

**COMHAIRLE CATHRACH AGUS CONTAE LUIMNIGH  
LIMERICK CITY & COUNTY COUNCIL**

Seirbhísí Pleanála agus Comhshaoil,  
(Planning and Environmental Services),  
Tuar an Daill,  
(Dooradoyle),  
Cathair Luimneach,  
(Limerick).

**February 5, 2018**

**To: The Mayor and Each Member of the Cappamore - Kilmallock Municipal District of  
Limerick City and County Council**

**Re: Proposed Deletion from the Record of Protected Structures**

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A Chomhairleoir, a chara,

I enclose herewith a copy of the Planning and Environmental Services Department's Report on a proposed deletion from the Record of Protected Structures contained in the Council's County Development Plan.

Part IV [Architectural Heritage] of the Planning and Development Act (as amended) is the statutory basis for protecting our built cultural assets. Limerick City and County Council maintains Records of Protected Structures in accordance with the provisions of Section 51 of the 2000 Act (as amended). There are approximately 1,600 entries currently in the Record contained in Volume 3 of the County Development Plan 2010 – 2016 and over 435 in the City Development Plan.

In proposing to make deletions from the Record of Protected Structures a statutory process must be followed. This includes the issuing of a Public Notice and the service of Notices on owners and the prescribed bodies. A minimum of six weeks must be given to allow for submissions or observations to be made.

Submissions or observations made by owners, occupiers, the prescribed bodies, the Minister and members of the public, must be taken into consideration before the final decision is made. Following the completion of the public consultation period the files on the individual buildings are considered by the elected Members of the relevant Municipal

District and, as such decisions are a Reserved Function, Councillors make the final determination on the matter.

As provided for under the provisions of Section 54 of the Act, it is proposed to make one deletion from the Record of a site located in the Cappamore - Kilmallock Municipal District. The statutory process in respect of serving Notices on the owners and the prescribed bodies, as well as informing the Minister for the Arts, Heritage and the Gaeltacht and placing a Notice in a newspaper has been undertaken.

The requisite Notices, which were issued on June 1<sup>st</sup>, 2017, were served by Registered Post on the owners and the prescribed bodies (Fáilte Ireland, An Comhairle Ealaíon, The Heritage Council, and An Taisce) as well as the Minister for the Arts, Heritage, Rural, Regional, and Gaeltacht Affairs. The period of public consultation, which was notified by way of a Notice placed in the Limerick Leader of June 3<sup>rd</sup>, 2017, ran from Tuesday June 6<sup>th</sup> through to Friday July 28<sup>th</sup>, 2017. No Observations or Submissions were received in respect of the proposed deletion.

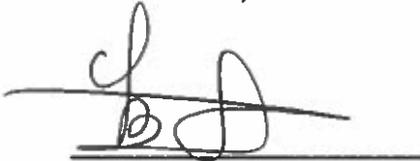
The Report in respect of the proposed deletion:

R.P.S. Reg. No. 37     Herbert's Thatched House, Ballincrana, Kilmallock

which includes the Planning Authority's Recommendation, is set out in the attached document.

If you have any queries on the report or wish to meet prior to the Municipal District meeting please contact Donogh O'Donoghue A/Senior Executive Planner, on 061-55 61 91 or the Conservation Officer, Tom Cassidy, on 061 55 63 67.

Mise le meas,

A handwritten signature in black ink, appearing to be 'Stephane Duclot', written over a horizontal line.

**Stephane Duclot,  
Senior Manager,  
Planning and Environmental Services Department.**

## **Report to Members**

Proposed Deletion from the  
Record of Protected Structures of a building  
located within the Functional Area of the  
Cappamore-Kilmallock Municipal District:  
Herbert's Thatched House, Ballincrana, Kilmallock,  
County Reg. No. 37

February 15, 2018



Conservation Office

Planning and Environmental Services,

Dooradoyle,

Limerick.

