



Planning and Development Acts 2000 to 2019

Planning Authority: Kerry County Council

Planning Register Reference Number: 19/709

APPEAL by Léan and Michéal Uí Móráin care of DMA Architects of Room 8, Collis Sandes House, Killeen, Tralee, County Kerry against the decision made on the 2nd day of September, 2019 by Kerry County Council to refuse permission.

Proposed Development: Tigh cónaithe stór singil a thógail seirbhísithe ag aonad chun cóireáil a dhéanamh ar uisce na dramhaíola agus scagaire gainimh oscailt nua chun suímh agus bóthar rochtana e seo go leir ag Ballymoreagh, Daingean, Chontae Chiarraí.

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 Consideration

1. Having regard to the extensive one-off housing in this location in close proximity to the town of Daingean, to the location of the site within a Stronger Rural Area as designated in the Kerry County Development Plan 2015-2021, to the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April, 2005 and to the National Policy Objectives of the National Planning Framework, which seek to manage the growth of areas that are under strong urban influence to avoid over-development and to ensure that the provision of single housing in rural areas under urban influence are provided based upon demonstrable economic or social need to live in a rural area, it is considered that the applicants do not come within the scope of the housing need criteria as set out in the Rural Housing Guidelines for a house at this rural location and do not comply with National Policy Objectives. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the provisions of the Sustainable Rural Housing Guidelines for Planning Authorities and the rural policy provisions of the National Planning Framework and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located in a remote rural area of scenic and amenity value in West Kerry. It is an objective of Kerry County Development Plan 2015-2021 to protect the landscape of the County as a major economic asset and an invaluable amenity which contributes to peoples' lives (Objective ZI-1). It is considered that the siting of the proposed house on this open, exposed and prominent site would constitute an obtrusive feature on the landscape, would seriously injure the visual amenities of the area, would conflict with the development plan objective and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. It is considered that the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users because of the additional traffic turning movements it would generate onto a minor local road that is seriously substandard in width and alignment.

Terry Ó Niadh

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

Dated this day of 2020.