



An
Bord
Pleanála

Inspector's Report PL27.247729

Development	Retention of repair works to boundary wall, retention of reconstruction works to shed and construction of natural stone finish to southern wall at first floor level.
Location	No. 27 Main Street, Rathdrum, Co. Wicklow.
Planning Authority	Wicklow Co. Council
Planning Authority Reg. Ref.	16/812
Applicant	John Smith
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant	Thomas McGrath
Observers	none
Date of Site Inspection	7/3/17
Inspector	Siobhan Carroll

1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 0.14 hectares is located at no. 27 Main Street, Rathdrum, Co. Wicklow. The site comprises the plot of a one and a half storey terrace building situated on the eastern side of the Main Street and opposite Market Square. The building is occupied by the Post Office and there is also residential accommodation. There is a gated access to site via a yard at the end of the Main Street.
- 1.2. The shed which is the subject of the appeal is situated to the south-western corner of the site. The shed has an area of 61sq m. Due to the variation in the level of the site the ridge height of the shed is 5.47m at the western side elevation and 5.93m at the eastern side elevation. The shed dates back to the early nineteenth century. The original masonry walls of the shed remained intact apart from the upper sections which were replaced by similar stonework to repair the structure. A new corrugated pitched roof has been constructed.
- 1.3. St. Saviour's Church and its attendant grounds (Protected Structure) is located on the adjoining lands to the south. The boundary of the sites is formed by a natural stone wall.

2.0 Proposed Development

- 2.1. Retention of repair works to boundary wall, retention of reconstruction works to shed and construction of natural stone finish to southern wall at first floor level.

3.0 Planning Authority Decision

3.1. Decision

Permission was granted subject to 4 no. conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The Planning Authority requested further information on a number of matters concerning the details of the stone facing and how it would be attached and supported, details of the internal lead line gutter, a report from a Chartered Engineer detailing the impact of the proposed works on the existing stone boundary wall and details of how works would be carried out in relation to access considerations. Following the submission of a response to the further information request the Planning Authority were satisfied with the details provided and granted permission for the proposed development including the retention of the corrugated roof.

3.2.2. Other Technical Reports

Heritage Officer - The construction of a free standing masonry wall would largely overcome the negative visual impact of the southern wall of the shed on the boundary wall of St. Saviours Church, Protected Structure. The use of corrugated iron sheeting as roof material is acceptable given its function as a non-habitable building and its back street location.

Area Engineer – No objections.

3.3. **Third Party Observations**

The Planning Authority received two submissions/objections in relation to the proposed development. The main issues raised are similar to those set out in the appeal.

4.0 **Planning History**

Reg. Ref. 15/863 & PL27.245991 – Permission was refused for retention works to boundary wall and original stone shed walls, including retention of reconstruction works to storage shed together with minor enhancements to completion. Permission was refused for the following reason;

1. Having regard to the relationship of the stone shed to the boundary wall which encloses the graveyard associated with St. Saviour's Church, and by reason of the design and materials used in the subject development, it is considered

that the development for which retention has been sought would have a material and adverse impact on the character and setting of this important historic building which is identified in the National Inventory of Architectural Heritage as being of regional importance and which is included in the Record of Protected Structures under the provisions of the Wicklow County Development Plan 2010 – 2016 (ref. 30-17). The development proposed for retention would materially contravene objective RPS2 of the Wicklow County Council Development Plan 2010-2016, and would seriously injure the visual setting of the protected structure. The development proposed for retention would, therefore, be contrary to the proper planning and sustainable development of the area.

Reg. Ref. 14/1724 – Permission was refused for retention works to boundary wall and original stone shed wall, including retention of reconstruction works to storage shed. The works are adjacent to St. Saviours Church which is a protected structure (Ref. No. 30-17) and appurtenant to its attendant grounds.

5.0 Policy Context

5.1. Development Plan

5.1.1. Wicklow County Development Plan 2016-2022

- Chapter 10 refers to Heritage
- Objective BH9 – To protect the character and special interest of protected structures.
- Protected Structure - Ref 30-17 - Rathdrum St. Saviour's Church of Ireland Church.

