



Planning and Development Acts 2000 to 2018

Planning Authority: Kerry County Council

Planning Register Reference Number: 18/1094

APPEAL by Lakes and Rivers of Kerry Salmon and Trout Conservation and Protection Association care of Michael Horgan of 2 Upper Cloonbeg, Tralee, County Kerry against the decision made on the 9th day of January, 2019 by Kerry County Council to grant subject to conditions a permission to Mary Lyne and Ann Spillane care of Hickey Design and Associates of 10 Priory Paddocks, Muckross Road, Killarney, County Kerry.

Proposed Development: Construction of a dwelling house, garage, private driveway, mechanical treatment unit and polishing filter at Coolies, Muckross, 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

Taken in conjunction with existing dwellings in the vicinity, it is considered that the proposed development would give rise to an excessive density of development in an area of Secondary Special Amenity, and in a rural area lacking certain public services and community facilities, would exacerbate an emerging pattern of suburbanisation that is eroding the rural character in the vicinity, and would conflict with Section 3.1 of the Kerry County Development Plan 2015-2021, which states that “urban sprawl on the edge and environs of the Hub towns (and on the edges of settlements) should be discouraged.” The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board was not satisfied that, given the location of the site in an area under strong urban influence, sufficient economic need to reside in the area had been demonstrated based on the viability of the farm, and that the construction of an additional dwelling house in this area given the existing density and limited capacity to absorb further development, would not be acceptable. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.