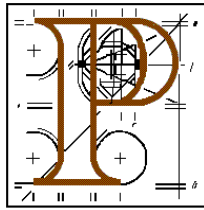


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kerry County

Planning Register Reference Number: 15/431

An Bord Pleanála Reference Number: PL 08.245895

APPEAL by Alec Ó Conchúir of An Ghraig, Baile an Fheirtearaigh, Contae Chiarraí against the decision made on the 24th day of November, 2015 by Kerry County Council to grant subject to conditions a permission to Kathleen Brosnan care of Declan Noonan and Associates of Upper Main Street, Dingle, County Kerry.

PROPOSED DEVELOPMENT: Demolition of the existing derelict dwellinghouse and in its place construction of a new dwellinghouse maintaining all existing public service connections including all associated site works at The Wood, Dingle, County Kerry.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. Notwithstanding the alterations and reduction in two-storey extent to the rear of the property from that submitted with the previous proposal under An Bord Pleanála appeal reference number PL 08.243495, the Board still considered that the extent of rear projection close to a neighbouring eastern boundary would cause overshadowing and overbearing to the property to the east and would, therefore, seriously injure the residential amenities of property in the vicinity and would not be in accordance with the proper planning and sustainable development of the area.
2. Notwithstanding the rationalisation to the western elevation which had been introduced since the previous refusal under An Bord Pleanála appeal reference number PL 08.243495, the Board considered that the revised design of the property introduced a series of elements into the design which would be visually incongruous, including the use of quoins, drip mouldings and top floor windows and roof lights with an excessively vertical emphasis. The Board further considered that placing the ridge height above that of the terrace to the east was inappropriate given the inclusion of these buildings in an Architectural Conservation Area and that the ridge line of the proposed building should be lower than that of the existing terrace to the east. The Board, therefore, considered that the proposed development would seriously injure the visual amenities of the area. 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 Board considered that the first reason for refusal under An Bord Pleanála appeal reference number PL 08.243495 had not been sufficiently addressed, and that while the second reason had been partly addressed that the additional features and increased ridge height had introduced discordant elements into the design. The Board did not feel it appropriate to address these issues by condition.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.