Commission Order

ACP-323557-25

Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 25/60356

Appeal by Biljana Gubic of 4 Knockanacuig Place, Ballyrichard, Tralee, County Kerry and by Stephen Galway of 84 Boherbee, Tralee, County Kerry against the decision made on the 15th day of August, 2025 by Kerry County Council to grant subject to conditions a permission to Quicksilver Gaming Limited care of Brendan O'Connell and Associates of 11 Market Place, Tralee, County Kerry in accordance with plans and particulars lodged with the said Council.

Proposed Development: (a) Change of use from existing commercial unit on first floor to new amusement gaming arcade and leisure gaming amusement arcade, (b) extend existing ground floor amusement gaming arcade on ground floor to first floor, and (c) new stairs on ground floor to facilitate first floor, all at Manor West, Tralee, County Kerry.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the provisions of the Kerry County Development Plan 2022 - 2028, as varied, to the location of the proposed development on lands zoned 'M3 District, Neighbourhood Centre' within the Tralee Municipal District Settlements Plan, where the land use zoning objective seeks to provide for development and enhancement of district centres including for commercial and other uses, and where amusement arcades are considered open to consideration under said zoning, to the nature and location of the proposed change of use within an existing first floor unit that is currently vacant and underutilised, and to the pattern of the development in the vicinity which comprises of a mix and range of uses in the existing Manor West retail park, it is considered, subject to compliance with the conditions set out below, that the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not result in a traffic hazard or obstruction of road users and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 21st day of July 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

   Reason: In the interest of clarity.

2. The first-floor external access along the western elevation of the building shall be used as an emergency access only.

   Reason: In the interests of clarity and of maintaining the residential amenity of Avondale Court.

3. No advertisement or advertisement structure shall be erected or displayed on the building in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

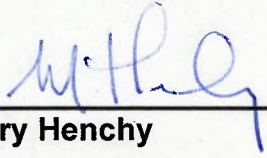   **Reason:** In the interest of visual amenity.

4.   The sound levels from any loudspeaker announcements, music or other material projected in or from the premises shall be controlled so as to ensure that the sound is not audible in adjoining premises or at two metres from the frontage.

Reason: In the interest of the amenities of the area.

5.   The hours of operation of the amusement arcade hereby permitted shall be between 1100 and 2400 hours from Mondays to Sundays inclusive.

Reason: In the interest of residential amenity.

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

Dated this 1ᵗʰ **day of** Dember 2025.