

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 21/1194

APPEAL by Andrew Duggan care of Leahy Planning Limited of Mill Road House, Mill Road, Ennis, County Clare and by John Clifton care of Leahy Planning Limited of Mill Road House, Mill Road, Ennis, County Clare against the decision made on the 5th day of October, 2022 by Kerry County Council to grant subject to conditions a permission to Florence and Padraig McCarthy care of Hickey Design and Associates of 10 Priory Paddocks, Muckross Road, Killarney, County Kerry.


Proposed Development: Construction of a two-storey building containing a store and one number office and all ancillary services and areas at Dodd's Lane, High Street, Killarney, County Kerry, as revised by the further public notices received by the planning authority on the 8th day of September, 2022.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

Having regard to the nature and layout of the proposed building, with a store proposed at ground floor level, the Board is not satisfied that the proposed development would be in accordance with the provisions of the Kerry County Development Plan 2022-2028 as it relates to the town of Killarney in terms of facilitating the sustainable regeneration and renewal of sites in the town centre and the revitalisation of the public realm and laneways in Killarney. The proposed ground floor store, and the eastern façade of the proposed building, would result in a closed and inactive elevation onto the public realm area of Dodd's Lane, and would not support the revitalisation of the area or facilitate the regeneration of retail in Killarney Town Centre, contrary to Objectives KA 10, KA 35, KA 37 and KA 44 of the Kerry County Development Plan 2022-2028. It is considered that the proposed development would be out of character with the pattern of development in the area and would militate against the provision of an attractive pedestrian environment and would thereby constitute a substandard form of development which would not contribute to the revitalisation of Dodd's Lane. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.


Mary Cregg

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

Dated this 18th day of January 2024.