



## Planning Statement & Opinion Response

Proposed Large-scale Residential Development, Pat  
Scarteen Road, Killowen, (townland), Kenmare, Co. Kerry.

**Client:** KPH Construction

September 2026

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**Connecting places.**

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Appendix A - minutes from S247 Meeting 10/09/2026

# Introduction

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## 1.1 Purpose of Statement

This Planning Statement has been prepared on behalf of KPH Construction and accompanies an application for a Large-scale Residential Development (LRD) at a site located off Pat Scarteen Road, Killowen, Kenmare, Co. Kerry.

This statement addresses matters highlighted by Kerry County Council in their LRD Opinion and outlines and considers the principal planning matters.

## 1.2 Site and Development Context

### 1.2.1 Site Context

The site is c. 2.63 ha in size is within the settlement of Kenmare, with the eastern boundary fronting onto the Part Scarteen Road, the Kenmare Inner Relief Road.



Figure 1. Aerial View of the Site and Surrounding Context.

The site is zoned and underutilised, set within an area characterised by existing residential, retail, educational and recreational uses, c. 400m from the Main Square in the town centre. An Aldi Store is immediately adjacent to the northern boundary of the subject site, and the mature residential developments of Cill Muire, Oakwood Manor and Scarteen Park are in the vicinity to the north-east, north and west respectively. Kenmare Shopping Centre including a Lidl and Supervalu store and medical centre is located c. 250m further north along Pat Scarteen Road. The Kenmare Playground is nearby with both a primary and a secondary school located on Railway Road.

The subject site was previously used as a compound and area for spoil storage during the Pat Scarteen Relief Road construction and the subsequent habitat on-site consisted largely of recolonising scrub vegetation. Preparatory works have recently been undertaken to allow for appropriate site survey and investigations to inform this proposal, however care has been taken to ensure all mature trees have been retained. There is an area of mature woodland adjacent to the western boundary. The Kealnagower Stream, a small tributary of the Finnihy River, flows c. 300m north-west of the site.

To the south-east of the subject site is the Shelburne Lodge, recorded in the National Inventory of Architectural Heritage (NIAH) as a house built between 1870 – 1820 of regional importance. A row of standing stones to the south-west of the subject site is listed in the Sites and Monuments Record (KE093-016----). No above ground remains are now visible of the feature.

The subject site is strategically and accessibly located within the Kenmare Town Boundary. There is shared cycle/pedestrian infrastructure along the entirety of the Pat Scarteen Road. Good pedestrian access to the town centre is provided either to the north of the subject site via Railway Road or c. 90m to the south along the R569 Kilgarvan Road. The latter is identified in the Draft CycleConnects as the route of an Inter-urban cycle route. The northern side of this regional road is predominantly a linear development of detached dwellings, with recreational uses clustered to the south and east, including Kenmare Golf Club, Reenagross Woodland Park and Kenmare Shamrocks GAA. Beyond these, the Roughty River flows into Kenmare Bay to the south. The Kilgarvan Road area is characterised by tourism and recreational uses, with a significant number of hotels, B&B's and holiday homes present.

### **1.2.2 Development Context**

The Kerry County Development Plan 2022 – 2028 (CDP) identifies Kenmare as a Regional Town, which alongside Cahersiveen and Killorglin will be the primary focus for development in the Kenmare Municipal District Area. Lack of wastewater treatment capacity was a critical, long standing infrastructural issue<sup>1</sup> that curtailed the town's development potential, resulting in only 88 no. new dwellings being constructed between 2012 – 2025. However, with this infrastructure constraint now resolved it is envisaged<sup>2</sup> that the town can expand to achieve its potential as a major service centre and tourist destination.

In 2022 the CDP set a 2028 housing target of 204 units for the town to accommodate an envisaged population growth of 261 persons. However, only 40 no. units were completed in the 4 year period between 2022 to 2025. While the first permission for a residential scheme since 2019 was recently granted<sup>3</sup> in the settlement for 85 no units, given the requirement for an uplift of 69% in the County

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<sup>1</sup> Ref. the Kenmare Municipal District Local Area Plan 2024-2030 (LAP)

<sup>2</sup> Ref. the Kenmare Municipal District Local Area Plan 2024-2030 (LAP)

<sup>3</sup> Ref 2560038/ACP 501110

Kerry housing targets from 2025 – 2034 (as set out in the National Planning Framework Implementation: Housing Growth Requirements 2025) there remains a considerable unmet need for housing in this Regional Town. The proposed development in the subject site which is zoned 'R1 – New /Proposed Residential' zoning, would contribute towards addressing this and fostering the sustainable growth of Kenmare.

### 1.3 Site History

This residential development proposal is being made pursuant to the positive planning history on-site. The planning history dating back to 2006, when 188 no. housing units and a creche were permitted on the larger site that also encompassed the lands to the east of Pat Scarteen Road and the Aldi site to the north. In 2009 permission was granted for an alteration to the northern portion of that permission replacing 61 no. of the permitted residential units with 14 no. Residential units and a discount retail store, which is now the Aldi Store. Extensions of duration were granted for both the original permission and the alternation in 2011 and 2014 respectively. Modifications to the northern mixed-use retail and residential development were permitted in 2014 largely related to modifications to access arrangements.

| Planning Ref. | Applicant              | Development Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Decision                                 |
|---------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| 062132        | Murnane and O'Shea Ltd | Demolish existing shed and to construct 188 no. Residential units, these units will consist of 2 no. Detached houses, 72 no. Semi-detached houses, 28 no. Townhouses, 38 no. Maisonettes, 6 no. Duplex apartments and 42 no. Apartments, construct creche of area 346 sq m, bin storage areas, construct proposed bypass road through site including site entrances and all associated ancillary site works.                                                                                                                                                                                                                                               | Granted on 27/01/2007 with 22 conditions |
| 0692132       | Murnane and O'Shea Ltd | Extension of Duration for permission 062132                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Granted 09/12/2011                       |
| 0911          | Murnane and O'Shea Ltd | Erect a mixed use retail and residential dev. The proposed alterations include replacement of 61 no. Residential units with (a) 14 no. Residential units, including 2 no. Detached dwellings, 8 no. Semi detached dwellings and 4 no.maisonette units (b) a discount retail store with associated car parking and (c) generator store and wash room. The proposed discount retail store has a gross floor area of 1628m sq. Incorporating an off - licence, trolley bays, storage and all associated signage and site development works. The creche and residential units 9-127 will remain as permitted by 06/2132 and the proposed development will make | Granted 29/05/2009 with 35 conditions    |

|                             |                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                   |
|-----------------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
|                             |                        | provision for the construction of part of the proposed Kenmare By Pass road and the erection of 3 no. Signs along it. The application site forms part of a larger site where planning permission was granted for 180 units and a creche under planning reg. No. 06/2132. The proposed development will be carried out in lieu of 61 no. Permitted residential units.                                                                                                                                                                            |                                                   |
| <b>099911</b>               | Murnane and O'Shea Ltd | Extension of Duration for permission 099911                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Granted<br>14/01/2014                             |
| <b>13568/ABP<br/>243001</b> | Murnane and O'Shea Ltd | Modifications to a mixed use retail and residential development permitted under ref no. 09/11. The proposed modifications include alterations to the access arrangements and the provision of new entrance to serve the permitted discount retail store, a revised parking layout, a revised location for the permitted totem signage and all ancillary site development works. A modification to the vehicular access to a cr che and residential development to the east of the Kenmare Inner Relief Road as permitted under ref. No. 06/2132 | Granted with 5 conditions by ABP on<br>17/01/2014 |

## 1.4 Proposed Development

KPH Construction intend to apply for a 10 year planning permission for a Large-scale Residential Development (LRD) at a site located off Pat Scarteen Road, Killowen, (townland), Kenmare, Co. Kerry.

The development will consist of the demolition of 2 no. existing single-storey shed structures and the construction of 100 no. residential units comprising 30 no. 1-bed units; 30 no. 2-bed units; and 40 no. 3-bed houses, with ancillary landscaping and associated site development works. The development makes provision for 40 no. two-storey houses, comprising 36 no. semi-detached 3 bed units and 4 no. 3 bed mid-terraced units and 60 no. own-door maisonette/apartment units over 2 no. storeys (30 no. 1 bed units, 30 no. 2 bed units).

