



An
Bord
Pleanála

Inspector's Report ABP-311338-21

Development	Retention of the alterations of boundary walls
Location	Bearlough, Rosslare, Co. Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20211055
Applicant(s)	Nick Rackard
Type of Application	Retention of Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Catherine Etchingham
Observer(s)	None
Date of Site Inspection	13 th of January 2022
Inspector	Emer Doyle

1.0 Site Location and Description

- 1.1. The proposed development is located within the village of Rosslare, Co. Wexford, where it occupies a position to the east of Strand Road between a small infill scheme of 4 No. detached houses known as 'Summercove' to the north and a minor cul de sac to the south which provides access to a mobile home and a terrace of two storey houses. The surrounding area is characterised by a mix of land uses and building styles, including permanent residential, holiday homes, a doctor's surgery and a sports and recreation centre.
- 1.2. The site itself has a stated area of 0.07 hectares, is rectangular in shape, and is presently occupied by a single storey bungalow known as 'Tory Cottage' with a small, galvanised shed to the rear and a free-standing, timber-clad 'garden room' to the front of the property.

2.0 Proposed Development

- 2.1. Permission is sought for the retention of the following:
- 2.2. Raising of boundaries as follows:
 - Roadside boundary from height as granted of 1170mm to overall height of 1770mm.
 - Side boundary (access lane) from height as granted of 1485mm to overall height of 2100mm.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Retention of permission granted subject to 3 No. conditions.

Condition No. 2 required that the boundary walls for retention shall be rendered or plastered and shall be capped.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The planner's report considered that the increase in heights of the walls along the roadside boundary and along the access lane elevation to the site do not give rise to undue overshadowing or loss of amenities for adjacent properties and are an appropriate height in relation to privacy for the dwelling at this urban location.

3.2.2. Other Technical Reports

- None.

3.3. Prescribed Bodies

3.3.1. No reports.

3.4. Third Party Observations

- Two no. observations were submitted to the Planning Authority. The issues raised are similar to the issues raised in the appeal submitted to An Bord Pleanála.

4.0 Planning History

Relevant planning history:

PA 20200423/ ABP 307840-20

Permission granted by Planning Authority for extension to existing house and retention permission granted for existing garden room. The Board issued a split

decision which refused permission for the proposed extension and granted retention permission for the existing garden room.

5.0 Policy Context

5.1. Development Plan

5.1.1. Wexford County Development Plan 2013-2019

Section 18.10 refers to Residential Development in Towns and Villages.

Section 18.10.9 sets out the requirements for boundary treatment in respect of private open space.

Appendix A sets out objectives for Rosslare Strand and Castlebridge.

5.2. Natural Heritage Designations

5.2.1. The following Natura 2000 sites are located in the general vicinity of the proposed development site:

- Wexford Harbour and Slobbs Special Protection Area (Site Code 004076)
- Wexford Harbour and Slobbs proposed Natural Heritage Area (Site Code 000712).

5.3. EIA Screening

5.3.1. Having regard to the nature and scale of the development and the nature of the receiving environment, 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

The grounds of appeal can be summarised as follows:

- Concerns regarding traffic safety as the boundary wall as constructed reduces visibility.

6.2. Applicant Response

- None.

6.3. Planning Authority Response

- None.

6.4. Observations

- None.

7.0 Assessment

7.1. The main issues that arise for consideration in relation to this appeal can be summarised as follows:

- Traffic Impact and Design
- Appropriate Assessment

7.2. Traffic Impact and Design

7.2.1. This appeal concerns the retention of the raising of the height of a boundary wall for both a front and side boundary wall of an existing dwelling in Rosslare, Co. Wexford. The front boundary wall was raised from a height of c. 1.48m to a height of 2.1-2.2m. This section of the boundary wall extends for c. 23.8m. The side boundary wall extends for 16.1m and the height was raised from 1.17m to a height of 1.77m. There

is a concurrent appeal to the Board for the retention of the installation of a pedestrian access gate from the public footpath to this site under ABP 312250-21.

- 7.2.2. The Planning Authority considered that the higher walls were appropriate in the built-up area and would not reduce visibility and recommended permission subject to 3 No. conditions.
- 7.2.3. The main grounds of appeal relate to concerns that the raised walls would obstruct visibility for pedestrians and cars in the area.
- 7.2.4. I note that the appeal site is a long established house in the urban area of Rosslare. There are lanes either side of the site and it would appear that many of the properties in the area are holiday homes which were unoccupied on the day of inspection. Unusually, there is no footpath directly in front of the site although there is a footpath both opposite the site and on both sides of the site. I consider that this may have lead to impacts on the privacy of the occupants of the applicants with pedestrians walking close to the wall and looking over it.
- 7.2.5. The amendments proposed for retention are consistent with other boundary walls in the immediate vicinity of the site. I note that Section 18.10.9 of the Development Plan requires that boundaries surrounding rear gardens should be 1.8-2m in height and boundary treatments should be of high quality such as concrete block walls or concrete post and rail.
- 7.2.6. The walls and pillars have a smooth render which matches the dwelling. I noted that the front boundary wall is fully rendered and capped whilst the side boundary wall consists of pebble dash for the older section and render for the newer section proposed for retention. Condition 2 of the Council required that the boundary walls for retention shall be rendered and capped. The side boundary wall is quite visible as it is beside a lane and visible from the street at this location. Should the Board be minded to grant permission for retention, a condition requiring the complete rendering of the side wall should be included.
- 7.2.7. I consider that the main issue relating to traffic and pedestrian safety in the area is the absence of a footpath in front of the site. I do not consider that the raising of the existing boundary wall would have an undue adverse impact on traffic safety in the area.

- 7.2.8. I consider that the works to be retained would generally accord with the current Wexford County Council Development Plan in relation to boundary treatment and would not have a negative visual impact on the established character or visual amenities and would not give rise to concerns in terms of traffic safety.

7.3. Appropriate Assessment

- 7.3.1. Having regard to the minor nature of the development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans on a European site.

8.0 Recommendation

- 8.1. Having regard to the documentation on file, the grounds of appeal, a site inspection and the assessment above I recommend that retention permission for the above described development be granted for the following reasons and considerations subject to conditions.

9.0 Reasons and Considerations

Having regard to the pattern of development in the area and to the scale, nature and design of the works to be retained, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the amenities of the area or of property in the vicinity and would not give rise to a traffic hazard. The development proposed for retention 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, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The side boundary wall shall be finished with a smooth plaster finish to match the front boundary wall.

Reason: In the interest of visual amenity.

Emer Doyle
Planning Inspector

11th February 2022