



The submissions on this file and the Inspector's report were considered at a Board meeting held on March 15th 2017.

The Board decided to refuse permission, as recommended by the Inspector, but for the following reasons and considerations.

Reasons and Considerations

1. Having regard to the site conditions, and to the proposed arrangement for waste water disposal, including the requirement for pumping of wastewater to a raised area to the rear of the site, and behind retaining walls at a higher level than the proposed house, and to the proximity of a well on adjoining lands, and having regard to the identification of this area by the Environmental Protection Area as being at very high risk from domestic waste water pollution, it is considered that the proposed development would be prejudicial to public health and would give rise to a risk of environmental pollution. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the topography of the site, the elevated positioning of the proposed dwelling, together with its overall design and scale, and the likely necessity to remove existing trees to accommodate safe vehicular access, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and

integrated into the landscape and would militate against the preservation of the rural environment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: The Board concurred with the Inspector's analysis in relation to the rural policy provisions of the current County Kerry Development Plan, and in particular policy RS-11 (which seeks to strike a balance between development activity in villages and in the wider rural area), and agreed that the applicants did not have a need to live in this particular rural location, having regard to the proximity of the site to Currow Village and the desirability of supporting such small villages to ensure their future viability. The Board therefore agreed with the Inspector in relation to his proposed refusal reason, but decided not to include this as a further reason for refusal, because it would constitute a "new issue" in the context of the appeal, and also having regard to the substantive reasons for refusal set out above.

Please issue a copy of this Direction to the parties with the Board Order.

Board Member

Date: 15th March 2017

Philip Jones