

Planning and Development Acts 2000 to 2021

Planning Authority: Kerry County Council

Application for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended, in accordance with plans and particulars, lodged with An Bord Pleanála on the 11th day of March 2022 by Portal Asset Holdings Limited care of HW Planning of 5 Joyce House, Barrack Square, Ballincollig, County Cork.

Proposed Development comprises of the following:

The construction of a residential development of 228 number residential units with ancillary two storey crèche, landscaping, road improvements, pedestrian and cycleways, storm water upgrades and associated site development works.

- (a) The proposed development makes provision for 76 number houses comprising of:
- eight number two storey two-bed semi-detached,
 - 28 number two storey three-bed townhouses,
 - 10 number two storey three-bed semi-detached,
 - 30 number two storey four-bed semi-detached.
- (b) The proposed development includes 152 number apartments and duplexes to be provided as follows:
- Block 1 (seven number two-bed and three number two-bed over three storeys),

- Block 2 (three number two-bed and three number two-bed over three storeys),
 - Block 3 (four number 1-bed, 10 number two-bed and six number three-bed over three storeys),
 - Block 4 (10 number one-bed and 10 number two-bed over three storeys),
 - Block J (32 number two-bed over four storeys),
 - Block K (16 no. one-bed apartments and 16 number two-bed apartments over four storeys)
 - Block L (32 number two-bed apartments over four storeys).
- (c) The proposed development will provide for a new vehicular access and pedestrian entrances onto Port Road, upgrades to Port Road comprising reduction in carriageway widths, provision of shared pedestrian and bicycle path and uncontrolled pedestrian crossing, and a pedestrian connection to Millwood Estate.
- (d) It is proposed to upgrade the stormwater network on Saint Margaret's Road (approximately 140 metres north of the main development site) to support the development.
- (e) Ancillary infrastructure development works will include relocation and undergrounding of electricity supply board powerlines, wastewater infrastructure including foul pumping station, surface water attenuation, water utility services, public lighting, bin stores, bicycle stores, electricity supply board substation, and all associated site development works all located at Port Road and Saint Margaret's Road, Coollegrean, Inch, Knockreer, Ardnamweelt, Derreen, Killarney, County Kerry.

Decision

Refuse permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

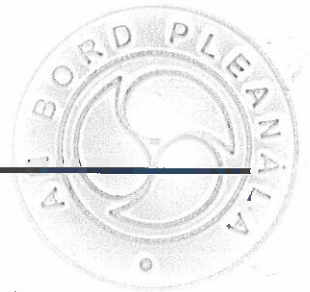
Having regard to the proximity of the subject site to the Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment candidate Special Area of Conservation (Site Code: 000365) it is considered that:

The proposed development may result in increased artificial lighting generated at both the construction and operational phases of the development and that may impact on Lesser Horseshoe Bats that commute along routes to the west of the Port Road and Deenagh River. The submitted Appropriate Assessment Screening Report does not provide sufficient scientific reasoning to clearly eliminate the likelihood of significant adverse effects.

In view of the site's Conservation Objectives and qualifying interests, the applicant has failed through the submitted Appropriate Assessment Screening Report to demonstrate that the proposed development would not adversely affect the integrity of a European Site and it is considered that 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 22nd day of August 2022