Vehicular access to the development will be via an upgraded and relocated entrance off the Pat Scarteen Road, with proposed upgrades including amendments to the existing shared pedestrian/cycle path and modifications to the signing and lining on the public road. The proposed development also provides for separate pedestrian/cycle entrances off Pat Scarteen Road and includes dedicated pedestrian and cycling paths traversing the site.

Ancillary infrastructure development works will include wastewater infrastructure, a pumping station, surface water attenuation, water utility services, public lighting, bin stores, bicycle stores, ESB substations, landscaping and all associated site development works. A Natura Impact

Statement has been prepared in respect of the proposed development. LRD website - [www.kenmarelrd.ie](http://www.kenmarelrd.ie).

## 1.5 Other Works

As outlined in the enclosed Drainage Impact Assessment and Civil Utilities Reports prepared by MWP, the approach to storm water drainage evolved through pre-planning discussions with the Council. Surface water runoff from the development will be managed through a combination of conventional drainage infrastructure and Sustainable Drainage Systems (SuDS), including bioretention rain gardens, filter drains, attenuation storage tanks and a petrol interceptor. Surface water will be attenuated and discharged at the calculated greenfield runoff rate via a Hydro-Brake flow control device.

In addition to these proposed storm water management systems the Council requested the inclusion of a controlled overland outlet on lands they control to the west. This is a supplementary drainage measure. To facilitate this request, it is proposed to construct an outfall structure within the bank of the Lissiniska\_21 waterbody. The discharge will be controlled to greenfield runoff rates and will convey any residual treated and attenuated surface water from the development drainage system to the receiving watercourse. The drainage strategy has been designed to mimic the existing hydrological regime of the site and minimise impacts on the receiving environment. These Other Works have been fully assessed as part of the environmental reporting that accompanies this application. As a beneficial piece of surface water network on public lands, the Council advised of their preference that these works be secured by way of special development contribution.

| Key Site Statistics         |                                                                                                          |
|-----------------------------|----------------------------------------------------------------------------------------------------------|
| Total Site Area (ha)        | 2.63ha                                                                                                   |
| Total Developable Area (ha) | 2.53 ha                                                                                                  |
| Mix                         | 1 bed courtyard apt– 30 (30%)<br>2 bed courtyard apt – 30 (30%)<br>3 bed semi-detached/terrace– 40 (40%) |
| Density (units per ha)      | 39.5 units per ha                                                                                        |
| Open Space Provision (%)    | 11.55%                                                                                                   |
| Communal Open Space         | 1,702.7m <sup>2</sup>                                                                                    |
| Car Parking Provision       | 112 spaces<br>6 Accessible<br>60 Dwellings<br>46 Apartments                                              |
| Bike Parking                | 96 for apartment units,. 42 visitor spaces.                                                              |

Table 1 - Site Development Strategy (Meitheal Architects)



**Figure 2.** 3D model of proposed development prepared by Meitheal Architects

# Opinion Response & Pre-application Consultation

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Since the initial discussions in June 2025 the proposed development has evolved significantly in response to Council feedback, from the original proposal for 163 no. residential units including sheltered housing with ancillary two storey community centre and crèche, located on both sides of Pat Scarteen Road, to the current proposal for 100 no. residential units to the west of Pat Scarteen Road. On the 3rd of June 2026, a Stage 2 - LRD Opinion Meeting was held with the Council based on the revised layout.

Arising from that meeting, the Council issued their Opinion on the 30<sup>th</sup> of June 2026. It stated that 'while the proposed development is acceptable in principle, it does not yet constitute a reasonable basis on which to make an application for planning permission.' The Council referenced three matters to be further considered in discussions with them, namely water supply, Water Framework Directive assessment, and surface water design. These are addressed in detail below.

## 2.1 Principal Items Raised in the Opinion

### 2.1.1 Public Water Supply

The Council issued opinion stated that it was not satisfied that the Stage 2 design would not impact on sustainable provision of a public water supply in Kenmare. The Stage 2 design included potential provision of a groundwater well as a source of water supply. We understand from subsequent discussions that in making the above referenced statement, Kerry County were referring to engagement with Uisce Éireann whereby the utility company confirmed their intention to develop a new public groundwater production well in the vicinity that would supplement the Kenmare Public Water Supply. It was acknowledged that there appears to be a viable source of water locally to service the development, but it would be Uisce Éireann's preference that a private well would not be advanced having regard to their own proposals. With the intentions of Uisce Éireann now understood and recognising that any well locally developed would contribute to public water supply, the Applicant confirmed their happiness to omit the proposed well from the proposed development.

The water supply for the project will be via the public network and the Applicant is in receipt of a Confirmation of Feasibility related to water supply from Uisce Éireann which confirms a connection is feasible subject to upgrades. As noted, Uisce Éireann are advancing their work package to add additional water supply locally, which the Applicant is supporting.

### 2.1.2 Compliance with Water Framework Directive

We understand from discussions with Kerry County Council that comments expressed in the Opinion that they were not satisfied that the proposed development would comply with the

requirements of the Water Framework Directive related also to the previously proposed groundwater well. Specifically, it was advised that it is a requirement of the Water Framework Directive that waters used for the abstraction of drinking water are protected to avoid deterioration in quality and that it was Uisce Éireann's preference that a private well should not be advanced in the vicinity having regard to their own proposals. As noted, the previously proposed well has been omitted from the final proposed development.

The enclosed Water Framework Directive Compliance Assessment has been prepared by Malachy Walsh & Partners and peer reviewed by Dr. Pamela Bartley of Hydro-G. This assessment concludes that the proposed development is in full compliance with the requirements of the Water Framework Directive.

### **2.1.3 Storm Water Drainage**

The Council's opinion stated that "on the basis of the information provided, the Planning Authority is not satisfied that the proposed development has addressed surface water and storm water drainage plans, SuDS, and Flood Risk mitigation".

At Stage 2 of the LRD process, a scoping note with preliminary modelling had been issued to Kerry County Council, but the final approach to the site Flood Risk Assessment, including interactions with the Kenmare Flood Relief Scheme had not been agreed with the Council's Flood Risk Department.

An on-site meeting subsequently took place with the Area Engineer in respect of storm water drainage. Surface water runoff from the development will be managed through a combination of conventional drainage infrastructure and Sustainable Drainage Systems (SuDS), including bioretention rain gardens, filter drains, attenuation storage tanks and a petrol interceptor. Surface water will be attenuated and discharged at the calculated greenfield runoff rate via a Hydro-Brake flow control device. In addition to these proposed storm water management systems the Council requested the inclusion of a controlled overland outlet on their lands to the west. This is a supplementary drainage measure consistent with their local requirements elsewhere. It was advised that a Special Development Contribution would be levied by the Council to undertake the works in question. The Applicant confirmed their acceptance in principle with this.

A full flood risk assessment has been prepared for the site, the technical parameters of which have been discussed and agreed via engagement with the Kerry County Council and its Flooding, Coastal & Marine Unit. The Flood Risk Assessments has demonstrated that the risk to the operational development is low, within all acceptable limitations, and the proposed development would not have an adverse impact on flooding on upstream or downstream third-party lands.

Having regard to the above, a further S247 Pre-planning meeting was held with the Council on the 10<sup>th</sup> September 2026. A copy of the minutes from that meeting are enclosed as Appendix A. Consensus has been established that the points raised at the Section 32B stage have been positively addressed. The minutes include a number of commitments to share resource with Area Engineering and the Flooding, Coastal & Marine Unit. This was adhered to and both offices did not advise on any further comment. A fully developed Maintenance Plan and Schedule for the storm drainage and SuDS infrastructure will be provided and agreed with the Council prior to commencement of construction.

The Council's LRD Opinion Meeting Minutes and Appendices, which include observations from various internal reports and external consultations, raised a number of specific items for

consideration. These are responded to in Section 2.1 below in the order in which they appear in the Council's LRD Opinion Meeting Minutes and Appendices.

## 2.2 Opinion Meeting Minutes – specific Responses

### 2.2.1 Ecology

- Re 'Bat lighting assessment...required attention to rear gardens facing woodland to show in the proposals what type of light would be installed referencing variation in kelvin required.'

