

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

**Kerry County Council**

**Planning Register Reference Number: 17/899**

An Bord Pleanála Reference Number: ABP-300335-17

**Appeal** by Con Duggan care of Fehily Timoney and Company of Core House, Pouladuff Road, Cork against the decision made on the 3<sup>rd</sup> day of November, 2017 by Kerry County Council to grant subject to conditions a permission to Blue Melon Management Limited Coghlan Consulting Engineers of 81 New Street, Killarney, County Kerry in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (A) Make elevational changes to existing warehouse and (B) construct an open sided loading bay and all associated site works at Woodlawn Road, Ballycasheen, 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 pattern of development in the vicinity and to the requirement for the omission of the window on the southern elevation of the appellant's property in accordance with condition number 2 of the decision under An Bord Pleanála appeal reference PL 08.249296, it is considered that, subject to compliance with the conditions set out below, the proposed development would 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 the 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. Details of all external finishes to the loading bay and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of visual amenity.

3. 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.

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

**Dated this            day of            2018**