



An  
Coimisiún  
Pleanála

Commission Order  
ABP-321997-25

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**Planning and Development Acts 2000 to 2024**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 2460952**

**APPEAL** by Anne Kennedy care of David Moriarty of Room 8, Collis Sandes House, Kileen, Tralee, County Kerry against the decision made on the 7<sup>th</sup> day of February, 2025 by Kerry County Council to refuse permission.

**Proposed Development:** Construction of a new single storey domestic dwellinghouse and adjacent single storey garage, including all associated site works and with a new mechanical treatment unit and sand polishing filter and a new connection to a private well, all at Ardroe, Inch, County Kerry.

## 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 location of the site within "Other Rural Area" as identified in Kerry County Development Plan 2022-2028 and objective KCDP 5-16, which seeks to accommodate demand for permanent residential development as it arises subject to good sustainable planning practices, it is considered that the applicant has not adequately demonstrated a need for a permanent residential development at this location in accordance with the development plan. The proposed development, in the absence of any identified locally based need for the house, would contribute to the encroachment of random rural development in the area and would militate against the preservation of the rural environment and the efficient provision of public services and infrastructure. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The site of the proposed development is located within a “Visually Sensitive Area” as set out in the Kerry County Development Plan 2022-2028 for the area, and objective KCDP 11-78 which aims to protect the landscapes of the County by ensuring that any new developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area. Having regard to the topography of the site, the unsurfaced minor laneway which is inadequate in width, alignment and structural condition, the elevated positioning of the proposed development, together with its depth and scale, the removal of the front boundary hedging and proliferation of one-off dwellings in the locality, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape, would militate against the preservation of the rural environment, would set an undesirable precedent for other such prominently located development in the vicinity and would contravene objective KCDP 11-78 of the Kerry County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Declan Moore**

**Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.**

**Dated this 23<sup>rd</sup> day of JUNE 2025.**