As outlined in the Ecological Impact Assessment (EclA) prepared by MWP a continuous dark buffer zone shall be maintained along the western woodland and treeline boundary. The ecological mitigation requires LED luminaires with a maximum correlated colour temperature of 2700 K, together with the retention of dark corridors and avoidance of light spill onto the western woodland and treeline habitats. The ecology reports also require the final public and private lighting designs to be reviewed by a suitably qualified ecologist before installation

In line with this MWP have worked with DK Partnership in preparing a sensitive lighting strategy, which will have no lighting columns or other permanent light sources installed within this buffer, and light spill onto retained woodland, tree lines and associated bat commuting and foraging habitat shall be avoided (ref Figure 3).



**Figure 3. Public Lighting Illumination Contours prepared by DKP Showing Dark Corridor to South-west of Site**

Lighting levels within buffer zones adjoining bat foraging and commuting habitat shall be controlled to ensure that illuminance levels do not exceed defined ecological thresholds where appropriate. The DKP Public Lighting Assessment has been amended to align with the ecological requirements as stipulated by MWP and the Council.

The Private Lighting Assessment prepared by DK Partnership, indicates that external private residential lighting shall be limited to wall-mounted downlighters which will be directed away from site boundaries, woodland edges and tree lines. These have maximum illumination contours of <2.5m and the rear gardens in this area extend between 9.1m and 10.8m from the boundary with the adjacent woodland. Where residential security lighting is installed it will be fitted with motion sensors and short-duration timers (typically 1–2 minutes) to minimise unnecessary illumination.

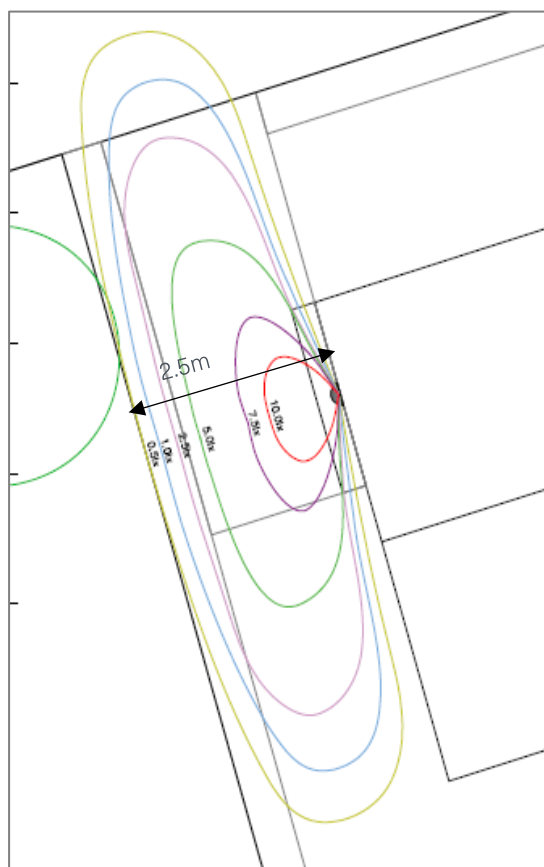


**Figure 4. Private Downlighter Lighting Illumination Contours prepared by DKP**

The amended DK Partnership Public and Private Lighting Assessments demonstrate full compliance with the recommendations of the Bat Conservation Trust and Institution of Lighting Professionals Guidance Note Bats and Artificial Lighting at Night (BCT & ILP, 2023).

- 'a Derogation Licence may be required as part of the planning application'.

From the Section 32B meeting discussion, it was confirmed that this statement was made with the intention that the Applicant satisfy themselves that there is no bat roosting trees being removed to facilitate the development. From completed bat surveys, no trees within the site were confirmed as being used as roost sites. One Oak tree supporting potential roosting features was recorded adjacent the western boundary of the proposed site. The Tree Survey Report (Total Tree Services, 2026) recommends pruning of hazard limbs and deadwood on this tree. No bats were recorded emerging from this Oak tree during a survey conducted on 7th July 2026, therefore no direct effects on roosting bats are expected to occur during the construction phase. There is no requirement for a derogation licence to accompany the subject application.

- 'Surface Water / services to be included in WFD Assessment and AA/NIS'.

The enclosed revised WFD Assessment and Natura Impact Statement (NIS) prepared by MWP include dedicated sections assessing the impact of surface water and services as requested.

## 2.2.2 Part V

As noted in the Council's LRD Opinion Meeting Minutes and Appendices the principle of the enclosed Part V Proposal was accepted by the Council. The Applicant will engage with the Council to agree a Memorandum of Understanding based on this ahead of formal works.

### 2.2.3 Building Control and Fire Safety (Appendix C)

Detailed observations made by the Building Control and Fire Department in relation to the proposed development were included in appendix C of the LRD Opinion Meeting Minutes and Appendices. These observations include commentary on Commencement Notices, Fire Safety Certificates (FSC) and Disability Access Certificates (DAC) applications, road widths and radii, DMURS compliance, Part M – Access, Radon, EV charging infrastructure and fire hydrants. These have been addressed in full in Section 5 of the enclosed Design Statement prepared by Meitheal Architects. The responses are supported by the Traffic and Transport Assessment, Mobility Management Plan, DMURS Statement and Road Safety Audit Stage 1 prepared by MHL.

### 2.2.4 Estates Unit

The Estates Unit made observations in relation to use of materials and gradients in Taking in Charge areas. These items have been noted and addressed in the landscape material prepared by SRLA. Suggestions in relation to the footpath and public lighting have been incorporated into the Public Lighting and layout design.

The proposed layout includes 6 no. accessible parking spaces (5%) which are distributed across two areas in the scheme, both in proximity to the apartment units. This is demonstrated in detail in page 14 of the Design Statement prepared by Meitheal architects. The Bike and Bin Storage Areas relating to the Courtyard Apartment Units will be transferred to the Management Company rather than taken in charge by the Council.

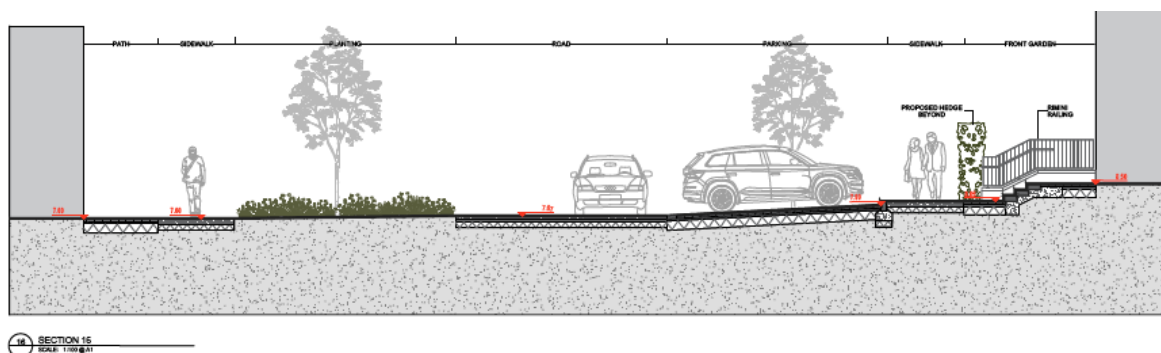


Figure 5. Section 16 – SRLA Landscape Section

In terms of ensuring low level hedging around parking spaces, as shown in Figure 5 low level planting is proposed at the parking spaces, with occasional street trees and small feature trees interspersed to add interest. It has been designed to avoid obstructing sightlines.

No moving parts are proposed in the play equipment in the natural play areas and as indicated in Figure 6 below the proposed height is below the Council's requested maximum heights of 600mm.

