



Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 22/533

APPEAL by Sharon Gardener of Newcastle, Cleariestown, County Wexford and by Coiste Áiseanna na hÓige CTR of Ard na Gréine, Daingean Uí Chúis, Contae Chiarraí and by Other and by Social Housing Company of Upper Main Street, Dingle, County Kerry against the decision made on the 21st day of December, 2022 by Kerry County Council to grant subject to conditions a permission to the said Social Housing Company.

Proposed Development: Construct 91 residential units comprising of seven apartment buildings containing 62 number one and two bedroom apartment units, 21 number single storey one and two bedroom terraced houses, and eight number two-storey detached two and four bedroom dwelling houses. The development will also make provision for common car parking for residents and visitors, open green areas, common waste bin amenity enclosure and common bicycle parking bays, all units to be connected to public services and also to include all associated site work at Grove, Dingle, County Kerry as revised by the further public notices received by the planning authority on the 30th day of November 2022.

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 the peripheral location of the site within a Small to Medium Sized Town with a lack of safe pedestrian and cycle friendly means of connectivity with the town centre, local services and community facilities by reason of the long winding route and a single narrow footpath, and to the design, scale and mass of the apartment blocks in the centre of the site which would be visually incongruous in the context of adjoining development, it is considered that the proposed scale and density of the scheme is excessive and would fail to respond in a positive and proportionate manner to the established development in the surrounding area. The proposed development would constitute overdevelopment of the site and would be contrary to the policy objectives of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage (2024) and of the Kerry County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered that the layout and design of the proposed residential development by reason of the poor quality public realm which lacks permeability and universal accessibility to public open space and a coherent architectural and urban design strategy to create an attractive and distinctive sense of place, together with the poor quality of many of the private amenity spaces due to inadequate visual outlook, aspect and/or direct accessibility from living areas, would result in a cramped and substandard form of development on the site which would seriously injure the residential amenities of the future occupiers of the site. The

proposed development would, therefore, fail to comply with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2020, as amended) and the policy objectives of the current Kerry County Development Plan 2022-2028, and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Notwithstanding the inclusion of an option for the provision of a childcare facility as shown on Drawing Number SHC/01/130 Rev A, submitted to An Bord Pleanála on the 23rd day of February 2023, it is considered that, in the absence of sufficient information on the traffic safety implications and need for co-ordination with existing childcare facilities in the vicinity, the proposed development does not comply with national policy on Childcare Facilities, as set out in the Guidelines for Planning Authorities, issued by the Government of Ireland (2001). The proposed development would, therefore, be detrimental to the amenities of the area, would be contrary to the policy objectives of the Kerry County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.



Stephen Brophy
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this 27th day of February 2024