

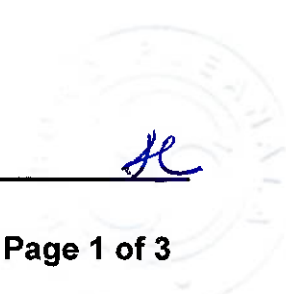
Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 22/1247

APPEAL by Noel Casey of 9 Verona Esplanade, O'Connell Avenue, Limerick against the decision made on the 12th day of June, 2023 by Kerry County Council to grant subject to conditions a permission to William and Marie Wall care of Sugrue Design, Ballinvasherig, Tralee, County Kerry for the proposed development.

Proposed Development: As revised by further public notices received by the planning authority on the 16th day of May, 2023, the proposed development now comprises construction of a single storey dwelling house, utilising the existing vehicular site entrance as a shared entrance, to include works to improve sight lines, and construct all associated works to include connection to the public sewer infrastructure on site and retention of existing dwelling and garage with revised site boundaries, site A, at Cliff Road, Ballyheigue, County Kerry.



Decision

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

Reasons and Considerations

1. The site is within an area designated as being a Visually Sensitive Area in the Kerry County Development Plan 2022-2028. It is considered that the proposed development, taken in conjunction with existing development in the immediate vicinity, would constitute an excessive density of the development, and would have a negative impact on the open character of the scenic coastal landscape. This could create a precedent for similar undesirable development on lands to the west which are also designated as a Visually Sensitive Area. The proposed development and the development to be retained would, therefore, seriously injure the visual amenities of the area and would materially contravene objective KC DP 11.78 of the Kerry County Development Plan 2022-2028 which seeks to preserve the landscape character of the county.

2. The proposed development site is located in Ballyheigue, which is identified in the Kerry County Development Plan 2022-2028 as an area of soft coastline which is vulnerable to coastal erosion. Having regard to the proximity of the proposed dwelling to the coastal cliff edge in Ballyheigue, it is considered that development would be contrary to Objective KCDP 11-53 of the Development Plan 'Restrict development in coastal areas where the natural erosion process is likely to threaten the viability of such development' and would, therefore, be contrary to the proper planning and sustainable development of the area.

A. Logan



Stewart Logan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *28* day of *November* 2023.