

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Kerry County**

**Planning Register Reference Number: 16/623**

An Bord Pleanála Reference Number: PL 08.247513

**APPEAL** by John Horan of Ranalough, Currow, Killarney, County Kerry against the decision made on the 26<sup>th</sup> day of October, 2016 by Kerry County Council to grant subject to conditions a permission to Patrick McCarthy and Roisin Daly care of Ross Planning and Design of Rossanean, Currow, Killarney, County Kerry.

**PROPOSED DEVELOPMENT:** (1) Construction of a storey and a half dwellinghouse, (2) construction of a domestic garage, (3) construction of new front boundary entrance walls and (4) installation of a new secondary wastewater treatment system, the proposed installation will include an aeration mechanical treatment unit, followed by an intermittent puraflo filter on a polishing filter and all associated ancillary site works, all within revised site boundaries at Ranalough, Currow, 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 site conditions, and to the proposed arrangement for waste water disposal, including the requirement for pumping of wastewater to a raised area to the rear of the site, and behind retaining walls at a higher level than the proposed house, and to the proximity of a well on adjoining lands, and having regard to the identification of this area by the Environmental Protection Area as being at very high risk from domestic waste water pollution, it is considered that the proposed development would be prejudicial to public health and would give rise to a risk of environmental pollution. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the topography of the site, the elevated positioning of the proposed dwelling, together with its overall design and scale, and the likely necessity to remove existing trees to accommodate safe vehicular access, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape and would militate against the preservation of the rural environment. 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.**