



An  
Coimisiún  
Pleanála

**Direction**  
**CD-021964-26**  
**ACP-323263-25**

The submissions on this file and the Inspector's report were considered at a meeting held on 26/02/2026.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

**Planning**

**Commissioner:**

**Date:** 26/02/2026

Tom Rabbette

### **DRAFT WORDING FOR ORDER**

#### **Reasons and Considerations**

It is a Development Management Requirement of the planning authority to have regard to the 'Architectural Heritage Protection Guidelines for Planning Authorities' when assessing proposals for development affecting a protected structure and buildings listed in the National Inventory of Architectural Heritage (NIAH), as indicated at section 9.3.2.2 of Volume 1 of the Kilkenny City and County Development Plan 2021-2027. The structure subject of the planning application is listed on the NIAH (ref. NIAH Reg. No. 12000176) and is located within the John Street Architectural Conservation Area as indicated at section 4.5.4 'John Street ACA' of Volume 2 of the Kilkenny City and County Development Plan 2021-2027. Section 3.10.2 'Proposals for demolition' in the above-mentioned Architectural Heritage Protection Guidelines states, *inter alia*, the following: "Where it is proposed to demolish a structure that contributes to the character of an ACA or to demolish behind a retained façade, the onus should be on the applicant to make the case for

*demolition*". Having regard to the submissions made at application stage and in the grounds of appeal, the Commission is not satisfied that the applicant has made the case for the demolition of the rear wall of this building in this instance. The Commission, therefore, is not satisfied that the proposed development would not adversely impact on the architectural heritage of area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: The Commission has concerns that the proposed residential units, in particular the two ground floor studio units, would provide for a substandard form of residential amenity for future occupants having regard to the site restrictions and overdevelopment which results in residential units of overall/cumulative restricted width, restricted access to daylight/sunlight and restricted aspect from the primary living space. As this may be considered a new issue in the context of the grounds of appeal, the Commission decided not to pursue this matter any further in this instance.