

An  
Coimisiún  
Pleanála

**Direction**  
**CD-021871-26**  
**ABP-321393-24**

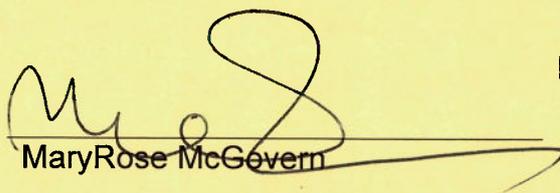
The submissions on this file and the Inspector's report were considered at a meeting held on 04/02/2026.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

#### **Planning**

**Commissioner:**

**Date:** 04/02/2026

  
MaryRose McGovern

#### **DRAFT WORDING FOR ORDER**

#### **Reasons and Considerations**

1. Having regard to the provisions of Kerry County Development Plan 2022-2028, and in particular Objective KCDP 11-36, which seeks to ensure that any application with the potential to create noise nuisance, proposes suitable measures for implementation to mitigate any nuisance, and having regard to the inadequacy of the information provided by the applicant, regarding suitable measures to mitigate any disturbance or noise nuisance from the proposed development that would seriously injure the residential amenities in the vicinity, it is considered that the applicant has not demonstrated, to the satisfaction of the Commission, that the proposed development would not contravene Objective KCDP 11-36 of the plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to Objective KCDP 8-40 of the Kerry County Development Plan 2022-2028, which seeks to 'Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting including designed landscape features and views, is compatible with the special character of that structure', and objective KCDP 8-42, which seeks to 'Prohibit demolition or inappropriate alterations and replacement of elements of protected structures where they would adversely affect the essential character of a protected structure', it has not demonstrated to the satisfaction of the Commission, based on the inadequate details provided by the applicant, that the proposed development would not impact on the character of the Protected Structure (RPS-KY-0318) or that the proposed development would not contravene Objectives KDCP 8-40 and KCDP 8-42 of the Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to Objective KCDP 13-35 of the Kerry County Development Plan 2022-2028, which requires the appropriate provision for the management of waste within developments, including the provision of facilities for the storage, separation and collection of such waste, it is considered, on the basis of the inadequate details submitted in relation to the storage, separation and collection of such waste, that the applicant has not demonstrated to the satisfaction of the Commission, that the proposed development would not contravene Objective KCDP 13-35 of the Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.