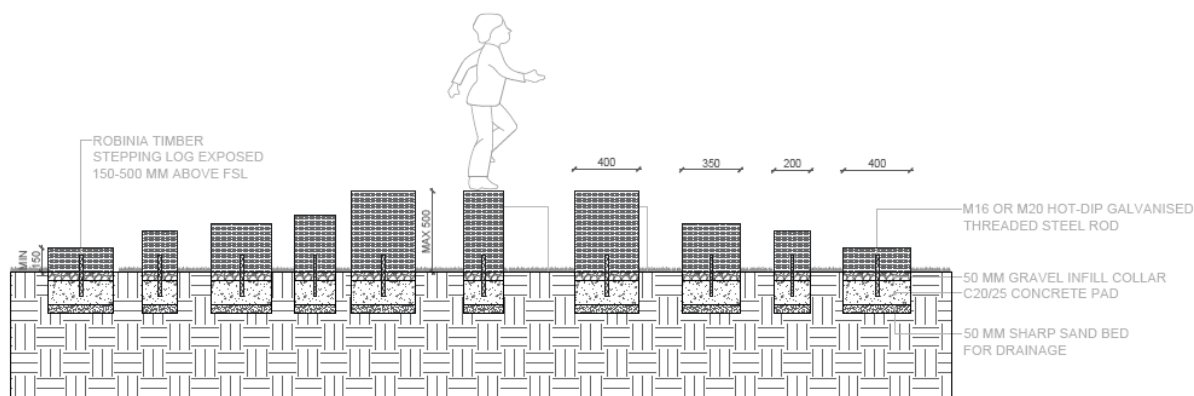


Figure 6. Natural Play Area Detail from SRLA Draeing L\_904 Natural Play Details

In terms of the Council's query regarding EV parking requirements, this is addressed in full in page 15 of the enclosed Design Statement prepared by Meitheal Architects, which indicates the in excess of 20% of the parking spaces include EV charging infrastructure, distributed across the site, with ducting infrastructure provided to the front of all perpendicular parking spaces.

#### **2.2.5 Archaeology (Appendix A)**

- 'The submitted documentation in relation to archaeology notes that a licence has been applied for to the National Monuments Service and that pre-development testing will take place once a licence has been issued. Pre-development archaeological testing and any further archaeological mitigation that may arise from this testing will be required in relation to this proposed development.'

The finalised Archaeological Test Trenching and Impact Assessment Report prepared by AEGIS is enclosed, which includes mitigation measures. No potential for significant impacts on archaeological heritage has been identified.

#### **2.2.6 Drainage and Storm Water (Appendix B and Appendix D))**

The Council requested detailed surface water drainage plans, proposed Sustainable Urban Drainage System (SuDS) measures and any mitigation measures post development.

The enclosed Flood Risk Assessment, Drainage Impact Assessment and Civil Utilities Report have been prepared by MWP. The approach to storm water drainage has been discussed and agreed with the Council. The discharge rates will mimic greenfield run off flows for the site. The sub-surface attenuation system has been designed for storage of a 1 in 100-year storm plus 20% climate change. SuDS measures including bioretention rain gardens and filter drains are used were practicable.

The Council comments regarding the pipe diameter sizing, hydrants are addressed in the enclosed Civil Utilities Report.

#### **2.2.7 Environmental Assessment Unit (Appendix E)**

As requested the NIS prepared by MWP includes a dedicated section considering water supply arrangements. The EclA and WFD Assessment both include a dedicated section considering Flood Risk.

With regard to light spillage to nearby woodland we ask the Council to refer to Section 2.1.1 above, the enclosed Public Lighting Assessment prepared by DKP and Section 10.1.2 of the EclA prepared by MWP.

In terms of impact on the existing trees, the enclosed Tree Planting Plan prepared by SRLA indicates that the removal of 1 no. tree is proposed across the subject site. All trees along the western boundary are to be retained and supplemented. In line with the Council's comments the EclA recommends that a Tree Protection Plan should be prepared by a suitably qualified arboriculturist where retained trees are present in proximity to construction activities or proposed boundary treatments. The enclosed Tree Survey Report prepared by Total Tree Services includes tree protection details<sup>4</sup>.

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<sup>4</sup> pages 4 – 6 of Tree Survey Report

The Council request that if a wildlife derogation license is required, it should be submitted as part of the planning application. We ask the Council to refer to the response to this item in section 2.1.1 above.

In relation to the other queries/comments of the Environmental Assessment Unit:

- The project ecologists MWP have consulted with the Council and IFI in relation to the proposed development.
- An outline CEMP prepared by MWP accompanies this application.
- A general statement confirming the development's conformity with ecological mitigation measures and current guidance is included within the EclA.
- As requested by the Council the Planting Schedule prepared by SRLA incorporates the fruit and nut trees as per S1.5 of Variation No. 1. These include:
  - » *Malus sylvestris* (European crab apple)
  - » *Corylus avellana* (Hazel)
  - » *Crataegus monogyna* (Common hawthorn),
  - » *Prunus spinosa* (Blackthorn /sloe),
  - » *Rosa canina* (Dog rose),
  - » *Rubus fruticosus* (Blackberry).

#### **2.2.8 Uisce Éireann (Appendix F)**

Arising from Uisce Éireann's comments, included in Appendix F of the Opinion, the previously proposed approach that the development would be supplied by an on-site well has been revisited. A Pre-connection enquiry has been submitted to Uisce Éireann for 100 residential units and they have advised that a connection to the public water supply is feasible subject to upgrades in their confirmation of feasibility letter (enclosed as Appendix A of the Civil Utilities Report prepared by MWP).

It is proposed that a 110mm watermain will serve the development (ref calculations in Appendix B of the Civil Utilities Report) for further information on predicted flow rates based on the Code of Practice by Uisce Éireann. The proposed layout is shown in Appendix C of the Civil Utilities Report.

# Planning Assessment

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This section of the Report will address the main land use policies and objectives which pertain to the application site, with a more detailed review of the National, Regional and Local Planning policies contained within the separate Statement of Consistency document. As evident from the planning history on-site and from Kerry County Council's advice during pre-planning discussions, there are no objection in principle to the development of residential units on these lands. We consider that the proposed development is fully in accordance with the land use policies and objectives of the Kerry County Development Plan 2022-2028 and the Kenmare Municipal District Local Area Plan 2024-2030, the relevant statutory plan for the area.

## 3.1 Principle of the Development

The proposed development aligns with the zoning objectives in place under the Kerry County Development Plan 2022-2028 (CDP).

The Kenmare Municipal District Local Area Plan 2024-2030 (LAP) came into effect on May 24th 2024, and in conjunction with the Kerry County Development Plan 2022 – 2024 (CDP) provides the local policy basis under which any application will be assessed.

The CDP identifies Kenmare as a Regional Town, which alongside Cahersiveen and Killorglin will be the primary focus for development in the Kenmare MD area. It sets a 2028 housing target of 204 units for the town to accommodate an envisaged population growth of 261 persons.

The subject lands are largely zoned the 'R1 – New /Proposed Residential' zoning:

***R1 – New / Proposed Residential:: 'For new residential areas/town extensions to ensure the provision of high quality new residential environments. Provide an appropriate mix of house sizes, types and tenures in order to meet household needs and to promote balanced communities. May also include a range of other ancillary uses for residential, particularly those that have the potential to foster the development of new residential communities.'***

A small area of GI-Open Space aligns with the western boundary of the site outside the development footprint. The lands include an indicative walkway objective east-west through the site connecting Pat Scarteen Road with Scarteen Park. This is reflected in the planned cycle/pedestrian connectivity through the site, with a potential future connection to west, subject to third part approval.

In both the Section 247 process and the Section 32D LRD Opinion the Council did not raise any concerns with the principle of development on the subject lands and stated that the use of these lands for residential development would conform with the active land use zonings on the site.

