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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 19/945**

**APPEAL** by Mahmood and Iris Hussain care of Neasa Donnellan of NDA Architects Limited, 41 Abbey Road, Monkstown, County Dublin against the decision made on the 18<sup>th</sup> day of June, 2020 by Kerry County Council to refuse permission.

**Proposed Development:** (a) Demolish existing dwellinghouse and outbuildings, (b) construct new dwellinghouse with attached garage, (c) to construct a new vehicular entrance and associated site works at Ardroe, Inch, Annascaul, County Kerry, as revised by the further public notices received by the planning authority on the 25<sup>th</sup> day of May, 2020

**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 form, scale, design and height of the proposed dwelling on a prominent and sensitive hillside location adjoining Inch Strand, to Objective ZL-1 of Kerry County Development Plan 2015-2021, which seeks to protect the landscape of the county as a major economic asset and invaluable amenity, it is considered that the proposed development would be visually obtrusive (particularly on the approaches from the east and west) and would undermine the landscape character of this sensitive scenic area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this                      day of                      2020**