



Planning and Development Acts 2000 to 2019

Planning Authority: Kerry County Council

Planning Register Reference Number: 19/248

APPEAL by Jerry and Dawn Clifford care of Ger O’Keeffe Consulting Engineers Limited of Friary Lane, 4 Day Place, Tralee, County Kerry against the decision made on the 7th day of May, 2019 by Kerry County Council to grant subject to conditions a permission to Dillon Waste Unlimited Company care of RPS, Lyrr 2, IDA Business and Technology Park, Mervue, Galway.

Proposed Development: (a) Extension of roof and provision of new supporting wall to existing Materials Recovery Facility building, (b) partial demolition of second building roof and erection of new roof and supporting columns to building, and (c) erection of new roof and supporting columns over portion of existing yard and for all associated works and services at The Kerries, (Townland of Lohercannon), Tralee, County Kerry.

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 nature and extent of the proposed development and the submissions made in connection with the planning application and appeal and the planning history on the site, notably permission granted under An Bord Pleanála reference number PL81.228558 for a materials recovery facility with a stated capacity of 20,000 tonnes per annum, the Board is not satisfied that the proposed development would not facilitate an intensification of use of this existing material recovery facility for which no grant of permission has been sought or granted. The proposed development would, therefore, contravene materially a condition attached to an existing permission for development, namely, condition number 1 attached to the permission granted by An Bord Pleanála on the 4th day of February, 2009 under appeal reference number PL81.228558.

Stephen Bohan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this day of 2019