

An
Coimisiún
Pleanála

**Commission Order
PL-500282-KY-25**

Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 25/47

Appeal by Catherine Fitzmaurice and others and by Michael Cunningham against the decision made on the 24th day of October, 2025 by Kerry County Council to grant subject to conditions a permission to Micasa Lane Limited.

Proposed Development: Subdivide existing singular storage/warehouse unit into two number units and change of uses from storage/warehouse to storage/warehouse with retail. Construction of a first-floor extension to the newly established units 1A and 1B with all internal/external alterations and development works, all at Ballinorig Road, Tralee, County Kerry as amended by the revised public notice received by the planning authority on the 30th day of September, 2025.

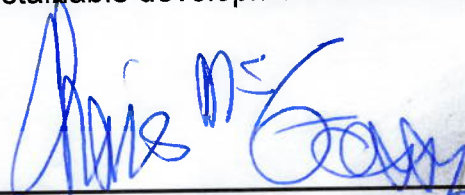
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Decision

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

Reasons and Considerations

Having regard to the relevant provisions of the Kerry County Development Plan 2022-2028 as varied, in particular the zoning objective 'Community facilities' which applies to the subject site, to the nature, scale and extent of the proposed development which includes a change of use to storage/warehouse with retail, and to the documentation on file, it is considered that the proposed development would not be in accordance with the zoning objective for the site, would not constitute a change/extension to a non-conforming use insofar as the proposed development would not only expand the physical floor area of the established premises but would also introduce a new form of retail use within the site, in conflict with the provisions of the development plan by reference to retail development, and would not constitute an acceptable form of land use at this location zoned for community facilities. The proposed development would, therefore, not be in accordance with the proper planning and sustainable development of the area.



Chris McGarry

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 18th day of September 2026.

