



An
Bord
Pleanála

Inspector's Report

ABP-309936-21

Development	Renovate and single storey cottage, demolish extension and construct single and two-storey extension.
Location	Morriscastle Road, Kilmuckridge, Co. Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20210078
Applicant(s)	Ron and Laura Brangan
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Ron and Laura Brangan
Observer(s)	Bridget Redmond, Frank and Aedin Shelley
Date of Site Inspection	20 th November 2021
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The subject site of 0.169 ha relates to a detached cottage on the Morriscastle Road 2.5km east of Kilmuckridge Village about 500m west of Morriscastle Beach. The terrain is flat and open and predominantly in agricultural use but with clusters of caravan parks around the site. There are some one-off houses along the road.
- 1.2. The cottage is 7.9m set back from the road from which views are obscured by dense growth. The site boundary is irregular and has as a road frontage of 23.3m, part of which relates to a spayed entrance to an adjacent caravan park . The site frontage otherwise comprises a mix of low concrete/rubble plinth with post and wire fencing and two farm type gates. One marks an overgrown pedestrian access and the other is wider and similarly extensively overgrown. The east boundary is stepped in form the road frontage and aligns with the eastern gable from where it extends to the rear boundary in a straight line. This boundary is partly marked by a timber post and rail fence which relates to a neighbouring residential development (2 houses) and access.
- 1.3. The cottage has a stated floor area of 115sq.m. and is boarded/blocked up. It is somewhat of a derelict condition and is not what I would consider habitable. It has a steeply pitched hipped tin clad roof with chimney stack and single storey extensions to eaves height to the rear and to the western side. On close inspection the corrugated sheeting conceals a thatched roof underneath. There are overhead cables supported by timber posts fronting the site. An additional pole is within front curtilage of the cottage.
- 1.4. The structure is included in the National Inventory of Architectural Heritage (NIAH no. 15702220) in which it is classed as a house and dated between the years 1700-1840. It is of regional interest as a type of social architectural .

2.0 Proposed Development

- 2.1. It is proposed to renovate , refurbish and extend the existing cottage. Permission is sought for these works in addition to:
 - demolition of non-original extension of 60 sq.m. to side and rear
 - removal of the protective tarpaulin and corrugated tin roof and re-introduction of a thatched roof

- extend the house to the rear with a single and two storey extension to provide a 127 sq.m. This comprises:
 - A block with a rectangular footprint with a stepped profile due to a reduced first floor in width and length. The roof profile varies in roof pitch and type over this block. It also incorporates a wide flat roof dormer.
 - An irregular shaped link access between the cottage and new block
- Installation of secondary effluent treatment system.

2.2. The application is accompanied by

- A cover letter: This explains the rationale for extending living accommodation away from the new public footpath. It is stated that the proposal is within the previously approved footprint and there is no impact on the attenuation or secondary effluent treatment.
- A Site Characterisation Report: While the site characteristics are typically unsuitable for an onsite system compliant with current EPA guidance, having regard to the existing house status with a tank that no longer operates and the need to upgrade if the house is to be renovated, it is proposed to upgrade the system by installing a secondary treatment system to be followed by a polishing filter. It is submitted that the system which includes a sand polishing filter will ensure effective treatment of the wastewater. Discharge from this filter will be relatively clean and when percolated through 300mm of soil based on EPA guidance, it would be fully cleaned. The percolation will be designed to ensure there is minimal risk of contaminated effluent. The hydraulic loading is based on a PE of 4 will be at a maximum of 2.6l/m². It is concluded therefore that the proposed development is unlikely to pose a risk to the environment or public health.

3.0 Planning Authority Decision

3.1. The Planning Authority decided to Refuse permission for the stated reason:

- The proposed two storey extension is considered out of character with the existing vernacular thatched cottage being extended by reason of its scale, height and bulk and would negatively impact on the special character and setting of the thatched cottage. The proposed development is therefore considered contrary to

the proper planning and development of the area and prejudicial to the protection of County Wexford vernacular heritage.

An advice note states: The applicant is advised that the retention of the vernacular dwelling is welcomed but it is important to engage with specialist help from a conservation engineer or architect/professional who has experience in dealing with thatched cottages. Whilst the involvement would be required by condition, it be appropriate to seek advice at this stage.

