



An
Bord
Pleanála

Inspector's Report

ABP-321977-25

Development	Change of use from storage unit to coffee roasting and ancillary production.
Location	Upper Lissivigeen, Killarney, Co. Kerry
Planning Authority	Kerry County Council
Planning Authority Reg. Ref.	2460937
Applicant(s)	Killarney Coffee Roasters
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Killarney Coffee Roasters
Observer(s)	Sean O'Neill & Others
Date of Site Inspection	24 th April 2025
Inspector	Clare Clancy

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1.0 Site Location and Description

- 1.1. The appeal site is located to the east of Killarney town in Co. Kerry. It is located in the rural area approx. 650 m to the north of the junction of the N72 and N22 national secondary roads on the eastern approach to Killarney. Access to the site is off a local road via a private cul de sac road which also serves a number of dwellings.
- 1.2. The overall site comprises of an existing commercial development. There is a large garage along the northern boundary of the site which relates to a car crash /repair business. There is a central / open hardstanding area which facilitates car parking, and the smaller steel cladded structure to the south comprises of 2 no. storage units, one of which relates to the appeal site.
- 1.3. The eastern boundary of the site is defined by a steel security fence and a 2.0 m high block wall backed by trees along the western boundary. There is an existing single storey dwelling on an elevated site immediately abutting the site to the south and there is an existing dwelling on the western side of the access road to the site. The adjoining area is characterised by urban generated dwellings and agricultural land.

2.0 Proposed Development

- 2.1. Permission is sought to change the use of the existing storage unit associated with the existing garage from storage to use for coffee roasting and ancillary production.
 - The unit to which this appeal relates to is located on the western end of the existing storage units.
 - Site area – 0.7 ha.
 - Gross floor space – 99.50 m².
 - The existing structure has 2 no. roller shutter doors, is steel cladded with mono-pitch roof profile and has a max roof height of 4.55 m.
- 2.1.1. The plans and drawings have indicated a proposal for a roller shutter door on the north facing elevation. It was noted pursuant to site inspection that there are 2 no. existing roller shutter doors on the north facing elevation of the existing structure, and a smaller access door.

3.0 Planning Authority Decision

3.1. Decision

By Order dated 31st January 2025, Kerry County Council refused permission for the following reasons:

1. Having regard to the industrial nature of the proposed development in a rural area and its proximity to the existing dwelling houses, it is considered that the proposed development would seriously injure the residential amenities and depreciate the value of residential properties in the vicinity due to the odours, noise and general disturbance that would be likely to be generated. Therefore, the proposed development would be contrary to the proper planning and sustainable development of the area.
2. The vehicular access to the proposed coffee roasting unit is considered to be substandard and inadequate in terms of width, alignment and surfacing to cater in safety for the additional traffic movements likely to be generated by the proposed development. The proposed development would, therefore, endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area

3.2. Planning Authority Reports

3.2.1. Planning Reports

One planning report forms the basis of the assessment and recommendation. The following is noted:

- The storage units were granted retention under P.A. Ref. 17/137. Retention permission was granted on the basis that the use would be for storage purposes ancillary to the existing car repair business.
- Traffic, poor access to the site and the proximity of adjoining residential properties were factors considered in the decision to grant retention permission.
- Noted the absence of details on the nature and scale and activities of the proposal which appeared to be of an industrial nature.

- Concerns were raised regarding noise and odour emissions and impacts on residential amenities.
- Access to the site via a substandard private road was noted and concerns arose regarding the impacts on traffic and pedestrian safety.
- The third party submissions were noted.
- The report recommended that permission is refused for the 2 reasons set out in Section 3.1 above.

3.2.2. Other Technical Reports

- County Archaeologist – No objection.
- Fire Authority – No objections raised. Advise of the requirement for a Fire Safety Certificate and a Disability Access Certificate, prior to commencement of works, and opening of the building.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

3.4.1. One third party submission was received from Sean O'Neill, Jack Ryan, Bernadette Noonan, Eugene Doherty and Tadhg Ryan and the concerns raised can be summarised as follows:

- The use of the site has commenced which is not compliant with P.A. Ref. 17/137.
- The use gives rise to odours.
- The road infrastructure is insufficient to accommodate the development.
- Questions if the site is zoned for such industrial use.

