



An  
Bord  
Pleanála

## Inspector's Report

### ABP-320485-24

<b>Development</b>	Retention of solar panels on house. together with associated site works.
<b>Location</b>	Polranny, Achill Sound, Achill, Co. Mayo
<b>Planning Authority</b>	Mayo County Council
<b>Planning Authority Reg. Ref.</b>	24190
<b>Applicant(s)</b>	Bruno Loirat and Karine Jacquesson
<b>Type of Application</b>	Retention
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First
<b>Appellant(s)</b>	Bruno Loirat and Karine Jacquesson
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	6 <sup>th</sup> of March 2025
<b>Inspector</b>	Darragh Ryan

## **1.0 Site Location and Description**

- 1.1. The site is located within Polranny, Achill Sound to the north of R319. The site contains a former church, Holy Trinity church and is currently under development with a change of use to residential development.
- 1.2. The site is accessed via an old pathway/driveway from the main road to the house. The access has traditional wrought iron gates. To the north east of the church is an existing graveyard which is accessed via a pedestrian access path off the regional road. The site area is stated at .258ha.

## **2.0 Proposed Development**

- 2.1. Retention of solar panels 31sqm to the front façade of existing building.

## **3.0 Planning Authority Decision**

- 3.1. **The Planning Authority issued a Decision to refuse permission for a single reason:**

Having regard to the unauthorised works that have been carried out, it is considered that the proposed retention would significantly detract from the visual and historical prominence of Holy Trinity Church, which is listed on the National Inventory of Architectural Heritage Reg No 31305513. The proposed development would materially contravene Policy BEP 4 of the Mayo County Development Plan 2022 to 2028 which states, "To protect the architectural heritage of County Mayo which is a unique and special resource" Therefore, the development if permitted would interfere with the character of the landscape of which it is necessary to preserve and would be contrary to the proper planning and sustainable development of the area.

### **3.2. Planning Authority Reports**

- 3.2.1. There is a single Planning Report on file.

The planning authority considered the historical significance of the site and former use as church. The building is included within the NIAH and as such has special significant in terms of cultural heritage and retention of character.

The assessment considered the proposal visually detracts from the visual and historical prominence of the building.

### 3.2.2. Other Technical Reports

- None

### 3.3. Prescribed Bodies

- None

### 3.4. Third Party Observations

There is a single third-party submission on file. The issues raised can be summarised as follows:

- There has been unacceptable level of damage caused to the building as a result of the development.
- External appearance of solar panels do not match that of the materials at the back of the building
- Reference made to the Architectural Heritage Protection guidelines
- Enforcement of NIAH

## 4.0 Planning History

- PA reg ref 04/3124 – Change of use from former Holy Trinity Church to proposed dwelling with construction of building and associated site works
- 23/670 – Section 5 Declaration: Erection of solar panels on elevation of existing building – Is development, development is not exempt.

## **5.0 Policy Context**

### **5.1. Mayo County Development Plan 2022 to 2028**

BEP 4 To protect the architectural heritage of County Mayo which is a unique and special resource.

BEP 5 To promote best conservation practice and encourage the use of appropriately qualified professional advisors, tradesmen and craftsmen with recognised conservation expertise, for works to protected structures or historic buildings in an Architectural Conservation Area.

BEP 6 To encourage the conservation of Protected Structures, and where appropriate, the adaptive re-use of existing buildings and sites in a manner compatible with their character and significance

### **5.2. Natural Heritage Designations**

Corraun Plateau SAC – 1.9km to the southeast

Keel Machair/ Menaun Cliffs SAC – 5.25km to the west

## **6.0 EIA Screening**

The current application before the Board does not constitute a class of development for which EIAR is required.

## **7.0 The Appeal**

### **7.1. This is a first party appeal against the decision of Mayo County Council to refuse permission. The Grounds of Appeal can be summarised as follows:**

- The applicant provides a photographic chronology of works to the buildings since grant of permission.
- The property was purchased in 2004 and falling into serious disrepair.
- The property is not on the list of protected structures.

- The building has been renovated to a high standard with a conscientious past use of materials within the property and every reasonable effort has been made to ensure the general character of the building remains in keeping with what it was.
- Significant landscaping of the property has occurred in compliance with condition 9, to help screen the development – the solar panels generally not visible from the public road.
- When the building was first purchased the front façade of the building was covered in pebble dash and falling into a state of disrepair. There was water entering the building therefore it was decided to remove the pebble dash and plaster the front of the building.

## **7.2. Planning Authority Response**

- None

## **7.3. Observations**

There is a single observation on file from a resident of Polranny Achill Sound.

