

Planning and Development Acts 2000 to 2020

Planning Authority: Kerry County Council

Planning Register Reference Number: 20/927

APPEAL by BM Funworld Limited care of Griffin Project Management of 51 New Street, Killarney, County Kerry against the decision made on the 30th day of November, 2020 by Kerry County Council to refuse permission.

Proposed Development: Change of use of part of ground floor of existing premises from retail shop to indoor sports and recreation centre including internet café and console gaming stations at 33 Church Street, Listowel, 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.

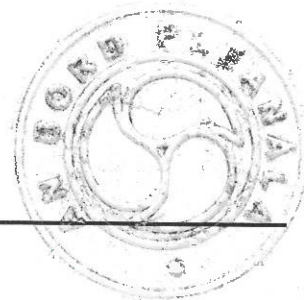
Reasons and Considerations

Having regard to Retail Policy 2 under section 7.5 'Listowel – Retail Policies' as set out in the Listowel Town Development Plan 2009 – 2015, as extended and varied, particularly by Revision 8 of Variation 3, which was adopted on 21st day of September, 2020, the Board notes that the site lies within the recently adopted retail core area in Listowel town centre within which, under Retail Policy 2, is to resist the loss of retail floorspace in the interests of the viability and vitality of the town centre. This policy is considered reasonable. Under this proposed development, if granted, the existing retail floorspace within the retail core area would be lost and would contravene objective Retail Policy 2 indicated in the local area plan for the area. Furthermore, such loss would establish an undesirable precedent for the loss of retail floorspace within the recently adopted retail core area. The viability and vitality of retailing within the town centre would be jeopardised by this proposal and other non-retail proposals that may ensue. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Michelle Fagan

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



Dated this 4th day of June 2021