

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Kerry County

Planning Register Reference Number: 16/755

An Bord Pleanála Reference Number: PL 08.247469

APPEAL by Rosaleen Randles care of Hickey Design and Associates of 10 Priory Paddocks, Muckross Road, Killarney, County Kerry against the decision made on the 28th day of September, 2016 by Kerry County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of a dwelling house, ancillary services and areas at Reen, Ross Road, 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. Having regard to the location of the site in an area which is prone to flooding, and on the basis of the submissions made in connection with the planning application and appeal, the Board is not satisfied that the proposed development would not give rise to an increased risk of flooding of the site or of property in the vicinity. Furthermore, arising from the historical raising of ground levels on site through the infilling of land, the Board is not satisfied that the development carried out to date has not adversely affected the flood storage regime of the surrounding area, which would give rise to the risk of exacerbation of flooding elsewhere, and that these works have not had a serious adverse impact on downstream hydrology and aquatic ecology. The proposed development would, therefore, be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

2. Notwithstanding the zoning and having regard to the site location in a visually sensitive area along a key tourist route, it is considered that the proposed development, by reason of its prominent position and the nature and extent of the works concerned, including the proposed felling of trees to facilitate a vehicular access to the site, would be detrimental to the high scenic amenity value of the area and would be unduly visually obtrusive thereby interfering with the character of the surrounding rural landscape. 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 2017.