3.2. Planning Authority Reports

3.2.1. Planning Report: The planning authority notes the following:

- The planning history which includes refusal of permission to demolish the cottage and permission for a single storey extension.
- The concerns relating to impact on mobile home, septic tank, boundary details, traffic and design.
- The architectural significance of the building by particular reference to the NIAH in which it is described as a 'Detached four-bay single-storey lobby entry thatched house, extant 1840 on a rectangular plan with single bay single storey lean-to outshoot (north). Corrugated-iron-covered hipped and pitched oat thatch roof on collared timber construction with pressed iron ridge off-centred on cement rendered chimney stack on a T-shaped plan having stringcourse below capping. Limewashed lime render battered walls, Square headed off-central door opening with concealed dressings including timber lintel framing glazed timber boarded or tongue and groove timber panelled door. Square-headed window openings with lime-washed sills and concealed dressings including timber lintels framing timber fittings. Set back from line of road in overgrown grounds.' The appraisal is also cited: 'A house identified as an integral component of the vernacular heritage of County Wexford by such attributes as the compact rectilinear lobby entry plan form ; the construction in unrefined local materials dos[playing a battered silhouette with sections of 'daub' or md suggested by an entry in the 'House and Building Return' Form of the 1911 Census, the somewhat disproportionate bias of solid to void in the massing and the heigh pitched roof showing a protected oat thatch finish'.

In view of the architectural heritage of the cottage , the scale bulk and height are considered to negatively impact on the character of the cottage and this is the basis for refusal.

3.2.2. Other technical Reports

- 3.2.3. The Environment Section: It is noted no additional bedrooms are proposed and permission is recommended subject to conditions Drainage Division: No objection subject to conditions.

4.0 Planning History

4.1.1. The Site:

PA ref 20191115 refers to permission in 2020 for renovation to cottage, demolition works and extension and installation of secondary effluent treatment system.

PA ref 20181665 refers to refusal in 2018 for demolition of cottage and new two storey house, waste treatment system and new boundary alignment and treatment.

4.1.2. The caravan park:

PA refs. 20130462 and 20130254 refer to permissions in 2013 to retain replacement mobile homes.

5.0 Policy Context

5.1. Wexford County Development Plan 2013-2019.

- 5.1.1. Objective RH10 To adopt a presumption in favour of the retention of existing traditional dwellings with appropriate adaption, as required, subject to normal planning and environmental criteria and, where appropriate, the development management standards laid down in Chapter 18.
- 5.1.2. Section 18.13.1 refers to house extensions.

5.2. Natural Heritage Designations

- 5.2.1. The nearest sites are: Kilmuckridge-Tinnaberna Sandhills SAC, (0.9km), Cahore Polders and Dunes SAC (2km) and Cahore Marshes SPA (2km) .

5.3. EIA Screening

- 5.3.1. Having regard to nature and scale of the proposed development there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. An appeal has been lodged by the applicant's agent. The grounds of the appeal are based on the following points:
- The site has been reduced by acquisition of part of the site frontage. The amenity of the site has been further impeded by the provision of a public footpath which is extremely busy in summer months.
 - The vertical extension provides more private and usable space.
 - While acknowledging the higher height it is submitted that the separation permits this to be visually accommodated on site.
 - The first floor extension allows for family needs on a site that is constrained by the location and specification for the effluent treatment system

6.2. Planning Authority Response

- 6.2.1. No comment to make on appeal.

6.3. Observations

- 6.3.1. Two parties namely, Frank and Aedin Shelley and Bridget Redmond raise concerns regarding :
- Boundary treatment
 - Structural integrity of cottage
 - Two storey element and its impact on residential and visual amenity for neighbouring developments. – existing (2 houses to east and caravan site to west)and future
 - Capacity of site for sewage treatment
 - Impact on light having regard to relationship with boundary.

- Need for development in a sensitive coastal area.
- Entrance details.

7.0 Assessment

7.1. Issues

- 7.1.1. The proposed development essentially seeks to increase a previously permitted extension to a thatched cottage by the addition of a first storey. The key issue centres on design and massing of the additional first storey. While the planning authority's concerns relate primarily to the integrity of the cottage to be restored, there are also issues relating to wider impact on amenities as raised by the observing parties. There are also issues raised relating to the intensity of use and drainage in addition to details of boundary and structural integrity. Having regard to the extant permission I do not consider the principal of an extension in terms of housing need is a salient issue.

