



Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

Planning Register Reference Number: 19/813

Appeal by Portal Asset Holdings Limited care of Griffin Project Management of 51 New Street, Killarney, County Kerry against the decision made on the 15th day of June, 2020 by Kerry County Council to grant subject to conditions a permission to Kerry Education and Training Board care of O’Keeffe O’Connell Architects of Annabella, Mallow, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a 2 classroom ASD unit with ancillary accommodation, a resource room, internal alterations to the existing school building, external signage, additional car parking and all associated site works at Killarney Community College, New Road, Killarney, County Kerry, as amended by the further public notice received by the planning authority on the 15th day of April, 2020.

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 planning history of the site, to the minor nature of the proposed development, to the location of the site within an established school site in close proximity to Killarney Town Centre, which is zoned 'Established built-up area' in the Killarney Town Development Plan (2009-2015, as extended and varied), it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development 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, as amended by the further plans and particulars submitted to the planning authority on the 13th day of March 2020, 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 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. The proposed development shall be amended as follows:-
 - (a) The proposed advertisement sign shall be reduced in size to a maximum height of 2.6 metres above existing ground levels.
 - (b) The proposed advertisement sign shall be relocated to the south-west corner of the site, within the school grounds behind the boundary walls to New Road and Port Road, as permitted under planning authority reference 14/205451).

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The advertisement sign shall be put in place prior to the occupation of the proposed extension.

Reason: In the interests of the visual amenity of the area and of traffic safety and convenience.

3. Water supply and drainage arrangements, including the attenuation and 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.

4. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. The landscaping scheme on the site layout drawings as submitted to the planning authority on the 31st day of July, 2019 and on the 13th day of March 2020, shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development or until the development is taken in charge by the local authority, whichever is the sooner, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

7. The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

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

Dated this day of 2020.