



An
Bord
Pleanála

Board Order ABP-321014-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 24/60470

Appeal by Eugene and Collette McGillicuddy care of Diarmuid Mangan and Associates of Bohereen Na Goun, New Street, Killarney, County Kerry against the decision made on the 10th day of September, 2024 by Kerry County Council to refuse permission for the proposed development.

Proposed Development: Construction of a dwelling house, modifying and incorporating an existing building originally built as a house into this dwelling house, constructing an onsite effluent treatment system and ancillary site works at Gortdirragh, Glencar, County Kerry.

Decision

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

Reasons and Considerations

1. The proposed development is in an area designated a 'Visually Sensitive' landscape in the Kerry County Development Plan 2022-2028, and it would be unduly obtrusive by virtue of its visual impact on the landscape. It would detract from the character and scenic value of the landscape and would, therefore, be contrary to Objective KCDP 11-78 (Landscape Sensitivity) of the Kerry County Development Plan 2022-2028.
2. The proposed development has had little regard to the design, scale, and character of the existing vernacular structure on site, the existing structure is subsumed by the new additions, the architectural treatment of the proposed works are not sympathetic to the original structure or the surrounding area, and therefore, the proposed development would contravene Objectives KCDP 5-26 and KCDP 5-27 (Renovation and Restoration of Buildings) of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. Having regard to the location of the site within a 'Rural Area Under Urban Influence' the Board is not satisfied on the basis of documentation provided, that an exceptional rural housing need has been demonstrated by the applicants, in accordance with the Rural Development policies of the Kerry County Development Plan 2022-2028, and National Planning Framework First Revision 2025, National Policy Objective 28 (People, Homes and Communities). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. The proposed development would constitute random housing development in a rural area lacking certain public services and community facilities and served by a poor road network. The proposed development would, therefore, give rise to demands for the provision of further public services and community facilities and accordingly would be contrary to the proper planning and sustainable development of the area.



Emer Maughan

Member of An Bord Pleanála

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

Dated this ^{3rd} day of ^{June} 2025.