



Planning and Development Acts 2000 to 2019

Planning Authority: Kerry County Council

Planning Register Reference Number: 18/841

APPEAL by Killarney Race Company DAC care of Malachy Walsh and Partners of Reen Point, Blennerville, Tralee, County Kerry against the decision made on the 27th day of June, 2019 by Kerry County Council to refuse permission.

Proposed Development: Retention of the existing entertainment venue and change of use from racecourse ancillary structure to entertainment facility at Killarney Race Course, Ross Road, Killarney, 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 location of the proposed multi-use entertainment facility in close proximity to residential dwellings, to the frequency and hours of operation of the use, and to the lack of adequate baseline information or predicted noise levels in respect of these sensitive receptors in the planning application and the appeal documents, it is considered that the proposed development and the development proposed for retention, notwithstanding the mitigation measures proposed in the noise assessment reports, would seriously injure the amenities of properties in the vicinity by reason of noise and general disturbance and would depreciate the value of properties in the area. The proposed development and the development proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.