

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Kerry County**

**Planning Register Reference Number: 16/397**

An Bord Pleanála Reference Number: PL 08.247428

**APPEAL** by Ronan O'Connor care of Doyle and Associates of Kilshannig, Lovers Walk, Tivoli, Cork against the decision made on the 21<sup>st</sup> day of September, 2016 by Kerry County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Provision of a new vehicular entrance, driveway and parking area for dwelling at Tyshe, Ardfert, 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 proposed development, by reason of the partial removal and alteration of the existing roadside boundary wall, would seriously detract from the built heritage and historic character of the village of Ardfert and would materially conflict with the development strategy for the village, as set out in the Ardfert Local Area Plan contained in the Tralee/Killarney Hub Functional Area Local Area Plan, 2013-2019, which seeks to protect the natural environment, architectural and archaeological heritage of the village from developments of an inappropriate nature and scale given that these attributes contribute greatly to the distinctive character of the village, and also to protect and enhance the existing stone walls within the village. The proposed development would further materially contravene Objective AH-2 of the said Local Area Plan which seeks to 'preserve and enhance existing stone walls'. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
  
2. It is considered that the proposed development would endanger public safety by reason of traffic hazard, because of the inadequate sightlines available from the proposed entrance onto the public road at a point where a speed limit of 80 km/h applies.

---

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

**Dated this                      day of                      2017.**