

An
Bord
Pleanála

Board Direction
BD-014651-23
ABP-314150-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/11/2023.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

1. Having regard to the location of the site on lands zoned objective M3 – District/Neighbourhood Centre in the Killarney Town Development Plan 2009-2015 (as extended and varied) as incorporated into the Kerry County Development Plan 2022-2028, the existing permission on the site and the pattern of development in the area, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained, in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

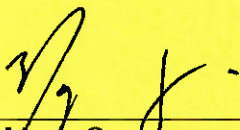
2. The proposed development shall not be open to the public outside the hours of 0900 to 2200 hours Monday to Friday inclusive nor outside the hours of 0900 to 2100 hours on Saturdays, Sundays and public holidays.

Reason: In the interest of residential amenity and traffic safety.

3. The permission hereby granted shall solely relate to the hours of operation and delivery hours of the subject premises only and for no other component of the development of the site and the proposed development shall comply with the terms and conditions of An Bord Pleanála appeal reference ABP-302971-18 which governs the overall development of the lands of which the site forms part, unless amended by a grant of planning permission.

Reason: For the avoidance of doubt and to ensure that the development, other than those approved variations to the hours of operation is built in accordance with the approved plans, particulars and conditions.

Board Member



Mary Cregg

Date: 22/11/2023