



An
Bord
Pleanála

Inspector's Report

ABP-319046-24

Development	Change of roof finish from thatch to natural slate roof finish.		
Location	3 Ard na Ba, Kilmore Quay, Co. Wexford, Y35 D597.		
Planning Authority Ref.	20231386.		
Applicant(s)	Ms Maeve Dunne.		
Type of Application	Permission	PA Decision	To refuse permission.
Type of Appeal	First	Appellant	Ms Maeve Dunne
Observer(s)	None		
Date of Site Inspection	12/07/2024	Inspector	Richard Taylor

Context

1. Site Location/ and Description.

The appeal site is located at 3 Ard na Ba in the Kilmore Quay, County Wexford. This comprises a 1 1/2 story semi-detached dwelling that is finished in smooth render with a thatched roof that includes 2 dormer windows to the front and a dormer window to the rear elevations. It is approximately 104 square metres in area and the site area is approximately 0.308 hectares. It is orientated broadly west to east with the front of the dwelling facing westwards towards a communal car parking area immediately adjacent with grass amenity area beyond. To the rear there is a private garden area that partly extends adjacent to the gable of the dwelling. The gable of the dwelling abuts a public road and associated footpath,

separated by a stone-faced wall approximately 1.5 metres in height. The topography of the site is broadly level but is elevated above the adjacent footway and public road by approximately 1 metre.

The dwelling is part of a group of three further semi-detached dwellings of identical design and materials. This cluster of semi-detached dwellings is set back off the main road access to Kilmore Quay and is known as the R739. There is a grass open space area between this road and the cluster of semi-detached dwellings. Opposite the site to the north comprises agricultural fields with associated typical hedgerow boundaries. To the southwest there is a further group of terraced dwellings of similar design to the appeal site, however they differ having a slate tile roof finish.

Immediately adjacent to this cluster of buildings to the south, there is a single storey hotel building and associated car park. The boundary treatment between these sites comprises a stone-faced wall of matching design to that which abuts Ard na Ba road to the north of, and adjacent to, the appeal site. There are a number of very mature trees adjacent to the wall in the northeastern corner of the curtilage of the hotel. Historic dwellings and contemporary infill residential development, including a number with thatched roofs, and the main village is further to the south also with frontage to the R739.

2. Description of development.

Change of roof finish from thatch to natural slate roof finish. The proposal will not alter the floor space of the dwelling.

3. Planning History.

Preplanning reference number: P20220100: Response: A planning application would be required to replace the thatch roof with a slate roof, which should be blue/black in colour. The small estate was granted planning permission under reference: 20034119. Submit a brief assessment why there is a need to replace the roof. Note that this is advice only and cannot be relied upon for when a planning application is being decided. Response letter dated 14th October 2022.

Application No.: 20034119: Proposal: Erection of 13 no. fully serviced dwelling houses (Phase 1 of the Overall Residential Development) and associated site works. Granted 20th July 2004 subject to 31 conditions.

4. National/Regional/Local Planning Policy

- The Wexford County Development Plan 2022-2028 was adopted by the Elected Members of Wexford County Council at the Special Meeting of the Council held on Monday, 13th June 2022. The Plan came into effect on Monday, 25th July 2022. It has regard to national and regional policies in respect of residential development.
- Chapter 3: Core Strategy.
- Table 3-2 County Wexford Settlement Hierarchy. Kilmore Quay is a Level 3b Strategic Settlement.
- 3.6.4 Level 3b Strategic Settlements: development approach for these Strategic Settlements (includes):
 - Ensure that new development contributes to the creation of attractive, liveable, well-designed, high-quality settlements and the local communities enjoy a high quality of life and well-being.
 - Protect and enhance amenities, heritage, green infrastructure and biodiversity in these settlements.
- Settlement Strategy Objectives: Objective CS18: To protect and promote the quality, character and distinctiveness of the county's rural towns, villages and open countryside while supporting the proportionate growth and appropriately designed development that contributes to their revitalisation and renewal and the development of sustainable communities.
- Chapter 5: Design and Place-making in Towns and Villages.
- Objective TV06: To require high quality design in the public realm, architecture and in building functionality.
- Objective TV08: To ensure, through the development management process and in local authority own development, that new development adds to the sense of place, quality, distinctiveness and character of our towns and villages.
- Objective TV11: To require that all development complies with the design advice contained in the narrative and the objectives of this chapter and the

design principles set out in the guidance documents in Section 5.3 of this chapter.

