

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kerry County

Planning Register Reference Number: 15/449

An Bord Pleanála Reference Number: PL 08.246206

APPEAL by An Taisce (Kerry Association) of 5 Glenashe, Killorglin, County Kerry against the decision made on the 29th day of January, 2016 by Kerry County Council to grant subject to conditions an outline permission to Caroline Fleming of Parkavonear, Fossa, Killarney, County Kerry.

PROPOSED DEVELOPMENT: Construction of six houses and all associated site works including connections to the public sewer at Knoppogue, Fossa, Killarney, County Kerry.

DECISION

REFUSE outline 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. Having regard to the scale and layout of the proposed development and the close proximity of the proposed residential development, situated on an elevated site, to the boundaries of established residential properties to the south, it is considered that the proposed development would constitute overdevelopment and would result in overlooking from the residential units of adjoining properties. The proposed development would, therefore, set an undesirable precedent in the area, would seriously injure the amenities of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

2. The proposed development which provides for residential development on a greenfield site would be contrary to the National Spatial Strategy, 2002 – 2020, and to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 2009, where it is the objective to consolidate urban areas and minimise urban sprawl. The proposed development would give rise to the “leap-frogging” of zoned lands closer to the village centre and would also give rise to unsustainable forms of commuting that would be contrary to the National Spatial Strategy which seeks to maximize access to and encourage the use of public transport, cycling and walking in facilitating future development and which also seeks to reinforce the key roles of larger and smaller towns and villages in achieving balanced regional development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.