind this single-storey element, opposite the bedroom window of the neighbouring building

(as shown in the submitted north east elevation drawing on drawing no 22-050-8 *Proposed Elevations*).

- 2.3. Minor revisions to the layout were made at Further Information stage to address travel distance to the fire escape.

3.0 **Planning Authority Decision**

3.1. **Decision**

Grant permission subject to standard conditions.

3.2. **Planning Authority Reports**

3.2.1. **Planning Reports**

- Two reports, the first (dated 24/03/2025) requested further information on car parking and access; on overshadowing; and requested revised designs to break up the rear façade.
- The second report (dated 12/11/25) noted satisfaction with the omission of proposed car parking, with the sunlight report, and with the unrevised rear elevation.

3.2.2. **Other Technical Reports**

- Fire Authority – report dated 10/02/2025, further information on travel distances to fire escape.

3.3. **Prescribed Bodies**

- 3.4. No reports on file

3.5. **Third Party Observations**

One received, from the appellant, dated 03/11/2025 (after the submission of Further Information). This raised issues as contained in the appeal, as well as the following:

- The drawings do not accurately reflect the land ownership.
- Fire escape measures are inadequate.

4.0 Planning History

4.1. No history files provided.

5.0 Policy Context

5.1. Kenmare Municipal District Local Area Plan 2024-2030

5.2. The site is zoned R2 Village Centre in the Sneem Local Area Plan as contained in the Kenmare Municipal District Local Area Plan 2024-2030. Sneem is designated as a District Town in the Settlement Hierarchy.

Objective KENMD-SM-1: ensure that new development reinforces the primacy of the town centre and contributes to the vibrancy and vitality of Sneem through the re-use and regeneration of key town centre sites and vacant properties.

5.3. Kerry County Development Plan 2022-28

The Development Plan has a number of policies, objectives, and supporting text aimed at supporting tourism accommodation.

KCDP 10-7 Promote and facilitate sustainable tourism as one of the key economic pillars of the County's economy and a major generator of employment and to support the provision of facilities such as hotels, aparthotels, guesthouses, bed and breakfasts, tourist hostels, caravan and camping, glamping, cafes, restaurants, visitor attractions and activity tourism.

KCDP 10-8 Support the implementation of the County Kerry Tourism Strategy and Action Plan (2016-2022) including the upgrading and repurposing of existing attractions, the sustainable development of the tourism projects and the preparation and adoption of successor strategies.

KCDP 10-11 Encourage tourism developments, increased visitor accommodation, interpretation centres, and commercial / retail facilities serving the tourism sector to be located within established settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities.

KCDP 10-30 Encourage the sensitive redevelopment and / or return to suitable use, of derelict, vacant or redundant buildings, in appropriate locations in order to provide for visitor accommodation and tourism development. As part of this, potential for impact on wildlife should be taken into account as outlined in S 4.3.4 of this plan.

Volume 3 of the Development Plan lists the Architectural Conservation Areas, of which Sneem is one. The statement of special significance notes *“The layout of the village is unique, with not just one, but two large triangular public open spaces within the ACA. Although referred to as squares, these spaces are triangular in form. These well maintained public open spaces set off the streetscape and provide an added dimension to the overall living area. The retention of traditional signage, double leaf timber doors, original windows and roofing are all integral to the ACA’s special character. The arrangement of the buildings around the two greens has remained unaltered for over 150 years. The views, setting and traditional pattern of development must be retained in future development proposals to enhance the ACA.”*

5.4. Relevant National or Regional Policy / Ministerial Guidelines

5.4.1. Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)

5.4.2. These guidelines are concerned with residential development, as opposed to tourism accommodation; however, they give useful guidance on built form and development management. They set out SPPIRs and Policies and Objectives on separation distances; private, semi-private, and public open space; and car and cycle parking. The standards are aimed at consolidating existing settlements and avoiding sprawl, and creating compact settlements.

5.4.3. Site layout planning for daylight and sunlight (BRE 209 2022)

5.4.4. These guidelines are referenced in the Compact Settlement Guidelines, and give advice on the achievement of good daylighting and sunlighting. They note that if the angle of elevation between the centre of the lowest window on an existing building and the tallest part of a new building exceeds 25 degrees, then daylight may be adversely affected, (as may sunlight, if the existing window faces south, east, or west).