- Chapter 11: Landscape and Green Infrastructure.
- Volume 7: Landscape Character Assessment: Map 7.1: Coastal.
- Chapter 13: Heritage and Conservation.
- 13.4 Built Heritage
- 13.4.12 List of ACAs in the County: there are ACAs in Wexford, Enniscorthy, Gorey, New Ross and Bunclody.
- Volume 2 Development Management Manual.
- Section 2 Common Principles for All Developments, 2.2 Place Making and Design, 2.6 Amenity.
- Section 3 Residential Developments.
- 3.4 Extensions to Dwelling Houses:
- ...appropriate extensions to existing dwelling houses will be considered subject to compliance with the following criteria:
 - The proposed extension must be of a scale and position on the site which would not be unduly incongruous with its context.
 - The design and external finishes of the extension need not necessarily replicate or imitate the design and finish of the existing dwelling. Contemporary designs and finishes often represent a more architecturally honest approach to the extension of a property and can better achieve other objectives such as enhancing natural light. It should be noted that a different approach may apply in the case of a Protected Structure or within an Architectural Conservation Area.
 - The extension should not have an adverse impact on the amenities of adjoining properties through undue overlooking, undue overshadowing and/or an over dominant visual impact.
 - The extension should not impinge on the ability of adjoining properties to develop a similar extension.
 - Site coverage should be carefully considered to avoid unacceptable loss of private open space.

- The degree to which the size, position and design of the extension is necessary to meet a specific family need, for example, adaptations to provide accommodation for persons with a disability.
- Where required, it will be necessary to demonstrate that the existing on-site wastewater treatment facilities serving the main dwelling house are adequate and can facilitate the additional loading from the extension. Where this cannot be demonstrated, it will be necessary for the on-site wastewater facilities to be upgraded as part of the development proposal.

5. Natural Heritage Designations

- Nearest natural heritage designations to the site are as follows:
- Special Protection Areas [site code]:
- Ballyteige Burrow SAC [000696]
- Bannow Bay SAC [000697]
- Hook Head SAC [000764]
- River Barrow and River Nore SAC [002162]
- Saltee Islands SAC [000707]
- Tacumshin Lake SAC [000709]
- Lower River Suir SAC [002137]
- Tramore Dunes and Backstrand SAC [000671]
- Special Protection Areas [site code]:
- Ballyteige Burrow SPA [004020]
- Bannow Bay SPA [004033]
- Keeragh Islands SPA [004118]
- Lady's Island Lake SPA [004009]
- Saltee Islands SPA [004002]
- Tacumshin Lake SPA [004092]
- Wexford Harbour and Slobs SPA [004076]
- Tramore Back Strand SPA [004027]

Development, Decision and Grounds of Appeal

6. PA Decision.

The first planning report dated 23rd January 2024 notes the following:

Development plan considerations are set out in volume 2 Development Management and volume 7 Landscape Character.

The applicant has not outlined the reason for the proposed changes to the roof, as requested in the pre planning response.

The development consists of modern thatched dwellings and not genuine historical thatched cottages. They hold no visual merit or importance to the character of the village. The change to slate is considered acceptable for this location.

Access, water supply, and effluent treatment will use existing facilities.

The site is within category C of the OPW flood map.

Referral response was requested from the Executive Roads Technician. Their response indicates there are no impacts.

Habitats Directive Screening concludes there would be no significant impacts.

Contributions are not applicable.

A supplementary report dated 23rd January 2024 is appended by the Senior Planner stating the following:

When permission was under consideration for this estate, the provision of new modern thatched dwellings at the entrance to the village was an important material consideration in determining the acceptability of the dwellings. It is not accepted that only older buildings should be thatched and there is a need to continue their vernacular skills into new build solutions. Vernacular methods are the most sustainable form of construction materials and should continue to be supported.

