



Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 23850

APPEAL by Peter Sweetman of PO Box 13611, Bantry, County Cork against the decision made on the 9th day of September, 2024 by Kerry County Council to grant, subject to conditions, permission to John Clifford care of Frank Curran Consulting Engineers Limited of 16 Main Street, Cahersiveen, County Kerry for the proposed development.

Proposed Development: (1) To install an authorised treatment facility for the management of end of life vehicles and their parts and associated works, (2) drainage works including the installation of a petrol/oil interceptor, (3) to surface yard and associated site works, (4) provide an EIS/NIS report, all at Valentia Road, Garranebane, Cahersiveen, County Kerry.

Decision

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

Reasons and Considerations

1. On the basis of the submissions made in connection with the planning application and the appeal, and following consideration of the planning history of the site and adjoining lands, the Commission is not satisfied that the use of adjacent lands under the control of the applicant for the purposes of a 'yard for storage of cars' (as identified on drawing number 03: 'Site Layout' received by the planning authority on the 27th day of July, 2023) is authorised by a grant of planning permission and, therefore, given the working relationship, inter-dependency and physical connectivity between that yard and the proposed development site, it is considered that the proposed development would facilitate and extend the continued use of those lands which may not be authorised by a grant of planning permission. Accordingly, it is considered that it would be inappropriate for the Commission to consider the grant of a permission for the proposed development in such circumstances.
2. Having regard to the location of the proposed development on lands predominantly zoned as 'O1: Strategic Reserve, White Land' in the Kenmare Municipal District Local Area Plan, 2024-2030 with the stated land use zoning objective 'To facilitate development at some time in the future', the nature of the development proposed, the provisions of Section 1.3.7: 'Uses not listed in the Indicative Zoning Matrix' of Chapter 2 of Volume 6 of the Kerry County Development Plan, 2022-2028, and as it has not been demonstrated that the proposed development will not have a detrimental impact on the residential amenity of nearby properties, it is considered that the proposed development would contravene materially the said zoning objective and would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to the nature and intended use of the proposed development, and its relationship with residential properties in the vicinity, the Commission is not satisfied, on the basis of the submissions made in connection with the application and appeal, that the proposed development would not seriously injure the residential amenities of neighbouring property by reason of the noise and general disturbance associated with its use. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Emer Maughan

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 13th day of April 2026