



An
Bord
Pleanála

Board Direction
BD-005785-20
ABP-306237-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on May 20th, 2020.

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 site of the proposed development is located within an "Area Under Strong Urban Influence" as set out in the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April 2005, wherein it is the policy to distinguish between urban-generated and rural-generated housing need. Furthermore, the subject site is located in an area that is designated under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, to "facilitate the provision of single housing in the countryside, based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to siting and design criteria and the viability of smaller towns and rural settlements."

Having regard to the location of the subject site, within the urban catchment of Killarney, and also having regard to the information submitted by the applicant as to the nature and location of her employment, which is within the development boundary of the village of Fossa and is not related to agricultural activity, to the location of her existing home, which is stated to be owned and is

located within the development boundary of the town of Kilcummin, and the absence of any information of a social need that may require the applicant to reside within the rural countryside, the Board is not satisfied that the applicant comes within the scope of the housing need criteria as set out in the Guidelines, nor has a demonstrable economic or social need to live in this rural area. Furthermore, the Board is not satisfied that the applicant's housing needs, if any, could not be satisfactorily met in an established smaller town or village/settlement centre.

The proposed development would, therefore, be contrary to the Ministerial Guidelines and to the over-arching national policy, notwithstanding the provisions of the Kerry County Development Plan 2015 – 2021, and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to Rural Settlement Objective 4 of the Kerry County Development Plan 2015 – 2021 and to the elevated and highly visible position of the site when viewed from the R563 and the associated local road network, it is considered that the introduction of the proposed dwelling house and its associated means of access, and significant land remodelling, including cutting into the hillside, would extend the cluster of existing dwelling houses to the east of the site westwards towards the regional road in a manner that would be conspicuous and which would fail to ensure that it is capable of being adequately absorbed within the landscape. Consequently, the proposed development would fail to protect the local landscape, as mandated by Objective RS-4 of the Development Plan, and it would be seriously injurious to the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Board Member

Date: 20th May 2020

Philip Jones