



**An
Bord
Pleanála**

**Board Direction
BD-008732-21
ABP-309952-21**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/07/2021.

The Board decided to make a split decision, to

- (1) grant permission, for the following reasons and considerations and subject to the following conditions for the ground floor extension to the rear of the existing dwelling house at No 4 Upper William Street.

Reasons and Considerations

Having regard to the scale of the extension proposed for retention and its relationship with the existing house at No 4 Upper William Street, it is considered that, subject to the conditions set out below that the development proposed for retention would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and development of the area.

Conditions

1. Planpartic
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and

- (2) refuse permission for retention of workshop to rear of No 6 Upper William Street and for ground floor extension to garage and first floor residential unit above garage

Reasons and Considerations

Reasons and Considerations

1. The development proposed for retention provides no designated private open space for the residential unit over the garage and would therefore seriously detract from the amenity of occupants of this unit. The development would constitute substandard development, give rise to a poor standard of residential amenity and would, accordingly, be contrary to the proper planning and sustainable development of the area.

2. The proposed retention of the workshop constructed to the rear of No 6 Upper William Street, a protected structure (Ref RPS Ref No 44) of architectural and historical importance, would disrupt the relationship between the building and its rear amenity space and would negatively impact on the character of the building and would potentially prejudice its re-occupation and use. The development proposed for retention would, therefore, seriously injure the setting and character of a protected structure in a manner that would be contrary to the advice given in section 13.5 of the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of the Environment Heritage and Local Government in December, 2004, and contrary to objective H-38 of the Kerry County Development Plan 2015-2021, and BHUD 27 of the Listowel Town Plan 2009-2015, as extended and varied, would seriously injure the amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission for the ground floor extension to the rear of the existing dwelling house, the Board

considered that the extension to be retained was acceptable in terms of the amenities of adjoining properties and was in accordance with the Kerry County Development Plan 2015-2021

Board Member: *Terry Prendergast* **Date:** 19/07/2021
Terry Prendergast