5.5. **Natural Heritage Designations**

Kenmare River SAC 002158 – 120 metres northwest

6.0 **EIA Screening**

6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

One appeal was received, against permission, from the owner of two neighbouring properties; the single-storey house to the rear (south-east) and the adjoining two-storey property to the north-east. Issues raised are summarised below:

- The site is located within the Sneem ACA, with the rear lane highlighted as a pedestrian walkway, and the character of the design (a large square box) is not in keeping with the surroundings.
- The application is for alterations to an existing B&B. The proposal does not comply with the definition of a B&B – it lacks a dining room, sitting room, and owner's accommodation. This is some other type of short-term accommodation, for which no application has been made.
- The first floor rear windows, on the property line, would cause undue overlooking to the appellant's single-storey property.
- The proposed extension is being built in front of the existing first-floor bedroom windows in the two-storey building, which is not in compliance with the standards set out in the Compact Settlement Guidelines for separation distances or for daylight.
- No waste management storage has been provided.
- The development does not comply with the Development Plan or with National policies, and would devalue my client's property, including the shared courtyard.

7.2. **Applicant Response in the case of a 3rd Party Appeal**

- None received.

7.3. **Planning Authority Response**

- None received.

7.4. **Observations**

- None received.

8.0 **Assessment**

8.1. I have examined the application details and all other documentation on file, including the submission received in relation to the appeal, the reports of the local authority, and the material submitted by the applicant. I have inspected the site, and I have had regard to relevant local/regional/national policies and guidance. I consider the substantive issues to be considered as follows:

- Impact on neighbouring residential amenities
- Impact on visual amenities and on the ACA

8.2. **Impact on neighbouring residential amenities**

8.3. The appellant has concerns regarding impacts on two properties; the adjoining property to the north-east, and the single-storey dwelling to the rear lane.

8.4. As noted above, this terrace has an unusual arrangement of accommodation, with part of the first floor of the neighbour's property being located directly on top of the ground floor accommodation on the appeal site. This has been clearly shown in the submitted drawings – drawing *no 22-050-4 Existing Floor Plans* shows the first floor area over the kitchen labelled as '*first floor level of neighbouring building not part of this application*', and shows the two windows which look out on the applicant's site (although, having visited the site, I note this is an approximation of the windows, with the sill level shown higher in the drawing than in reality). Drawing *no 22-050-7 Proposed Floor Plans* shows the first floor area over the proposed kitchen with the same text, and the same windows in situ. Drawing *no 22-050-5 Existing Elevations* is tagged '*Adjoining Property*' on the neighbour's roof on the *South East* elevation, and the neighbour's two windows are clearly shown on this drawing, facing out over the applicant's single-storey extension to be demolished. Drawing *no 22-*

050-8 Proposed Elevations shows (on the *North East* elevation) a pitched roof over the part of the extension in front of the neighbour's windows. A 45 degree angle is shown with the text '*red line indicates minimum unobstructed area at 45 degree angle from base of external elevation of neighbouring building.*'

- 8.5. I note the planner's report makes no mention of the unusual arrangement of the buildings.
- 8.6. I have consulted *Site layout planning for daylight and sunlight BRE 209 2022*, which sets out guidance on avoiding significant loss of daylight and sunlight to existing buildings. (An earlier version of this document is available on the Office of the Planning Regulator's website).
- 8.7. Regarding daylight, the relevant angle of elevation for developments which are directly in front of a window is 25 degrees – if the angle between the midpoint of the window and the top of the new building opposite it is 25 degrees or less, daylighting is unlikely to be significantly affected, and no further assessment is required. For extensions beside a window, a different test is used, with a 45 degree angle being of relevance. Neither test has been carried out by the applicant or referred to in the planner's report. I note the Sunlight Analysis Report submitted by the applicant as Further Information refers to the BRE guidelines and other standards, but carried out no assessment for daylight.
- 8.8. Regarding sunlight, the applicant provided an assessment of impacts on sunlight to neighbouring outdoor spaces. No assessment of impacts on sunlight to the neighbouring windows was undertaken, either by the applicant or the local authority. The BRE Guidelines note that a development located due south of a window may obstruct sunlight, depending on its height and proximity. They note that loss of sunlight to kitchens and bedrooms is less important than impacts on living rooms, bedsitting rooms, and conservatories.
- 8.9. In this instance, the applicant is proposing an extension that is both beside and in front of the neighbour's first floor windows, and located due south of their property. I note the proposed single-storey link and the pitched roof area are an attempt to mitigate impact on the neighbour's windows; however, in my view, this is wholly inadequate. The extension is of such a height, depth, and proximity, that it would be likely to have impacts not just on the daylight to the bedroom windows, but also to the window to the kitchen extension. The proximity of the extension, and the height and bulk of it would have unacceptable overbearing impacts on the outlook from the bedroom windows, and on the kitchen

window, with a two-storey flank wall of 9 metres in length with no setback from the boundary.

