



An
Bord
Pleanála

Board Order PL 08.248270

Planning and Development Acts 2000 to 2017

Planning Authority: Kerry County Council

Planning Register Reference Number: 16/259 (Tralee)

Appeal by Patricia Griffin of 14 Waltham Abbey, Old Quarter, Ballincollig, County Cork and by Saint Patrick's Gaelic Athletic Association Club care of Michael Casey and Associates of Davcon Business Centre, Monavalley, Tralee, County Kerry against the decision made on the 9th day of March, 2017 by Kerry County Council to grant subject to conditions a permission to The Saoirse Foundation care of David Moriarty and Associates of 28 Liosdara, Oakpark, Tralee, County Kerry in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construct a single storey residential respite care centre for children with attic accommodation, the centre will consist of eight number three bed residential units, 14 number two bed residential units, a reception area, four therapy rooms, two sensory rooms, five physiotherapy suites, three offices with meeting rooms, a playroom, a cafeteria, staff facilities and ancillary support rooms and site works including a new access road, with site entrances, carparking, cycle stands, landscaped public and private courtyards, a new maintenance yard and store and a connection to a public sewer and all ancillary works including the demolition of a two-storey house and site works, all at Curragraigue, Blennerville, Tralee, County Kerry. The proposed development was revised by further public notices received by the planning authority on the 16th day of February, 2017.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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

Having regard to the nature and scale of the subject development relative to the previous proposal, to the demonstrated need for this specialised facility, and to the policies of the planning authority, as set out in the Kerry County Development Plan 2015–2021, it is considered that the proposed development, subject to compliance with the conditions set out below, would be acceptable at this location, would not seriously injure the amenities of the area or of property in the vicinity, would be beneficial in terms of public health, would be acceptable in terms of traffic safety and convenience, and would not conflict with the provisions of the development plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further particulars submitted on the 6th day of February, 2017 and the 13th day of February, 2017, 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 development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

3. Details, including samples, of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Prior to commencement of development, a revised set of plans for the proposed ambulance building, showing elevations that match the floor plan, shall be submitted to and agreed in writing with the planning authority.

Reason: To regulate and control the layout of development.

5. The old quarry area shall be fenced off to prevent pedestrian access to the area as indicated in the details submitted to the planning authority on the 6th day of February 2017.

Reason: In the interest of health and safety and to regulate and control the layout of development.

6. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

7. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, details of all advertising signage for the proposed development. No signs of any kind shall be erected unless first agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

8. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, details of all boundary treatments throughout the development.

Reason: In the interest of visual amenity.

9. The vehicular entrance and the internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs shall be in accordance with the detailed requirements of the planning authority for such works.

Reason: In the interest of amenities and public safety.

10. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of amenity and public safety.

11. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennae or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

12. All service cables associated with the proposed development (such as electrical, telecommunications and television cables) shall be located underground.

Reason: In the interest of visual amenity.

13. A plan containing details for the management of waste and, in particular, recyclable materials within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

14. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:-
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
 - (b) employ a suitably-qualified archaeologist prior to commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:-

- (i) the nature and location of archaeological material on the site, and,
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

