



An Bord Pleanála

Inspector's Report

Development: **Demolition of existing chalet dwelling and construction of 2 no. houses and all associated site works (within the curtilage of a Protected Structure) at Abbeywood House, Newport Road, Westport, Co. Mayo**

Planning Application

Planning Authority: Mayo County Council

Planning Authority Reg. Ref.: 15/644

Applicant: Susan Carroll and Guillaume Vaidie

Type of Application: Permission

Planning Authority Decision: Grant

Planning Appeal

Appellant(s): Anna Browne

Type of Appeal: 3rd Party

Observers: None

Date of Site Inspection: 30/03/2016

Inspector: L. Dockery

1.0 SITE LOCATION AND DESCRIPTION

- 1.1 The subject site, which has a stated area of 0.3536 hectares, is located off the N59 Newport Road, Westport, Co. Mayo. The site currently contains a two-storey, seven bay property, Abbeywood House, which was constructed circa 1960 as a monastery. This property is designated as a Protected Structure within the operative Westport Town and Environs Plan. It is currently utilised as the home of the applicants, as well as being in use for the provision of budget accommodation. This property has a stated floor area of 370 square metres. A single storey chalet type structure of stated area 50 square metres is located to the north-west of the main building on site.
- 1.2 The site shares an access from the public roadway with Scoil Phadraig, a primary school that is currently undergoing redevelopment. Abbeywood House is not unduly visible from the public roadway.

2.0 PROPOSED DEVELOPMENT

- 2.1 The development as per the submitted public notices comprises permission for the demolition of existing chalet dwelling and construction of two no. two storey dwelling houses, each with single storey garage. The application also includes for connection to existing public services and all ancillary site development works including alterations to access and access road.
- 2.2 The development will take place within the curtilage of a Protected Structure.
- 2.3 Proposed Dwelling No. 1 is located to the north-west of Abbeywood House, close to the location of the existing chalet to be demolished. It, together with shed, has a stated floor area of 279 square metres.
- 2.4 Proposed Dwelling No. 2 is located to the west of Abbeywood House and has a stated floor area (including shed) of 152 square metres.

2.5 Both properties are two-storey in height, however they are to be sunken into the ground with essentially the first floor element only visible above ground level, when viewed from the monastery. When viewed from Abbeywood House, a height of approximately 3.4 metres will be visible for both properties. They are contemporary in style, utilising a mixed palette of materials.

2.6 The existing access roadway is to be extended to the west of Abbeywood House in order to provide vehicular access to both properties.

3.0 PLANNING AUTHORITY'S DECISION

Planning permission was GRANTED subject to 12 conditions.

Further Information was requested by the Planning Authority in relation to site sections and details of surface water soak pits.

4.0 TECHNICAL REPORTS

Planner's Report

The Planner's Report generally reflects the decision of the planning authority.

Town Architect

No report on file

Stated in Planner's Report that the file was discussed on a number of occasions with the Westport Town Architect, who expressed satisfaction verbally with the proposal. No written report on file.

Roads Design Office

No objections, subject to conditions

Mayo National Roads Design Office

Does not raise any issues for the National Road System

Transport Infrastructure Ireland

The Authority will rely on the planning authority to abide by official policy in relation to development on/affecting national roads, as outlined in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012).

5.0 APPEAL GROUNDS

5.1 A third party appeal was received and may be summarised as follows:

- Concerns regarding impacts on privacy and security of appellant's dwelling house
- Requests that a 2m high block wall, plastered and capped is constructed along the boundary between her property and the proposed development site from Point A-B-C on Figure 1
- Property is adjacent to and overlooked by development permitted under 15/644
- Outlines use of existing structure on site
- Existing fence that separates the properties was erected in 1970s and is in poor state of repair- existing property uses same access as proposed development, and all are adjacent to appellant's property
- Noise and disturbance caused by groups of people staying at hostel- causing her health issues- hostel very busy at weekends- therefore opposes more development on this site and requests a 2m high wall along boundary
- Planning authority failed to include a condition re boundary treatments similar to that attached to grant of permission for school building