- 8.10. I further note that the form of the extension as shown in the diagrams of the *Sunlight Analysis Report* submitted as Further Information does not correspond with that shown in the application drawings (Appendix A). The floor plan in those diagrams shows a setback from the boundary with the appellant's property, which is not provided for in the application drawings. As such, notwithstanding the positive conclusion of the *Sunlight Analysis Report*, I have concerns regarding overshadowing of the neighbouring rear garden/yard, as well as the impacts on sunlight to the windows (which that report did not address), due to the height, length, proximity, and location of the extension.
- 8.11. Regarding the single-storey dwelling, this is located with its blank gable facing the appeal site. Its front door opens onto the widened laneway, and garden furniture indicates this area is used as a sitting out area. No windows would be directly overlooked by the new windows. One first floor bedroom window would face the gable of the single-storey building, while two would overlook the area to the front of the house, which the appellant states is communal open space in joint ownership. In this context, I consider the overlooking to be acceptable. However, due to the height of the extension, the proximity, and the location forward of the building line of the bungalow, there would be overbearing impacts and possible impacts on daylight to the nearest window. No information has been provided by the appellant on the use of this room.
- 8.12. Regarding the adjoining property to the south-west, there would be likely impacts on daylight and overbearing impacts to the closest ground floor window to that property (which planning history on the council website indicates is a bedroom).
- 8.13. Some impacts on daylight, sunlight, and outlook are to be expected from developments in urban areas, and can be considered acceptable in the achievement of other aims (renovation of vacant or derelict properties, reuse or redevelopment of under-used serviced sites, provision of new housing or services, for example). However, the proposed development would have unacceptable impacts on the residential amenity of adjoining properties, in particular the attached property to the north-east, and constitutes overdevelopment of the site. I am recommending a refusal on this issue.

8.14. **Impact on Visual Amenities and on the ACA**

8.14.1. I have read the text in Volume 3 of the Development Plan setting out the Architectural Character, Historical Character, and Statement of Special Significance pertaining to Sneem ACA. There is no reference to the lane, which is of backlands character, with buildings of varied architectural expression on it.

8.14.2. I note the Local Authority requested Further Information with revised drawings, to address their serious concerns regarding the design of the proposal. The applicant made no amendments, noting that while the front elevation of the terrace had a regular façade, there is less expectation of a coherent rear elevation. While I would concur with the broad gist of this conclusion, I have noted my concerns regarding the scale of the extension and the overdevelopment of the site, and the subsequent impacts on the immediate visual amenities of adjoining properties.

8.15. **Other issues**

8.16. The appellant raises the issue of the nature of the use of the building, citing Fáilte Ireland's requirements for a Bed and Breakfast, and stating that the proposed development would constitute a change of use from Bed and Breakfast to another use. In my view, this is not a salient issue. The standards cited are for Fáilte Ireland's approval and classification scheme, rather than defining features of a Bed and Breakfast (which is not defined in the planning legislation). The appellant accepts that the building has been used as a B&B, and the proposal is to extend the building. It has been adequately advertised.

8.16.1. The appellant raised the issue of land ownership and development rights, asserting that part of the site is a common area. I note the Development Management Guidelines 2007 state (*Section 5.13 Issues relating to title to land*) that *'the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land; these are ultimately matters for resolution in the Courts'*. In the event of a grant of permission, Section 34(13) of the Planning and Development Act 2000 sets out that *'a person shall not be entitled solely by reason of a permission under this section to carry out any development'* and the applicant is required to ensure they have sufficient legal interest to implement permission.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2. The subject site is located in an existing village. The proposed development comprises the demolition of extensions and the construction of extensions. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site due to the nature of the development, the distance from the nearest European site, and the lack of any connections between them.
- 9.3. I conclude, on the basis of objective information, that the development to be retained would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 9.4. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

The subject site is located 150 metres from the nearest river, Sneem, and within that subcatchment, and on top of the Beara Sneem ground water body. The proposed development comprises alterations and extensions to a B&B. No water deterioration concerns were raised in the planning appeal. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

The small scale of the development

The lack of hydrological connections.

Conclusion

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend a refusal.

12.0 Reasons and Considerations

Having regard to the scale of development proposed, and the arrangement of the property relative to its neighbour to the north-east, it is considered that the proposed extension, by reason of its location, scale, bulk and proximity to site boundaries, would seriously injure the residential amenities and depreciate the value of adjoining properties by reason of visual obtrusion and impacts on daylight and sunlight. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Natalie de Róiste
Planning Inspector

23 April 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500472-KY-25
Proposed Development Summary	Demolish annexes of B&B, construct extension and associated site works.
Development Address	Bridgeview Terrace South Square, Drimna Beg Sneem, County Kerry.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?

No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.
No Screening required.

Yes, the proposed development is of a Class and meets/exceeds the threshold.
EIA is Mandatory. No Screening Required

State the Class and state the relevant threshold

Yes, the proposed development is of a Class but is sub-threshold.

Preliminary examination required. (Form 2)
OR
If Schedule 7A information submitted proceed to Q4. (Form 3 Required)

State the Class and state the relevant threshold

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?

Yes **Screening Determination required (Complete Form 3)**

No **Pre-screening determination conclusion remains as above (Q1 to Q3)**

Inspector: _____ **Date:** _____