



An
Bord
Pleanála

Inspector's Report ABP 311055-21

Development	4 no. glamping pods
Location	Drumatoor, Ballyheigue, Co. Kerry.
Planning Authority	Kerry County Council
Planning Authority Reg. Ref.	21/528
Applicants	Tina & Barry Godley
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	1 st Party v. Refusal
Appellants	Tina & Barry Godley
Observer(s)	None
Date of Site Inspection	20/10/21
Inspector	Pauline Fitzpatrick

1.0 Site Location and Description

The site which has a stated area of 0.298 hectares, is accessed via a cul-de-sac track off a local road (Kerry Head Road) c. 900 metres to the west of the 50kph speed limit of the town of Ballyheigue in North Kerry. The site forms the northern part of a larger field currently in agricultural use which slopes down from north to south. The site is afforded panoramic views of the coast to the south. The larger field boundaries are delineated by stone walls and hedgerows. The Ballyheigue waste water treatment plant bounds the site immediately to the north, also accessed from the track.

2.0 Proposed Development

Permission is sought for 4 no. self-contained glamping pods, each with a stated area of 15 sq.m. They are to be 2.5 metres in height, served by small patios. The existing field access from the cul-de-sac track is to be upgraded.

Connection to the public foul water system is proposed.

The application is accompanied by a design statement and covering letter.

The development is to augment the applicants' family farm income

3.0 Planning Authority Decision

3.1. Decision

Refuse permission for the above described development for 1 reason which can be summarised as follows:

The site is located in a sensitive coastal environment zoned rural general in the County Development Plan. It is considered that the proposal would interfere with the character of the area which it is necessary to preserve in accordance with objective ZL-1. The proposal would conflict with the policy outlined in section 13.11 of the plan in relation to siting of camping/glamping and caravans parks in a rural area remote from retail and social facilities. It would also not comply with the policy set out in section 3.3.4 of the plan in relation to agri-tourism as the proposed units would not

be sited within or adjacent to an existing farm complex. The proposal would set an undesirable precedent.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner's report (countersigned) notes:

- The site is in a relatively remote location likely to require access to a car to drive to Ballyheigue.
- The proposal would conflict with the policy in terms of location of glamping sites as per section 13.11 of the Kerry County Development Plan. While not in direct proximity to the coastline this is a coastal environment.
- The proposed siting is in an isolated location set apart from any farm complex. It does not accord with section 3.3.4 of the plan.
- The site is located in a prominent, open and exposed coastal environment. It is a sensitive rural area. Notwithstanding the small scale nature of the project it would have a negative impact on the character of the landscape at this location.

A refusal of permission for 1 reason recommended.

3.2.2. Other Technical Reports

Fire Authority has no objection.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

I am not aware of any previous planning applications on the site.

5.0 Policy Context

5.1. Development Plan

Kerry County Development Plan

Chapter 3 – Settlement Strategy

The site is within an area designated Rural General.

Section 3.3.2.1 - These areas constitute the least sensitive landscapes throughout the County and from a visual impact point of view have the ability to absorb a moderate amount of development without significantly altering their character.

3.3.4 Holiday / Second Homes

In the context of the promotion of agri-tourism, consideration will be given to units of holiday accommodation on agricultural holdings which will remain an integral part of the land holding. These units shall be sited within or adjacent to the existing farm complex.

Chapter 5 – Tourism and Recreation

Objective T-59 - sustainably support and facilitate proposals for on-farm or farm related tourism ventures/developments and associated infrastructure having regard to the protection of the landscape, biodiversity, the principles of sustainability, the primary purpose of family farms and compliance with the objectives and development standards of this Plan.

Objective T-62 - support agri-tourism initiatives in the form of on-farm visitor accommodation and supplementary activities such as health farms, food centred activities, heritage and nature trails, pony trekking and boating in appropriate locations in accordance with the principles of sustainability, the development objectives and standards of this Plan, particularly as they relate to the protection of the natural and built environment.

Objective T-70 – ensure that where the development of facilities for commercial accommodation for tourists and visitors is proposed, that these facilities are encouraged to be located within settlements.

Chapter 12 – Zoning and Landscape

Objective ZL-1 protect the landscape of the County as a major economic asset and an invaluable amenity which contributes to peoples' lives.