- Drawings are misleading as proposed site plan indicates that the existing boundary is to remain unchanged, stating that the existing low wall and vegetation are to remain- no existing wall at this location
- Queries how it can be considered onerous on applicant to provide a boundary wall 30 metres long- considers that fence would be inadequate as it would suffer same fate as that existing
- Combined impact of the development of the school and the development proposed in this current appeal will result in an intensification of the use of the lands adjacent to the appellant's property- concerns regarding privacy and security
- Proposed development site shares an access road with the school which is currently under construction- there is poor visibility to the north east of the access route as the view of oncoming traffic is obstructed by a high stone wall- granting of permission would be contrary to the minimum requirements set out in Table 3 of the operative Mayo County Development Plan

6.0 OBSERVERS

6.1 None

7.0 RESPONSES

7.1 A response was received on behalf of the first party and may be summarised as follows:

- Queries whether this is a valid appeal
- Outlines existing boundary treatments between two properties and also that between subject property and school grounds- considers that boundary treatments permitted between subject property and school grounds are not appropriate to bound

between Abbeywood House, a Protected Structure and Wood House, a private residence

- Considers the merit of the proposed wall
- Various changes in levels, together with natural screening ensure that there will be negligible overlooking issues from the proposed developments to the appellants property
- Outlines condition of school grounds prior to redevelopment works taking place- cites ant-social behaviour thereon- considers that the school redevelopment will create an observed, supervised and secure environment and that the development of the proposed two houses will assist in natural surveillance- less likely loitering or disturbance
- Proposal will lead to safe, secure and peaceful neighbourhood
- Proposed dwellings will be in greater proximity to and on the grounds of Abbeywood House- designed to be harmonious and mutually respectful
- No complaints from other nearby properties
- Proposal will result in much approved neighbourhood and amenity
- Abbeywood House is a monastery and home of the applicants with their family- also operates as a quality budget guest accommodation or B&B
- Cites extracts from the Ministerial Recommendation to Abbeywood House as a Protected Structure- corrects Recommendation and Planner's Report that Abbeywood House is not used as a youth hostel- it is a B&B that offers quality budget accommodation to families, hillwalkers and small groups of foreign students. It does not accept stag or hen parties or anyone the family feel may create a disturbance. The family live

on site with two small children- all reviews on websites bear testament to the fact that this is a quiet restful place to stay.

- With regards issue of road safety, states that access road details referred to were permitted under 13/800005 for the school site, which is currently under construction
- Design calculations take into account relevant standards and relaxations required for the school, and in light if the applicants shared access
- A number of conditions were attached to this current grant of permission by the planning authority in relation to road and traffic safety
- Attaches a number of website reviews as an appendix, together with copy of Ministerial recommendation for designation of Abbeywood House as a Protected Structure

8.0 PLANNING HISTORY

8.1 There would appear to be no recent relevant history on the subject site.

P13/800005

Permission GRANTED for the redevelopment of Scoil Phradraig primary school

9.0 DEVELOPMENT PLAN

The Mayo County Development Plan 2014-2020 is the operative Development Plan for the area.

Westport Town and Environs Plan 2010-2016 applies

Zoning:

A3 Residential Phase 1 allowing for a density of 10 units per hectare

Abbeywood House is designated as a Protected Structure- Ref. 096
Christian Brothers Monastery- Front façade only.

The subject site is located within Westport Town Architectural
Conservation Area

Buildings of Ireland, NIAH Survey

Abbeywood originally Westport Christian Brothers', Newport Street
(Ref. 31212016)

Regional rating- considered to be of architectural, artistic, historical and
social interest

10.0 ASSESSMENT

10.0.1 I have examined all the documentation before me, including the reports
of the Planning Authority, the appeal submission and response and I
have visited the site and its environs. I am assessing this appeal de
novo. The main issues pertaining to this appeal are as follows:

1. Principle of proposed development
2. Impacts on character and setting of Protected Structure
3. Impacts on amenity
4. Boundary Treatments
5. Appropriate Assessment
6. Other Issues

10.0.2 Firstly, I would like to address the assertion by the first party in their
response that question the validity of the appeal submission and
consider that the appeal may be vexatious in nature. Having read the

submission, I do not concur with this assertion. Many valid planning points were raised in the appellant's submission and these shall be considered below. I am satisfied that the appeal submission meets all of the criteria of Section 127 of the Planning and Development Act 2000 as amended.

