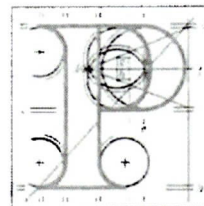


Our Case Number: ABP-319843-24

Your Reference: Sandra Moyles



**An
Bord
Pleanála**

Wm. Moyles Ltd Consulting Engineers
c/o Billy Moyles
3 Canal Place
The Basin
Tralee
Co. Kerry

Date: 24 July 2024

Re: Proposed development for a Facility Centre for Water Based Activities.
Magherabeg Beach, Castlegregory, in the townland of Magherabeg, Co. Kerry.

Dear Sir / Madam,


An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

Please note that the proposed development shall not be carried out unless the Board has approved it with or without modifications.

If you have any queries in relation to the matter please contact the undersigned officer of the Board at laps@pleanala.ie

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,


Aisling Reilly
Executive Officer
Direct Line: 01-8737131

AA02

Teil (01) 858 8100
Glaó Áitiúil 1800 275 175
Facs (01) 872 2684
Láithreán Gréasáin www.pleanala.ie
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Email bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902

Aisling Reilly

From: Billy Moyles <wmmoyles@gmail.com>
Sent: Tuesday 16 July 2024 16:20
To: LAPS; Aisling Reilly
Subject: Facility Centre for Water Based Activities at Magherabeg Beach, Castlegregory, Co. Kerry
Attachments: Submission to An Bord Pleanala .pdf

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

A Chara,

Please find attached our submission in respect of the proposed Facility Centre for Water Based Activities at Magherabeg Beach, Castlegregory, Co. Kerry.

Please confirm by return the validation of the above submission or phone me at 086 8197190 to advise me of any issues in respect of it.

Regards,

Billy Moyles.

Wm. Moyles Ltd.

Consulting Engineers

**3 Canal Place,
The Basin,
Tralee,
Co. Kerry.**

*Tel 086 8197190
wmmoyles@gmail.com
VAT Reg No:IE6383757E*

15th July 2024

**The Secretary,
An Bord Pleanala,
64 Marlborough Street,
Dubin 1,
D01 V902**

Re: Approval for a Facility Centre for Water Based Activities at Magherabeg Beach, Castlegregory, Co. Kerry in the townland of Magherabeg

A Chara,

On behalf of Mrs.Sandra Moyles, Magherabeg Beach, Castlegregory, Co.Kerry.V92 EA37

I wish to make the following submission.

The proposed development by Kerry County Council in conjunction with Failte Ireland is one of 22 such developments being carried out in Ireland. These facilities are being developed in order to help individual tourist enterprises enhance their performances.

There is a surf and paddle boat hire business at Margherabeg Beach which operates during the summer months of June, July and August.

There is no minimum turnover required for the business in order that any particular beach qualifies for the development of such a facility.

Similar Facility Centres are proposed for two other locations in County Kerry, namely Fenit and Ballybunnion.

Kerry Co. Council have advised Mrs. Moyles that Failte Ireland grant aided facilities are not to be constructed where swimming is the only activity.

There is a single generic design for all of the 22 facilities.

At Magherabeg, the proposed structure is to be located on a triangular plot of land fronting onto the beach.

Currently this plot accommodates a ladies and gents prefabricated toilet facility and a Life Guards hut (during the summer months only).

The remainder of the plot is used as a carpark by people visiting the beach.

Whilst there are unpaved tracks on the plot, parking generally takes place in a random fashion on the grassed areas

The boundary fence with the public roadway is within 1m of the carriageway and as a result there is no space for parking at the roadside.

Mrs. Moyles shares a common boundary with the triangular plot.

At the northern end of the plot Mrs.Moyles' house is located less than 9m from the boundary.

Her front garden is bounded by the common boundary fence.

Her house is a traditional two storey farm house approx..100 years old with single storey extension to the rear.

The original house measures 12m x 5m.

The proposed building measures 12m x 22m.

The height of the proposed building appears to vary from between 3.1m to circa 5m.

As stated above the layout of the proposed facility is a generic layout.

The proposed facility is to be located along northern boundary of the triangular plot.

This location will result in the facility being very close to Mrs. Moyles' house.

Extensive studies have been carried out which established that the proposed facility on the triangular site will not have any significant impacts on the environment.

The generic design appears to be based on the reasonable assumption that there would not be any dwellings in close proximity to locations of water based sports activities. This is certainly true for the Ballybunnion and Fenit locations.

It would also be true for Magherabeg if the facility was positioned at the southern end of the triangular plot.

On the drawings submitted, Mrs. Moyles' dwelling has not been identified as a dwelling and it may well be the case that the designers of the facility did not know it was a dwelling.

It is abundantly clear that, when the facility was being designed, no consideration whatsoever has been given to the impact of the proposal on Mrs. Moyles' existing dwelling, particularly in relation to the following:

- (a) Visual impact:: The proposed structure does not fit well into its surrounding environment, rather it leads to a confused vista when viewed from the northern or the southern approaches.
- (b) Scale: The scale of the proposed building is completely out of proportion when compared to the existing structure ie Mrs. Moyles' dwelling.
- (c) Dominance: When viewed from Mrs. Moyles' site the structure is read as a very high and very long wall on her southern boundary. This will frequently appear to be a very dark and overbearing structure and will particularly damage the Moyles Family's enjoyment of their front garden due to its dominance.
- (d) Noise: It can be seen on the drawings that there is a large plant room proposed. It can be reasonably expected that increased noise levels will emanate from the proposed facility and that such noise will negatively impact on persons within the curtilage of Mrs. Moyles dwelling. Of greatest concern is the noise that will undoubtedly be generated late in the evening and into the night by groups of teenagers who will now have a place to congregate and to party.
- (e) Nuisance: The Layout drawing shows a new access path leading to the rear of the facility from the public roadway. The present access to the plot is farther to the south and this proposed path causes persons to pass tight against Mrs. Moyles' boundary. This will increase the chances of nuisance being caused by persons peering into her property, persons climbing the boundary fence and trespassing onto her holding.
- (f) Traffic Hazard creation.: The roadside boundary fence has not been set back sufficiently to provide on street parking. By virtue of the removal of a very considerable amount of available public car parking space, persons visiting Magherabeg Beach will be inclined to park on the public roadway outside of the site. This will result in the creation of a serious traffic hazard.

- (g) Depreciation of the amenity value of Mrs. Moyles' property: As outlined above there will be a very considerable increase in the nuisance levels experienced on Mrs.Moyles property resulting in a substantial decrease in the Amenity value of her property
- (h) Depreciation of the monetary value of Mrs. Moyles' property: The presence of such a dominant structure which will attract groups of teenagers partying late at night will undoubtedly decrease the attractiveness of Mrs. Moyles dwelling and as a result decrease the monetary value of her property.

Conclusion

Given the problems resulting from using a generic design in a situation where somewhat unusual sensitivities occur, namely the presence of a dwelling in very close proximity to the location of the proposed facility, and also given that the environmental studies do not preclude the locating of the facility somewhere else within the outlined plot, it is my opinion that proper planning and sustainable development dictates that the Facility be located at the southern (narrow) end of the plot, set against the backdrop of the mountains to the south and remote from Mrs.Moyles' dwelling.

Kind regards,

Billy Moyles

