

Planning and Development Act 2000, as amended

Planning Authority: Kerry County Council

Planning Register Reference Number: 25/60592

APPEAL by Jerome O'Regan and others against the decision made on the 25th day of November, 2025 by Kerry County Council to grant subject to conditions a permission to Killorglin Westfield Limited.

Proposed Development: Retention of demolition works that have taken place to part of the existing building. Replacement of the demolished works with new structure. Elevational changes to the existing building. Alterations to internal floor levels within the existing building. Five-square-metre service room extension to the rear of the existing building, and all associated site works at Laune Valley Farmhouse B&B, Bansha, Killorglin, County Kerry.

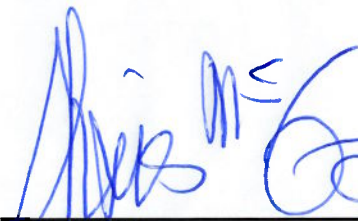
Decision

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

Reasons and Considerations

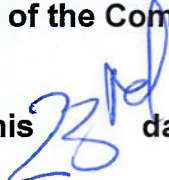
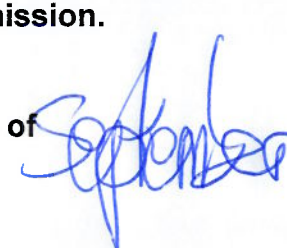
1. Having regard to the location of the development proposed to be retained in a rural area away from existing settlements, it is considered that the development for use as guesthouse/ B&B as described in the application plans and particulars, would contravene Policy Objectives KCDP 10-11 and KCDP 10-29 and Section 1.12.1 of Volume 6 (Development Management Standards & Guidelines) of the Kerry County Development Plan 2022-2028. These policy objectives are considered reasonable. The development for which retention permission is sought and the proposed use of the development by itself and by the precedent it would set, would undermine the integrity of these development plan objectives, would create haphazard development in this rural area, would seriously injure the amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the presence of a Regionally Important Aquifer underlying the site, to historic aerial photography indicating features associated with poor drainage/high water table on site and adjacent, to the age of the existing wastewater treatment system and percolation area, to the absence of percolation testing in the vicinity of the existing percolation area submitted as part of the application which could inform assessment as to the suitability of the site for discharge to ground, and given the proposed change of use of the structure and potential increased occupancy of the building, noting the number of bedrooms and number of bedspaces described in the plans and particulars submitted with the application, it has not been demonstrated that the existing wastewater treatment system on site can adequately dispose of wastewater generated by the development for which retention permission is sought and the proposed use of the development.

The development for which retention permission is sought and the proposed use of the development would, therefore, be prejudicial to public health and would be contrary to Policy Objectives KCDP 13-17 of the Kerry County Development Plan 2022-2028, which require that wastewater treatment systems for commercial and tourism uses in rural areas are in accordance with the 'Code of Practice Wastewater Treatment and Disposal System Serving Single Houses, EPA 2009 and Wastewater Treatment Manuals – Treatment Systems for Small Communities, Business, Leisure Centre and Hotels, EPA 1999', and any updated versions of these documents during the lifetime of the Plan. The development for which retention permission is sought, and the proposed use of the development would, therefore, be contrary to 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  **day of**  **2026.**