



An
Coimisiún
Pleanála

Inspector's Report PL-501086-WX-26

Development	Permission for replacement of the existing non-original reed-thatched roof (Protected Structure - RPS Ref. WCC0900) known as Bay Tree Cottage, together with all associated works.
Location	Bolaboy More, Bolaboy, Co. Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20260055W
Applicant(s)	John Nolan & Aedamar O'Loughlin
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	John Nolan & Aedamar O'Loughlin
Observer(s)	None
Date of Site Inspection	6 th July 2026

Inspector

Patricia Byrne

1.0 Site Location and Description

- 1.1. The appeal relates to Bay Tree Cottage, a two-storey detached, thatched dwelling house situated on an elevated rural site in the townland of Bolaboy More, approximately 1.3km north of The Ballagh Co. Wexford. The surrounding area is agricultural in character, interspersed with farm holdings and single dwellings on large plots.
- 1.2. The property is a Protected Structure (RPS Ref. WCC0900), which extends to a stated gross floor area of 135sq.m. 3 no. dormer window opes are inset into the thatched roof to the front elevation, with 2 no. chimney stacks off-set from centre within the roof ridge. A large, single storey porch to the front elevation is also thatched.
- 1.3. The dwelling has a southerly aspect, and site boundaries are heavily screened by mature trees to the north, west and south. A single vehicular entrance off the public road (L6023) to the east is fitted with a timber gate and opens onto a gravel driveway/forecourt to the front of the dwelling.
- 1.4. The property is stated to be served by a septic tank and private well.
- 1.5. The site has a stated area of 0.2Ha.

2.0 Proposed Development

- 2.1. The proposal, as described in the public notices refers to the replacement of the existing non-original reed-thatched roof with a natural slate roof, together with associated works.
- 2.2. Elevational drawings indicate the existing thatched roof, fascia and soffit replaced with blue/black natural slate and black pvc fascia and soffit respectively.
- 2.3. An accompanying cover letter indicates that the proposed works are confined solely to the change in roof covering, with no alterations to the existing roof pitch, ridge height, roof form, dormer windows, chimneys, walls, openings or overall massing of the building.
- 2.4. It is stated that the change to the roofing material is motivated by concerns in relation to fire insurance, with providers withdrawing from the market or imposing unworkable

restrictions. The replacement will improve fire safety and insurability, reduce the requirement for frequent invasive maintenance, support continued occupation and upkeep, and align with national conservation principles, prioritising sustainable use over material purism where authenticity has already been lost.

- 2.5. The application is not accompanied by an Architectural Heritage Impact Assessment report.

3.0 Planning Authority Decision

3.1. Decision

Wexford County Council by Order dated 13th March 2026 issued a decision to refuse permission for the reason set out below:

The replacement of the existing traditional thatch roof with that of a natural slate roof would negatively impact on the 'special interest' and 'character' of a protected structure listed under the Wexford County Development Plan 2022-2028. It would also be contrary to Objectives BH01, BH08 and BH09 of the Wexford County Development Plan 2022-2028, which seek to protect and enhance vernacular buildings through the appropriate use of design, materials, features and finishes, and therefore to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Report

- The planning report, signed on the 11th March 2026, assessed the development against policy and objectives of the Wexford County Development Plan 2022-2028, making reference to Objectives pertaining to Vernacular Buildings under Section 13.4.8 of the Plan.
- The removal of the thatched roof was found to impact the special interest and character of the vernacular building- a protected structure, and to be contrary to Objectives BH01, BH08, BH09 of the Development Plan.
- The absence of a supporting Architectural Impact Assessment was noted.

- The development was determined to be contrary to the Architectural Heritage Protection Guidelines for Planning Authorities, particularly with respect to Chapter 9 Roofs, and to be contrary to the principle of minimum intervention to protected structures.
- The report concludes with a recommendation to refuse permission on the basis that the replacement of the traditional thatch roof with natural slate would negatively impact the special interest and character of the protected structure and would be contrary to Objectives BH01, BH08 and BH09 of the Wexford County Development Plan 2022-2028.
- The recommendation is reflective of the Decision of the planning authority made on the 13th March 2026.

