



An  
Bord  
Pleanála

**Board Order**

**ABP 314297-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 22/515**

**Appeal** by Better Value Unlimited Company of 46-50 South Great George's Street, Dublin against the decision made on the 11<sup>th</sup> day of July, 2022 by Kerry County Council to refuse permission for the proposed development.

**Proposed Development:** The erection of a totem sign (five metres in height) at the site's Upper Rock Street (R556) car park entrance and all other associated site works, all at Dunnes Stores, North Circular Road, Tralee, County Kerry.

## **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.**

## Reasons and Considerations

Having regard to the location of the site on lands zoned M4- Built Up Area in the Tralee Town Development Plan 2009-2015 (as extended and varied) as incorporated into the Kerry County Development Plan 2022-2028 and the provisions of the Kerry County Development Plan 2022-2028 specifically, Volume Six – Part 1 of the Plan which refers to Development Management Standards and Guidelines and Section 1.13 which refers to Advertising Signage Proposals, to the acceptable scale and design of the proposed structure, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area and 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, except as may otherwise be required in order to comply with the following condition.

**Reason:** In the interest of clarity.

2. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the planning authority in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to

commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



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**Peter Mullan**

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

Dated this *1st* day of *November*, 2023