4.0 Planning History

Appeal Site

P.A. Ref. 211106, ABP Ref. 313203-22 – Permission granted for an extension to the rear of an existing garage / unit, replacement of a septic tank with a wastewater treatment unit, the construction of a new hardstanding area at the rear of the garage and a surface water run-off attenuation area, removal of rear boundary wall and the construction of a 2.4 m boundary fence (03rd August 2022).

P.A. Ref. 17/137 – Relates to the appeal site and the adjacent premises to the north Retention permission was granted for a 1) steel clad storage extension to the existing garage with roller shutter door at south eastern corner of main building, and 2) existing steel clad storage building ancillary to existing garage with roller shutter doors on the southern boundary of the site and 3) ancillary site works (12th April 2017).

- Condition 4 – The extension to the existing garage and the existing steel clad storage building shall be ancillary to the main car repair and services garage in the main building on the site. The garage, garage extension and storage shed shall remain as one integral unit, shall remain in the one ownership and shall not be sold or leased/rented as separate units.

Reason: To ensure effective planning control of the development.

Enforcement

- Warning letter issued in regard alleged unauthorised development in relation to non-compliance with P.A. Ref. 17/137 (October 2020).

5.0 Policy Context

5.1. Kerry County Development Plan 2022-2028

The appeal site is located on lands outside of any settlement boundary. The following designations apply to the appeal site:

- Rural Type Area – the appeal site is located in a rural area designated as ‘Rural Area Under Urban Influence’.
- Visually Sensitive Areas and Views & Prospects – Map O – the appeal site is located in an area designated as ‘Rural General’.

5.1.1. **Chapter 9 Economic Development**

Section 9.7.3 Rural Economy

KCDP 9-1

Ensure that a sustainable approach is taken to enterprise development and employment creation across all sectors of the Kerry economy.

5.1.2. **Chapter 11 Environment**

➤ Section 11.6 Landscape

Section 11.6.3.2 Rural General – Rural landscapes within this designation generally have a higher capacity to absorb development than visually sensitive landscapes however it is important that proposals are designed to integrate into their surroundings in order to minimise the effect on the landscape and to maximise the potential for development. Proposed developments should, in their designs, take account of the topography, vegetation, existing boundaries and features of the area. Permission will not be granted for development which cannot be integrated into its surroundings.

The following objectives are relevant:

KCDP 11-77

Protect the landscapes of the County as a major economic asset and an invaluable amenity which contributes to the quality of people's lives.

KCDP 11-78

Protect the landscapes of the County by ensuring that any new developments do not detrimentally impact on the character, integrity, distinctiveness or scenic value of their area. Any development which could unduly impact upon such landscapes will not be permitted.

5.2. **Volume 6 Development Management Standards**

➤ Section 1.20.3 Parking Requirement for Changes of Use

Where an application for change of use is made, the parking requirements will be the difference between the new use parking requirement, and the existing use parking requirement.

➤ Section 1.20.7 Car Parking Standards

- Tabel 4 sets out the car parking standards for different types of development.
- A flexible approach may be applied where such a case is substantiated, there is not traffic safety issues, and it is demonstrated that the standard should be adjusted to facilitate the site-specific context.

➤ **Table 4 Parking Requirements**

- Industrial 100 m² – Area 3 (all other areas & other settlement) – 3 no. spaces.
- Warehousing 100 m² – Area 3 – 2 no. spaces.

5.3. Natural Heritage Designations

- SAC: 000365 - Killarney National Park, Macgillicuddy's Reeks and Caragh River Catchment SAC – approx. 805 m to the northwest and approx. 845 m to the southwest.
- pNHA: 000365 - Killarney National Park, Macgillicuddy's Reeks And Caragh River Catchment – 845 m to the southwest.
- SPA: 004038 - Killarney National Park SPA – approx. 3.3 km to the southwest.
- SAC: 000382 - Sheheree (Ardagh) Bog SAC – approx. 2.4 km to the south west.
- pNHA: 000382 - Sheheree (Ardagh) Bog – approx. 2.4 km to the south west.
- pNHA: 000350 - Doo Loughs – approx. 2.8 km to the southeast.