3.2.2. Other Technical Reports

Architectural Conservation Office

- Wexford has the 3rd largest collection of thatched structures in the country, many dating from the 19th century. These are generally mud wall buildings, mainly thatched with reeds, or originally wheaten or oaten straw, and may have been modified over time by the occupants.
- They offer an insight into how Irish villages looked in the late 19th century and are a strong representation of cultural heritage.
- UNESCO Convention on Intangible Cultural Heritage recognises built vernacular as a significant part of intangible cultural heritage.
- Action 6 of *'A Living Tradition: A Strategy to Enhance the Understanding, Minding and Handing on of Our Built Vernacular Heritage*, 2021 Department of Housing, Local Government and Heritage seeks the survival of historic thatched roofs.
- Loss of the thatched roof would be contrary to government strategy relating to the Built Vernacular Heritage (Action 6) and contrary to the Architectural Heritage Protection Guidelines for Planning Authorities, 2011 which promotes

minimum intervention to protected structures and requires planning authorities to be satisfied that works are necessary and do not impact on the special interest or character of the structure.

- The Department of Housing, Local Government and Heritage as well as Wexford Co. Co. offer advice and administer grant funding to assist with the repair and renewal costs of thatched roofs. The Development Plan includes objectives to promote and retain original and early building fabric.
- Important to recognise that a viable thatching sector is important for the survival of all thatch.
- Acknowledgement that the roof is not the original thatch and substantial changes were permitted under P.A. Reg. Ref. 992944, with the structure entered into the Record of Protected Structures (RPS) in 2001. The structure was thatched as is when entered onto the RPS.
- The thatch appears in reasonable condition in the photographic record submitted but is a known short-life material which requires renewal on a 10 to 30 year cycle. The structure appears to have adequate adaptations for modern living expectations, and no other works are currently proposed.
- Development is contrary to Objectives BH01, BH08 and BH09 of the Wexford County Development Plan 2022-2028.
- Report recommends that permission is refused.
- A short addendum to the report refers to definitions and origins of Vernacular Heritage extracted from '*A Living Tradition: A Strategy to Enhance the Understanding Minding and Handing on of Our Built Vernacular Heritage*, 2021.

Heritage Officer

- No specific recommendation contained within the report which references the protected status of the cottage and indicates that the application would be referred to the Architectural Conservation Office for comment.

3.3. Prescribed Bodies

The file was referred by the planning authority to the following:

An Taisce

The Arts Council

The Heritage Council

Department of Housing, Local Government and Heritage

No responses were received.

3.4. Third Party Observations

None on file.

4.0 Planning History

The following relates to the property:

P.A. Reg. Ref. 992944

Permission GRANTED for RETENTION of alterations to dwelling and provision of front porch to existing thatched cottage.

5.0 Policy Context

5.1 Wexford County Development Plan 2022-2028

The Wexford County Development Plan 2022-2028, which came into effect on the 25th of July 2022, is the operative Development Plan for the area.

Volume 1: Written Statement

Chapter 13 Heritage and Conservation

13.4.1 Protected Structures

A Protected Structure is a structure that the Council considers to be of special interest from an architectural, historical, archaeological, artistic, cultural, scientific, social or technical point of view.

In relation to a Protected Structure or a Proposed Protected Structure, the meaning of the term includes the structure, the interior of the structure, the land lying within the curtilage of the structure, any other structure lying within the curtilage and its interior and all fixtures, fittings and features which form part of the interior or exterior of the structures.

13.4.2 Carrying out Maintenance and Repair Works

The aim of good conservation is that there should be minimal intervention into the historic fabric of a structure. Conservation works should do as much as necessary, yet as little as possible to the building to ensure its future. A philosophy of 'minimal intervention maximum retention' and 'like for like' repairs or 'honest' repairs should be adopted where possible.

Objective BH01

To protect the architectural heritage of County Wexford and to include structures considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest in the Record of Protected Structures.

Objective BH06

To protect the curtilage of Protected Structures or proposed Protected Structures from any works which would cause loss of, or damage to, the special character of the structure and loss of or damage to, any structures of heritage value within the curtilage or attendant grounds of the structure.

Objective BH08

To promote the retention of any original or early building fabric including for example timber sash windows, stonework, brickwork, joinery, ironmongery, traditional mortars, render and decorative or weather finishes and slate and vernacular architectural details (whether relating to a Protected Structure or not). Likewise, the Council will encourage the re-instatement of historically correct traditional features and retention of original ridge heights as appropriate.