5.1.2. Rathdrum Local Area Plan 2006-2016

The site is zoned 'TC' – Town Centre to preserve, improve and provide for town centre uses.

5.2. **Architectural Heritage Protection, Guidelines for Planning Authorities, DoEHLG, 2011**

- Section 13.4.3 refers to Consideration of proposals affecting boundary features.
- Section 13.8 refers to Development affecting the Setting of a Protected Structure or an Architectural Conservation Area.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A third party appeal was submitted by Thomas McGrath on the 14th of December 2016. The main issues raised are as follows;

- The site is adjacent to St. Saviour's Church which is a Protected Structure. Under Ref: PL27.245991 the Board refused permission for retention works to boundary wall and original stone shed walls, including retention of reconstruction works to storage shed. The refusal issued by the Board stated that the development would have a material and adverse impact on the character and setting of the important Architectural Heritage building which is identified in the National Inventory of Architectural Heritage as being of regional importance and which is included in the Record of Protected Structures under the provisions of the Wicklow County Development Plan 2010-2016.
- Under Reg. Ref. 15/863 a new application was made for the retention of the development. In determining the application, the Planning Authority sought further information regarding the how the proposed stone facing would be attached, details of the internal lead line gutter, details of the impact of the proposed works on the existing stone boundary wall and details of the roof finish.
- A response to the further information request was submitted on the 27th of October 2016 including a report from Barrett Mahony Consulting Engineers which outlines the structure of the proposed wall and guttering.

- The response stated in relation to the roof finish that “should the Planning Authority so require, we would not have any objection to planning condition requesting a slate finish”. The Planning Authority in the further information request stated that “it is considered that the slate finish would mitigate the unacceptable impact of the shed but the corrugate iron would not”.
- The Board in the note with the direction issued with the decision regarding PL27.245991 stated “the Board considered that an alternate proposal involving the reconstruction, in stone of the southern (party) wall together with the provision of a slated roof might mitigate the unacceptable impact of the subject development.
- The permission granted by the Planning Authority under Reg. Ref. 15/863 included 4 no. conditions however it did not include any requirement to provide a slated roof. Also no details were provided in relation to the weight - bearing load of the proposed wall and whether the structure would be suitable to support the weight of a slated roof.

6.2. Applicant Response

- None received

6.3. Planning Authority Response

- None received

7.0 Assessment

7.1. It is proposed to retain and complete the works carried out to the shed in order that the building can be used for storage purposes. Saint Saviour's Church which is a Protected Structure (Ref no: 30-17) and appurtenant to its attendant grounds adjoin the appeal site. It dates from 1795 – 1800 and is identified in the National Inventory of Architectural Heritage as being of Regional Importance and the categories of special interest are Architectural, Artistic and Social.

7.2. Permission was previously refused by the Board under Reg. Ref. 15/863 & PL27.24991 for retention works to boundary wall and original stone shed walls,

including retention of reconstruction works to storage shed. Permission was refused on the basis of the relationship of the stone shed to the boundary wall which encloses the graveyard associated with St. Saviour's Church. The Board considered that the design and materials proposed to the southern wall of the shed would have a material and adverse impact on the character and setting of St. Saviour's Church.