10.1 PRINCIPLE OF PROPOSED DEVELOPMENT

10.1.1 The proposed development provides for the demolition of an existing single storey chalet-type structure on site and the provision of two no. detached dwellings with garages, within the curtilage of an existing residential property. This property, Abbeywood House, is designated as a Protected Structure within the operative Development Plan, while the subject site is located within an Architectural Conservation Area. The subject site is located within the town boundary and has an A3 Residential zoning, Phase 1 which permits up to 10 units per hectare. The density of development proposed at approximately 8.4 units per hectare is considered compatible with the zoning objective. Residential development is considered an acceptable use within this zoning, subject to all other issues being acceptable and being in compliance with the proper planning and sustainable development of the area. The question as to whether the current proposal as permitted is considered to be in compliance with the proper planning and sustainable development of the area shall be dealt with below.

10.2 IMPACTS ON CHARACTER AND SETTING OF PROTECTED STRUCTURE

10.2.1 Having examined the documentation before me and having conducted a visit of the site and its environs, I have serious reservations in relation to the impacts of the proposed development on the character, setting and amenity of this Protected Structure (RPS No. 096). Abbeywood House is also listed on the NIAH Survey as being of regional importance and of architectural, artistic, historical and social interest. It is a detached, seven-bay, two-storey monastery, built circa 1962 and is considered to represent an integral component of the mid-twentieth

century built heritage of Westport. The property in its current state is attractive and appears from a visual external survey to be well maintained. Its character and setting are attractive with a number of mature trees, primarily along the site boundary, together with a lawned area to the front (west) of the property. In my opinion, the mature growth in the environs of the house forms a major component of its charm, character and setting.

10.2.2 I have serious reservations regarding the proximity of the proposed development to Abbeywood House and the resultant removal of much of the existing vegetation to facilitate this development. While the design of the proposed development per se is acceptable and is considered to be of a high quality, meeting Development Plan standards in terms of floor area, parking and open space provision, I have reservations about its physical location relative to Abbeywood House. This is particularly pertinent considering the large scale of House No. 1. While I accept that much of the property will be hidden from view, it does have an overall length of circa 9 metres and at over 200 square metres is substantial in size. It is located at mere 17 metres from the Protected Structure, at its nearest point. The scale and size of the proposed garage associated with Dwelling No. 1 is considered excessive, considering its proximity to the main property on site, just over 7 metres at its nearest point. The proposed House No. 2 is located a mere 17.2 metres to the west of the Protected Structure, with this figure reduced to just over 7 metres from the proposed fair faced concrete boundary wall. In addition to this, the proposed access roadway essentially cuts through the middle of the site, less than 10 metres at its nearest point to the existing structure, leading to substantial fragmentation of the overall property.

10.2.3 I consider that the gardens surrounding the property are crucial to the setting of the house and its appreciation. If the proposed development were permitted as proposed, the entire setting of the property would be destroyed when viewed from the entrance point and from within the site. I consider that the location of the proposed development at this

location in such close proximity to Abbeywood House would detract significantly from views of and vistas from the main dwelling. This is especially pertinent in this case considering much of the existing planting which exists to the west and north-west of the house would necessitate removal in order to facilitate the said development. The view from the house would be permanently altered from that currently existing which comprises of mature vegetation to that proposed, namely first floor elements and associated roof profiles of two no. dwellings. While I am not opposed to the construction of some form of development within the grounds of Abbeywood House, I consider the proposal before me to be overdevelopment of the site and that the proximity of the development as proposed to the main house is inadequate and inappropriate in this instance. One no. dwelling, of a much smaller scale located in the environs of proposed House No. 1 may be considered appropriate in a revised application. However, its scale, length and proximity to Abbeywood House would have to be substantially re-examined.

10.2.4 If permitted as proposed, it is my opinion that the proposal would detract significantly from the character and setting of the house and would set a precedent for further similar developments within the grounds of Protected Structures.

