



An
Coimisiún
Pleanála

Commission Direction
CD-000351
PL-500506-KY-25

The submissions on this file and the Inspector's report were considered at a meeting held on 30 March 2026.

The Commission decided, on a majority of 2, to 1, to grant permission generally in accordance with the Inspector's recommendation, subject to the amendments shown in manuscript on the attached copy of the draft order, for the reasons and considerations set out below, and subject to the conditions set out below.

The Board noted that Section 34(13) of the Planning and Development Act 2000, as amended, states that:

'A person shall not be entitled solely by reason of a permission under this section to carry out any development'

Planning Commissioner:

MaryRose McGovern

Date:

30th day of March 2026

Reasons and Considerations

Having regard to the policies of the Kerry County Development Plan 2022–2028, the town-centre location of the site, the objectives of the Kenmare Municipal District Local Area Plan 2024–2030, including the M2 Town/Village Centre zoning objective which supports mixed-use development, the reuse and retention of existing buildings, and the consolidation of development within the town centre, and having regard to the nature, scale and rear-yard location of the development proposed to be retained, and the absence of adverse impacts on visual or residential amenity, it is considered that the proposed development would be acceptable. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be retained, carried out and completed 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. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars

Reason: In the interest of clarity

2. Surface water arising from the development shall be disposed of in a manner acceptable to the Planning Authority. Details of the surface water disposal

arrangements shall be submitted to and agreed in writing with the Planning Authority, within a period of three months from the date of this permission.

Reason: In the interest of public health and environmental protection

3. The detached shed to be retained, located to the rear of the property, shall be used for domestic storage purposes only and shall not be used for commercial, industrial, or agricultural purposes.

Reason: To regulate the future use of the site

4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.