

An
Bord
Pleanála

Board Order

ABP-319288-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 23/1175

Appeal by Tadgh and Sheila Horan care of Michael Casey and Associates of 9 Main Street, Listowel, County Kerry against the decision made on the 16th day of February, 2024 by Kerry County Council to refuse permission.

Proposed Development: Construction of a dormer extension to existing rear roof of existing first floor duplex/apartment (Apartment Number 1) and associated site works (protected structure – reference number 21400228), all at 11 Market Street, Listowel, County Kerry.

Decision

GRANT permission for the above proposed development for the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the proposed development constituting the replacement of existing rooflights, its siting and location, and the limited visibility of the proposed dormer extension beyond the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not comprise a visually incongruous feature, would not detract from the area's architectural heritage or the Market Street Architectural Area, would not materially affect the character of the protected structure, or conflict with the objectives of the current Listowel Town Development Plan. Furthermore, with due regard to the nature and extent of the proposed development, and the form of development proposed, it is considered that the proposed development would not adversely affect the structural integrity of neighbouring properties. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The external roof finishes shall match those of the existing building in respect of colour and texture.

Reason: In the interest of visual amenity.

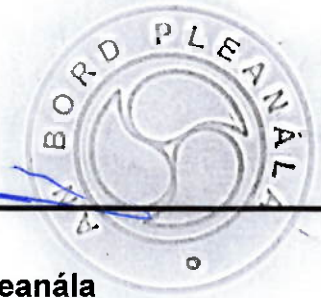
3. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

4. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site, and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and façades structure and/or fabric.
- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice, as detailed in the application and in the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in 2004. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery; and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued, and numbered to allow for authentic re-instatement.

- (c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings) and skirting boards, shall be protected during the course of refurbishment.

Reason: To ensure that the integrity of the retained structure is maintained and that the structure is protected from unnecessary damage or loss of fabric.



Liam Bergin

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *05th* day of *August* 2024.