

Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

Planning Register Reference Number: 20/892

APPEAL by Richard Willis and Niamh O’Kelly of Tiernaboul, Killarney, County Kerry against the decision made on the 18th day of January, 2021 by Kerry County Council to grant subject to conditions a permission to Siobhan Duggan care of Murphy New Homes of Clonmeen, Banteer, County Cork.

Proposed Development: Construction of a new dwellinghouse at Teernaboul, Killarney, County Kerry.

Decision

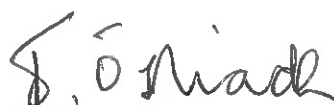
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

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

Having regard to the location of the site in an area designated as an Area Under Strong Urban Influence in the current Kerry County Development Plan 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 are provided based upon demonstrable economic or social need to live in a rural area, the Board is not satisfied that the applicant comes within the scope of the housing need criteria as set out in the rural housing guidelines for a house at this rural location or comply with National Policy Objective 19. The proposed development, in the absence of a demonstrable economic or social need for the 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, thus, be contrary to 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.



Terry Ó Niadh

Member of An Bord Pleanála

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

Dated this 28th day of May 2021.