- 7.3. In the note issued with the Board Direction, the Board advised that an alternative proposal, involving the reconstruction of the southern party wall using stone and the provision of a slate roof to the shed, might mitigate the impact of the development. The Board also had concerns that the applicant had not demonstrated sufficient legal interest to enable the proposed works to be carried out.
- 7.4. The current proposal involves the retention of the repair works which have been carried out to the boundary wall and the original masonry walls of the shed. The works have been carried out following conservation principles. The stone used to repair the upper section of the external walls matches the original stonework and the line of the repair works is discernible.
- 7.5. The current proposal seeks to address the matters raised by the Board in the previous refusal. The applicant proposes to provide a natural stone finish at first floor level to the southern wall of the shed. It is proposed to construct a self-supporting natural stone wall to the upper section of the rear elevation. The applicant employed the services of Barrett Mahony Consulting Engineers to address the matters raised in the further information requested by the Planning Authority. They confirmed that stone facing was not proposed and that the existing upper section of wall would be removed and replaced by a 230mm self-supporting natural stone wall. Additional works are proposed to the loft floor and roof to ensure that new section of wall be a non-bearing wall.
- 7.6. In relation to the matter of access to carry out the proposed works the Consulting Engineers have stated that the works can be carried out from the existing building and that the wall will be constructed from one end and pointed as the work proceeds. The end portion will be pointed from the gable end on the shed side of the boundary line to the centre of the party wall. The Consulting Engineers confirmed in their report that there will be no impact upon the stability of the (party) graveyard wall as a result of the proposed development. Drawing No: PP/02-04 submitted with the

response to the further information indicates elevations and details of the proposed works which includes details of guttering. Surface water from the roof will discharge to the existing eaves gutter and via the down pipes to the eastern side elevation. I consider that these proposals are in accordance with the advice issued by the Board in the note attached with the Direction on the decision issued under PL27.245991.

7.7. The other matter of concern is the roof finish. The Board in the note with PL27.245991 advised that a slate roof to the shed would be preferable. The Planning Authority in the further information also advised the applicant that a slate finish would mitigate against the impact of the shed upon the Protected Structure. In response the applicant's Conservation Architect stated that a corrugated roof previously existed on the shed from the 1940's and that the re-instatement of the corrugated roof finish is appropriate to the outbuilding which is within a backland town centre site. The Heritage Officer considered that as a corrugated roof was previously used on the building and given the non-habitable use of the building and its back street location that it would be acceptable. The Planning Authority granted permission and did not require that the corrugated roof be replaced with slate finish. While, I am cognisant of the advice of the Board in relation to the matter, I would concur with the assessment of the Heritage Officer. Having regard to the fact that the shed previously featured a corrugated roof finish and given the dark colour of the roof, I consider that it would not unduly impact upon the character and setting of Saint Saviour's Church. Should the Board decide to grant permission and consider the corrugated roof finish is not appropriate to the site context adjacent to the Protected Structure a condition can be attached requiring that a slated roof be constructed.

7.8. Accordingly, having regard to the overall design of the scheme I am satisfied that it can be appropriately integrated into the site and that it would fully respect the character and context of Saint Saviour's Church which is a Protected Structure (Ref no: 30-17) and appurtenant to its attendant grounds.

Appropriate Assessment

- 7.9. Having regard to the nature and scale of the proposed development, nature of the receiving environment and proximity to the nearest European site, I am satisfied that 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.

8.0 Recommendation

- 8.1. Having read the submissions on file, visited the site, had due regard to the provisions of the Development Plan and all other matters arising, I recommend that permission should be granted for the following reasons.

9.0 Reasons and Considerations

Having regard to the pattern of development in the area, to the planning history of the site and the proposal to construct a natural stone finish to the southern wall at first floor level, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained and completed would not unduly impact upon the character and setting of Saint Saviour's Church which is a Protected Structure, would not seriously injure the visual amenities of the area and would therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 27th day of October 2016, except as may otherwise be required in order to comply with the following conditions. Where

such conditions required details to be agreed with the planning authority, the developer shall agree such detail in writing with the planning authority and the development shall be retained and completed with the agreed plans.

Reason: In the interest of clarity.

2. The use of the shed shall solely be for storage purposes ancillary to the main dwelling. No business, trade, commercial activity or habitable use shall take place in the shed.

Reason: In the interest of clarity and to protect the amenities of the area.

3. All surface water run-off from roofs shall be collected and disposed of within the curtilage of the site. No surface water shall discharge onto adjacent properties.

Reason: In the interests of traffic safety and the amenities of the area.

Siobhan Carroll
Planning Inspector

29th March 2017