



An
Bord
Pleanála

**Board Order
PL 08.248963**

Planning and Development Acts 2000 to 2017

Planning Authority: Kerry County

Planning Register Reference Number: 17/500

Appeal by OKR Group of 21 Merrion Square, Dublin against the decision made on the 19th day of July, 2017 by Kerry County Council to refuse permission to the said OKR Group in accordance with plans and particulars lodged with the said Council:

Proposed Development: Extension of the opening hours of Burger King restaurant from 0100 to 0330 hours on Fridays, Saturdays and Sundays, and from 0100 to 0200 hours on Mondays for the following 12 number weekends:- Valentine's weekend (February), Saint Patrick's weekend (March), Easter weekend (April), Bank holiday weekend (June), ROK cycle weekend (July), Bank Holiday weekend (August), Puck Fair weekend (August), All Ireland Football weekend (September), Bank Holiday weekend (October), Halloween weekend (October), Christmas weekend (December) and New Years' weekend (December/January); all at Burger King Restaurant, 14 College Street, Killarney, County Kerry.

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 location of the restaurant in Killarney Town Centre it is considered that the extended opening hours, subject to compliance with the condition set out below, would not seriously injure the residential amenities of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Condition

The premises shall not open between 0330 and 0800 hours on Fridays, Saturdays, Sundays and on Bank Holidays.

Reason: In the interest of orderly development and residential amenity

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

Dated this day of 2017