Kilmore Quay has a unique character and the use of such in the historic core and the entrance to the village needs to be enhanced. The removal of the existing thatched roofs would set a precedent and undermine the unique character of the village.

The report concludes with a recommendation of refusal for two reasons.

1. The proposal would have a significant impact on the visual appearance and special character of Kilmore Quay village given the dwellings location at the entrance to the village.
2. The proposal would set a precedent for the removal of thatched roofs from contemporary dwellings which would have a detrimental effect on the character and future development of the village.

7. First Party Appeal. Grounds:

- The appellant's statement of case is submitted on their behalf by their agent Glen Campbell. The grounds of appeal are summarised as follows:
- The application is sought to enable the applicant to insure the property. It is not a case that insurance is too expensive but that policies are not available whatsoever, evidenced by an article from the Irish Independent which is appended.
- Also appended is a response received by the appellant in relation to an expression of interest in joining a thatched homeowners association in October 2022. No known further activity has happened in relation to this organisation.
- The decision to submit the proposal has not been taken lightly and is already at significant cost to the appellant. The cost for the proposed works is also significant.
- The pre planning feedback from the Council was accepting of the principle of the proposal.
- The planning report recommended a grant of permission and concluded that the proposal was in line with the policies and objectives of the development plan.
- The phrasing of this supplementary page of the report by the Senior Planner indicates that this is a personal opinion and not based on the requirements of the plan.
- The retention of the thatch roof is onerous on the appellant for the following reasons:
- The site is not located in an Architectural Conservation Area, is not a protected structure, and not located on zoned land. Kilmore Quay does not have a local area plan or other guidance document. It is unreasonable for the planning

authority to insist on this type of zoned approach where no planning overlay is in situ.

- The house is not situated on the main road into the village. It is not part of the historic spine of thatched houses in Kilmore Quay but located discreetly 60 metres off the main road (R739).
- Referring to the design and layout consideration of the planning report of the original approved housing scheme, it is argued that the thatched dwellings were a planning gain. They are not critical to the success of the scheme and a mixture of roof types was acceptable and is commonplace throughout the village.
- The development plan mentions thatch cottages only once at 13.4.8 Vernacular Buildings. This is in chapter 13 of the plan which relates to heritage and conservation. The site uses a vernacular roof finish in a heritage setting. It is not traditional in its construction, siting, detailing, or appearance. A lenient attitude should be taken to a sympathetic intervention to the dwelling.
- Referring to objective BH09. The application of this objective is not applicable to a change of roof finish in this location in the village. The proposed change of finish is in keeping with the slate roofs which are commonplace throughout the village and suitable for a modern, non-heritage dwelling.
- The village is a mixture of building types which adds to its charm. There is a patchwork of sympathetic roofing materials and is a central component of the character. There are many locations in the village where slate roofs neighbour flat thatch roofs and this often occurs on the same building.
- The proposal is a simple, sensitive change of roof finish in a discreet location in the village.

8. PA Response

- No further comments received.

Environmental Screening

9. EIA Screening –

Having regard to the limited nature and scale of development and the absence of any significant environmental sensitivity in the vicinity of the site, 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.

10. AA Screening -

Having regard to the modest nature and scale of development, location in an urban area, connection to existing services and absence of connectivity to European sites, it is concluded that no Appropriate Assessment issues arise as 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.

2.0 Assessment

2.1. Having examined all the application and appeal documentation on file and having regard to relevant local and national policy and guidance, I consider that the main issues are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. The main issues, therefore, are as follows:

- (a) Principal and relevant policy;
- (b) Planning History and Impacts on Visual Amenity and Character;
- (c) Precedent;
- (d) Other material considerations.

- (a) Principal and relevant policy

2.2. Due to the nature of the proposal the main considerations are in Volume 2: Development Management Section of the plan and in particular part 3.4 Extension to Existing Dwellings. The policy wording is permissive regarding extensions, stating that “the continued use of existing dwellings and the need for people to extend and renovate their dwelling houses is recognised and encouraged”. However, the policy also requires proposals to be compliant with 7 criteria which includes design and amenity impacts.