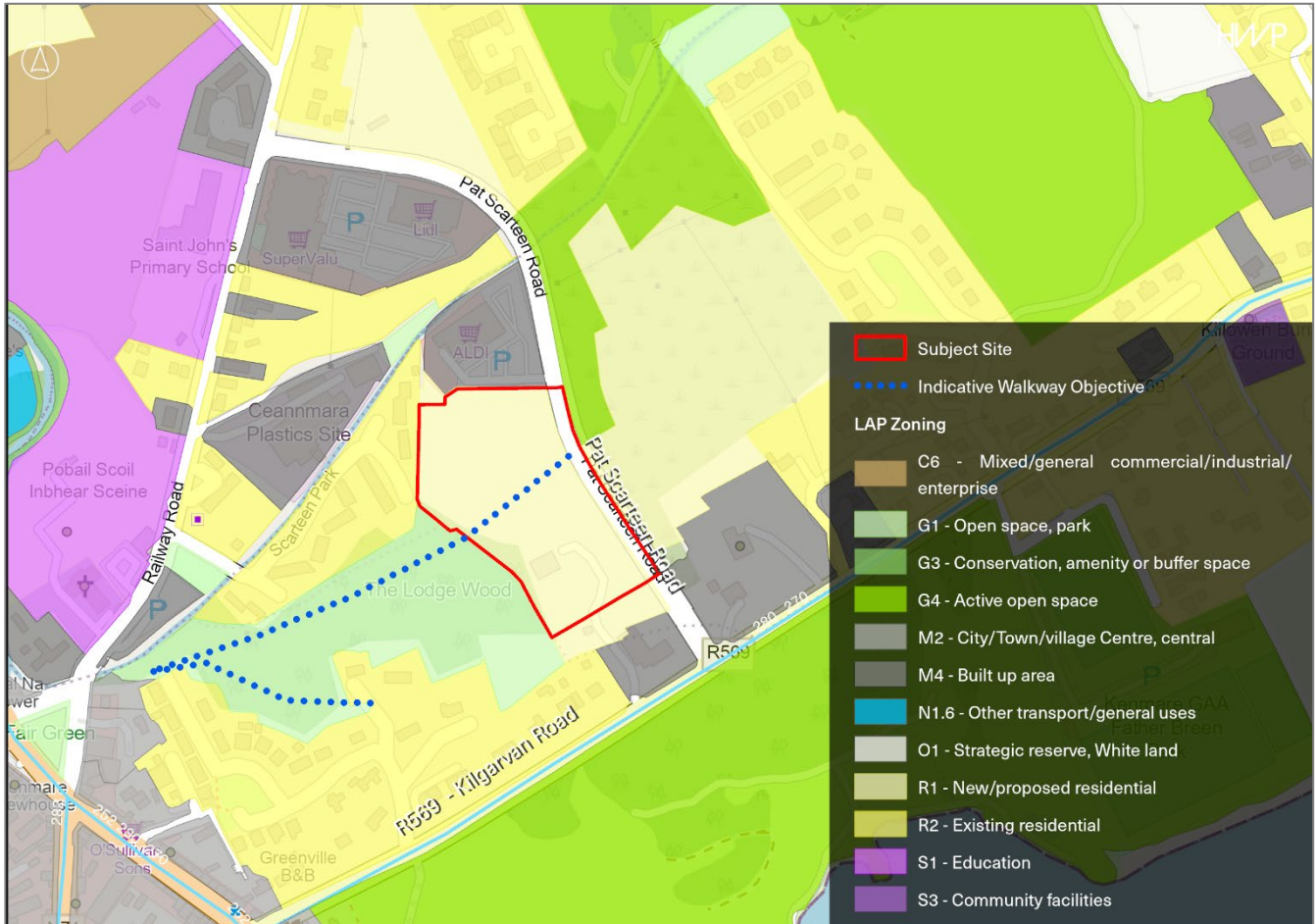


**Figure 7. Site Zoning Context**

### 3.2 Compact Development

On the 15<sup>th</sup> January 2024, the Minister published the 'Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities 2024' (SRDCSG). As outlined below the proposed development is fully in line with the published Guidelines.

#### 3.2.1 Net Site Area

The total site area of the proposed development is 2.63 hectares. The methodology for Net Site Area calculations set out in Appendix B of the SRDCSG indicates that the calculation should exclude lands for main arterial roads. All of the site has been designated as developable, with the exception the existing road and public footpath to the east. The resulting 'developable area' for the site is 2.53 hectares.

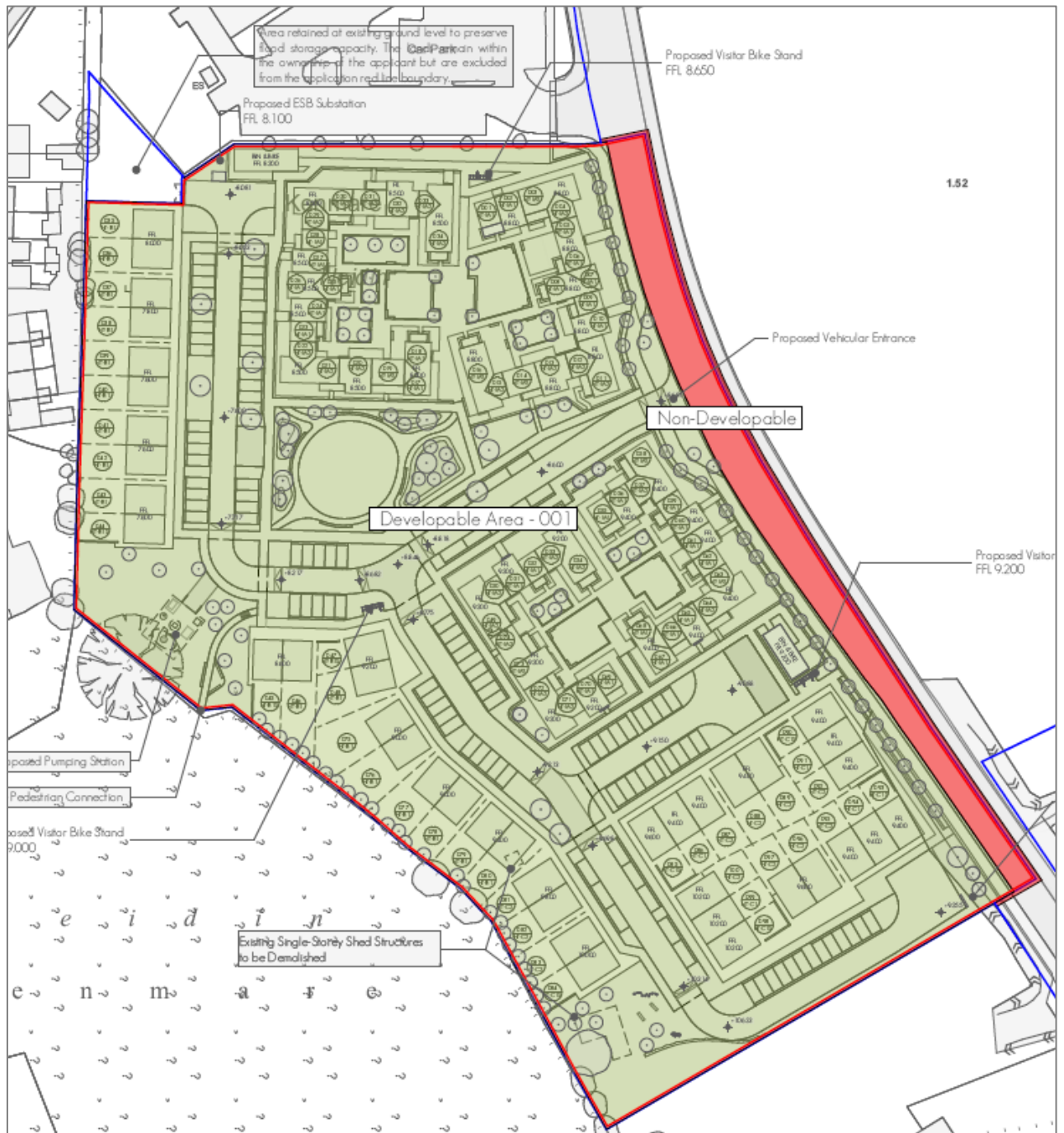


Figure 8. Developable Area

### 3.2.2 Density

#### Density Range

Kenmare had a 2022 population of 2,566 residents. This equates to a Small- Medium Towns (1,500 - 5,000+ population) in the residential density guidance set out in Table 3.6 of the CSG which states the following in respect of planning for such settlements:

*"The recommended approach for small to medium sized towns will be to plan for growth arising from economic drivers within and around the settlement and to offer an improved housing choice as an alternative, including serviced sites, to housing in the countryside..."*

and

*“When considering density, the planning authority should differentiate between self-sustaining towns that have a good employment and services base and can accommodate development of greater sale”.*

The key priorities for compact growth in these settlements include to “deliver sequential and sustainable urban extension at locations that are closest to the urban core and are integrated into, or can be integrated into, the existing built-up footprint of the settlement”.

