



An  
Bord  
Pleanála

Board Order  
ABP-313452-22

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 22/137**

**APPEAL** by Gina Scannell care of Ger O'Keeffe Consulting Engineers Limited of Friary Lane/4 Day Place, Tralee, County Kerry against the decision made on the 7<sup>th</sup> day of April, 2022 by Kerry County Council to grant permission, subject to conditions, to Martin Stack care of Stephen Kearney of SJK Engineering and Surveying Limited, Dun Mara, Schoolfield, The Spa, Tralee, County Kerry.

**Proposed Development:** Retention for the projection of the rear roof of the residential unit located on the first and second floors and the corresponding increase in height of the rear external wall to incorporate windows at second floor level and all associated works at Number 2 Upper William Street, Listowel, County Kerry.

### **Decision**

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

## Reasons and Considerations

Having regard to the original architectural style and prominence of the building fronting number 2 Upper William Street, a Protected Structure and the architectural character of the area which is a designated Architectural Conservation Area and also having regard to the provisions of the Architectural Heritage Protection – Guidelines for Planning Authorities, issued by the Department of the Arts, Heritage and the Gaeltacht in October 2011, it is considered that the extension to the roof and alteration to the roof profile to be retained, notwithstanding the additional residential accommodation, is of an inappropriate design due to its mass, scale, bulk and window composition and fails to integrate satisfactorily with the building and roofscape and would accordingly contravene objectives KCDP 8-40, KCDP 8-42, KCDP 8-44 of the Kerry County Development 2022-2028, intended to protect the architectural character of such properties. It is furthermore considered that the retention of the roof extension would seriously injure the residential amenity of the neighbouring dwelling to the south by reason of its overbearing and obtrusive impact. The proposed retention of this development would, therefore, be contrary to the proper planning and sustainable development of the area.



---

**Joe Boland**

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

Dated this 11<sup>TH</sup> day of July 2023.