



Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

Planning Register Reference Number: 20/1170

APPEAL by Cian and Michelle O'Sullivan care of Sean Moriarty of An Nead, Ardrinane, Annascaul, County Kerry against the decision made on the 5th day of February, 2021 by Kerry County Council to refuse permission.

Proposed Development: Construct a dwelling house with a wastewater treatment unit, puraflo modules and polishing filter including all necessary site works at Minard East, Annascaul, 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. Having regard to the location of the proposed development within a Secondary Special Amenity Area and the provisions for these areas in the Kerry County Development Plan 2015 – 2021, the Board considered that the development of a dwelling house, inclusive of the proposed screening mound, would constitute an obtrusive feature in the landscape that would fail to integrate successfully with the existing scenic landscape. The proposed development would seriously injure the visual and scenic amenities of the area, resulting in an adverse impact on the character of the Secondary Special Amenity Area and would, therefore, contravene the relevant provisions of the Kerry County Development Plan 2015-2021. The proposed development, would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Insufficient information has been submitted with the application and the appeal to enable the Board to carry out a Stage 1 screening of the project for the purpose of Appropriate Assessment. Consequently, the Board cannot be satisfied that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on the Dingle Peninsula Special Protection Area (Site Code: 004153) in view of the site's conservation objective. In such circumstances, the Board is precluded from granting permission.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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



Dated this 30th day of June 2021