



An  
Coimisiún  
Pleanála

Commission Order  
PL-500752-KY-26

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

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 25/61056**

**Appeal by** Tomas Flahive against the decision made on the 16<sup>th</sup> day of January, 2026 by Kerry County Council to refuse permission for the proposed development.

**Proposed Development:** The construction of an outdoor activity centre comprising of a modular welfare building with office space and toilet/changing facilities, car parking, storage containers and canopies, an outdoor activity area, a new wastewater treatment system, upgrading of existing access, fencing and all associated site works necessary to facilitate the development, at Inch East, Lisselton, County Kerry.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## Reasons and Considerations

1. Objective KCDP 10-11 of the Kerry County Development Plan 2022-2028 seeks to 'Encourage tourism developments, increased visitor accommodation, interpretation centres, and commercial/retail facilities serving the tourism sector to be located within established settlements thereby fostering strong links to a whole range of other economic and commercial sectors and sustaining the host communities'. The proposed commercial facility serving the tourism sector, which comprises of an outdoor activity centre, is located within a rural area, removed from established settlements. In the absence of sufficient detail on the proposed activities, changes to the landform and a more complete description of all elements of the development, both construction and operation, and the justification of same at this location, the proposed development is considered to contravene Objective KCDP 10-11 of the Kerry County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. In the absence of sufficient information on the nature and scale of the proposed development including the proposed activities, it has not been adequately demonstrated to An Coimisiún Pleanála that the proposed development would not seriously impact the residential amenities of properties in the area, particularly in relation to noise from the cumulative activities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

The Commission did not attach the Inspector's reason number two, which centres on the storage containers not considered by the Inspector to be appropriate and would injure the visual amenities of the area. The Commission concluded that the use of the storage containers, when taken in context of the overall design, and given the small scale nature of these elements, would not injure the visual amenities of the area or be contrary to Objective KCDP 10-22 of the Kerry County Development Plan 2022-2028 and did not share the Inspector's conclusion on this matter.

The Commission noted the Inspector's recommended reason number three which centres on concerns with the wastewater treatment system design, where some additional information was considered to be required (calculations to support the population equivalent of 8 advanced, clarification on whether nearby properties are served by mains water and clarification regarding the winter water table level). While these matters raised by the Inspector are new matters in the context of the appeal and if the Commission were minded to grant permission, these could be addressed by way of a request for further information and, therefore, the Commission did not attach this reason in its overall refusal reason.

*Patricia Calleary*

**Patricia Calleary**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate**

**the seal of the Commission.**

Dated this 19<sup>th</sup> day of May

2026.