



Planning and Development Acts 2000 to 2018

Planning Authority: Kerry County Council

Planning Register Reference Number: 18/570

APPEAL by Stella Maloney and Brian Looney of Valinor, Mill Road, Killarney, County Kerry against the decision made on the 31st day of January, 2019 by Kerry County Council to grant subject to conditions a permission to Neilie Hickey care of Hickey Design and Associates of 10 Priory Paddocks, Muckcross Road, Killarney, County Kerry.

Proposed Development Construct a dwelling house, ancillary services and areas at Poulnamuck, Mill Road, Killarney, County Kerry, as revised by the further public notice received by the planning authority on the 4th day of January, 2019.

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

Having regard to the prioritisation of pedestrian facilities, as set out in the “Design Manual for Urban Roads and Streets” issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government in 2013 and to the importance of public footpath provision, as set out in Objective 8.1.4 (b) of the current Killarney Town Development Plan, it is considered that the absence of pedestrian facilities/public footpath provision on Mill Road is unsatisfactory, as it effectively severs the otherwise continuous public footpath between the proposed site and Killarney town centre.

The development of the site, as proposed, to provide a dwelling house would continue a pattern of piecemeal development on the applicant’s lands and would establish a precedent for the continuation of this unsustainable pattern, in advance of the submission and agreement of a masterplan for the wider landholding, as sought under a request for further information from the planning authority. The vehicular and pedestrian traffic generated by this pattern would be required to use Mill Road and Elmwood for access, adding to existing traffic on these roads and, consequently, increasing the risks to public and pedestrian safety in the absence of public footpaths and in advance of a fuller assessment of road safety to be addressed in the awaited masterplan.

Accordingly, it is considered that the proposed dwelling house would contravene the above cited national guidance and local planning objectives and further endanger public safety. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Dave Walsh

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

Dated this day of 2019.