Objective BH09

To protect, maintain and enhance the established character and setting of vernacular buildings which are worthy of protection or have architectural heritage value, farmyards and settlements where they make a positive contribution to the built heritage and encourage the re-use and sensitive refurbishment of vernacular buildings using appropriate design and materials and having regard to best practice conservation guidelines.

Objective BH10

To ensure that applications in relation to Protected Structures include an Architectural Heritage Impact Assessment report where it is considered the proposed development entails extensive or complex works with a potential to have an impact on the architectural heritage.

Objective BH11

To ensure that all applications for Protected Structures are assessed taking into consideration the advice contained in the Architectural Heritage Protection Guidelines for Planning Authorities (DAHG, 2011) and any subsequent guidelines.

13.4.8 Vernacular Buildings

County Wexford has a wealth of vernacular buildings, including thatched cottages, which are characteristic of our local communities and contribute to their authenticity, and to their cultural, traditional, architectural, archaeological, historical and social

interest and diversity. Vernacular buildings, through their siting, orientation and materials, display an intimate connection with their landscape. The Council will facilitate appropriate, high-quality design solutions for adaptations of vernacular buildings that carefully consider their vernacular qualities.

Volume 5: Record of Protected Structures

The building to which the appeal relates appears as Ref. WCC0900 Bay Tree Cottage Bolaboy More, The Ballagh. The structure is stated as having been adopted under the 2001 Wexford County Development Plan.

Note: The entry states that the structure is no longer listed on the NIAH. Reference is made to NIAH Ref. 15702702.

5.2 National Policy

A Living Tradition: A Strategy to Enhance the Understanding Minding and Handing on of Our Built Vernacular Heritage. Department of Housing, Local Government and Heritage 2021.

Theme 1 Understanding Our Built Vernacular Heritage [Actions 1-6]

Action 6: Enhance the Protection and Conservation of Historic Thatched Roofs.

One of the most persistent issues for built vernacular heritage is ensuring the survival of historic thatched roofs. The many factors involved make this a complex matter. However, the importance of such roofs, in terms of archaeology and architectural history, vernacular crafts and materials, botany and diversity, as well as their landscape values, is such that everything must be done to address the various impediments to their survival. Insurance, in particular, has proved to be a constant problem for many owners and occupants.

Architectural Heritage Protection – Guidelines for Planning Authorities 2011

Part 2 Detailed Guidance Notes

Chapter 9 Roofs

Section 9.1.1 Advises that in many buildings, the roof is a major element that gives the building its distinctive profile. The aspects of a roof, which may contribute to the special interest of a protected structure or a structure within an ACA, include the profile and structure of the roof, the cladding materials used and other details associated with the roof. Specialist advice may be needed in order to identify the special characteristics of a roof.

Section 9.2 Profile and Structure

Identifying Special Features for Protection

Section 9.2.1 Advises that when identifying the special characteristics of the profile of a roof, it should be considered whether or not the roof retains its original profile and structure. If the present profile is not likely to be the original, then it should be decided whether the present roof profile is of any architectural or other interest or is a later alteration which detracts from the appearance of more important elements of the building.

Consideration of Proposals to Alter a Roof Structure

Section 9.2.5 States that roofs of structural interest should generally not be altered. Any original, or early, roof structure or structural members should be retained. In cases where the construction of a new roof is unavoidable, the planning authority could make it a condition that the earlier roof construction is retained below the new roof.

Section 9.2.6 Proposals to alter the shape of the roof of a protected structure or of a structure within an ACA will have a potential impact on the character of the structure and its surroundings. It should not be permitted without careful consideration of the circumstances.

Cladding Materials

Section 9.3.1 The type and nature of the cladding materials used on a roof have a significant impact on the appearance and special interest of a building.

Section 9.3.2 The retention of traditional roofing materials and the development of new sources of these materials should be encouraged.

Section 9.3.3 Any proposals that involve the removal, partial removal or alteration of the roof cladding materials of a protected structure will require careful scrutiny.

Section 9.3.9 The vernacular thatched roof was common throughout the country until the early twentieth century but is now becoming increasingly rare. While many thatched roofs have been replaced in other materials, others have been simply covered over with corrugated iron sheeting above the thatch. Where there is a possibility that a building was thatched, care should be taken to identify, record and protect evidence of the original roof-covering.

