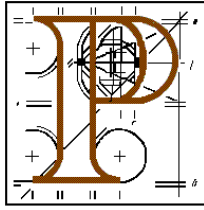


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2014

**Kerry County**

**Planning Register Reference Number: 14/499**

An Bord Pleanála Reference Number: PL 08.244394

**APPEAL** by National Roads Authority of Saint Martins House, Waterloo Road, Dublin against the decision made on the 17<sup>th</sup> day of December, 2014 by Kerry County Council to grant subject to conditions a permission to Bernard Murphy care of John O’Riordan, Architectural Design of The Hollies, Coolroe Lower, Glenbeigh, County Kerry.

**PROPOSED DEVELOPMENT:** The erection of a single storey dwellinghouse with attic accommodation, a septic tank and puraflow system with soil polishing filter together with all associated site works, access will be via existing vehicular entrance at Coolroe Lower, Glenbeigh, 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 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.

---

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

**Dated this            day of            2015.**