

An
Coimisiún
Pleanála

Direction
CD-022326-26
ABP-320627-24

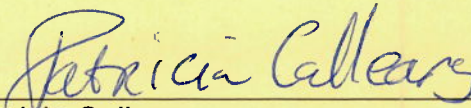
The submissions on this file and the Inspector's report were considered at a meeting held on 15/07/2026.

The Commission decided to refuse substitute consent for the following reasons and considerations.

Planning

Commissioner:

Date: 15/07/2026


Patricia Calleary

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the location of the proposed development within an area designated as a Visually Sensitive Area in the County Kerry Development Plan 2022-2028, it is considered that, by reason of its design, including up to 1.8m high post and wire fencing (with a mix of timber, steel and galvanised posts) and up to 1.8m green painted mesh fencing with steel posts, and to the linear extent (c. 1686m) and visual prominence along a coastal setting on Fenit island, the proposed development would result in an unacceptable adverse impact on the character, integrity, distinctiveness and scenic quality of the receiving landscape. The proposed development would therefore fail to protect the landscape and visual

amenities of the area and would accordingly be contrary to Objectives 11-76, 11-77 and 11-78 of the Kerry County Development Plan 2022-2028. 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 proximate to a number of recorded monuments, including Fenit Castle (Ref. KE028-001) which the National Monuments Service describes as a castle in ruins standing on a limestone rock at the northeast extremity of the island, it is considered that, by reason of its siting, design, scale and visual impact, the proposed development would adversely affect the character and appreciation of these monuments and their setting. Accordingly, the proposed development would fail to protect the archaeological heritage of the area, contrary to Objective 8-27 of the Kerry County Development Plan 2022-2028. The proposed development 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 Commission did not share the inspector's view that the proposed fencing constituted minor development or that its retention would not result in an adverse impact on the character or scenic value of the island landscape. Furthermore, the Commission did not agree with the inspector's conclusion that the retention of the fencing would not adversely affect the setting of any archaeological feature or landscape. The Commission concluded otherwise that the fencing development, by reason of its design and visual prominence along a coastal setting on Fenit island, would have an unacceptable adverse impact on the character, integrity, distinctiveness and scenic quality of the receiving island landscape and would be contrary to Objectives 11-76, 11-77 and 11-78 of the Kerry County Development Plan 2022-2028. The Commission also found, contrary to the inspector's finding, that the development would also detract from the character and setting of the archaeological heritage of the area and would therefore be contrary to Objective 8-27 of the Kerry County Development Plan 2022-2028.