The subject lands meet the definition of an edge location in Kenmare town on greenfield, infill lands that are zoned for residential development. It is a policy and objective of these Guidelines that densities in the range 25 dph to 40 dph (net) shall generally be applied in such areas.

Kenmare is a principal settlement in County Kerry, designated as a ‘Regional’ town reflecting its zone of influence, and a key service centre. Kenmare has a high ratio of local employment. In the words of the CDP Core Strategy, the principal towns in Kerry ‘seek to harness and develop the complementary strengths and synergies between the settlements and their functional hinterland, to create highly connected centres of scale, with the necessary critical mass, in terms of population and employment, to enable them to compete and grow to fulfil their potential and drive regional development in tandem with regional and national policy’.

Having regard to the strategic role and function of Kenmare, as well as the location of the subject lands in relatively close proximity to Kenmare Town Centre and local services, it was considered appropriate to consider a density within the higher end of the applicable density range on the subject lands. The design response is proportionate to the receiving context, considering existing scale and grain and the protection of existing residential amenities.

The applicant is committed to meeting market demand for new homes in the local area. The scheme has been developed having regard to this, addressing focused / specialist housing needs for smaller unit typologies in Kenmare. The proposed density of 39.5 units per hectare is within the permissible density range and appropriate having regard to settlement and site context.

### **3.3 Access**

The site benefits from an existing quality road network in the form of the Pat Scardeen relief road. The existing entrance to the site will be subject to minor modifications, to include revised signing and lining on the public road and integration of the public footpath as part of a raised table entrance design with pedestrian crossing. The proposed design has been subject to sightline and swept path analysis, as well as a Road Safety Audit prepared by MHL & Associates Ltd Consulting Engineers.

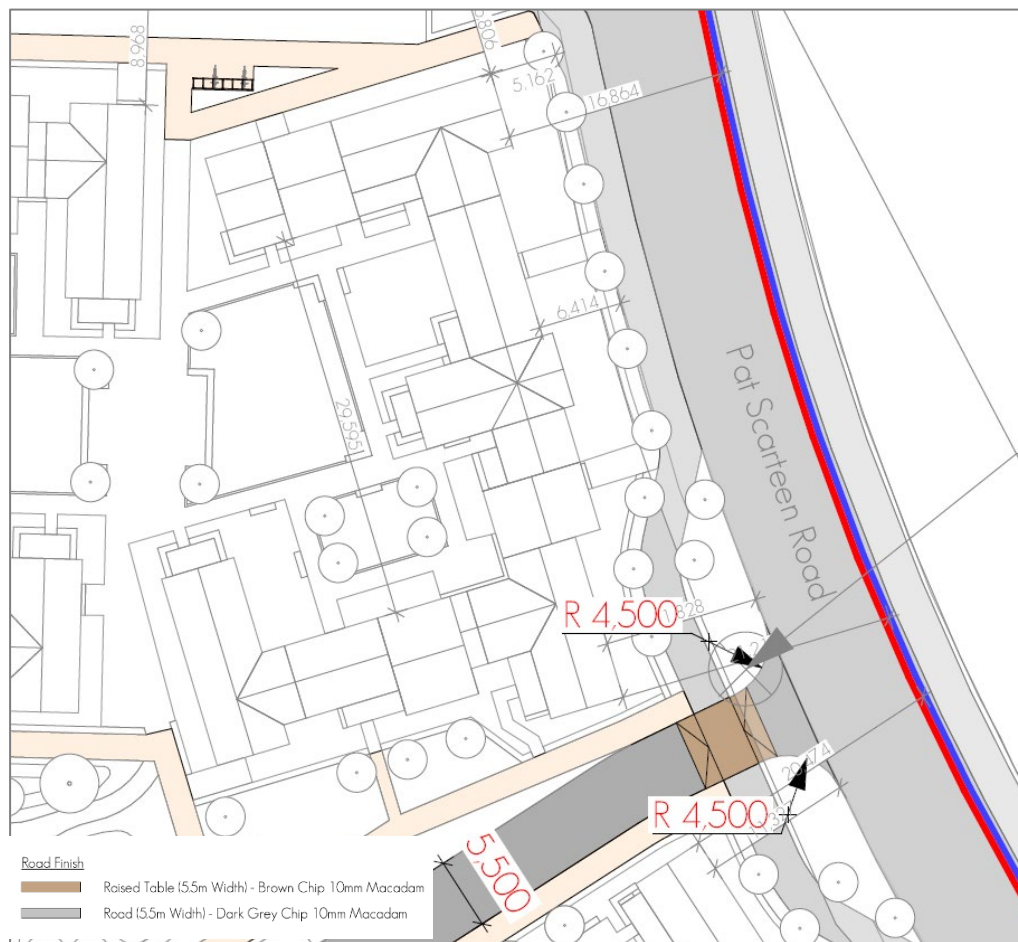


**Figure 9. Entrance with Raised Table**

### 3.4 Traffic

A Traffic & Transport Assessment (TTA) has been prepared by MHL & Associates Ltd Consulting Engineers. The scope of the TTA assesses 3 no. junctions in the vicinity of the site, specifically, the 4 arm Crossroads Junction of Pat Scarteen Road and Railway, the development access T-junction as well as the T-junction of Pat Scarteen Road and R569.

All junctions were operating below capacity for all design years up to 2043 for both morning and peak respectively. Comparing the analysis of the traffic models, the development will not have a significant negative impact on the operational capacity of these junctions.

MHL & Associates Ltd Consulting Engineers have also prepared a Mobility Management Plan (MMP) for the subject development. The MMP states that the site is well situated for the implementation of an MMP promoting alternative modes of transport especially when accessing local services.

### 3.5 Flood Risk

The subject site is zoned for residential development in an operative development plan which was the subject of Strategic Flood Risk Assessment.

There are several watercourses present in proximity of the proposed development site. The Kealnagower Stream, a small tributary of the Finnihy River, flows c. 300m north-west of the site,

joining the Finnihy watercourse approximately 400m – 500m downstream of the proposed development site.

The OPW published flood maps for the South Western Catchment includes flood maps for both fluvial and tidal flooding in the Kenmare area. The flood extents for the 1% and 0.1% AEP flood events do not illustrate any flood risk on the subject lands.

However, the Kenmare Flood Relief Scheme is under preparation and draft flood depth maps shared with the project team indicate that the development site is at risk of flooding for the undefended and defended 0.1% AEP Present Day Scenario fluvial flood event. Additional hydraulic modelling was therefore required as part of a Site-Specific Flood Risk Assessment.

