

An  
Bord  
Pleanála

**Board Order**  
**ABP-318155-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 23811**

**APPEAL** by Peter Woodcock care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 8<sup>th</sup> day of September 2023 by Kerry County Council to refuse permission.

**Proposed Development:** (i) Retention of the existing partially constructed agricultural building; (ii) permission for the completion of the partially constructed agricultural building comprising of a main hall, agricultural store, secure store and WC at ground floor level, a mezzanine storage loft and sheltered external storage area, at Coongar Farm, Derreenamucklagh, Tahilla, Killarney, County Kerry. The development includes drainage, landscaping, boundary treatments and all ancillary works necessary to facilitate the development and will be served by the wastewater treatment system and associated percolation area previously permitted under planning authority register reference 20/913.

## **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 design of the partially constructed structure and the proposed internal layout, the board is not satisfied that the development proposed to be retained and completed adheres to the Department of Agriculture Food and the Marine S. 101 Standards (Minimum Specifications for the structure of Agriculture Buildings July 2016) or the Department of Agriculture, Food and the Marine specifications as per the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2022 (S.I 113 of 2022) and that the ultimate use of the building will be for agricultural purposes. The development proposed for retention and completion would, therefore, be contrary to the proper planning and sustainable development of the area.

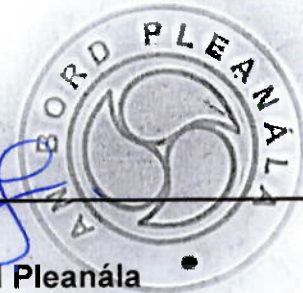
2. The proposed development is located in a visually sensitive area in an area of significant bio-diversity value, in the vicinity of native woodland and heath habitats. Based on the information submitted and the planning history of the site, the Board is not satisfied that the development proposed to be retained and completed, would, by itself and the precedent it would set for other similar developments, not result in adverse impact on landscape features of biodiversity interest and scenic value. The proposed development would therefore be contrary to objectives KCDP 11-22 (Green and Blue Infrastructure), KCDP 11-27 (preservation and enhancement of woodlands and trees) and KCDP 11-78 (Landscape Sensitivity) of the Kerry County Development Plan 2022-2028. The development proposed for retention and completion would, therefore, be contrary to 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 19<sup>th</sup> day of November 2024.