



An  
Coimisiún  
Pleanála

Commission Order  
PL-500466-KY

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**Planning and Development Act 2000, as amended**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 25/60406**

**Appeal** by Xdev Real Estate Limited 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 18<sup>th</sup> day of November, 2025.

**Proposed Development:** Permission for the construction of 16 number houses and ancillary site-works (i.e. one block of four number terraced two-storey three-bedroom houses, two blocks of three number terraced two-storey three-bedroom houses and six number two-storey three-bedroom semi-detached houses). (All in lieu of houses on sites 31 to 38 and 54 to 58 of granted planning register reference Number 17-980). The modification of and the construction of roads, services and ancillary works as granted under planning register reference number 17-980, all at Shronedarragh, Barraduff, 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**

Having regard to:

- (a) Section 48(2)(c) of the Planning and Development Act 2000, as amended,
- (b) the Development Contribution Guidelines for Planning Authorities (2013), and
- (c) the Kerry Development Contribution Scheme 2017.

In respect of condition number 3, the Commission, in accordance with section 48 of the Planning and Development Act 2000, as amended, considered that the condition failed to meet the requirements of Section 48(2)(c) of the Act and should, therefore, be omitted.



*Declan Moore*

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**Declan Moore**

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

Dated this *30<sup>th</sup>* day of *MARCH* 2026.