- Full details of planning history has been provided.
- Details of correspondence between the observer and planning enforcement of Mayo County Council have been provided

## **7.4. Further Responses**

- None

## **8.0 Assessment**

8.1. Having examined the application details and all other documentation on file, including the appeal, and having inspected the site and having regard to the relevant local policy guidance, I consider the main issues in relation to this appeal are as follows:

- Principle of Development

- Appropriate Assessment

## 8.2. Principle of Development

- 8.2.1. The development for retention comprises the installation of solar panels with a total area of 31 square metres, affixed to the front (southern) elevation of a former church building, which has been converted into a residential dwelling. The planning authority considered that the solar panels detract from the architectural and historical character of the structure, particularly given its visual prominence and heritage value.
- 8.2.2. The former church is listed on the National Inventory of Architectural Heritage (NIAH Ref: 31305513) and is identified as representing an important component of the mid-nineteenth century built heritage of County Mayo, constructed pre-1851. The Mayo County Development Plan seeks to protect such buildings under Policy Objective BEP 4, which aims to safeguard structures of architectural and historical merit. The building however is not a protected structure as listed within the Mayo County Development Plan 2022 to 2028.
- 8.2.3. It is noted that the building has been subject to extensive renovation under planning permission Ref. 04/3124, which included re-roofing, the installation of skylights, and alterations to doors and windows. These works were generally consistent with the terms of that permission. Condition No. 8 of the parent permission specifically required that external finishes and materials match those of the existing building.
- 8.2.4. According to the applicant, the front façade previously consisted of a pebble-dashed finish that was significantly deteriorated, allowing water ingress. The applicant removed the damaged dash, painted the elevation black, and installed the solar panels directly onto this elevation. It is stated that the works were considered exempted development by the applicant and therefore proceeded without planning permission. An observer has objected, citing that the development contravenes Condition No. 8 of the parent permission, particularly in relation to external finishes.
- 8.2.5. While it is acknowledged that the visual impact of the panels may be limited in terms of visibility from the wider area, the principal concern relates to the appropriateness of affixing modern infrastructure to a structure of documented architectural significance. Although the elevation in question had been previously finished in a non-original render (pebble dash), the remainder of the structure retains its original

limestone finish. The presence of solar panels, being distinctly modern in form and material, is not considered sympathetic to the historic character of the building.

- 8.2.6. Furthermore, while the applicant has referenced the exempted development provisions under the Planning and Development Regulations, I note that these are subject to limitations where works materially affect the character of a protected structure or one listed on the NIAH. I also note that there is substantial space within the site boundary (0.258ha) for the installation of ground-mounted solar panels. Such an alternative would meet the energy objectives of the applicant without compromising the integrity of the structure.
- 8.2.7. In this context, I consider the installation of solar panels on the front elevation of this building to be an incongruous addition, which undermines its architectural heritage and fails to comply with the provisions of Policy Objective BEP 4 of the Mayo County Development Plan. The development is also inconsistent with the conditions attached to the parent permission. Given the availability of suitable alternative locations within the site, the retention of the solar panels in their current location is not considered warranted or justified.

Having regard to the architectural significance of the subject structure, its listing on the NIAH, the visual impact of the proposed development on its character, the availability of alternative solutions, and the relevant provisions of the Mayo County Development Plan, I recommend that retention permission be refused.

### 8.3. AA Screening

I have considered the proposal to retain existing solar panels for domestic purposes to existing structure in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located 1.9km from the nearest European Site Corraun Plateau SAC

Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- scale and nature of the development]

- Location-distance from nearest European site and lack of connections

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## 9.0 Recommendation

I recommend that permission be refused for the following reasons:

### Reasons and Considerations

It is considered that the proposed retention would significantly detract from the visual and historical prominence of the former Holy Trinity Church, which is listed on the National Inventory of Architectural Heritage Reg. No 31305513. The proposed development would contravene Policy BEP 4 of the Mayo County Development Plan 2022 – 2028 which states “To protect the architectural heritage of County Mayo which is a unique and special resource”. Therefore, the development, if permitted would be interfere with the character of a building of local significance and the character of the area and be contrary to 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.

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Darragh Ryan  
Planning Inspector

23<sup>rd</sup> of April 2024



# Form 1

## EIA Pre-Screening

<b>An Bord Pleanála</b> <b>Case Reference</b>	320485-24		
<b>Proposed Development Summary</b>	Retention of Solar Panels		
<b>Development Address</b>	Polranny, Achill Sound, County Mayo		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	
		<b>No</b>	X
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>			
<b>No</b>	X		
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>			
<b>No</b>	X		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			

5. Has Schedule 7A information been submitted?		
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_