- 2.3. The appeal site is not subject to any zonings. It is not within or adjacent to an Architectural Conservation Area or protected structure.
- (b) Planning History and Impacts on Visual Amenity and Character
- 2.4. The appellant considers that the proposal will not adversely impact on the character of the building, adjacent dwellings, locality, or Kilmore Quay. It does not have a local area plan or related guidance. It is not within an Architectural Conservation Area, and the wider settlement has varied roofscapes which contributes to the character. Conversely the Council consider that the proposal will adversely impact on the character of the site, immediate and wider area, and that the use of thatched roof finishes was a requirement of the parent grant of permission.
- 2.5. The appeal site dwelling is of modern construction but includes a thatched roof. It is semi-detached and within a small group of four dwellings of matching architecture, including thatched roofs. This development forms part of a larger residential development of 13 dwellings which was granted permission by the Council in July 2004. The remaining dwellings are located to the southwest of the appeal site and are generally terraced house types with similar architectural treatment and detailing save for the roof design which is finished in slate rather than thatching.
- 2.6. The associated planning report for the granted permission states that the site is on land zoned as “village expansion” in the Kilmore Quay local area plan 2002, which was operative at the time. In relation to design and layout considerations, the report states that “units 1-4 inclusive (which includes the appeal site), are proposed as thatched roof dwellings. These are of a traditional format of design utilising a simple form with vertically emphasised windows and a thatched roof in keeping with the thatched dwellings along the main village street. This is acceptable.” The assessment goes on to consider the remainder of the development highlighting the “sensitive nature of Kilmore Quay and its historic and cultural significance”, concluding that “the use of upvc windows throughout the proposal would be detrimental to the character of the area and the development itself.”
- 2.7. I consider that the scope and detail of the reports assessment in relation to impact on character to be limited. There is no other evidence provided by either party on this issue and its consideration by the Council. Whilst it does not specifically stipulate that the use of thatched roof finishes was fundamental in the positive for

consideration of the proposal, it does clearly state and acknowledge the sensitive architectural detailing and characteristics of the site context and Kilmore Quay. The commentary regarding use of upvc windows confirms that the Council considered the importance of the character of the area and associated impacts. It is therefore likely that a slate roof design for the group of dwellings of which the appeal site is part may have been unacceptable.

- 2.8. I acknowledge that there is a mix of roof types and finishes in close proximity to the site and within Kilmore Quay. As you approach this settlement, buildings with frontage to the main road all have slate or tiled roofs. Buildings at the periphery of the settlement are modern in age and design. There is a group of four buildings that are historic with traditional architecture and fenestration, including the Garda station opposite the site. These buildings are also all finished in render. The appeal site and adjacent thatched roof dwellings are readily visible on approach from the north as you travel towards the site on the main road, the R739, due to lands north of the appeal site being in agricultural use and a lack of built form. Buildings are only present to the east of the R739. The hotel building immediately adjacent to the site to the south is of limited architectural merit. However, further to the south there are a number of historic vernacular thatched dwellings, historic dwellings with slate roofs and also several modern dwellings that are also thatched. Views into the Main Street from the R739 southwards (and conversely towards the appeal site) are filtered to an extent by a number of mature trees along the northeastern boundary of the hotel site.
- 2.9. The appeal site dwelling and adjacent matching dwellings have a cohesive architectural appearance. Notwithstanding the set back of this group of dwellings from the main R739 road, they read as a historic cluster of built form in conjunction with the buildings opposite the site. This is also the case when viewed on approach from the south looking northwards and from the west from Ard na Ba road. Therefore, the appeal site is readily visible from a number of public viewpoints due to proximity to the public road and open nature/landscape of the agricultural fields opposite the appeal site to the north.
- 2.10. Whilst the appeal site is not located within an Architectural Conservation Area or subject to any heritage designations as highlighted by the appellant, I disagree that the architecture is “not traditional in construction, siting, detailing or appearance.” It is

purposefully a heritage design approach as alluded to in the planning report of the previous grant of permission in 2004. The existing 4 dwellings present an architectural uniformity and therefore read as a cohesive unit. I agree with the Council that the introduction of a slate finish to the appeal site would be visually incongruous and appear out of character with the remaining 3 thatched roof dwellings due to the public views available of this group of dwellings.

