

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

Kerry County

Planning Register Reference Number: 11/483

An Bord Pleanála Reference Number: PL 08.239449

APPEAL by Donal Moran care of Declan Noonan and Associates of Upper Main Street, Dingle, County Kerry against the decision made on the 28th day of July, 2011 by Kerry County Council to refuse permission.

PROPOSED DEVELOPMENT: The construction of a traditional style single storey dwellinghouse with attic accommodation served by a septic tank and percolation area including all associated site works at Beenbane, Dingle, County Kerry.

DECISION

REFUSE permission for the above proposed development 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

1. The proposed erection of a dwellinghouse at this location would be unduly obtrusive by reason of its siting on the seaward side of the public road on a very open and exposed landscape. The proposed development could not be integrated into the landscape and would seriously injure the scenic character of the landscape and the natural beauty of the area which is necessary to preserve in accordance with objective ZL 12-1 of the Kerry County Development Plan 2009-2015. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed erection of a dwelling at this location would constitute overdevelopment of this scenic rural area by virtue of its visual impact on the landscape. The proposed development would consolidate and extend the pattern of ribbon development in this area and set an undesirable precedent for further suburban type development. The proposed development would, therefore, seriously injure the character of the landscape, which is necessary to preserve, in accordance with objective ZL 12-1 of the Kerry County Development Plan 2009-2015. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The Board is not satisfied on the basis of the submissions made in connection with the planning application and the appeal that the site of the proposed development is capable of treating foul effluent arising from the proposed development in accordance with the standards set out in the Code of Practice for Wastewater Treatment and Disposal Systems serving Single Houses (Environmental Protection Agency, 2009). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2012.