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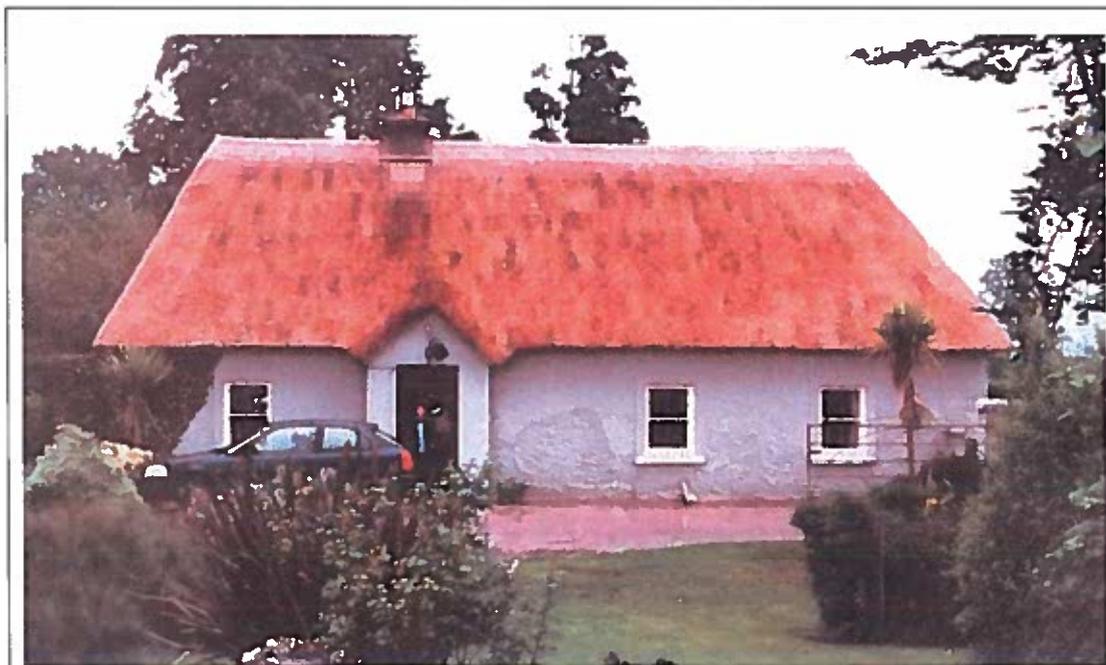
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**Herbert's Thatched House, County R.P.S. Reg. No. 37,**

**located in the Cappamore - Kilmallock Municipal District functional area)**

**Name of Owner:** Ms Bridie Herbert  
**Type of Structure:** Direct Entry Thatched House  
**County R.P.S. Reg. No.:** 37 (Previously D48(A))  
**Location of Structure:** Ballincrana, Kilmallock



