

Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

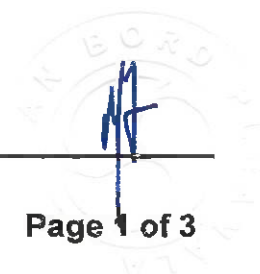
Planning Register Reference Number: 21/578

APPEAL by Jason and Fiona Casey care of Paul Casey Civil Engineering and Land Surveying of Glenderry, Ballyheigue, County Kerry against the decision made on the 21st day of July, 2021 by Kerry County Council to refuse permission to Jason and Fiona Casey.

Proposed Development Construct a bungalow style dwelling house with attic accommodation, serviced by a septic tank and percolation area and all other ancillary services and to surface the existing access road in tarmacadam, all at Glenderry, Ballyheigue, County Kerry.

Decision

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

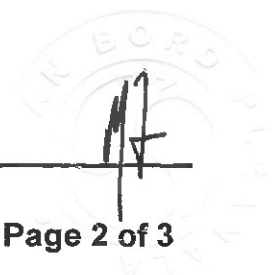


Matters Considered

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 pattern and density of individual housing development in the vicinity of the site, to the site location in proximity to the town of Ballyheigue and to National Policy Objective 19 of the National Planning Framework adopted by the Government, which states that “regard to the viability of smaller towns and rural settlements will be had when facilitating the provision of single housing in the countryside in rural areas not under urban influence”, the Board is not satisfied that the applicants’ housing needs could not be satisfactorily met in an established smaller town or village/settlement centre. The proposed development would give rise to an excessive density of development, would contribute to the further encroachment of random rural development in the area, would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure and would militate against the viability of smaller towns and rural settlements. The proposed development would, therefore, contravene the Ministerial Guidelines, and would be contrary to national policy and to the proper planning and sustainable development of the area.



2. The site is located in an elevated position in an area designated as Secondary Special Amenity in the current Development Plan for the area, with views along the local road to the south (Kerry Head Road) listed for protection. It is considered that the proposed development on an elevated and exposed site would seriously injure the visual amenities of the area and would interfere with views of special amenity value which it is considered necessary to preserve. The proposed development would, therefore, be contrary to section 12.2.1 and objective ZI-5 of the current Development Plan for the area.


Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 19th day of November 2021.