

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Kerry County

Planning Register Reference Number: 17/342

An Bord Pleanála Reference Number: ABP-300033-17

APPEAL by Derry and Joan O'Mahoney of Bramblewood House, Woodlawn Road, Killarney, County Kerry and by Simon Mangan care of Barry Doyle and Company Solicitors of Marshalsea Court, 23 Merchants Quay, Dublin against the decision made on the 29th day of September, 2017 by Kerry County Council to grant subject to conditions a permission to Michael Casey care of Declan Noonan and Associates of Upper Main Street, Dingle, County Kerry.

PROPOSED DEVELOPMENT: (a) Demolition of an existing dwelling house on site, (b) construct four number storey and a half dwelling houses served by an associated access-way, parking and service areas and also to include all associated site works, all at Woodlawn Road, Ballycasheen, 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. It is considered that, by reason of the siting of houses close to existing properties to the east, and in particular the siting of proposed houses numbers 3 and 4 immediately to the north-west and south-west of the adjoining dwellinghouse, known as Bramblewood House, the proposed development would constitute a visually obtrusive form of development when viewed from lands to the east, including front and rear gardens, would overlook and overshadow these adjoining properties, and would, thereby, seriously injure the residential amenities of these properties. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the limited width of the subject site, the disposition of the proposed houses relative to lands to the west, and the potential for deleterious impacts on existing mature trees along, and in the vicinity of, the western boundary of the site consequent on the carrying out of the proposed development, it is considered that the proposed development would constitute overdevelopment of the subject site, and would militate against the future development of zoned and serviced lands to the west. Furthermore, by reason of the proposal to demolish the existing house at the site frontage, it is considered that the proposed development would lead to the creation of an avoidable gap in the streetscape on the southern side of Woodlawn Road, which would be out of character with the predominant character of the existing streetscape and be injurious to the visual amenity of the area. 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 2018.