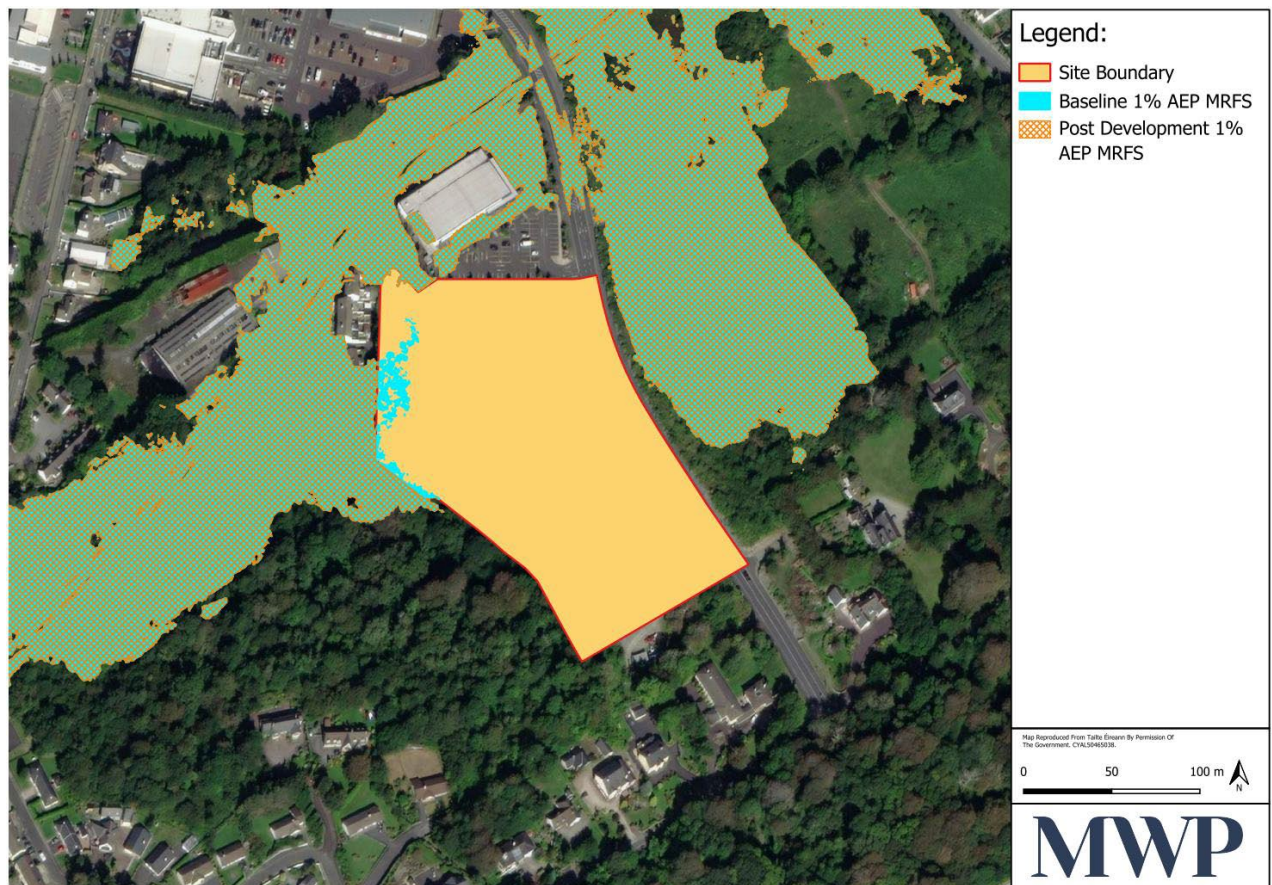


**Figure 10.** Site Specific Flood Extent Comparison Mapping Baseline v Post Development - 1% AEP MRFS – based on Figure 6-12 of FRA

Detailed hydraulic modelling was undertaken in the enclosed Stage 3 Detailed Flood Risk Assessment (FRA) prepared by MWP, to assess flood risk issues in sufficient detail to provide a quantitative appraisal of potential flood risk to the site. This determined that the proposed development is located in Flood Zone B & Flood Zone C and therefore has a moderate/low probability of flooding.

A Justification Test was undertaken regarding the proposed residential developments within Flood Zone B. This demonstrates that the proposed development is compliant with both the Planning System and Flood Risk Management – Guidelines for Planning Authorities, November 2009 (PSFRM) and the Objectives of Kerry County Development Plan 2022 - 2028.

To ensure that there is no unacceptable flood risk, the following mitigation measures are recommended in the FRA and have been incorporated into the design: setting the finished floor

level (FFL) of all buildings above the 1% AEP flood level, raising the land within the site above flood level, appropriate management of surface water drainage and the associated pluvial flood risk incorporating Sustainable Urban Drainage System (SUDs).

With these mitigation measures in place the FRA demonstrated that the risk to occupants of the site would be low and the proposed development would not have an adverse impact on flooding on upstream or downstream third-party lands.

## **3.6 Water Services**

### **3.6.1 Water Supply**

The Applicant is in receipt of a Confirmation of Feasibility (COF) from Uisce Éireann in respect of water connection, which states 'feasible subject to upgrades' and that the public water supply could facilitate this connection based on the estimated demand and the potential future capacity of supply. It further advises that work to increase local supply is ongoing by means of investigations.

### **3.6.2 Foul Water**

The submitted COF confirms that a wastewater connection is feasible without infrastructure upgrade by Uisce Éireann.

## **3.7 Ecology/Biodiversity**

### **3.7.1 Ecological Impact Assessment**

An Ecological Impact Assessment (EclA) has been prepared by MWP. The predominant habitat within the site boundary is Recolonising Bare Ground (ED3). Other habitats within the site include Spoil and Bare Ground (ED2), a small, localised area of Scrub (WS1), Buildings and Artificial Surfaces (BL3), Stone Walls and other Stoneworks (BL1) and an area of Mixed Broadleaved Woodland (WD2) present along the south-western boundary. The EclA considers the subject site currently comprises land with limited ecological value.

A dedicated bat report was undertaken by Greenleaf Ecology in order to inform the findings of the submitted EclA. Consultation with the local National Parks ranger indicated the presence of a Lesser Horseshoe Bat (LHB) roost within the woodland beyond the south of the site. A detailed bat survey was carried out on site by Greenleaf Ecology which identified a high level of LHB activity along the western boundary. Overall, bat activity within the study area is most likely to be associated with the Keelnagower Stream corridor and adjacent woodland edge habitats which provide connectivity to the wider landscape. The remainder of the site is of comparatively low ecological value for bats.

The EclA states that subject to mitigation measures the proposal will not result in any significant impact on the local bat population. Such mitigation measures include the design of the lighting plan to ensure that a dark area is retained adjacent to the woodland, the landscape design retaining existing trees along the southern and western boundaries and proposed enhancements to this ecological corridor in the form of areas of meadow and pollinator-friendly planting and the implementation of the suite of landscaping measures proposed to promote biodiversity (including Bat Boxes) and allow the subject site to continue to provide a suitable foraging habitat for bats.

The project ecologists have liaised with DK Partnership to ensure both the public and private lighting schemes include these mitigation measures. The EclA concludes that:

*'The application of appropriate construction management measures, ecological safeguards and operational lighting controls will ensure that no significant residual ecological impacts, either alone or in combination with other plans or projects, are expected to arise as a result of the Proposed Development.'*

### **3.7.2 Appropriate Assessment**

The application is also accompanied by a Natural Impact Statement (NIS) prepared by MWP reflecting current survey status and design development.

The Appropriate Assessment (AA) Screening prepared by MWP concluded that the Proposed Development site is not located within a Special Area of Conservation (SAC) or Special Protection Area (SPA) collectively known as Natura 2000 sites or within a proposed Natural Heritage Area (pNHA) or designated Natural Heritage Area (NHA). However, likely significant effects could not be excluded at the screening stage, in the absence of mitigation, in respect of the Kenmare River SAC, Killarney National Park, Macgillycuddy's Reeks and Caragh River Catchment SAC.

The enclosed Stage 2 NIS states that following an examination, analysis and evaluation of the relevant information and best scientific knowledge, and provided that the mitigation measures prescribed in Section 5 of the NIS are implemented in full, it is objectively concluded that the construction and operation of the proposed development will not adversely affect, either directly or indirectly, the integrity of either of these SAC.

### **3.7.3 Water Framework Directive Compliance Assessment**

A Water Framework Directive (WFD) Compliance Assessment has also been prepared by MWP for the proposed development. The key focus of the assessment is to ensure that the construction and operation of the proposed development does not result in a deterioration in the current WFD status of the waterbodies within the study area. It also aims to ensure that the achievement of the WFD objectives for the improvement in the overall status of these waterbodies is not impacted. The protected areas linked to the waterbodies in question are also considered to ensure that their objectives remain unaffected.

The scoping stage of the WFD compliance assessment identified a number of components and activities associated with the proposed development that could potentially represent a risk to the WFD status and objectives, these were therefore scoped into the assessment. The relevant quality elements contributing to the overall status were considered and how each potential impact could affect these.

The Assessment includes mitigation measures relating to instream works, site clearance and excavation, concrete pouring and use of fuels, oils and concrete on-site during the construction phase, and foul water and storm water discharge during the operational phase. It concludes that with the implementation of these measures there is no risk of any significant deterioration or change to the existing WFD status of waterbodies predicted within the surrounding area of the proposed development. Therefore, the proposed development will not compromise the objectives of attaining 'good' surface water status in the WFD.

### 3.8 Archaeology

The enclosed Archaeological Test Trenching and Impact Assessment Report has been prepared by AEGIS Archaeology Limited. The test trenching was carried out in May 2026, with 22 trenches opened across the subject site. The report notes that no archaeological features were identified.