7.2. Impact on cottage and visual amenity

- 7.2.1. The cottage at present is blocked up and unsightly notwithstanding its architectural significance as set out in the NIAH and as noted by the planning authority. The restoration of a vernacular cottage and its adaption and reuse is supported in the building heritage policy of the development plan and notably Objective RH10. The Planning authority is clear in its advice note that it welcomes the restoration and adaption and accordingly there is no substantive case against the principle of an extension. Its design and form is however predicated on meeting normal development management considerations.
- 7.2.2. The proposed extension would amount to a dwelling with a gross floor area of c. 127 sq.m. (external dimensions) and I note that its form maintains the original cottage footprint. In terms of design and impact, I consider the critical elements relate to spacing, roof profile and fenestration and materials.
- 7.2.3. In terms of spacing I consider the approach to creating a separate block and unobtrusive link provides for a legible demarcation of the old and new. The

juxtaposition also permits a visual dominance of the cottage as viewed from the street.

- 7.2.4. By introducing a first floor close to the cottage will I consider visually dominate the cottage but this could be reduced by setting it further back. Planting along the boundary would also soften its visual impact.
- 7.2.5. The visual dominance is potentially jarring due to the variance in roof profile/pitches. This may be due to the presentation of the drawings due to the angles. This is not helped by the absence of a roof plan. It appears that the pitches are not consistent and lack cohesion. The wider dimensions of the ground floor and reduced first floor will further result in an overly complicated roof profile.
- 7.2.6. The proposed window fenestration also lacks coherence and the proposed flat roof dormer by reason of design, scale and width is I consider a particularly jarring feature and contributes to an overall visual incongruity.
- 7.2.7. The drawings also lack details of key features for a building of this character. Details of fenestration and entrance door in terms of materials, finishes and opening as compared to the original features should be provided. While the reference to hardwood timber is generally appropriate in the 'materials palette' these images are illustrative and appear to conflict with the scaled drawings which refer to 'aluclad'. Details of scale, glazing bars, opening arrangements, materials and finishes should be in keeping with the indigenous and vernacular character particularly in the front elevation. This should be prepared by a historic building consultant in addition to normal development control measures for buildings of significant heritage value which I consider the subject cottage to be.
- 7.2.8. On balance I consider the proposal could be modified so as to not be visually incongruous with its context. If the first storey is to be permitted, I consider it should follow on the same footprint of three of the external walls of the ground floor extension and positioned to align with its rear gable. This would maximise the separation from the cottage. Also, by reducing the width of the ground floor and correspondingly increasing the width of the first floor but also reducing its depth (so that the overall proposed first floor area of c. 37 is not materially increased) would allow for a simple and more traditional pitched roof plan. The link would be the only flat roof element.

- 7.2.9. The rationalisation of windows and reduction and revision of the dormer window could I consider be also addressed by condition. With such measures, together with a landscaping plan I do not consider the proposed extension would detract from the integrity of the cottage or from the visual amenities of the area.

7.3. Impact on neighbouring properties

- 7.3.1. Due to the orientation of windows at first floor in the direction of the road there will be no significant overlooking. Furthermore having regard to the separation distances between properties, no significant loss of daylight or sunlight will arise in existing or proposed habitable space. In overall terms, having regard to the size of the site and modest scale of the extension there will be no material loss of amenity of neighbouring houses or caravan park.
- 7.3.2. With respect to boundary alignment this is a civil matter. I am satisfied that the applicant has sufficient legal interest to make the application. I would remind the Board that permission under the Planning Acts does not confer a right in terms of property ownership - this is a matter ultimately for the courts. I consider landscaping details along boundaries together with front boundary details and finishes can be reasonably addressed by conditions. I note in the history file (2020) that permission was contingent on a setting back of the boundary to provide footpath and in the event of permission this I consider should be attached.
- 7.3.3. I do not consider structural integrity of the cottage to be an issue relevant to neighbouring properties having regard to the nature of the development relating to an extension in a separate building element. However in view of the architectural heritage of the cottage I consider some details of this aspect could be addressed in a condition relating to building conservation. The structural issue for the extension are however more appropriately regulated through the building Regulations.

7.4. Drainage

- 7.4.1. While I note the site as a greenfield development is not ideal by reference to current guidance, the circumstances are such that support the re-use of the cottage and replacement of its former septic tank. Notably, the loading is a PE of 4 which is consistent with an extant permission for the site. The loading is kept low as the

proposal only seeks additional living room accommodation and not additional bedspaces. This could be confirmed in a condition. I also note that the proposed layout will not reduce the percolation area as permitted. In this regard I note the conditions of the Environmental section which seek evidence of compliance with EPA guidance for design, installation and maintenance. I do not consider the proposed development will have any material impact as compared to that already permitted.

