

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Kerry County

Planning Register Reference Number: 16/827

An Bord Pleanála Reference Number: PL 08.247566

APPEAL by Ballyheigue Athletic care of James Fitzgerald of Martello House, Ivy Terrace, Tralee, County Kerry against the decision made on the 19th day of October, 2016 by Kerry County Council to refuse permission.

PROPOSED DEVELOPMENT: Retention of a soccer pitch and entrance as completed and permission for a container to be used as changing rooms at Buncurrig, Ballyheigue, Tralee, 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 retention of the soccer pitch at this location would contravene Objective NE-64 of the Kerry County Development Plan 2015-2021 which seeks to 'Prohibit the removal of beach material, aggregates, sand and gravel, including the removal of material from sand dune ecosystems' and Objective NE-65 which seeks to 'Protect the sand dunes of the County, (which include annexed habitats), and prohibit any development that would damage the integrity (ecological and visual) of these areas'. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development is located within an area designated as a Rural Secondary Special Amenity area in the Kerry County Development Plan 2015-2021 where it is the policy of the planning authority as set out in section 12.3.1 (Zoning Designation) that "permission will not be granted for development which cannot be integrated into its surroundings". The proposed retention of the soccer pitch and entrance together with the proposed container building for use as changing rooms and the car parking proposed at this location would represent a significant incongruous element in this sensitive coastal landscape, would seriously injure the amenities of the area and would interfere with the character of the landscape and natural beauty of the area, which is necessary to preserve. The proposed development, therefore, would be contrary to the proper planning and sustainable development of the area.
3. The existing road and track serving the soccer pitch is substandard and inadequate in terms of surface and width, and would not be acceptable or appropriate to support the traffic associated with the proposed development. Furthermore, it is considered that the road is inadequate to serve the pitch in terms of pedestrian safety. The proposed development would, therefore, endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area.

4. On the basis of the submissions made in connection with the planning application and the appeal, and in the absence of a Natura Impact Statement or Environmental Statement, the Board is not satisfied that the proposed development, individually and in combination with other plans or projects, would not be likely to adversely affect the integrity of the Akeragh, Banna and Barrow Harbour Special Area of Conservation (Site Code 000332), or the Tralee Bay Complex Special Protection Area (Site Code 004188) in view of the site's conservation objectives.

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

Dated this day of 2017.