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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 20/957**

**APPEAL** by Karen Nash care of Barbara Carey of Saint Ita's, Church Street, Tarbert, County Kerry against the decision made on the 3<sup>rd</sup> day of December, 2020 by Kerry County Council to refuse outline permission.

**Proposed Development:** Outline permission for: (A) Construction of a detached single storey dwellinghouse. (B) A new connection to public foul sewer. (C) New vehicular entrance and (D) all ancillary site works. All at Doon East, Ballybunion, County Kerry.

**Decision**

**REFUSE** outline 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**

The proposed site is located outside the Ballybunion town boundary in a Rural Area under Strong Urban Influence, as categorised in the Kerry County Development Plan 2015-2021 and is therefore subject to the assessment of local need in the context of compliance with the development plan rural housing policy, as well as taking account of national policy and guidance as articulated in the Sustainable Rural Housing Guidelines for Planning Authorities, issued by the Department of the Environment, Heritage and Local Government in April, 2005, and in the National Planning Framework. National Policy Objective 19 of the National Planning Framework aims to facilitate the provision of single housing in the countryside, based on the core consideration of demonstrable economic or social need to live in a rural area and having regard to the viability of smaller towns and villages. Having regard to the documentation submitted with the application for outline permission and the appeal, the Board is not satisfied that the applicant has demonstrated an economic or social need for a dwelling in this rural area, particularly having regard to the site's proximity to the town and the general policies to seek to re-direct urban generated housing into towns and villages. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in national policy and guidelines and in local development plan policy for a house at this location. In the absence of an

identified locally based, site-specific economic or social need to live in the area and having regard to the substantial amount of one-off housing already existing in this scenic rural area which is not zoned for residential development, it is considered that the proposed development would contribute to the development of random rural housing in the area, would exacerbate the existing pattern of ribbon development 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 Ministerial Guidelines and to the over-arching national policy and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that, notwithstanding the pattern of development and proliferation of one-off houses in the area and the services available, the justification by the applicant for a new one-off house at this location does not accord with both local and national policy which seek to regulate rural housing developments in a managed and sustainable manner and in the absence of such satisfactory justification and demonstrable need, an additional house at this location would further exacerbate the haphazard form of ribbon development in this area.

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**Dave Walsh**

**Member of An Bord Pleanála**

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

**Dated this            day of            2021.**