



An  
Bord  
Pleanála

## Board Order ABP-319655-24

### Planning and Development Acts 2000 to 2022

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 23/816**

**Appeal** by Jerry and Marie O'Sullivan care of Paul O'Dowd and Associates Consulting Engineers of Old Mill Lane, Charles Street, Listowel, County Kerry against the decision made on the 16<sup>th</sup> day of April, 2024 by Kerry County Council to grant subject to conditions a permission to Richard O'Shea care of James Sugrue of Sugrue Design, Ballinvosherig, Tralee, County Kerry.

**Proposed Development:** Retention of alterations to existing engineering workshop with all associated site works and retention of canopy as constructed between two existing buildings on site. Permission to construct a minor extension to include a roof alteration, alterations to the site/buildings external envelope which will accommodate upgrade works for fire compliance, decommission existing septic tank, install mechanical treatment unit, and sand polishing filter and all associated site works, all at Ballingowan, Tralee, County Kerry, as revised by the further public notices received by the planning authority on the 20<sup>th</sup> day of March, 2024 which included the construction of a car parking area with associated site works.

## Decision

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

## Reasons and Considerations

Having regard to the Kerry County Development Plan 2022-2028 and Section 1.20 (Transport, Movement & Parking Standards), Table 4 Parking Requirements of Volume 6 (Development Management Standards and Guidelines), the Board is not satisfied that the applicant has demonstrated that an adequate quantum of carparking spaces, drop-off/pick-up facilities and loading/unloading areas has been proposed in relation to the industrial use of the site. Furthermore, the Board is not satisfied that the applicant has demonstrated sufficient legal estate or interest in the land identified as Site B, or the approval of the person who has such sufficient legal estate or interest, to enable the applicant to carry out the proposed works on the land identified as Site B to provide the proposed car parking. It is considered that, in the absence of an overall plan for carparking and site servicing, the proposed retention of the alterations to the workshop and the proposed construction of extensions to the buildings on site would lead to conditions which would be prejudicial to public safety by reason of traffic hazard on the road in the vicinity, and would, therefore, be contrary to the proper planning and sustainable development of the area.



**Marie O'Connor**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this 03 day of June 2025.**