- 7.4.2. Accordingly I consider the proposal to comply with the criteria, which I consider reasonable and appropriate, for assessing domestic extensions as set out in the Wexford County Development Plan and I therefore consider the proposed development to be consistent with the proper planning and sustainable development of the area.

7.5. Appropriate Assessment

- 7.5.1. Having regard to the nature and scale of the proposed development to be retained in a fully serviced built-up urban area, no appropriate assessment issues arise, and it is considered that the proposed development would not 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. I recommend that planning permission for the proposed development be granted based on the following reasons and considerations, as set out below.

9.0 Reasons and Considerations

Having regard to the provisions of the Wexford County Development Plan 2013 – 2019, the pattern of development in the area and to the nature, form, scale, and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract for the character or integrity of the existing cottage to be renovated and would not seriously injure the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

- 1) The 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 development shall be carried out and completed in accordance with the agreed particulars

Reason: In the interest of clarity

- 2) The proposed extension block with a footprint of 6895mm by 12288mm shall be amended as follows:

- a) The width shall be reduced from 6895mm to 5500mm.
- b) The first-floor extension shall be modified by widening from 4800 to 5500mm and by reducing depth so that the overall floor area does not exceed 37 sq.m. The first-floor extension shall be aligned with the rear gable end, thereby increasing the separation distance from the cottage.
- c) The first-floor dormer window shall be replaced by one or two vertically proportioned pitched roof dormer windows not exceeding 700mm in width.
- d) The first-floor gable window shall be narrowed to 800mm and shall be vertically proportioned. The roof pitches shall match and be designed to harmonise with the pitch of the cottage.

Revised drawings including floor plans showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

- 3) The roadside boundary shall be set back to provide a public footpath and shall be aligned in accordance with the requirements of the planning authority. A comprehensive boundary treatment and landscaping scheme for the entire site

shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of public safety and visual amenity.

- 4) Prior to commencement of development, detailed structural drawings and a construction methodology statement (including the results of detailed structural surveys of the original structure and all building facades to be retained) indicating the means proposed to ensure the protection of the structural stability and fabric of all these retained element shall be submitted to and agreed in writing with the planning authority. These details shall include demonstrating the methods proposed to part dismantle and re-instate the existing roof structure and to retain existing facades as proposed, demolition and excavation arrangements, the proposed foundation system and underpinning, structural bracing and support and method of construction

Reason: In the interest of preserving the architectural integrity and heritage value of the retained structure.

- 5) The existing cottage and proposed extension shall be jointly occupied as a single two bedroom (four bed spaces) residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of public health

- 6) Prior to commencement of development, the developer shall provide for the following:
- a) The appointment of a conservation expert, who shall manage, monitor and implement works on the site and ensure adequate protection of the historic fabric during those works.
 - b) The submission of details of all finishes and of all existing original features to be retained and reused where possible, including interior and exterior fittings/features, joinery, fenestration, plasterwork, features, roof, including balusters, handrail and skirting boards.
 - c) The submission of details of window and door design and finishes for the cottage.

- d) All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities” (Department of Arts, Heritage and the Gaeltacht, 2011). The repair/restoration works shall retain the maximum amount possible of surviving historic fabric in-situ including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.

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

- 7) All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site. In this regard the redundant utilities pole within the site shall be removed from site prior to occupancy of dwelling.

Reason: In the interest of visual amenity.

- 8) Details including samples of the materials, colours and textures of all the external finishes to the proposed building, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

- 9) Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

10)

- a) The existing septic tank and pipework connecting to the cottage and to be decommissioned and removed shall be dismantled and disposed of in accordance with the details to be submitted for written agreement with the

planning authority and prior to the installation of the proposed effluent treatment and disposal system.

- b) The proposed effluent treatment and disposal system shall be located, constructed and maintained in accordance with the details submitted to the planning authority and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2021. Arrangements in relation to the ongoing maintenance of the system shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- c) Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner in accordance with the standards set out in the EPA document.

Reason: In the interest of public health.

Reason: In the interest of Public Health.

- 11) Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

- 12) The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area

of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

13) Site development and building works shall be carried out only between the hours of 0730 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority

Reason: To protect the amenities of the area.

Suzanne Kehely

Senior Planning Inspector

30th November 2021