6.0 EIA Screening

The proposed development does not come within the definition of a 'project' for the purposes of EIA, that is, it does not comprise construction works, demolition or intervention in the natural surroundings. Refer to Form 1 appended to this report.

7.0 The Appeal

7.1. Grounds of Appeal

The First Party grounds of appeal which relates to the reason for refusal, may be summarised as follows:

Principle of Development

- There has been a significant commercial presence on the site since c. 1970s.
- The subject building is a permitted commercial unit for storage purposes under P.A. Ref. 17/137.
- Since the subject development was permitted, the auto repair business was very busy. This has significantly reduced due to increased computerisation of automobile design, high-tech units in modern cars, and specialised facilities needed for servicing resulting in very little repair and servicing which can be carried out in franchised garages. As a result the amount of business is considerably less and the commercial unit no longer commercially viable.
- It is appropriate to permit a new use provided it does not increase planning implications above that arising from the permitted use.

Impacts Arising

- Coffee roasting takes place 1 day per week which will increase to 2 days per week in summer.
- Odour Emissions – an afterburner was purchased which prevents emanation of volatile organic compounds (VOCs), carbon monoxide and nitrogen oxides from coffee roasting through thermal oxidation / afterburner. This facility is installed to address any potential nuisances to adjoining properties.

Traffic & Road Safety

- The garage is no longer involved in car sales. Car sales has ceased and a reduction in customers seeking service due to newer high-tech cars.
- The proposal represents a reduction in traffic movements and will have minimal impact on the existing area in relation to traffic issues as per the reason for refusal.
- The applicant is willing to contribute to the upgrade of the existing access road in agreement with local residents.
- Traffic generation – Since commencing operation July 2023, weekly traffic generation was recorded as follows:

- Employees – 1 staff member works at present, working c. 3 days per week (6 car movements to /from site per week).
- Collections – 1 per week by LGV (2 LGV movements to / from site).
- Deliveries – 2 per week by LGV (4 movements to / from site).
- Servicing – 1 per week by LGV (2 movements to / from site).
- Road Alignment
 - The access road from the local public road to the south to the appeal site is approx. 140 m in length.
 - The road width varies between 4.5 m to 6.0 m at different locations.
 - It is identified that a number of boundaries relating to dwellings have encroached onto the roadway reducing the width. If the boundaries were maintained a road width of 6.0 m could be achieved along the road.
 - Approx. 30 m from the local public road, a section of the private road is in poor condition, but otherwise the remaining road is in very good condition.

Site Designations

- The site is located in an area designated 'Rural General' and is not a special amenity area.
- The site is not zoned. Section 1.3.7 in volume 6 of the development plan relates to uses not listed in the zoning matrix and their assessment on a case by case basis. In assessing the proposal the most important criterion is whether the new use introduces any new significant planning implications over and above the existing permitted use.
- There is no increased loading on services, traffic generation will be less.

The appeal was accompanied by an engineering report prepared by MHL Consulting Engineers.

7.2. Planning Authority Response

None.

7.3. Observations

One Third Party observation was received from Sean O'Neill & Others in response to the first party appeal which can be summarised as follows:

- The use of the storage unit for coffee roasting has been in operation for sometime before making the application. This should be an application for retention and not permission.
- The applicant has misrepresented facts in relation to activities, and the application is misleading and Kerry County Council (KCC) was informed of the use which is contrary to condition 4 of P.A. Ref. 17/137, warning letters were issued.
- The permitted commercial use of the site for car sales and repairs has not declined in terms of business and the applicant is not the proprietor of the garage.
- The afterburner referred to does not address the noxious emissions from coffee roasting which lingers in the air for hours preventing residents from opening windows.
- Contrary to the applicant's statement that no complaints were received, KCC was notified of the unauthorised activity. The operation ceased and as a result traffic has reduced.
- Planning permission was granted for storage units which is not for commercial use.
- The access road is private, is approx. 164 m from the public road and is narrow. Figure 3 in the submission shows traffic cones placed outside on the property of one property, which was carried out due to the increased volume of traffic. Boundaries and hedgerows adjustments have been carried out by local residents to accommodate safe access and to increase visibility on some of the bends.
- Photos are provided to show boundary lines relative to the land registry map provided. If existing boundaries were to revert back to the original boundary lines, this would result in a number of 90° bends and dangerous pinch points

making it impossible for two vehicles to pass simultaneously including trucks and vans.

