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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 17/693**

**APPEAL** by Terradaniel Limited of Rockfield House, Boulia, Furies, County Kerry against the decision made on the 21<sup>st</sup> day of March, 2018 by Kerry County Council to refuse permission to the said Terradaniel Limited.

**Proposed Development** (a) Construct 10 number single storey one-bedroom dwelling houses, suitable for elderly occupation, (b) construct landscaped amenity/recreational area, (c) construct new site entrance, paving and storage facilities for residential amenity, and all associated works at rear of 19 and 20 Saint Mary's Terrace and Saint Mary's Road, in the townland of Inch, Killarney, County Kerry.

**Decision**

**REFUSE** permission for the above proposed development in accordance with 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 this restricted site to the rear of Saint Mary's Terrace, to the distinctive character and pattern of development of this established residential area, which is characterised by narrow laneways which separate the terraced houses from their rear gardens, and to the objectives of the Killarney Town Development Plan 2009 - 2015, (as extended), to resist the subdivision of such residential sites, it is considered that the proposed development of 10 dwelling units, with no parking provision or private amenity space, would result in a congested layout and poor residential environment for existing and future occupiers, and would constitute overdevelopment of the site and contribute to piecemeal development of the area. The proposed development would, therefore, conflict with the provisions of the Development Plan, would seriously injure the amenities of the area, and would be contrary to the proper planning and sustainable development of the area.

2. The site is located on a laneway which is seriously substandard in terms of width and alignment, where existing pedestrian access points open directly onto the lanes and ad hoc parking occurs on the carriageways. The Board is not satisfied, on the basis of the information submitted with the application and the appeal, that the proposed development, with no parking provision and two set down spaces, would not result in traffic and parking congestion on the lanes and give rise to a serious traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Paul Hyde**

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

**Dated this            day of            2018.**