

Planning and Development Acts 2000 to 2021

Planning Authority: Kerry County Council

Planning Register Reference Number: 21/660

APPEAL by Laura Twomey care of Michael Casey and Associates of 9 Main Street, Listowel, County Kerry against the decision made on the 3rd day of November, 2021 by Kerry County Council to grant subject to conditions a permission to Paddy and Jennifer Boyle care of Des O'Sullivan of Bedford, Listowel, County Kerry.

Proposed Development: Construction of a bungalow with a wastewater treatment unit with a polishing filter, also to create a new entrance to the site and all associated site works at Leampreaghane, Kilflynn, Tralee, County Kerry.

Decision

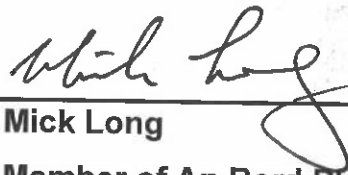
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Having regard to
 - (i) National Policy Objective 19 of the National Planning Framework (2018) which, for rural areas under urban influence, seeks 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, having regard to the viability of smaller towns and rural settlements,
 - (ii) the pattern of development in the area which is considered to be under urban influence, and
 - (iii) the objectives of the Kerry County Development Plan 2022-2028 and the current Listowel Municipal District Local Area Plan, which seek to discourage urban generated housing in rural areas and to direct the provision for housing into towns and villages such as Listowel,

it is considered that the applicants have not sufficiently demonstrated an economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, and that the proposed development does not comply with National Policy Objective 19 or with the development plan. The proposed development would contribute to the 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 contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the horizontal alignment of the road onto which the domestic entrance is proposed, the information provided to the Board is insufficient to be satisfied that the proposed development would not endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate on a road at a point where sightlines are restricted.



Mick Long

Member of An Bord Pleanála

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

Dated this 2 day of May 2023.