- Raised the issue of property welfare services for staff including property waste disposal operating out of a storage unit.

The observation is accompanied by photos.

7.4. Further Responses

None.

8.0 Assessment

8.1. Introduction

This proposal seeks planning permission for a change of use from storage associated with the existing adjoining commercial car repair garage to a coffee roasting facility, and ancillary production. It is noted from the details on the file and in particular the submissions to the planning application and to the appeal, that it is stated that the change of use for which permission is sought has been carried out. Notwithstanding this, the scope of this permission and assessment relates only to the permission as lodged and as described in the development description, and in regard to the decision of the Planning Authority (PA). In regard to unauthorised development as highlighted in the appeal, the matter of enforcement falls under the jurisdiction of the planning authority and in this regard, the Board does not have a role in enforcement matters in this case.

- 8.2. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Access / Traffic
- Impact on Residential Amenities

- Other Matters

8.3. Principle of Development

- 8.3.1. The overall appeal site is not located on zoned lands however it is an established commercial development which was confirmed by previous applications on the site in particular P.A. Ref.17/137. Therefore the proposed development relates to the use of the subject structure. I note that condition 4 was imposed to ensure that the use of the existing building would remain ancillary to the main commercial activity on the site which relates to car repairs. The PA addressed this issue and noted that the ancillary storage sheds were permitted on the basis that they would be used for storage purposes, and that all material considerations including traffic impacts and impacts on residential amenities reflected that decision. I note the planning history of the site and I consider that the proposed development can be assessed on its own merits and therefore, the Board is not precluded from doing so.
- 8.3.2. The appellant has made the case that the existing permission for the commercial use of the building is no longer viable. Information has been provided in the appeal in regard to the nature of the proposed development which relates to processing raw coffee by heating beans into coffee for use to brew coffee. Further details are provided in terms of the current number of employees which is 1, and traffic generated by the proposed development which amounts to approx. 14 movements per week. It is stated that roasting takes place 1 day per week which will increase to 2 in summer. The scale of the existing structure has a stated floor area of 99.50 m².
- 8.3.3. Having regard to the sites' existing commercial nature and having regard to the nature of the use in terms of scale and intensity, I consider that the nature of the use would be appropriate within the existing commercial premises established in this location subject to all material considerations relating to the proposed use being addressed.

8.4. Access / Traffic & Car Parking

- 8.4.1. The second reason for refusal relates to the existing access. The PA deemed the existing access road to the appeal site to be substandard and inadequate with regard to width, alignment and surface to serve the proposed development. The issue of traffic and car parking is also raised by third parties in regard to the appeal, and in the

grounds of appeal it is stated that the use would represent a reduction in traffic movements.

- 8.4.2. I note that there is an existing entrance off the adjoining private cul de sac access road which forms part of the overall commercial development. There are no alterations proposed to same. An outline of traffic movements associated with the use is provided by the appellant which is outlined in Section 8.3.2 above and I note that the engineering report provided further addresses this.
- 8.4.3. In terms of the existing cul de sac access road, this provides access to / from the Upper Lissivigeen road (local county road) located to the south. It serves a number of dwellings as well as the appeal site. The width of the access road varies between approx. 5.0 m to c. 6.4 m. Having driven the road, I noted that while two cars would not be able to pass each other easily, vehicles would travel at a lower speed. I note that no objections were raised by the Roads Section of KCC in relation to roads matters. I am therefore satisfied that subject site has sufficient access.
- 8.4.4. In terms of car parking, the car parking standards are set out in Table 4 of the Development Management Standards in Volume 6 of the development plan. The proposed development comprises a change of use from storage to an industrial use. The stated gross floor area of the unit is 99.50 m². The floor plans show a mezzanine floor for loft space. There are no specific car parking standards outlined for storage use in the standards, however warehousing use would be comparable to storage use and in that regard 2 no. spaces would be required per 100 m². For an industrial use, the standard is 3 no. spaces per 100 m² which equates to a car parking requirement of 3 spaces for the proposed development. I note the provisions of Section 1.20.3 in Volume 6 of the development plan, however given that there would be a marginal increase requirement for 1 no. space, I note that Section 1.20.7 allows for a flexible approach to applied where no traffic safety issues arise.
- 8.4.5. At time of site inspection, it was noted that there is a hardstanding area in the centre of the appeal site. I observed that the car garage was open for business and I noted 2 staff working on site. Vehicles (mostly cars) were noted to be parked on site. Car parking is not demarcated on the ground. Neither unit of the existing storage building were open at time of site inspection. During my site visit no vehicles entered or exited

the appeal site. Given the number of vehicles present it would appear that the car repair workshop was busy, but there was space available to park and turn.

