



Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 22/1282

Appeal by Jeffrey Smith care of Warren Reidy Planning and Design Limited of Goulane, Castlegregory, County Kerry against the decision made on the 10th day of February, 2023 by Kerry County Council to refuse outline permission for the proposed development.

Proposed Development: Construct a single-storey dwelling house with septic tank followed by a percolation area and all associated site works at Duagh, Camp, Tralee, County Kerry.

Decision

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

Reasons and Considerations

1. Having regard to the location of the proposed dwelling to the rear of existing and permitted residential development, it is considered that the development as proposed would constitute haphazard and disorderly backland development which would seriously injure the residential amenities of the property in the vicinity and which would create a precedent for similar undesirable backland development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the location of proposed dwelling on an elevated site to the rear of the existing residential development, it is considered that the proposed development would be unduly obtrusive by virtue of its visual impact on the landscape and would interfere with the rural character of the landscape, which it is necessary to preserve, in accordance with Objective KCDP 11-78 and KCDP 11-79 of the Kerry County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Una Crosse

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

Dated this 29th day of February 2024.