



Board Direction

Ref: PL08.244394

The submissions on this file and the Inspector's report were considered at a Board meeting held on May 1st, 2015.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, subject to the amendments to the Inspector's draft reasons and considerations set out below.

REASONS AND CONSIDERATIONS

1. The appeal site is located in a Strong Rural Area where it is the policy of the planning authority to provide for the development of sustainable rural housing in the countryside in accordance with the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005, and to facilitate where possible, in accordance with the proper planning and sustainable development of the area, family members on their own land. These policies are considered reasonable. Based on the information submitted, the Board is not satisfied that the applicant has shown a need to reside at this particular location, in such a manner as to achieve a reasonable balance with regard to the objective of the development plan and to override the concerns in regard to generation of increased traffic turning movements onto the N70. In this regard it is noted that the applicant has not indicated the extent of the family landholding in this area, the history of residential occupancy on the family landholding and any planning permission(s) which may already have been granted for family members, or availability of alternative sites/houses within the immediate area. The proposed development would, therefore, be contrary to the said Ministerial guidelines and to the objectives of the Kerry County Development Plan 2015-2021. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development, accessed via a private laneway, by itself and by the precedent which the grant of permission for it would set for other relevant development, would endanger public safety by reason of traffic hazard or obstruction of road users due to the additional traffic, including turning movements, that would be generated onto the National Secondary Road, the N70, at a point where a speed limit of 100 km/h applies, and would interfere with the free flow of traffic on this road.

Note: The Board noted the Inspector's concerns regarding the proposed effluent treatment system and potential impacts on the drinking water supply to serve adjacent houses but decided not to seek additional information regarding same having regard to the substantive reasons for refusal set out above.

Board Member: _____ Date: May 5th, 2015
Nicholas Mulcahy

Please issue copy of direction with order.