



An  
Bord  
Pleanála

## Inspector's Report

### ABP-306487-20

#### Development

Retention permission for the existing pebble dash finish to the blockwork walls, pre-cast concrete caps, and the render finish on the piers, of the front boundary and vehicular entrance and associated site works

#### Location

Chatsfort, Newtown, Waterford

#### Planning Authority

Waterford City and County Council

#### Planning Authority Reg. Ref.

19818

#### Applicant(s)

Mary McNamara.

#### Type of Application

Retention

#### Planning Authority Decision

Refuse Retention Permission

#### Type of Appeal

First Party

#### Appellant(s)

Mary McNamara.

#### Observer(s)

Eugene MacDonagh.

#### Date of Site Inspection

1<sup>st</sup> May, 2020.

**Inspector**

Stephen Kay

## **1.0 Site Location and Description**

- 1.1. The appeal site is located at Chatsfort House, a large detached period house located on a large site c.1.5km to the south east of Waterford City centre on the Dunmore Road, R683. Access to Chatsfort House is via a long driveway off the Dunmore Road and there is a recessed entrance to the access road off the Dunmore Road.
- 1.2. The site comprises the entrance to the house off the road and has been the subject of recent works on foot of permission Ref. 17/167 which authorised the construction of a new house in the grounds of Chatsfort House. As part of these permitted works, alterations were undertaken to the original entrance and front boundary to the Dunmore Road with the creation of a recessed dual access. The finish as existing on the site comprises block walls and piers faced with a dash finish in the area of the dual recessed entrance and over the area to the east of the entrance. This finish is not consistent with the permission granted under Ref. 17/167.

## **2.0 Proposed Development**

- 2.1. The development which is the subject of the current appeal comprises the retention of the existing boundary treatment and entrance at Chatsfort House including the pebble dash finish to the entrance area and to the boundary to the east of the entrance.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The Planning Authority issued a Notification of Decision to Refuse Permission for one reason that can be summarised as follows:

1. That the location and extent of the boundary with the dash finish is such that it dominates the roadside frontage and detracts from the character and visual amenity of the area as well as impacting the streetscape and such that it seriously injures the amenity of property in the vicinity and is contrary to the proper planning and sustainable development of the area.

## 3.2. Planning Authority Reports

### 3.2.1. Planning Reports

The report of the planning officer notes the planning history on the site and the third party observations submitted. The justification put forward by the first party for the material chosen including instability of the wall and that the planning authority were advised of these issues. Stated that issue has been discussed with Senior Executive Planner and refusal of retention is recommended for a reason that is consistent with the Notification of Decision which issued.

### 3.2.2. Other Technical Reports

None on file.

## 3.3. Third Party Observations

Third party observations received by the Planning Authority raise issues regarding the fact that the layout for which retention is sought contravenes the original planning permission and that the conditions attached to Ref. PD18/140 have not been complied with and that the wall as constructed is out of keeping with the environs and that the wall finish should be such that it matches with the surrounding walls in the vicinity.

## 4.0 Planning History

The following planning history is relevant to the case:

Waterford City Council Ref. 18/140 – Permission granted for the retention of works to boundary wall at Chatsfort House, Newtown, Waterford. Condition No.2 attached to this permission required that *‘..the finish shall match the pattern, tone and pointing of stone walls in the vicinity of the site’*.

Waterford City Council Ref. 17/167 – Permission granted to Mary McNamara for a split level detached two storey house located to the rear of the existing Chatsfort House. The development provided for revisions to the existing entrance arrangement to create a new layout for access to both houses including new stone walls and entrance piers.

## 5.0 Policy Context

### 5.1. Development Plan

The relevant development plan is the Waterford City Development Plan, 2013-2019. Under the provisions of this plan the appeal site is zoned '*Existing Residential*' with a stated objective '*to protect, provide for and improve residential areas and their amenities*'.

There is no reference in the documentation on file to the site or house on site (Chatsfort) being included on the Record of Protected Structures for Waterford City. I have checked the record and do not see any reference to Chatsfort House.

### 5.2. Natural Heritage Designations

The site is not located within any European sites and the following are the closest sites:

- The Lower River Suir SAC is located c.140 metres from the appeal site to the north at the closest point.
- Tramore Back Strand SPA (site code 004027) which is located c.9km to the south of the appeal site.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The following is a summary of the main issues raised in the first party appeal against refusal of retention permission:

- That the original permission (Ref. 17/167) granted for the development of a new house in the grounds of Chatsfort House and required that the new boundary wall at the revised entrance would be constructed in stone, replacing the original that comprised dash finish on one side of the entrance and a mix shale and stone on the other side.
- That the construction works resulted in sections of the original wall being de stabilised and having to be demolished. The issues arising were relayed to the Planning Department.
- That the first party has not proceeded with the construction of the new house and will not do so until the issue of the wall is resolved.
- That there are three main issues with the replacement of the existing constructed wall with the pebble dash finish with a stone finish. These are as follows:
  - That to re clad the wall in stone will create a two-tone effect between the wall and the gate piers which would be unattractive and inferior to the existing.
  - That the only way of adding stone cladding would be to alter the structure of the wall by removing the dash finish and also the existing piers. Such works would however likely de stabilise the wall.
  - That the works required have a significant economic cost that is prohibitive. The cost of the required works is estimated at c.51,000 euro.
- Contended that the existing dash finish is consistent with the finish in the area and specifically that there are 6 no. period residential properties in the general Upper Newtown area and of these 4 no. have a dash finish.
- That mitigation of the wide entrance that has been created can be provided in the form of mature planting being added to the planting areas at the entrance.
- That the reason stated by the council relates to the development being inconsistent with the surrounding area and therefore contrary to the proper planning and sustainable development of the area. It should be noted that the Planning Officer indicated that the replacement dash wall would be

appropriate. It is also noted that the wall and property at Chatsfort are not protected structures.

