

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Kerry County**

**Planning Register Reference Number: 16/534 (Killarney)**

An Bord Pleanála Reference Number: PL 08.247373

**APPEAL** by Michael Horgan of 2 Upper Cloonbeg, Tralee, County Kerry against the decision made on the 13<sup>th</sup> day of September, 2016 by Kerry County Council to grant subject to conditions a permission to Gareth Doyle and Laura Power care of Hickey Design and Associates of 10 Priory Paddocks, Muckross Road, Killarney, County Kerry.

**PROPOSED DEVELOPMENT:** Construction of a dwellinghouse and mechanical treatment unit, ecoflo intermittent filter and polishing filter at Tomies West, Beaufort, Killarney, 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. The site is located on a minor road which is seriously substandard in terms of width and alignment. The traffic generated by the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development site is located within an area designated as a Rural Secondary Special Amenity area in the Kerry County Development Plan 2015-2021, which sets out a number of provisions to protect such landscape areas from development. These sensitive landscapes can only accommodate a limited level of development and this is dependent on the degree to which the development can be integrated into the landscape. The proposed development, when taken in conjunction with existing dwellings in the area, would constitute an excessive density of development by virtue of its impact on the landscape, would interfere with the character of the surrounding rural landscape, which it is necessary to preserve and would be contrary to objective ZL-1 of the Development Plan, which seeks to protect the amenity value of the landscape of the county. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this                      day of                      2017.**