

An
Bord
Pleanála

Board Direction
BD-009278-21
ABP-310519-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/10/2021.

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

Reasons and Considerations

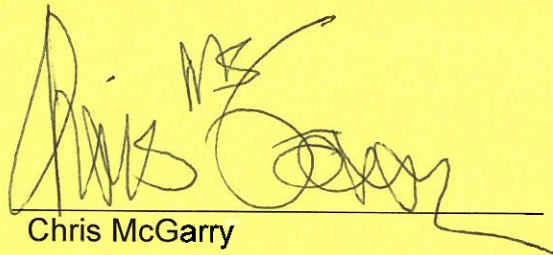
The site of the proposed development is located within an "Area Under Strong Urban Influence" as set out in the "Sustainable Rural Housing Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government in April 2005 and as set out at Section 3.3 of the Kerry County Development Plan 2015-2021. 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 the viability of smaller towns and rural settlements. Having regard to the documentation submitted with the application and appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live at this site within this rural area, or that the applicant's housing needs cannot be satisfied in an existing settlement. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location and that the proposed development would, therefore, be contrary to the Ministerial Guidelines and to the over-arching national policy, and

having regard to the relevant provisions of the Kerry County Development Plan 2015-2021, including objective RS-7. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The Board noted and agreed with the recommendation of the Inspector, that a second reason for refusal should be attached, stating that the proposed dwelling house would exacerbate undesirable ribbon development in a rural area outside lands zoned for residential development and would, therefore, be contrary to the proper planning and sustainable development of the area. However, noting that this would constitute a new issue in the context of the current appeal, and noting also the substantive reason for refusal set out above, it was decided not to pursue this matter further under the current appeal.

Board Member



Chris McGarry

Date: 18/10/2021