



Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 24/13

APPEAL by EHD Limited against the decision made on the 8th day of November, 2024 by Kerry County Council to refuse permission.

Proposed Development: Provision of a glazed lobbied and fully enclosed canopy over an existing paved seating area to the rear of the main building and associated works, including the provision of new glazed doors to this area. Internal alterations, including change of use of existing service area to the rear at ground floor level to storage space. Change of use of first-floor level from storage space for additional seating and service space. Provision of a new lobby stud wall and fire-rated door at attic level. Repair works, including re-slating of the existing main roof of the original building (protected structure RPS-KY-0318) and all associated site works necessary to facilitate the proposed development, all at Bob Griffin's Bar, Strand Street, Dingle, County Kerry.

Decision

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

Reasons and Considerations

1. Having regard to the provisions of the Kerry County Development Plan 2022-2028, and in particular Objective KCDP 11-36, which seeks to ensure that any application with the potential to create noise nuisance proposes suitable measures for implementation to mitigate any nuisance, and having regard to the inadequacy of the information provided by the applicant regarding suitable measures to mitigate any disturbance or noise nuisance from the proposed development that would seriously injure the residential amenities in the vicinity, it is considered that the applicant has not demonstrated, to the satisfaction of the Commission, that the proposed development would not contravene Objective KCDP 11-36 of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to Objective KCDP 8-40 of the Kerry County Development Plan 2022-2028, which seeks to 'Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting, including designed landscape features and views, is compatible with the special character of that structure', and Objective KCDP 8-42, which seeks to 'Prohibit demolition or inappropriate alterations and replacement of elements of protected structures where they would adversely affect the essential character of a protected structure', it has not been demonstrated to the satisfaction of the Commission, based on the inadequate details provided by the applicant, that the proposed development would not impact on the character of the protected structure (RPS-KY-0318) or that the proposed development would not contravene Objectives KDCP 8-40 and KCDP 8-42 of the Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. Having regard to Objective KCDP 13-35 of the Kerry County Development Plan 2022-2028, which requires the appropriate provision for the management of waste within developments, including the provision of facilities for the storage, separation and collection of such waste, it is considered, on the basis of the inadequate details submitted in relation to the storage, separation and collection of such waste, that the applicant has not demonstrated, to the satisfaction of the Commission, that the proposed development would not contravene Objective KCDP 13-35 of the development plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



MaryRose McGovern

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



Dated this *6th* day of *February* 2026.