The Archaeological Impact Assessment indicates that there are no recorded monuments within the subject site. However, a no longer extant recorded monument (KE093-016 – a stone row) was located 15m to the south of the subject site, from which the zone of notification extends into the extreme south-western corner of the site. The site layout has been designed to ensure mitigation by avoidance, with no substantive development proposed within a 25m offset from this feature.

Furthermore, the Archaeological Impact Assessment puts forward the following proposed mitigation measure:

*‘Monitoring of gravel removal and topsoil stripping along the limestone reef at the southern end of the site should be undertaken by a qualified archaeologist under licence from the National Monuments Service’.*

Subject to the implementation of these measures, it considers archaeology on site will not be significantly impacted by the proposed development.

### 3.9 Environmental Impact Assessment

Article 93 and Schedule 5 of the 2001 Planning and Development Regulations set out the classes of development for which a planning application must be accompanied by an Environmental Impact Assessment Report (EIAR).

Part 1 and Part 2 Schedule 5 of the Planning and Development Regulations, 2001 defines the categories and thresholds of developments requiring EIA. The subject proposal does not come under any of the stipulated categories contained in Part 1.

The proposed development for residential housing, a creche and ancillary works falls within the category of an ‘Infrastructure Project’ under Schedule 5 (10) (b) of the Planning and Development Regulations, which provides that a mandatory EIAR must be carried out for the following projects:

“b)

- (i) Construction of more than 500 dwellings
- (ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.
- (iii) Construction of a shopping centre with a gross floor space exceeding 10,000 square metres.
- (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)”

The proposed development does not trigger a requirement for mandatory EIA because:

- With a site area of 2.63 ha, of which 2.53 ha is defined as a net developable area, the subject site is below the threshold that would trigger a mandatory EIA.
- At 100 the number of individual residential units falls below the threshold of 500 dwellings.

Schedule 7 of the Regulations details the criteria the planning authority must consider in determining whether a sub-threshold EIA should be undertaken. This schedule is a direct transposition of Annex III of EU Directive 2011/92/EU. EU Directive 2014/52/EU provides a revised Annex III and its transposition into national legislation is mandatory.

An Environmental Impact Assessment Screening Report has been prepared as part of this submission. This report provides information on the proposed development and assesses whether the proposal is likely to have significant effects on the environment.

Having reviewed these criteria in the context of the proposed development, it is considered that a sub-threshold EIA is not required for the proposed development, as adequate measures will be put in place to avoid, reduce or mitigate likely impacts, such that neither the construction nor operational phase of the overall development will have a significant negative impact on the environment.

## Conclusions

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The proposed development represents a natural and positive evolution of an important greenfield development site within the settlement footprint of the Regional Town of Kenmare. The principle of developing the site for residential use is supported by planning history, land use zoning and other key policy objectives contained and the Kerry CDP 2022. The project will also deliver directly on key objectives contained in the National Planning Framework including the express need to create a more compact urban form in our towns to ensure they can compete and be drivers of regional growth, investment and prosperity. The development has taken account of the previous LRD Opinion and S247 meetings that were held with Kerry County Council and has incorporated the feedback from these meetings into the approach and design of the development.

The design of the proposed development has been advanced in positive partnership with Kerry County Council. Important planning consensus has been established in respect of the layout and general scale of development. The subject site has the potential to be a highly sustainable location which can deliver positive modal shift away from the private car in Kenmare. The design of the proposal fully respects existing context which has been advanced on the basis of sound, well considered best-practice architectural principles.

## Appendix A: Section 247 Meeting Minutes (dated 18<sup>th</sup> September 2026)



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County Buildings, Tralee, Co. Kerry.  
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E-mail: [plan@kerrycoco.ie](mailto:plan@kerrycoco.ie)

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Gutháin: (066) 7183582 Faics: (066) 7120328  
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## Re: Pre-Planning Consultation

18<sup>th</sup> September 2026

Conor Frehill  
HW Planning  
5 Joyce House  
Barrack Square  
Ballincollig  
Co Cork P31KP84



A Chara

I am writing to you in relation to your Pre-Planning Application for a Large Residential Development of 100 dwelling units.

### **Details as follows**

**Reference Number:** PP25/410  
**Applicant Name:** KPH Construction  
**Applicant Address:** 1, Gortamullen Business Park,, Gortamullen, Kenmare, Co Kerry.  
**Site Location:** Pat Scarteen Road, Killowen, Kenmare, Co. Kerry

Below is a record of Pre-planning Meeting under S247 of the Planning and Development Act, 2000 (as amended), which took place via MS Teams meeting, 10.00am on 10/09/2026:

#### **Attendees:**

Brian Gallivan, KPH  
Owen O' Connell, KPH  
Conor Frehill, HW Planning  
Mark Dignam, Meitheal Architects  
Ian Brosnan, Malachy Walsh and Partners (MWP)  
Padraic Teahan, Municipal District Engineer, KCC  
Eoghan O' Brien. SEE Flooding, Coastal and Marine Unit, KCC  
Michael Lynch, SEE Planning, KCC

**Please note: The carrying out of consultations shall not prejudice the performance by a planning authority of any other of its functions under the Planning and Development Act 2001 (as amended), or any regulations made under said act and cannot be relied upon in the formal planning process or in legal proceeding.**

Meeting was arranged to discuss proposals being prepared to address issues raised in the KCC LRD Opinion dated 30/06/2026, which concluded that the documents presented at LRD Meeting on 06/06/2026 did not constitute a reasonable basis on which to make the application.

The three issues are:

- 1) The Planning Authority is not satisfied that the proposed development would not have a significant impact on the sustainable provision of a public water supply in Kenmare.
- 2) The Planning Authority is not satisfied that the proposed development would comply with the requirements of the Water Framework Directive.
- 3) On the basis of the information provided, the Planning Authority is not satisfied that the proposed development has addressed surface water and storm water drainage plans, SuDS, and Flood Risk mitigation.

The meeting started with a presentation by Mark Dignam about the revised Site Layout Design. Essentially, some minor alterations to the draft layout have been made to address queries raised in relation to service road widths, turning heads and junction radii, accessible car parking, and electric vehicle charging infrastructure.

Development layout comprises three cells with apartments in the northern and middle cells and housing in the southern cell. A housing mix of 30% one-bed units, 30% 2-bed units and 40% 3-beds units is proposed. The draft development layout provides for a density of 39 units per hectare.

LRD Opinion Issues:

- (1) Uisce Eireann: The applicant is not now proposing to develop a well on the site to provide potable water for the proposed LRD. The applicant is working closely with Uisce Eireann who are currently investigating developing their own well with view to providing an interim increase in water supply for the Kenmare area. Applicant is to submit a Feasibility of Connection Report for water supply and foul sewerage from Uisce Eireann with the planning application.
- (2) Compliance with the Water Framework Directive (WFD). A revised WFD Statement is being prepared by MWP on the basis of the applicant's new proposal not to develop a water supply well on the site.
- (3) Flood Risk. MWP have been liaising with Padraic Teahan in relation to a revised design for the surface water drainage system. A more traditional approach is now being taken to include an outfall to the Kealnagower Stream through Scarteen Park. A Special Development Contribution is likely to be recommended to finance the construction of the outfall on lands outside the application site. MWP agreed to submit the design details and supporting calculations for review by Padraic Teahan prior to submitting the planning application.

**Please note: The carrying out of consultations shall not prejudice the performance by a planning authority of any other of its functions under the Planning and Development Act 2001 (as amended), or any regulations made under said act and cannot be relied upon in the formal planning process or in legal proceeding.**

MWP have also been liaising with Eoghan O' Brien in relation to the preparation of a Site Specific Flood Risk Assessment (SSFRA). A conservative design approach is being taken and the SSFRA is consistent with the design being undertaken for the Kenmare Flood Relief Scheme. MWP agreed to submit the design details and supporting calculations for review by Eoghan O' Brien prior to submitting the planning application.

**Please quote reference number and include copy of this report if a planning application is to be submitted in relation to this site.**

Is mise le meas

  
ASO Planning

**Please note: The carrying out of consultations shall not prejudice the performance by a planning authority of any other of its functions under the Planning and Development Act 2001 (as amended), or any regulations made under said act and cannot be relied upon in the formal planning process or in legal proceeding.**



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Accreditations  
ISO 9001:2015  
ISO 14001:2015  
ISO 45001:2018