- 8.4.6. I note the argument made by the First Party in relation to reduced levels of activity at the garage, however my observations from site inspection would not support this view. Based on the details provided, and contrary to the grounds of appeal, it is evident that the proposed use will generate additional traffic movements. However, the level of increase on a weekly basis is indicated to amount to approx. 14-16 trips which on average would be 3-5 per day (Monday – Friday). Having regard to the scale and nature of the use, I consider that the volume of traffic that it would generate is not so great that it would unduly impact on the current car parking arrangements available within the appeal site. However, should the use intensify or indeed if the adjoining storage unit use was permitted to change, then I would anticipate that the likely traffic and car parking volumes would consequently increase. In this instance and based on the details provided in the appeal, I am satisfied that the proposed use would not generate a significant increase in the number of traffic movements beyond that indicated that would result in car parking capacity issues or safety issues on the cul de sac lane. In this regard, the increase in intensity requiring 1 no. additional car parking space is marginal. Any change of use or additional floor area would be a matter for a future planning application which would allow for renewed assessment of the car parking and traffic generated by the overall site. In this regard, I am satisfied as to the acceptability of the proposed development from a car parking and traffic generation perspective. Should the Board decide to grant permission, I recommend the inclusion of condition to assign car parking for the overall site.

8.5. Impact on Residential Amenities

- 8.5.1. The first reason for refusal relates to the impacts on adjoining residential amenities arising from the proposed use. The Third Party submissions to the planning application in response to the First Party appeal expressed concern regarding odours arising from the proposed use.
- 8.5.2. I observed at time of site inspection that there are 3 no. vents on the roof of the appeal site, and a vent through the north facing elevation. These are not indicated on the drawings provided. The nearest dwelling is located to the south. It is sited on elevated

ground relative to the subject building and there is a separation distance of approx. 22 m between the northern building line of the dwelling and the subject building. The roof level of the subject structure is noted to be marginally below the ground level of this site. There is an adjoining dwelling located approx. 30 m to the southwest.

- 8.5.3. In response to the reason for refusal and the issues raised, the applicant has provided details of a treatment system that was purchased to address the issue of odour emissions, and explains the process of how it treats the problem. In this regard the treatment system which is a thermal oxidation unit also known as an afterburner machine, is fitted to the exhaust of the coffee roaster. It heats a combustion chamber to a high temperature (several hundred degrees celsius) which neutralizes volatile organic compounds (VOCs), carbon monoxide (CO), nitrogen oxide (Nox) turning them into CO₂. It is stated that roasting occurs 1 day per week and will increase to 2 days during summer months.
- 8.5.4. It is considered that the location of the vents is at a reasonable distance from the nearest residential dwellings, however given the position of the roof relative to the ground levels of the adjoining dwelling to the south, that discharging of odours appears to be occurring at the ground level of this neighbouring dwelling. The installation of a treatment system to address any odours arising from the process of coffee roasting is likely to be an effective solution in terms of reduction of odour emissions. In this regard, I would not anticipate any undue impacts arising which would negatively affect the residential amenities of the adjoining area. Should the Board decide to grant permission I recommend the inclusion of a condition in relation to the installation of equipment and vents for approval and written agreement of the PA, prior to commencement of operation on site. I would also note that matters arising regarding the control of odour emissions would be controlled by other environmental codes for which the local authority is the competent body to monitor and enforce.

8.6. Other Matters

Drawings

- 8.6.1. I note the development applied for. The drawings provided with the application indicate a proposal for a roller shutter door on the northern elevation of the subject unit. Having inspected the site, I note that the works have been carried out. This was not raised by

the planning authority. Notwithstanding, I do not have any issues with regard to the alterations carried out to the northern elevation and would be acceptable.

