



The submissions on this file and the Inspector's report were considered at a Board meeting held on 17th January 2018.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. The proposed development is located on an elevated and exposed site which overlooks the Kenmare River and which is in an area designated in the Kerry Development Plan 2015-2021 as an Area of Secondary Special Amenity, where it is the policy of the planning authority to ensure that development is designed to have minimal landscape impact. The dwelling proposed to be retained and completed, by reason of its height, mass and scale is obtrusive in its landscape setting on this open and exposed coastal site and would seriously injure the amenities of the area. The proposed development would contravene Objectives T-37, ZL-1 and ZL-4 as set out in the Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the difficult ground conditions on this site, including failed percolation tests, shallow water table and shallow bedrock, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the site can be drained satisfactorily, notwithstanding the

proposed use of a proprietary wastewater treatment system. The proposed development would, therefore, be prejudicial to public health.

3. On the basis of the submissions made in connection with the application and the appeal and the proximity of the proposed development to the Kenmare River Special Area Conservation (Site Code: 002158), the Board was unable to screen out the possibility that the proposed development, either individually or in combination with other plans and projects, would not be likely to have a significant effect on a European site, in view of the site's Conservation Objectives. In such circumstances, the Board is precluded from granting permission.

Board Member

Date: 25th January 2018

Maria FitzGerald