(c) Precedent

- 2.11. The second refusal reason of the Council's decision states that "the proposal would set a precedent for the removal of thatched roofs from the contemporary dwellings that would have a detrimental effect on the character and future development of the village." The appellant states that the village comprises a mixture of building types and roof finishes. They also state that "there are many locations where slate roofs neighbour thatched roofs, and this often occurs on the same building to enjoyable effect."
- 2.12. The appeal site is one of a group of 4 semi-detached dwellings of identical architectural design, materials, and roof finishes. Given the identical design and treatment, and visual linkage to historic buildings opposite the site and the main road into the village, if the proposal was approved, it would be difficult to withhold permission in the event that further applications were submitted by occupiers of the remaining 3 thatch roofed dwellings. This would be detrimental to the character of the environs of the site.
- 2.13. As highlighted by the appellant, there are a number of historic and modern dwellings with thatched roofs within the village with direct frontage to the main road. These include dwellings that are entirely thatched, and historic vernacular dwellings that have been extended to include modern materials and roof treatments. I would agree that there are a mix of design and roof treatments within the village as stated by the appellant. Thatched roof finishes are a feature of the village which add to its distinctiveness. Objectives within Chapter 5 include requirements to protect distinctiveness and ensure high quality design.

2.14. I would agree with the Councils' decision that if permission was granted, it could set a precedent for allowing similar changes from thatched roofs which cumulatively would adversely impact on the character of the village and distinctiveness.

(d) Need for the proposal / Other material considerations

2.15. The appellant states that the revision of the roof finish from thatch to slate is necessary as they are unable to secure house insurance due to associated fire risk. As evidence they append a newspaper article that discusses this issue. The Council have not provided any comment.

2.16. The appellant states that they have engaged with all insurance companies but has been advised that no cover is available. They have not provided any additional evidence other than the newspaper article.

2.17. Policy within the plan is silent on this matter, other than the requirements set out in Volume 2 regarding extensions and alterations. It states at 3.4, extensions to dwelling houses, that "the continued use of existing dwellings and the need for people to extend and renovate their dwelling houses is recognised and encouraged", subject to compliance with 7 criteria. The first bullet point/criteria require proposals to "not be unduly incongruous with its context". As discussed above, I consider that the introduction of a slate roof finish to the appeal site would have an incongruous visual impact on the remaining group of three dwellings of identical design to the appeal site and local context also taking account of the extensive public views. The appellant's difficulty in procuring house insurance is not outweighed by relevant policies within the plan which requires the protection of visual amenity and character in the public interest.

2.18. The appellant also highlights what they consider as a positive response to the pre planning query and also the approval recommendation within the original planning report by the case officer. These determinations should support the proposal. They also consider the addendum report by the Senior Officer to be a personal opinion and not based on policy.

2.19. The pre planning response appears supportive of the proposal based on the content. However, I note that this response is subject to a caveat stating that "this is advice only and cannot be relied upon for when a planning application is being decided." I have considered both the planning report and the Senior Planner addendum.

Content of reports is a matter for the Council, and I consider that the decision notice is the concluding opinion. The Council's Senior Officer was entitled to make a determination based on his or her judgement of the planning merits of the proposal. I have considered the merits of the proposal against relevant policy and material considerations above. I do not consider that this issue outweighs my conclusions that the proposal does not comply with policy requirements.

3.0 Recommendation

3.1. I recommend that permission for the development be refused.

4.0 Reasons & Considerations

Having regard to the information submitted with the application and the nature of the proposed development, it is considered that, the proposed development would be contrary to the Wexford County Development Plan 2022 –2028, in that it would, if permitted, be injurious to the character and visual amenities of the area, and result in an undesirable precedent for inappropriate development. The proposed development would not, therefore, be in accordance with the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Richard Taylor

Planning Inspector

9th August 2024