



An
Bord
Pleanála

Board Order

PL 08.249268

Planning and Development Acts 2000 to 2017

Planning Authority: Kerry County Council

Planning Register Reference Number: 17/607

Appeal by Torcbridge Limited of 1-2 Castlewood Place, Rathmines, Dublin against the decision made on the 22nd day of August, 2017 by Kerry County Council to refuse permission for the proposed development.

Proposed Development: The construction of a regional entertainment facility; modified access; and all ancillary car parking, bicycle stands, signage and site development works at the former Torc Great Southern Hotel, Park Road, Killarney, County Kerry. The proposed two storey with parapet regional entertainment facility will consist of a premium large format cinema (PLF), four other screens and restaurant.

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 town centre land use zoning of the site in the current Killarney Town Development Plan, its location in relation to the retail core, the pattern of development in the vicinity and to the nature, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not have an adverse impact on the vitality or viability of the town centre, would not give rise to a traffic hazard or to traffic congestion and 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, 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. Prior to the occupation of the restaurant unit, a grease trap sized correctly and which complies with relevant standards/guidelines shall be put in place.

Reason: In the interest of orderly development.

4. The Park Road and Friary Downs Road junction upgrade as detailed on drawing number 17302-5110 Rev. A received by the planning authority on the 28th day of June, 2017 shall be completed in accordance with the requirements of the planning authority prior to the opening of the proposed development.

Reason: In the interest of traffic safety.

5. Details 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.

6. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development. This scheme shall include the following: -
 - (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;

- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings; and
- (c) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

- 7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety.

- 8. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual amenity and orderly development.

