

An
Bord
Pleanála

Board Direction
BD-014775-23
ABP-313713-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/11/2023.

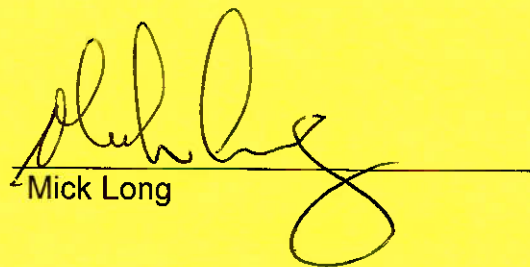
The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

1. The proposed development, because of its design, scale and bulk, on the edge of a small village constitutes inappropriate development that would be inconsistent and out of character with the prevailing residential density in the area and would result in overdevelopment of the site which would be overbearing and seriously injure the residential amenities in the vicinity. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of the proposed development on the edge of the development boundary of Fossa village, it is considered that the pedestrian linkage to local services, on a road with a speed limit of 60kph without footpaths and public lighting, would result in a road layout which would be hazardous to pedestrian safety. The proposed development would thereby constitute a substandard form of development which would give rise to a traffic hazard for pedestrians and would not be in compliance with FA-GO-O2 of the Killarney Municipal District Area Plan 218-2024 and would therefore be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not share the view that the development was located in the centre of the village of Fossa and was on the edge of a small town/village within the "Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas" published by the Department of the Environment, Heritage and Local Government in May, 2009. Having regard to the proposed site layout and house/apartment design, it is considered that the density of the development would conflict with Section 6.11 of the said guidelines and would constitute an inappropriate housing scheme, which would not accord with the prevailing character of the village. The Board also considered the Circular Letter NRUP 02/21 issued by the Department of Housing, Local Government and Heritage on 21 April 2021 and considered that the development at the edge of a village did not represent a graduated approach to residential density.

Board Member



Mick Long

Date: 04/12/2023