



Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

Planning Register Reference Number: 20/840

APPEAL by Robert Curran and Others of Knockavrogeen East, Dingle, County Kerry and by John Patrick Curran and Ursula Noonan and Others of Knockavrogeen East, Dingle, County Kerry against the decision made on the 9th day of November, 2020 by Kerry County Council to grant subject to conditions a permission to Fionnán Lynch of Kilfountain, Dingle, County Kerry.

Proposed Development: Construction of a slatted unit, associated underground tanks, soiled holding yard and for all the necessary and ancillary site works to complete the development at Kilfountain, Dingle, 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

1. On the basis of the information provided with the application and the appeal, particularly in relation to the lack of details on slurry production, landspreading, land management, and surface water drainage, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of Mount Brandon Special Area of Conservation (Site Code: 000375) and Dingle Peninsula Special Protection Area (Site Code: 004153) in view of the sites' conservation objectives. In such circumstances, the Board is precluded from granting permission for the proposed development.
2. On the basis of the information provided with the application and the appeal, particularly in relation to the lack of details on slurry production, landspreading, land management, and surface water drainage, the Board cannot assess the direct, indirect and cumulative effects of the proposed development on the environment. In such circumstances, the Board is precluded from granting permission for the proposed development.

3. On the basis of the absence of information in respect of the movement of animals around the farm, the likely scale of operations following the development of the proposed slatted shed, and proposed alternative management measures, it is considered that the proposed development would constitute a traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2021