



Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 23/44

APPEAL by Pheilim Fitzgerald Building Services Limited care of Teicniúil-Priory Consulting Engineers of The Courtyard, Fair Hill, Killarney, County Kerry against the decision made on the 14th day of March, 2023 by Kerry County Council to refuse permission for the proposed development.

Proposed Development: (i) Retain the existing dwelling within revised site boundaries, (ii) planning permission to raise ground levels at the rear and sides of the property, augment existing landscaping, and construct a stone retaining wall to the rear, (iii) planning permission to alter the rear garage basement door to provide a single access door and (iv) planning permission to provide a stone finish to the side elevation walls at Garraun, Furies, County Kerry.

Decision

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

Reasons and Considerations

The site is located within a designated visually sensitive area (Landscape Designations - Map F, Volume Four, Kerry County Development Plan 2022-2028) and located within the visual amenity envelope of the designated view and prospect looking eastwards from the N70 positioned to west and northwest of the subject site. Having regard to the sensitivity of the landscape, the unauthorised altered ground levels on site, the insufficient detail provided in respect to site levels which do not sufficiently demonstrate how the proposed bank will sufficiently integrate the large scale and bulk of the two-storey rear façade into the landscape, and the provision of an unduly obtrusive extended deck/balcony feature with railing/glazed panels contrary to the Kerry County Council rural design guidelines 'Building A House in Rural Kerry' (2009), it is considered that the development as proposed to be retained and the proposed development, by itself or by the precedent which the grant of retention and permission for it would set, would fail to satisfactorily and sensitively integrate the structure into the landscape and would be contrary to KCDP 5-19 of the Kerry County Development Plan 2022-2028. The proposed development to be retained and the proposed development would, therefore, interfere with the character of the landscape and the preservation of the designated views and prospects and would seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary 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 26th day of March 2024.