Chapter 13 – Development Management Standards and Guidelines

Section 13.11 Camping/Glamping and Caravan Parks

The provision of tourist caravan parks to facilitate the expanding tourist industry is encouraged by the Planning Authority. Planning applications for new caravan parks will be required to submit a masterplan for the entire site to which the application relates indicating compliance with the provisions of this plan and adherence to Fáilte Ireland's publication entitled 'Model Standards for Caravan and Camping Parks' updated in 2008. Proposals will also be assessed with regard to the following matters:-

- Caravan parks will not generally be permitted in proximity to the coastline.
- Location of the development relative to existing services including retail and social facilities.
- Availability of services to cater for the development.
- Impact on existing residential amenities - overlooking, increased traffic and general disturbance will be taken into account.
- Capacity of road to cater for the development - direct access onto national primary or national secondary roads will not be permitted.
- Landscaping - every application for a caravan park will be accompanied by a comprehensive landscaping plan both proposed and existing which, in addition to creating an attractive residential environment, effectively screens the development.
- An appropriate assessment under Article 6 of the Habitats Directive, where applicable, shall be carried out in consultation with the National Parks and Wildlife Service.

5.2. Natural Heritage Designations

The site is approx. 300 metres to the east of Kerry SPA at its nearest point.

6.0 The Appeal

6.1. Grounds of Appeal

The submission by Tadhg Casey Architects on behalf of the applicants against the planning authority's notification of decision to refuse permission can be summarised as follows:

- The proposed development is in accordance with development plan objectives T-59 and T-60 with respect to farm related tourism ventures and on farm visitor accommodation. The proposal would contribute to the tourism sector locally and in the county as a modest, small scale sustainable offering.
- It would help arrest the decline in population in the rural area, which is designated as structurally weaker, by providing a supplemental income for the applicant who is a farmer which would allow the farming family to continue to reside in the locality.
- The site is within an area designated as rural general and not secondary special amenity.
- The glamping pods would be well sited in the landscape. Views of the proposal accompany the appeal. They would have a far lower impact on the landscape than the ribbon development along the adjoining road and the wastewater treatment plant to the north of the site. The proposal will be well screened. The application was accompanied by a landscaping plan.
- Section 13.11 of the County Development Plan is titled Camping/Glamping and Caravan Parks, however the only specific reference to camping and/or glamping is in reference to Failte Ireland's publication titled ' Model Standards for Caravan and Camping Parks'. This section of the plan was written with a view to the planning authority having a planning framework to prevent the proliferation of caravan parks isolated and distant from retail and social facilities.
- It is inappropriate to compare camping/glamping with a caravan park as the nature of the land use is wholly different.
- The site, approx. 1.8 km from Ballyheigue, is not remote.

- Precedent exists where the planning authority has approved a small scale glamping development on a similar sized site also zoned rural – general at a remove from the nearest settlement (file ref. 19/344). The nearest settlement in that instance is Beaufort which is is not comparable to Ballyheigue in terms of size, population and services available.
- The development is sited in the centre of the overall farmholding c.120 metres from the existing farm buildings. A site closer to the buildings would lead to amenity issues in terms of odour and noise. The distance is considered appropriate as a suitable buffer between two conflicting land uses.

6.2. Planning Authority Response

The response can be summarised as follows:

- The site is within an area designated rural general in close proximity to an area designated secondary special amenity value.
- The relatively remote location set apart from any existing settlement is considered not to comply with development plan policy relating to caravan, camping and glamping set out in section 13.11 or agri-tourism projects set out in section 3.3.4.
- The precedent referred to was for 3 no. glamping pods adjacent to an existing farm complex.
- Consideration would be given for glamping units adjacent to the existing farm complex associated with the landholding in order to cluster development and thereby allow for better integration with the surrounding rural area.
- It would set an undesirable precedent for similarly located projects. It would also set a precedent for further commercial type development on site including facilities buildings.

