



Planning and Development Acts 2000 to 2018

Planning Authority: Kerry County Council

Planning Register Reference Number: 17/665

APPEAL by John O'Shea and others of 5 Stephen's Terrace, Ballymullen, Tralee, County Kerry and by Others against the decision made on the 18th day of April, 2018 by Kerry County Council to grant subject to conditions a permission to Michael Healy Rae care of Patrick Murphy, Engineering and Construction Services Limited of Alder House, Ahane, Beaufort, Killarney, County Kerry.

Proposed Development: Change of use of the premises known as Nancy Myles Public House containing bar, kitchen, lounges, stores and sanitary facilities to nine number residential units and the provision of an escape/access stairs to the existing residential area on first floor at 14 Ballymullen, Tralee, County Kerry as amended by the revised newspaper notice received by the planning authority on the 22nd day of March 2018.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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 restricted nature of the site for the proposed development, to the unresolved nature of the future use of the area to the front of the building, identified as 'commercial area' on the drawings submitted to the planning authority by way of further information on the 8th day of March, 2018, but having an established use as a public bar, to the arrangement of external amenity space to serve the proposed and existing residential units and to the single aspect nature of residential unit number 1, the Board was not satisfied that the architectural response and design was of a satisfactory standard to meet the needs of future occupants of the proposed and existing residential units. It is considered that the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018.