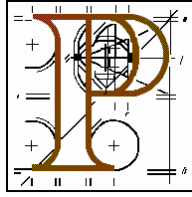


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2010

Killarney Town

Planning Register Reference Number: 09/5094

An Bord Pleanála Reference Number: PL 63.237318

APPEAL by Vincent O'Malley of "Woodford", Upper Park Road, Killarney, County Kerry and by others against the decision made on the 21st day of July, 2010 by Killarney Town Council to grant subject to conditions a permission to M.D. O'Shea and Sons care of Patrick Collins and Associates of Hillard's Lane, High Street, Killarney, County Kerry in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: (a) Demolition of rear section of existing premises, (b) construction of a new three-storey extension consisting of retail units on ground floor, storage areas on first floor and six number apartments on second floor, (c) alterations to elevation to Main Street and (d) all site development works at Main Street and Bohereencaol, Killarney, County Kerry.

DECISION

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

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. The site is located in a backland area surrounded by fine-grain, low scale laneways. The proposed development, by reason of its height and bulk would be out of keeping with the established character of development in the part of the town centre to the rear of Main Street, Plunkett Street and College Street. The proposed development would, therefore, seriously injure the character and amenities of this part of the town centre, would result in overdevelopment of the site and be overbearing to neighbouring properties and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development would overshadow the properties on the northern side of Bohereencaol to an undue extent and would, therefore, seriously injure the amenities and depreciate the value of property in the vicinity of the site.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2010.