



Planning and Development Acts 2000 to 2019

Planning Authority: Kerry County Council

Planning Register Reference Number: 20/45

APPEAL by Keith Whyte care of Derek Whyte of Great Connell, Newbridge, County Kildare against the decision made on the 18th day of March, 2020 by Kerry County Council to refuse permission for the proposed development.

Proposed Development: Construction of a residential housing development consisting of three number two-storey houses (one detached and two number semi-detached), a new vehicular entrance and the re-location of the existing front boundary wall and railings to facilitate sight lines and access to the proposed development, permission for the provision of a landscaped public open space to be enjoyed by the occupants of the proposed development and the occupants of Cable Station apartments (to the west of the development), connection to public foul sewer and watermain and all associated site works at Spunkane, Waterville, County Kerry. The site is adjacent to and or within the curtilage of a Protected Structure (Department of the Environment, Heritage and Local Government Reference number 21309801 and Kerry County Council Reference RPS 098-001 (Cable Station)).

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. The proposed development would deprive the occupants of the apartments in the Old Cable House of an adequate amount of useable private open space, would seriously detract from the residential amenity of existing occupants of the Old Cable House and would seriously injure the amenities and depreciate the value of property in the vicinity of the site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development would have a serious adverse impact on the available views of the eastern elevation of the Old Cable House, a Protected Structure (Reference RPS-KY-098-001 National Inventory of Architectural Heritage Reference 21309801) of architectural and historical importance, which is a principal elevation of that Protected Structure and would disrupt the relationship between the Old Cable House and other buildings in the vicinity which were part of the historic Cable Station at Waterville and would negatively impact on the character of the building from the public road. The proposed development would, therefore, seriously injure the setting and character of the Protected Structure in a manner that would be contrary to the advice given in section 13.5 of the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in December, 2004, would be contrary to Objective H-38 of the Kerry County Development Plan 2015-2021, would seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.

Paul Hyde

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020.