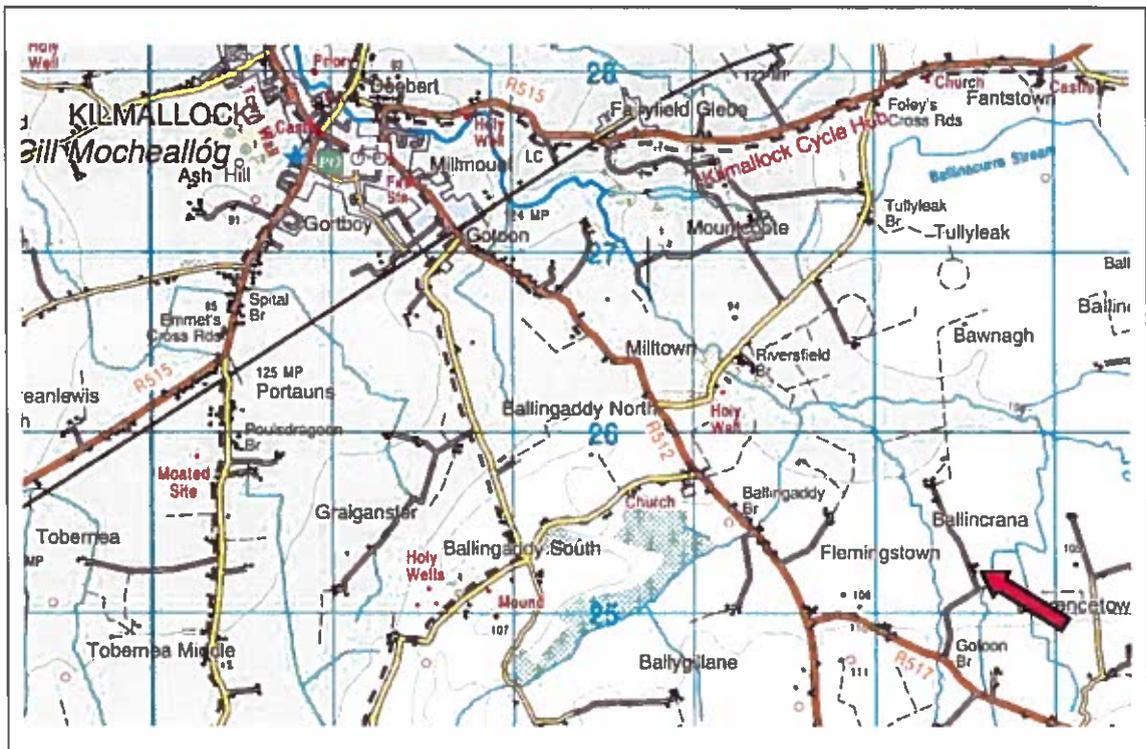
**Plate A1:** Record image, dating to September 2000, of the principle elevation of Herbert's Thatched House from the north-north-west.

**Comments:**

Herbert's Thatched House was identified as being of interest during the Office of Public Works survey of the county's thatched heritage in September, 1994.

Following the former Limerick County Council's Conservation Initiative of the late 1990's, this thatched house was listed in the *County Development Plan, 1999*, as a place that the planning authority would consider the future of should a planning application be received to extend, alter, or demolish (a Class B building).

Herbert's was classified as a protected structure upon the commencement of new legislation aimed at implementing the Convention for the Protection of the Architectural Heritage of Europe, on January 1, 2000.



**Fig. A(a):** Location Map for Herbert's Thatched House: The site of the building is indicated by the red arrow. The map, from the Ordnance Survey's Discovery 1:50,000 Series, was outputted at an approximate Scale of 1:25,000.



**Plate A2:** View of the principle elevation of Herbert's Thatched House from the north-north-west following the disastrous fire.

**Report:** Herbert's Thatched House was destroyed by a fire some two years ago. This was brought to the attention of the planning authority in late 2016 by the owner, who requested that the building be removed from the Record of Protected Structures.

The site was assessed by the Conservation Officer in January 2017 and, given the level of destruction, was classified as being beyond economic repair.

The necessary processes, by which the owner, the Minister for Culture, Heritage, and the Gaeltacht, along with the prescribed bodies, were notified of the proposed removal, was initiated on June 1, 2017 and a Notice was published in the Limerick Leader, as required.

No observations or submissions were received during the public display period which ran from June 6 to July 28, 2017.

#### **Statement of Significance**

Herbert's Thatched House, Record of Protected Structures County Reg. No.: 37, which was totally gutted by fire, is considered (having regard to the cancellation of many conservation grant measures) to be beyond economic repair.

Consequently, the protection of this structure is no longer warranted, per. S.54(a)(ii) of the Planning and Development, 2000 (as amended).

#### **Submissions / Observations:**

No submissions or observations were received during the statutory public display period.

#### **Planning and Environmental Services Department's Recommendation:-**

As the property is considered to be beyond economic repair it is recommended that Herbert's Thatched House, at Ballincrana, Kilmallock, County R.P.S. Reg. No. 37, be deleted from the Record of Protected Structures maintained by Limerick City and County Council as it is considered that its protection is no longer warranted.