

An
Bord
Pleanála

Board Direction
BD-014611-23
ABP-317531-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 16/11/2023.

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

Reasons and Considerations

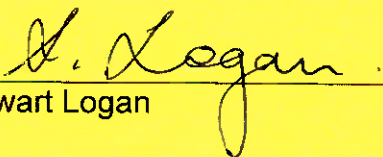
1. The site is within an area designated as being a Visually Sensitive Area in the Kerry County Development Plan 2022-2028. It is considered that the proposed development taken in conjunction with existing development in the immediate vicinity would constitute an excessive density of the development, and would have a negative impact on the open character of the scenic coastal landscape and could create a precedent for similar undesirable development on lands to the west which are also designated as a Visually Sensitive Area. The proposed development and the development to be retained would therefore seriously injure the visual amenities of the area and would materially contravene objective KCDP 11.78 of the Kerry County Development Plan 2022-2028 which seeks to preserve the landscape character of the county.
2. The proposed development site is located in Ballyheigue which is identified in the Kerry County Development Plan 2022-2028 as an area of soft coastline which is vulnerable to coastal erosion. Having regard to the proximity of the proposed dwelling to the coastal cliff edge in Ballyheigue, it is considered that development would be contrary to Objective KCDP 11-53 of the Development

Plan 'Restrict development in coastal areas where the natural erosion process is likely to threaten the viability of such development' and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

Having regard to the details and documentation submitted with the application and appeal, the Board was also not satisfied that the applicants had established an exceptional rural generated need for a new dwelling in the rural area consistent with Objective KCDP 5-15 Kerry County Development Plan 2022-2028. However, given the substantial reasons for refusal above it was decided not to pursue this issue further.

Board Member


Stewart Logan

Date: 17/11/2023