

Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

Planning Register Reference Number: 20/621

APPEAL by William Horgan care of Downing, Courtney and Larkin Solicitors of 84 New Street, Killarney, County Kerry against the decision made on the 16th day of December, 2020 by Kerry County Council to grant subject to conditions a permission to Darragh and Ciara Kelly care of Reeks Consulting Engineers of Rock Road, Killarney, County Kerry.

Proposed Development Construct a new dwelling house and garage with connection to wastewater treatment system and all associated site services, all at Knockataggle More, Kilcummin, Killarney, County Kerry, as revised by the further public notice received by the planning authority on the 30th day of November, 2020.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.



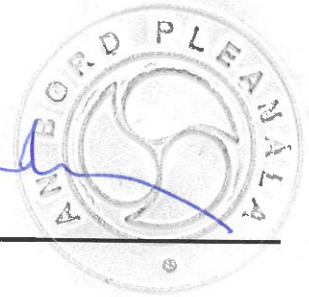
Matters Considered

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 location of the site within an “Area Under Strong Urban Influence”, as designated in the current Kerry County Development Plan 2015 – 2021 and having regard 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 National Policy Objective 19 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 is provided based upon demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, the Board is not satisfied that the applicants come within the scope of the housing need criteria, as set out in the “Sustainable Rural Housing Guidelines for Planning Authorities”, for an additional house on this landholding at this rural location, or comply with National Policy Objective 19 of the National Planning Framework. The proposed development, in the absence of a demonstrable economic or social need for a 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 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.



John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 17th day of June 2021.