

An
Bord
Pleanála

Board Direction
BD-009451-21
ABP-311121-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/11/2021.

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

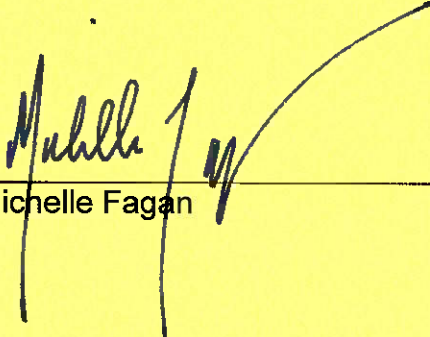
Reasons and Considerations

1. Having regard to the pattern and density of individual housing development in the vicinity of the site, the site location in proximity to the town of Ballyheigue and to National Policy Objective 19 of the National Planning Framework, adopted by the Government which states that regard to the viability of smaller towns and rural settlements will be had when facilitating the provision of single housing in the countryside in rural areas not under urban influence, the Board is not satisfied that the applicants' housing needs could not be satisfactorily met in an established smaller town or village/settlement centre. The proposed development would give rise to an excessive density of development, would contribute to the further encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would militate against the viability of smaller towns and rural settlements. The proposed development would, therefore, contravene the Ministerial Guidelines, and would be contrary to national policy and to the proper planning and sustainable development of the area.

2. The site is located in an elevated position in an area designated as Secondary Special Amenity in the current County Development Plan with views along the local road to the south (Kerry Head Road) listed for protection. It is considered that the proposed development on an elevated and exposed site would seriously injure the visual amenities of the area and would interfere with views of special amenity value which it is considered necessary to preserve. The proposed development would therefore be contrary to section 12.2.1 and objective ZI-5 of the current County Development Plan.

Note: The Board considered that, taken in conjunction with existing development in the vicinity, the proposed development would result in an excessive concentration of development served by septic tanks in the area, and would therefore, be prejudicial to public health. However, given the substantive reasons for refusal above, the Board decided not to include it as a reason for refusal.

Board Member


Michelle Fagan

Date: 15/11/2021