Consideration of Proposals Affecting Thatch

Section 9.3.14 Thatch presents special conservation issues, for two reasons. As a material it has a relatively short life, requiring to be renewed on a ten to thirty-year cycle. Secondly, thatch tends to be found on modest buildings whose accommodation may be inadequate for modern expectations. Hence there are economic barriers to the conservation of this roofing material. Planning authorities should bear this in mind and give consideration to any assistance that it may be possible to offer.

Section 9.3.15 Advises that permission should not normally be granted for replacement of thatch with other materials, or of one type of thatch material with another. Complete stripping of thatch is rarely required, and defective thatch should only be removed to a sound base.

5.4 Natural Heritage Designations

The site is not located within or bounding a Natura 2000 site. The following are located within the wider area:

Seas off Wexford cSPA Site Code 004237 c. 10.0km

Wexford Harbour and Slobs SPA Site Code 004076 c.10.3km

The Raven SPA Site Code 004019 c.8.9km

Cahore Marshes SPA Site Code 004143 c.13.4km

Cahore Polders and Dunes SAC Site Code 000700 c.13.4km

Kilmuckridge-Tinnaberna Sandhills SAC Site Code 001741 c.9.7km

Slaney River Valley SAC Site Code 000781 c.10km

Screen Hills SAC Site Code 000708 c.8.7km

Blackwater Bank SAC Site Code 002953 c.14.9km

Long Bank SAC Site Code 002161 c.16.9km

Kilmuckridge-Tinnaberna Sandhills pNHA Site Code 001741 c.9.1km.

Ballyconnigar Upper pNHA Site Code 000742 c.7.4

Ballyroe Fen and Lake pNHA Site Code 000747 c.6.3km

Ballynabarney Wood pNHA Site Code 000746 c.8.0km

Slaney River Valley pNHA Site Code 000781 c.9.45km

6.0 EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

The decision of the Planning Authority is the subject of a First Party appeal by John Nolan and Aedamar O'Loughlin. The matters raised are summarised below.

- The dwelling is set within a mature site and does not form part of a cohesive historic streetscape or intact vernacular cluster.
- The planning authority's conclusion arises from a misinterpretation of the building's history, an incorrect application of conservation policy, and a failure to undertake appropriate planning balance.
- While included on the Record of Protected Structures (RPS Ref WCC0900, the structure is not listed on the National Inventory of Architectural Heritage (NIAH) indicating its designation arises at a local level and does not reflect national or regional architectural significance.
- P.A. Reg. Ref. 992944 authorised extensive alterations to the original cottage, including addition of a first floor, insertion of dormer windows, reconstruction of chimneys and addition of a porch. The permission also facilitated the replacement of the original straw thatched roof with a reed thatch. These substantial works fundamentally altered the form and materiality of the building.
- The decision of the planning authority fails to adequately consider the implications of P.A. Reg. Ref. 992944. Inconsistency in approach taken, whereby substantial interventions were previously accepted, yet relatively modest non-structural alteration is now resisted.
- The planning authority has erred in attributing architectural and cultural significance to the reed thatched roof, which is not original fabric and does not represent an authentic element of the building's vernacular heritage. Assessment places overriding emphasis on the retention of the thatch as a defining element of the structure's character but does not adequately recognise that the thatch is not original.
- Misapplication of the Architectural Heritage Protection Guidelines. The principle of minimum intervention is invoked without recognising that the material proposed for removal is not original. The Guidelines emphasise the need for flexibility where the integrity of the structure has been compromised.
- Concept of special interest must be based on survival of meaningful historic fabric or characteristics. The original thatch has been removed, and the

retention of the current roof covering is therefore unnecessary to preserve the architectural significance of the structure.