Sanitary Services & Waste Generation

- 8.6.2. The observation to the grounds of appeal has raised the issue of the provision of sanitary services for the subject development, and the management of waste disposal. There are no details provided with the application in regard to welfare services to serve the subject development, however I note that the applicant has indicated that the overall site is in their ownership, and I further note that under P.A. Ref. 21/1106, ABP Ref. 313203 the Board granted permission for a new wastewater treatment plan for the overall site. In that regard I am satisfied that the matter raised is not a material consideration in regard to the development the subject of the appeal.
- 8.6.3. In relation to external waste storage to serve the subject development, there are no details provided. In that regard I recommend the inclusion of a condition in the event of a grant, for the management of waste associated with the subject development.

Development Contributions

- 8.6.4. I note that Section 6 of the Kerry County Council Development Contributions Scheme 2017 relates to Change of Use and Intensification of Use. There are a number of requirements set out for the inclusion of development contributions for such applications. In this case, I note that there is a requirement to include a development contribution for the subject development at standard rates, as outlined in the scheme and I recommend the inclusion of such a condition, should the Board decide to grant permission.

9.0 AA Screening

- 9.1.1. I have considered the proposed extension in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The nearest European Sites located relative to the appeal site are as follows:

- SAC: 000365 - Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC – approx. 805 m to the northwest and approx. 845 m to the southwest.

- SPA: 004038 - Killarney National Park SPA – approx. 3.3 km to the southwest.
- SAC: 000382 - Sheheree (Ardagh) Bog SAC – approx. 2.4 km to the south west.

9.1.2. The proposed development comprises the change of use of an exiting storage unit to a coffee brewing facility and ancillary production and is located within an existing commercial development.

9.1.3. No conservation concerns were raised in the planning appeal.

9.1.4. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site.

The reason for this conclusion is as follows:

- Small scale and nature of the development.
- Location-distance from nearest European Sites and lack of connections.
- Taking into account the AA Screening determination by the planning authority.

9.1.5. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European side either alone or in combination with other plans or projects.

9.1.6. Likely significant effects are excluded and therefore appropriate assessment (stage 2) (under Section 177V of the Planning and Development Act 2000 as amended) is not required.

10.0 Recommendation

I recommend that permission is granted subject to the following reasons and considerations.

11.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development, to the established commercial use of the appeal site and the pattern of development in the area, it is considered that subject to compliance with conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, and would be acceptable in terms of

traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	<p>The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 02nd December 2024 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The developer shall control odour emissions from the premises in accordance with measures submitted to An Bord Pleanála on 27th February 2025. Final details of the design including extract duct details, and installation shall be agreed in writing with the planning authority, prior to commencement of operation on site. The measures shall be implemented and thereafter permanently maintained.</p> <p>Reason: In the interest of public health and to protect the residential amenities of nearby properties.</p>
3.	<p>A plan containing details for the external management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials shall be submitted to, and agreed in writing with the planning authority prior to commencement of operation on site. Thereafter, the agreed waste facilities shall be maintained and waste shall be managed in accordance with the agreed plan.</p> <p>Reason: To provide for the appropriate management of waste and, in particular recycling materials, in the interest of protecting the environment.</p>

4.	<p>The developer shall submit a Car Park Management Plan for the overall site, and details of car parking design, layout and management to the planning authority for agreement in writing prior to the commencement of operation on site.</p> <p>Reason: In the interest of sustainable transport and safety.</p>
5.	<p>The hours of operation shall be restricted to between 08:00 and 18:00 hours Monday to Saturday, between 08:00 and 14:00 on Saturdays and not all on Sundays or public holidays.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
6.	<p>All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.</p> <p>Reason: In the interest of traffic safety and to prevent pollution.</p>
7.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the</p>

	Development Contribution Scheme made under section 48 of the Act be applied to the permission.
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Clare Clancy
Planning Inspector

03rd June 2025

Form 1 - EIA Pre-Screening

Case Reference	ABP Ref. 321977-25
Proposed Development Summary	Permission for change of use from storage unit to use as coffee roasting and ancillary production.
Development Address	Upper Lissivgeen, Killarney, Co. Kerry
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input checked="" type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>State the Class and state the relevant threshold</p>

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	
<p>No <input type="checkbox"/></p>	

Inspector: _____ Date: _____