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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 18/170**

**Appeal** by Darkstone Developments care of Griffin Project Management of 51 New Street, Killarney, County Kerry against the decision made on the 19<sup>th</sup> day of April, 2018 by Kerry County Council to grant subject to a condition a permission to Axinite Investments Limited care of Hugh Murray Architects of Fairyhill House, Parteen, County Limerick in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Retention of the removal in February 2014 due to storm damage, of seven penthouse apartments in the completed assisted living apartment block (planning reference 07/4675) at Coolegrean, 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 zoning provisions for the site, as set out in the Killarney Town Development Plan 2009 - 2015, to the established assisted living block on the site, and to the design, character and layout of the remaining residential block, it is considered that, subject to compliance with the condition set out below, the proposed development would not seriously injure the residential or visual amenities of the area 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.

**Reason:** In the interest of orderly development.

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

**Dated this            day of            2018.**