- The decision relies on generalised policy statements relating to vernacular heritage, national strategies and intangible cultural heritage. While valid policy considerations in the abstract, they are not applied in a site-specific manner to the circumstances of the building. Application of broad policy principles without reference to the altered condition is inappropriate.
- No meaningful analysis of whether the structure in its current form retains the characteristics which would justify such a level of protection.
- Assessment fails to consider key material planning considerations relating to the continued use and viability including fire safety, insurance availability, and ongoing maintenance requirements. This results in an unbalanced assessment which prioritises material retention over practical realities of occupation and long-term conservation.
- Development Plan policy is applied in a rigid and absolutist manner, unreflective of the condition or history of the building. Policies are intended to protect authentic vernacular features and materials, not require indefinite retention of later alterations which do not contribute to the buildings special interest. Development Plan objectives are applied as blanket prohibitions, rather than part of nuanced assessment of specific circumstances.
- The planning authority has not demonstrated that the reed-thatched roof forms part of the structure's special interest. The Commission may reasonably conclude that the development would not adversely affect the character of the protected structure within the meaning of Objective BH01.
- The strict application of Objective BH08 is unwarranted as the building no longer exhibits characteristics which the policy seeks to protect. Objective BH09 is explicitly concerned with the retention of original or early materials. To extend the protection afforded under BH09 to non-original material is not supported by the wording or intent of the policy.
- Natural slate represents a durable traditional and contextually appropriate material within Co. Wexford.

- The character of the structure as it currently exists is defined by its altered form rather than by the presence of the existing roof covering. While the importance of thatched structures as part of the vernacular heritage of the county is acknowledged, policy considerations should be applied in a manner reflective of the specific conditions and history of the individual structure.
- The development does not conflict with Objectives BH01, BH08, or BH09 of the Development Plan and the Commission is requested to set aside the decision of the planning authority and grant permission.

7.2. Planning Authority Response

None on file.

7.3. Observations

None on file.

7.4. Prescribed Bodies

- 7.4.1. Under Section 131 of the Planning and Development Act 2000, as amended, the appeal was referred by the Commission to Fáilte Ireland.

No response was received.

8.0 Assessment

- 8.1. Having examined the application details and all other documentation on file, including all submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, I consider that the main issues in this appeal are as follows:

- Planning History
- Impact on the Protected Structure
- Other Matters

8.2. Planning History

- 8.2.1. The planning report and report of the Conservation officer reference an earlier planning decision in respect to the subject property. Wexford Co. Co. under P.A. Reg. Ref. 992944 awarded permission on the 26th November 1999, for development described as 'retention of alterations to the dwelling and provision of front porch to existing thatched cottage'. I have examined the planning authority's on-line records in relation to this application, noting that limited details pertaining to the assessment conducted at that time are available.
- 8.2.2. I note the appellant's contention that permission granted under P.A. Reg. Ref. 992944 has had a significant bearing on the character of the structure as it now presents, stating that the permission authorised extensive alterations to the original cottage, including the addition of a first floor, the insertion of dormer windows, construction of a front porch and reconstruction of chimneys. The appellant places particular emphasis on the consent awarded to replace the original straw thatched roof with a reed thatch as part of the permission. It is asserted that the form and materiality of the building have been fundamentally altered, with the implication that the current roof covering is not historic fabric, nor does it represent an authentic survival of vernacular construction. It is held that attributing architectural and cultural significance to the existing reed thatch roof is flawed, and the retention of the current roof, is therefore unnecessary to preserve the architectural significance of the structure.
- 8.2.3. The current planning application indicates the existing reed thatch was introduced in 1999, with such material differing fundamentally from traditional Wexford straw thatch in appearance, texture, method of construction and historical authenticity. I refer also the report of the Conservation Officer which acknowledges that the roof which exist today is not the original thatch and that while substantial changes were granted under P.A. Reg. Ref. 992944, the structure was nonetheless entered onto the RPS in 2001 when the works granted under the permission were complete and the thatch roof was as is today.
- 8.2.4. I have reviewed earlier Wexford County Development Plans, noting that the subject property has been included on the RPS of consecutive plans from the 2001-2006

Development Plan to the present date. The entry appears as Ref WCC0900 on the Record of Protected Structures - Appendix 5 of the current Development Plan which came into effect on the 25th July 2022. The structure has been consistently referred to as a thatched cottage at Bolaboy Moore with Ref. WCC0900 attributed. Accordingly, while I have considered the arguments made as to the loss of original fabric and material changes to the structure under the referenced planning history; the property has been listed as a protected structure within successive Wexford County Development Plans, a status it continues to hold under the current Plan.

