An Coimisiún Pleanála

Commission Order
ACP-324750-26

Planning and Development Act 2000, as amended

Planning Authority:Kerry County Council.

Planning Register Reference Number: 2660718

Application for Leave to Appeal against the decision of the planning authority by John and Assumpta Somers, having an interest in land adjoining the land in respect of which Kerry County Council decided on the 23rd day of September 2026 to grant, subject to conditions, a permission to Wrightwood Development Limited.

Proposed Development: 1. Construction of a 123 number dwellings in a mix of duplex, maisonette and apartment typologies comprising 16 number one-bed apartments, six number two-bed apartments, 11 number one-bed duplex apartments, 11 number two-bed duplex maisonettes, 28 number two-bed duplex apartments, 28 number three-bed duplex maisonettes and 23 number three-bed terrace houses, all in building heights ranging from two to four storeys.
2. A total of 139 number surface car parking spaces, including four number car-share parking spaces, six number visitor spaces, and five number assigned Part M/accessible spaces.
3. Bicycle parking comprising of 272 number spaces in total, comprising 124 number spaces within the private open space of ground floor residential units and 96 number spaces within secure sheltered structures and designated

secure bicycle parking areas, and 52 number short stay/visitor spaces.
4. 3,600 square metres of public open space, including arrival pocket park, central pocket park and amenity landscape areas (including 117 square metres of play), grass lawns, kickabout areas, picnic areas and seating areas;
5. 956 square metres of communal external open space, including seating areas, nature trails, and amenity grass lawns.
6. Additional environmental open space of 1,790 square metres, including landscape buffers, protection and enhancement of existing hedgerows and trees.
7. A new vehicular, pedestrian and cyclist access from the existing estate road adjoining the site to the south.
8. Infrastructure works to serve the proposed development to include the internal road and footpath network, ESB cabinets/substations/switchrooms, site and external building lighting, site drainage works, hard and soft landscaping, boundary treatments, communal bin stores, and all ancillary site services and development works above and below ground, all at Ardshanavooly, Killarney, County Kerry.

Decision

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

It is considered that it has been shown that -

(i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of Condition number 34(a) imposed by the planning authority to which the grant is subject, and

(ii) the imposition of Condition number 34(a) will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission, by reason of the introduction of pedestrians and cyclists from the land in which a decision to grant permission for development including 123 dwellings onto the L11333 which is the sole route for pedestrian/cycle and vehicular access to /egress from the dwelling of the applicant for leave. The L11333 is a narrow roadway without any current provided footpath or allocated cycle lanes or markings, thus presenting a material affect on the enjoyment of the applicant for leave's land as a consequence of potential new movement and access conflicts along the L1133 by reason of the introduction of material additional pedestrian/cyclist movements onto this roadway by the prospective pedestrians and cyclists who may avail of the new connectivity created by Condition number 34(a).

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

Dated this 5th **day of** March **2026.**