



Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 24188

APPEAL by Mossie Kavanagh care of Noel Lynch Planning and Design of Main Street, Ballylongford, County Kerry against the decision made on the 12th day of December 2024, by Kerry County Council, to refuse permission.

Proposed Development: Permission to erect a single storey dwellinghouse with mains water and wastewater connections and to carry out all associated site works at Bridge Street, Ballylongford, County Kerry. The proposed development was revised by further public notices received by the planning authority on the 28th day of November 2024.

Decision

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

Reasons and Considerations

Having regard to the nature of the proposed development as a 'highly vulnerable use', and the location of the site within Flood Zones A and B, with respect to coastal flood risk, in an area zoned M4 for mixed use, where residential use is 'open for consideration', and having regard to the need to apply the Development Management Justification Test for such proposals, the Board considered that the proposed development does not meet the criteria as set out in Part 1 of the Justification Test, noting that the Listowel Municipal District Plan 2020-2026 excludes residential uses in areas that have been identified as at risk of flooding within the town of Ballylongford. It is considered that the proposed development would represent an inappropriate form of development within an area identified as being at risk of coastal flooding and it would be contrary to the principles of 'The Planning System and Flood Risk Management, Guidelines for Planning Authorities' (November 2009). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.


Mary Rose McGovern

Member of An Bord Pleanála

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

Dated this 12th day of May 2025.