



An
Bord
Pleanála

**Board Order
PL 08.248261**

Planning and Development Acts 2000 to 2017

Planning Authority: Kerry County Council

Planning Register Reference Number: 16/927

Appeal by Kathleen Walsh of Gurtenard House, Listowel, County Kerry against the decision made on the 1st day of March, 2017 by Kerry County Council to grant subject to conditions a permission to Annette McElligott care of Brendan Nolan Consulting Engineering Limited of 28 Church Street, Listowel, County Kerry in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a dwellinghouse and all associated works (within the curtilage of a protected structure) at Woodlawn, Listowel, County Kerry.

Decision

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

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Notwithstanding the existing grant of permission for a dwellinghouse on the site, it is considered that the proposed development, due to its insensitive house design, including proposed roof profile, would be visually obtrusive and would adversely affect the character and setting of Gurtenard House, a Protected Structure. The proposed development would, therefore, seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the proposed development, which was amended following a request for further information by the planning authority, is of insufficient design quality and pays insufficient regard to its setting in close proximity to Gurtenard House, a Protected Structure, to justify its substitution for the house design for which planning permission has been granted (planning register reference number 13/4009).

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2017