



An
Coimisiún
Pleanála

Commission Order
ABP-322647-25

Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 2460948

Appeal by JYSK Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin in relation to the application by Kerry County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 3 of its decision made on the 2nd day of May, 2025.

Proposed Development: Change of use of retail area of existing discount food store to retail unit for sale of bulky goods, internal alterations. External aircon units, replacement signage to existing sign boards. All associated and ancillary works necessary to facilitate the development at Arbutus Drive, Deerpark Road, Killarney, County Kerry.

Decision

The Commission, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 3 and directs the said Council to REMOVE condition number 3 and the reason therefor.

Reasons and Considerations

The works specified in Condition number 3 are not specific works for the benefit of the proposed change of use of the existing retail store. The proposed development, subject of the application, does not include works to the existing permitted vehicular entrance serving the application site. The works for which the contribution is sought are not specific requirements for the proposed change of use. The Commission therefore determines that Condition number 3 fails to meet the requirements of section 48(2)(c) of the Planning and Development Act 2000, as amended.



Tom Rabbette

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

Dated this

27th day of

Sept. 2025.