6.3. Further Responses

The planning authority's response was circulated to the applicant for comment. In addition to reiterating a number of points made in the original appeal submission the following are noted:

- The planning authority's response seeks to negate the precedent set by the permission granted under planning ref. 19/344 by stating that it was located in proximity to an existing farm complex. This does not nullify the assessment in that instance that the development, being car dependent, was in the interests of the proper planning and sustainable development of the area.
- It is considered that the pods will predominately be used by individuals seeking a 'digital detox' from the pressures associated with urban living and that trips generated would be minimal, akin to a single house in the area.
- The proposed pods are self-contained with bathrooms and showers. A communal building is not necessary.

7.0 Assessment

I consider that the issues arising in the case relate to the suitability of the site for the development as proposed and compliance with the relevant development plan policies and provisions relating to tourist accommodation in terms of agri-tourism and camping/glamping.

The site forms part of a larger field in agricultural use accessed via a track from the coastal road (Kerry Head) road c. 900 metres to the west of the 50kph speed limit of the town of Ballyheigue. The local road in the vicinity of the site does not have the benefit of footpaths or lighting. By reason of its elevated position the site affords uninterrupted views of the coast to the south. As clarified in the planning authority's reports on file and confirmed by an interrogation of the relevant maps the field within which the appeal site is located is bisected by the line delineating the boundary between the area designated as secondary special amenity and rural general. The appeal site is immediately to the north of the former and is within the area designated rural general. Notwithstanding, I submit that by reason of its relatively elevated position careful consideration is required in terms of development location and design.

The proposal is for 4 no. self-contained glamping pods to be laid out in a linear fashion with the existing agricultural field access to be upgraded to allow for vehicular access. It is to provide a supplemental income to support the applicants' farm enterprise. Whilst details of the landholding are provided in support of the

application and appeal it is not entirely clear where the associated farm complex is located. As can be extrapolated from the plans provided and the fact that a distance of 120 metres is to be maintained from same, the farm buildings may be those located to the south-west accessed from the coast road (Kerry Head Road). It is contended that this separation is appropriate to avoid potential issues arising from noise and odour. Whilst this may be the case the development presents itself as an isolated, standalone development without context, at a remove from existing development save for the Ballyheigue wastewater treatment plant that bounds the site to the north. It is not unreasonable to suggest that the uninterrupted views of the coast from the site may have had some bearing on the chosen location.

I submit that whilst the current County Development Plan would give positive consideration to the promotion of such an agri-tourism project and on-farm tourism ventures as set out in section 3.3.4 and objectives T-59 and T-60, the requirements for the units to be within or adjacent to the existing farm complex which would remain and read as an integral part of the land holding, is entirely reasonable to allow for the protection of the landscape resource in the interests of proper planning and sustainable development. This is not the case in this instance. Consideration of an alternative site closer to the existing farm complex is recommended.

I would concur with the agent for the applicants that the development management provisions and guidelines Camping/Glamping and Caravan Parks as set out in section 13.11 of the plan would appear to largely pertain to caravan parks.

Notwithstanding the principles of location relative to existing services including retail and social facilities is a valid consideration. As noted above the site is at a remove from the village of Ballyheigue with access via a local road without the benefit of a footpath or lighting. The development will, therefore, be car dependent.

Reference is made to a decision by the planning authority for glamping pods near Beaufort granted under ref. 19/344 Beaufort is near Killarney and is at a remove from the subject site. Each case is assessed on its merits.

In terms of visual impact I accept that the said tourist accommodation is very modest in scale and that its visual impact when viewed from the coast road would be limited.

Appropriate Assessment – Screening

Having regard to the nature and scale of the proposed development and distance from the nearest European Site it is concluded no appropriate assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

Having regard to the foregoing I recommend that permission for the above described development be refused for the following reasons and considerations

9.0 Reasons and Considerations

It is considered that the proposed development providing for tourism accommodation located on a site at a remove from the existing farm complex of which it forms part would contribute to the encroachment of random rural development in the area and would be contrary to current Kerry County Development Plan policy in terms of siting of holiday accommodation on agricultural holdings as set out in section 3.3.4. The proposed development outside the development boundary of Ballyheigue would also be contrary to section 13.11 of the said plan which requires that such type camping/glamping accommodation be provided in proximity to existing services including retail and social facilities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Pauline Fitzpatrick
Senior Planning Inspector

November, 2021