## 6.2. **Planning Authority Response**

None on file.

## 6.3. **Observations**

An observation has been received from Eugene MacDonagh and the following is a summary of the main issues raised in this submission:

- That the original application on the site referred to the relocation of the gate piers and gates, not the complete replacement as has been undertaken.
- That the subsequent application for retention of the works done (Ref. 18/140) required that the finish match the pattern, tone and pointing of the stone walls in the vicinity of the site. This was never complied with and has led to this second application for retention.
- That the replacement white dash wall is completely out of character with the surrounding stone walling in this part of the city.

## 7.0 **Assessment**

7.1. The following are considered to be the main issues in the assessment of this appeal:

- Visual Impact and Impact on Character of Area,
- Other Issues,
- Appropriate Assessment.

## 7.2. Visual Impact and Impact on Character of Area

- 7.2.1. The background to this case relates to a grant of permission issued in 2017 for the development of a new dwelling in the grounds of Chatsfort House in the Newtown area of Waterford City. As part of the works required to facilitate the development of the new dwelling, works were proposed to be undertaken to the existing site access to change the existing single access to a recessed double access arrangement. As part of the design proposed it was indicated that the new recessed entrance and boundary would be constructed in stone / faced with stone. This was to be undertaken by the replacement of the existing dashed boundary located to the west of the entrance point and the retention of the original stone and shale boundary structure located to the west. On the basis of the information presented by the first party, what occurred during the works to the entrance is that the stone and shale part of the boundary became destabilised and had to be demolished. Replacement of the boundary on this side of the entrance (east) was undertaken with a dashed block wall rather than stone. This is the basis for the current application for retention.
- 7.2.2. With regard to visual impact, I note the photographs submitted by the first party with the original application and as part of the appeal submission and those submitted by the third party observer. These, together with my inspection of the site indicate to me the very significant change is appearance of the boundary in this location and the very significant visual impact that arises from the replacement of the original stone section of wall to the east of the entrance with the block wall faced with pebble dash. This area extends over a length of c.12 metres and is in my opinion completely contrasting in terms of character and appearance to the original finish and the existing stone section of adjoining walling immediately to the east.
- 7.2.3. It should also be noted that as part of the works undertaken under Ref. 17/167, a significant additional extent of the original stone wall to the east of the original entrance to Chatsfort has been removed to create the new recessed double entrance. This area is also finished in dash and the extent of additional walling removed in this area is c.18 metres.
- 7.2.4. I note the comments of the first party with regard to the boundary finishes to other properties in the general vicinity of the appeal site, however, which the specific properties identified have a range of boundary materials, stone walling is a feature of



the general Newtown area. The removal of the original stone boundary and its replacement with a modern dash finish is in my opinion such that it is out of character with the existing site and with the general character of the area and such that it constitutes a visually incongruous element in the local streetscape.

- 7.2.5. The comments of the first party with regard to the physical works required to face the existing wall with stone, the structural and cost implications of such a change are noted, however it is not clear to me why the existing piers would require to be removed as stated by the first party. In any event, the primary issue in this case is the consistency of the development for which retention is sought with the visual amenity and character of the area and it is noted that the situation has arisen on foot of the first party not complying with the requirements of the original permission granted under ref. 17/167.
- 7.2.6. The proposed use of planting to the area in the recessed entrance is noted and would likely have some beneficial effect in the medium to long term in screening the dashed wall at the recessed entrance. Reliance on screen planting is not however an ideal solution and would in any event be only partially successful in screening the wall in this area.
- 7.2.7. Overall, it is my opinion that the extent of boundary impacted and the degree to which the design and finish of the replacement wall is out of character with the property and the general environs of the site is such that to permit the development to be retained would have a significant negative impact on the visual amenities and character of the area such as to seriously injure the amenities of the area and be contrary to the proper planning and sustainable development of the area.

### 7.3. **Other Issues**

- 7.3.1. I note the comment contained in the covering letter submitted with the application and in the appeal regarding the contact that the first party made with the Planning Officer at the time that structural issues are stated to have arisen with the boundary wall. It is not possible to verify what the context or content of these discussions were, however, it would appear that these occurred after the original boundary was removed. It would also appear that what was suggested to the first party was that any new boundary could be considered in the context of the requirements of

Condition No.4 attached to Ref. 17/167 where details of the boundary were to be agreed. There is no record presented of any alternative finish being presented for compliance with Condition No.4 and that a wall of the form constructed was approved by way of compliance.

#### **7.4. Appropriate Assessment**

- 7.4.1. Having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.  
Recommendation

### **8.0 Recommendation**

Having regard to the above, it is recommended that retention permission be refused based on the following reasons and considerations.

### **9.0 Reasons and Considerations**

1. Having regard to the extent of the boundary wall with pebble dash finish proposed to be retained, its location and visual prominence in the streetscape and its contemporary appearance and contrast with the original stone walling and the character of the site and surrounding Newtown area, it is considered that the development is a visually incongruous element in the streetscape that is out of character with the site and its environment. The development to be retained is therefore seriously injurious to the visual amenities and character of the area, would have an adverse impact on the amenity of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

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Stephen Kay  
Planning Inspector

14<sup>th</sup> May, 2020