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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 20/440**

**Application for Leave to Appeal** against the decision of the planning authority by John McColl of Number 1 Cois Fariage, Lower Main Street, Waterville, County Kerry having an interest in land adjoining the land in respect of which Kerry County Council decided on the 8<sup>th</sup> day of September, 2020 to grant subject to conditions a permission to Gerald Flynn care of Albert Walsh of Lakelands House, Waterville, County Kerry.

**Proposed Development:** (a) Fit café/restaurant in former retail shop and (b) raze existing rear annexes and erect single storey extension to rear of main building with deck area over at Lower Stores, Waterville, County Kerry.

**Decision**

**REFUSE** leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on 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 submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

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

**Dated this            day of            2020**