10.3 OTHER ISSUES

10.3.1 I note the concerns raised by the appellant with regards the construction of a new boundary wall along the boundary of the subject site and her property. I acknowledge that the existing fencing is of poor quality and that some of the plans incorrectly state that there is a low wall at this location. This has however been clarified in the first party response. However, notwithstanding the relatively poor quality of the existing boundary at points A-B-C as shown on appeal documentation, I am of the opinion that the considering the location of the proposed development at the opposite side of the site, removed from the appellants property, I consider that the provision of a wall at the

locations specified is unwarranted in this instance as the existing boundary treatment is unaffected by the proposed development.

10.3.2 I note the points raised in the response to the appeal by the first party in relation to the use of the term 'hostel' by the appellant and the planning authority. The first party issue a correction on this and state that the property is not is use as a 'hostel' but is instead 'quality budget accommodation'. This clarification is noted. I do note however that the first party themselves refer to the property as a hostel within their submitted drawings (in particular Site Layout Plan received by the planning authority on 09/10/2015).

10.3.3 I note the concerns raised by the appellant with regards to noise and disturbance from the proposed development, in particular when taken in conjunction with existing development on site. I acknowledge that the existing property is in partly in commercial use, however its use I outside the remit of this appeal. I acknowledge that there would be additional noise as a result of construction works if the proposal were permitted. However this would be temporary in nature. I do not anticipate that there would be excessive noise or disturbance as a result of the provision of two additional dwellings on site. I also have no information before me to believe that the proposal if permitted would lead to increases in anti-social behaviour in the vicinity.

10.3.4 Having regard to the separation distances involved, I do not believe that issues of overlooking or overshadowing would arise in this instance.

10.3.5 With regards concerns relating to access arrangements, I note that there is an existing access onto the N59 roadway which accommodates both Abbeywood House and the adjoining primary school. The issue of access arrangements were dealt with under the permission for the redevelopment of the school building. I have no information before me to believe that the proposed development if permitted would lead to the creation of a traffic hazard or obstruction of road users in the vicinity. Speeds on the N59 are low at this point and

there is an anticipation of increased traffic within the vicinity of a school.

10.4 APPROPRIATE ASSESSMENT

10.4.1 The subject site is located within the built-up area of Westport town. The subject site is not located adjacent to nor in close proximity to any European sites, as defined in Section 177R of the Habitats Directive. Having regard to the nature and scale of the proposed development and/or the nature of the receiving environment and/or proximity to the nearest European site, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

11.0 CONCLUSION AND RECOMMENDATION

11.1 I consider that the proposal before me is unacceptable and represents overdevelopment of this sensitive site. The proposal would result in the loss of much of the mature vegetation currently in place to the front of the property- vegetation and growth which adds considerably to the setting and character of this Protected Structure. It is my opinion that the proposal if permitted would seriously impact on views of and vistas from this fine residence. The proposal would severely confine the property; would impact upon its setting and would lead to unacceptable fragmentation of the site. I consider that the proposal if permitted may also set a precedent for further similar inappropriate developments within the grounds of Protected Structures.

11.2 Having regard to all of the above, I consider the proposed development unacceptable and inconsistent with the proper planning and sustainable development of the area.

11.3 Based on the above, I recommend that the decision of the planning authority be OVERTURNED and that permission be REFUSED for the proposed development.

REASONS AND CONSIDERATIONS

1. Abbeywood House, a Protected Structure within the Westport Town and Environs Development Plan 2010, is also listed as being of regional importance and of architectural, artistic, historical and social interest on the Buildings of Ireland National Inventory of Architectural Heritage. Having regard to the close proximity of the proposed development to Abbeywood House, together with the necessary removal of much of the existing vegetation to facilitate the proposed development, the Bord considers that the proposal would seriously detract from the character and setting of this Protected Structure; would lead to fragmentation and over-development of the site and would be contrary to the provisions of the Westport Town and Environs Development 2010-2016. The proposal may also set a precedent for further similar developments within the grounds of Protected Structures and is therefore considered to be inconsistent with the proper planning and sustainable development of the area.

L. Dockery

Planning Inspector

12th May 2016