



Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 22508

APPEAL by Mary Deenihan and others care of Ger O'Keeffe Consulting Engineers of Friary Lane/4 Day Place, Tralee, County Kerry against the decision made on the 14th day of February 2023 by Kerry County Council to grant, subject to conditions, a permission and outline permission to John and Kay Sayers care of MRG Consulting Engineers of 4 Day Place, Tralee, County Kerry in accordance with the plans and particulars submitted to the said Council.

Proposed Development: (a) Construct access roads, footpaths and associated services including watermains, storm and foul drainage (including pumping station) and electrical utility services along with all associated site works and for (b) Outline permission for 29 detached dwelling houses comprising 25 two storey houses and four single-storey houses, at Ashfield, Islandganniv North, Greenville Road, Listowel, County Kerry. The proposed development was revised by further public notices received by the planning authority on the 18th day of January 2023 which relates to a revised road layout and a reduction in the overall number of proposed units from 29 to 24 number two-storey dwellings.

Decision

REFUSE permission for the construction of access roads, footpaths and associated services including watermains, storm and foul drainage (including pumping station) and electrical utility services along with all associated site works, based on the reasons and considerations marked (1) below.

Refuse outline permission for 24 number two-storey dwellings, based on the reasons and considerations marked (2) below.

Reasons and Considerations

1. The Board considered the proposed development of 24 houses, at a density of nine units per hectare, or in the order of 10 units per hectare for the overall Ashfield development, is too low and would not comply with the Estimated Density Units p/ha set out in the Settlement Capacity Audit of Zoned Land for the area designated within Listowel as L-6 of the Kerry County Development Plan 2022-2028. The Board was not satisfied the proposed development would comply with Objective LIS 11, to facilitate the development of 415 residential units within the town boundary given the appeal site is located within the town development boundary of Listowel Town, in an area zoned R1 – New/proposed Residential Phase 1 of the Kerry County Development Plan 2022-2028. The proposed development would not, therefore, be in accordance with the proper planning and sustainable development of the area.

2. In relation to the construction of access roads, footpaths and associated services to facilitate development, the Board is not satisfied that the applicant has demonstrated how the proposed phasing of the infrastructure requirements would be aligned with the delivery of appropriate residential development. The construction of services in advance of the overall site development would represent a piecemeal and premature approach to the development and would not, therefore, be in accordance with the proper planning and sustainable development of the area.



Mick Long

Member of An Bord Pleanála

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

Dated this 3rd day of December 2024.