- 8.2.5. It is my view that amendments to the property as permitted under P.A. Reg. Ref. 992944 are not a material consideration in this appeal, particularly as the property was added to the RPS subsequent to the granting of permission, and given that the structure has continued to be included on the Record under successive Development Plans. I am not of the view therefore that the planning authority has failed to give due consideration to the proposal in the context previously permitted amendments or has erred in attributing undue architectural and cultural significance to the structure.
- 8.2.6. Furthermore, while I note the omission of the building from the National Inventory of Architectural Heritage (NIAH) and the suggestion within the appeal that the structure has local rather than regional or national significance; such non-inclusion has no bearing on the protected status afforded the property from its inclusion on the RPS, and by extension under planning and development legislation.
- 8.2.7. Furthermore, while the appellant raises concerns that no meaningful analysis has occurred as to whether the structure in its current form retains characteristics which would justify such level of protection, I would argue that such analysis is not pertinent or indeed appropriate to this appeal as the addition or deletion of structures from the Record of Protected Structures is a reserved function of the Elected Members of the local authority.

8.3. Impact on the Protected Structure

- 8.3.1. As established in the preceding section, the subject property is contained within the Record of Protected Structures -Appendix 5 of the Wexford County Development Plan 2022-2028. Accordingly, as required under Objective BH11 of the Plan, a planning application relating to such structures must be assessed taking into consideration the advice contained in the Architectural Heritage Protection-Guidelines for Planning Authorities (DAHG, 2011) and any subsequent guidelines.
- 8.3.2. I refer the Commission to Objective BH10 of the Development Plan which seeks to ensure that applications in relation to protected structures include an Architectural Heritage Impact Assessment report where it is considered a development entails extensive or complex works with potential to impact on architectural heritage. The subject application is not accompanied by such a report.
- 8.3.3. The appeal argues an inconsistency in the approach of the planning authority, whereby past substantial interventions to the property have been permitted, yet relatively modest non-structural alterations are resisted. Furthermore, it is argued that the Architectural Heritage Protection Guidelines have been misapplied in the context of removal of non-original fabric (reed roof), and that the Guidelines emphasise the need for flexibility where the integrity of the structure has been compromised.
- 8.3.4. While I would agree that the Guidelines stipulate the application of flexibility, noting in particular that a degree of compromise will be required in adapting a protected structure to meet the requirements of modern living; they also state it is important that the special interest of the subject structure is not unnecessarily affected. In this regard I note the emphasis in Part 2 Detailed Guidance Notes as to the importance of roofs, advising that in many buildings, such features comprise a major element giving a building its distinctive profile and contributing to the special interest of a protected structure. Furthermore, Section 9.3.1 states that the type and nature of roof cladding materials have a significant impact on the appearance and special interest of a building, while Section 9.3.15 specifically refers to thatched roofs, stating that permission should not normally be granted for replacement of thatch with other

materials, or of one type of thatch material with another. Complete stripping of thatch is rarely required, and defective thatch should only be removed to a sound base.

- 8.3.5. The development as proposed provides for the removal in full of the thatched roof to Bay Tree Cottage and its replacement with natural slate. I am of the view that the removal of the thatch in its entirety could not, in any manner, be considered a modest alteration to the property, and am of the opinion that such modification would have a profound and material impact on the appearance of the protected structure, resulting in loss of character and depletion of its heritage value. Such impacts would be contrary to Objective BH09 of the Development Plan which seeks to protect, maintain and enhance the established character and setting of vernacular buildings which are worthy of protection or have architectural heritage value, farmyards and settlements where they make a positive contribution to the built heritage.

8.4. Other Matters

- 8.4.1. While concerns are raised in the appeal that the planning authority has failed to give sufficient weight to matters relating to fire safety, insurance, maintenance and long term viability of the property, I nonetheless note within the reports prepared, reference to *'A Living Tradition: A Strategy to Enhance the Understanding Minding and Handing on of Our Built Vernacular Heritage'*, 2021 Department of Housing, Local Government and Heritage, and to Action 6 therein, which refers specifically to the protection and conservation of historic thatched roofs. In noting the importance of such features, in terms of archaeology and architectural history, vernacular crafts and materials, botany and diversity, as well as their landscape values, the Strategy states that everything must be done to address the various impediments to their survival. Insurance, in particular, has proved to be a constant problem for many owners and occupants. There is also a need for consistent, authoritative advice for owners and occupants, fire services, insurers and others. While I am mindful of the concerns raised by the appellants in relation to this matter, I am not of the view that the planning authority has failed to undertake a balanced assessment of the proposal taking account of such concerns.

