



Planning and Development Acts 2000 to 2018

Planning Authority: Kerry County Council

Planning Register Reference Number: 17/1227

APPEAL by James Godley and Maura Walsh care of Brendan O'Connell and Associates of 11 Gas Terrace (Old Prospect House), Tralee, County Kerry against the decision made on the 3rd day of May, 2018 by Kerry County Council to refuse permission to the said James Godley and Maura Walsh.

Proposed Development Build a private single storey dwelling with attic accommodation, private garage, septic tank and percolation area and all associated site works at Ardconnell, Ardfert, 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

The site of the proposed development is located within a 'Stronger Rural Area', as set out in the Kerry County Development Plan, 2015, where emphasis is placed on the importance of integration into the landscape and of siting of development to minimise visual intrusion, as set out in the current "Building a House in Rural Kerry – Design Guidelines" and in development plan objectives RS-2 and RS-4. These guidelines and objectives are considered reasonable. Having regard to the elevated and prominent positioning of the proposed development, it is considered that the proposed development would form an 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, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity. The proposed development would, therefore, materially contravene the said development plan objectives and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018.