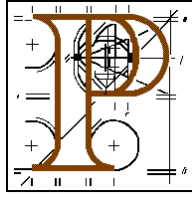


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2006

## Kerry County

**Planning Register Reference Number: 06/1266**

An Bord Pleanála Reference Number: PL 08.220120

**APPEAL** by Michael J. Horgan of 2 Upper Cloonbeg, Tralee, County Kerry against the decision made on the 17<sup>th</sup> day of October, 2006 by Kerry County Council to grant subject to conditions a permission to Mike Furlong care of Dairwood Design of 49 New Street, Killarney, County Kerry.

**PROPOSED DEVELOPMENT:** Construction of a single storey dwellinghouse along with septic tank and percolation area at Ballinlough, Beaufort, Killarney, County Kerry.

## DECISION

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## REASONS AND CONSIDERATIONS

1. Having regard to the location of the site in an area zoned “Rural Prime Special Amenity” in the current Development Plan for the area and to the provisions in the Sustainable Rural Housing Guidelines published by the Department of the Environment, Heritage and Local Government in April, 2005, it is considered that the applicant does not come within the scope of the housing need criteria to qualify for a house in this rural area as set out in the Development Plan and that the proposed development would intensify a pattern of random housing development in an unserved rural area of high environmental sensitivity which is under strong urban influence associated with Killarney. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the site in close proximity to Lough Leane, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the proposed development would not give rise to a significant risk of pollution to the lake. The proposed development would, therefore, be prejudicial to public health.

---

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

**Dated this            day of            2007.**