9.0 Appropriate Assessment Screening

9.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000, as amended.

9.2. The appeal site is located on unserviced lands and relates to Bay Tree Cottage, a thatched two-storey detached dwelling house which is a protected structure (RPS Ref WCC0900). The appeal site is not located within or bounding a Natura 2000 site. Separation distances between the appeal site and Natura 2000 sites situated in the wider area are set out below:

Seas off Wexford cSPA Site Code 004237 c.10.0km

Wexford Harbour and Slob SPA Site Code 004076 c.10.3km

The Raven SPA Site Code 004019 c.8.9km

Cahore Marshes SPA Site Code 004143 c.13.4km

Cahore Polders and Dunes SAC Site Code 000700 c.13.4km

Kilmuckridge-Tinnaberna Sandhills SAC Site Code 001741 c. 9.7km

Slaney River Valley SAC Site Code 000781 c.10km

Screen Hills SAC Site Code 000708 c.8.7km

Blackwater Bank SAC Site Code 002953 c.14.9km

Long Bank SAC Site Code 002161 c. 16.9km

9.3. The development relates to the replacement of an existing non-original reed-thatch roof with a natural slate roof to Bay Tree Cottage, a protected structure (RPS Ref WCC0900) together with associated works.

9.4. The Planning Authority undertook Appropriate Assessment Screening, determining that having regard to the limited extent of the proposed works and the substantial distance to the nearest Natura 2000 sites, no element of the proposed project alone or in combination would be likely to give rise to impacts on the Natura 2000 sites.

9.5. No nature conservation concerns were raised in the planning appeal.

9.6. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:

- Nature of the works i.e. replacement of non-original reed thatched roof with a natural slate roof and all associated site works to Bay Tree Cottage a protected structure (RPS Ref WCC0900).
- Location and distance from the nearest European site and lack of connections.
- Taking into account the determination of the Planning Authority.

9.7. I conclude 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 thereafter Appropriate Assessment (under Section 177V of the Planning and Development Act 2000), as amended, is not required.

10.0 Water Framework Directive

10.1. The subject site concerns a two-storey protected structure, Bay Tree Cottage (RPS Ref. WCC0900), located at Bolaboy More, Bolaboy Co. Wexford. The appeal site is separated by a distance of approximately 377m from the River Sow_010 (ID IE_SE_12S030100) to the south-east and is approximately 1.2km from the River Garrymore (Wexford)_010 (ID IE_SE_11G020720) to the north-east. The site is within the Slaney and Wexford Harbour Water Framework Directive Catchment ID12.

10.2. I have assessed the development seeking permission and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- Nature of works concerned, providing for replacement of a reed-thatched roof with natural slate to an existing two-storey dwelling (protected structure RPS Ref. WCC0900) served by an existing private well, septic tank and soakholes.
- Distance from nearest water bodies and/or lack of hydrological connections.

10.3. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

I recommend that permission is refused.

12.0 Reasons and Considerations

Bay Tree Cottage is a protected structure, listed within Volume 5 Record of Protected Structures, of the Wexford County Development Plan 2022-2028. Having regard to the provisions of the Development Plan as contained in Volume 1 Written Statement, and the requirements of the Architectural Heritage Protection-Guidelines for Planning Authorities, issued by the Department of Arts, Heritage and the Gaeltacht; it is considered that the removal of the existing thatched roof and replacement with a natural slate roof would have a significant negative and detrimental impact on the building's special character and would materially affect the protected structure. Furthermore, the development as proposed would contravene Objective BH09 of the Wexford County Development Plan which seeks to protect, maintain and enhance the established character and setting of vernacular buildings which are worthy of protection or have architectural heritage value and which seeks to encourage the re-use and sensitive refurbishment of vernacular buildings using appropriate design and materials having regard to best practice conservation guidelines. The development

would therefore 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.”

Patricia Byrne
Planning Inspector

10th July 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501086-WX-26
Proposed Development Summary	Replacement of existing non-original reed-thatched roof serving Bay Tree Cottage, a protected structure (RPS WCC0900) with a natural slate roof, together with all associated works. Works are confined to the change in roof covering with no alterations to the existing roof pitch, ridge height, roof form, dormer windows, chimneys, walls, openings or overall building massing.
Development Address	Bay Tree Cottage Bolaboy Co. Wexford
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1.	

EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☐ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____