

An Bord Pleanála
By email – appeals@pleanala.ie

Case number: ABP-318827-24
Planning authority ref: EX83/2023

25th January 2024

Dear Sirs,

We refer to your letter of the 12th January in relation to the above case.

We are not qualified in planning matters to comment on the various technical references mentioned in the submission provided on behalf of the appellant in this case, but we respectfully reject the assertion in section C (of the conclusion and recommendations at page 13) that the removal of the paint in this case renders the appearance of the building inconsistent with its own character.

Notably we own seventy five percent of the *Original main house* built in 1868, Mandalay our neighbour owning the remaining 25% of the Original main house. Violet Hill House, comprises of approximately 50% of the entire grounds of the estate known as Violet Hill.

Amber and the Gallery apartments were added to the building at a later date and do not form part of the original main house. <https://www.archiseek.com/2014/1868-violet-hill-bray-co-wicklow/> The Original House can be seen here without the extension of Amber and the Gallery.

On close inspection of the extension (Amber & the Gallery) it is evident that there is a vast difference in appearance. For example, the Gallery is lime rendered above and below its oriel window and does not consist of red brick. It has a completely different style of windows to that of the Original Main House. It is clear to see it is an extension, not designed by William Fogarty, and does not form part of the original main house.

Violet Hill house was designed by William Fogarty in red brick, incorporating polychrome brickwork, which has now been revealed for the first time since the building was erroneously painted on an unknown date in the 1970's (nobody can say if this was before or after the building was afforded its protected status). It is clear to see that this is the most magnificent and beautiful brickwork, which was shamefully limewashed and then painted.

The painted and lime washed exterior walls were already inconsistent with the character of the building by virtue of the fact that all chimneys which were built of redbrick similar to that of the external walls were never painted and being that the chimneys are such a prominent feature of

the exterior fabric, the painted exterior was clearly clashing with them, and Violet Hill House was never intended to be painted by the architect William Fogarty almost two hundred years ago.

The limewash and paint were in a state of disrepair, please see attached photographs. The removal of the paint can only benefit the fabric of the building in that the building can breath as per its original design.

We attach a few photographs to show the deteriorated nature of the limewash and paint, and also the original chimney stack in redbrick, clashing with the limewash and paint. Also, a photograph to show some of the polychrome brickwork.

It is our submission, that Violet Hill House, the original main house, has been enhanced and restored to its original redbrick, allowing the original fabric of the building to breath once more, and prolonging its longevity. If the main house had of stayed painted, the deterioration would have been ongoing, and we would be in breach of our duty as the owners of this protected structure as per clause 58.

58. (1) Each owner and each occupier shall, to the extent consistent with the rights and obligations arising out of their respective interests in a protected structure or a proposed protected structure, ensure that the structure, or any element of it which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, is not endangered.

Due to the fact that the limewash was applied, it had to be removed in a manner that would gently remove it. If it was just paint, then it would have been a much easier task. The applicant is not aware that the building is limewashed and fails to mention this in their report.

As can be seen by the photographs, the limewash was in a state of disrepair, the paint had deteriorated also as the under layer of limewash deteriorated over time. The brickwork has been saved from freeze thaw action from water lodging in behind the limewash and causing further damage. As can be seen from the photographs, the brick work came out in exceptional condition.

The applicant submits that all owners in Violet Hill are required to agree to works to the original main house. We do not consider the Gallery as part of the original main house. Further, the Gallery is at the far end of the building, and is a very far distance from Violet Hill House, the tree coverage etc prohibits viewing the entire structure in any event.

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The applicant is under the illusion that they have some say/should be consulted over the paint removal from our property as evident by this nuisance section 5 application/appeal.

Further, as can be seen from Google Maps, The Gallery is painted a deeper cream colour than the Original Main House, and as such is a patchwork in itself. It is not a consistent colour to the Original Main House before the limewash and paint were removed.

Limewash and Paint removal was completed with a very soft glass bead under low pressure. The reason is that the limewash required abrasive removal with an abrasive that would not damage the underlying brick, and this has been successful achieved, as evidenced in the pictures.

We respectfully request the board to stand over the decision of Wicklow County Council in relation to the declaration in accordance with Article 5(2)(A) of the planning and development Act 2000 as amended in that the removal of the paint which allows for the exposure of the original brickwork of Violet Hill would come within the provisions of section 4(1)(H) and section 57 of the planning and development Act 2000 as amended as the works would be works of alteration which do not materially affect the external appearance of the structure as to render the appearance inconsistent with the character of the structure or of neighboring structures, and does not materially affect the special architectural interest of this element of the structure and therefore there is no material impact on the character of the protected structure. We would hope that the board would deem that this is development and is exempted development inline with Wicklow County Council Planning Authority.

It should be noted that the applicant has made the following series of objections.

All the objections/investigations below are from the applicant on each occasion.

The investigations include:

Wicklow County Council - UD 5548C. Current Status: File Closed by WCC

Wicklow County Council - UD5601. Current Status: File Closed by WCC

Wicklow County Council - EX69/2022

Wicklow County Council - LB/GL Dated 10th July 2023 Re: Alleged removal of trees

Wicklow County Council - EX84/2023

Wicklow County Council - 2360035

Wicklow County Council - EX84/2023

This mater EX83/2023 - ABP-318827-24

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Applicant's Objections to applications for planning permission that have been submitted to Wicklow County Council by individual residents of Violet Hill and by the community of Violet Hill as a whole.

Applications to WCC from Violet Hill objected to by the applicant:

Wicklow County Council – 2360035

Wicklow County Council - 22272

Wicklow County Council – 221013

Wicklow County Council – 221102

Wicklow County Council – 22151

There are also further historic objections by this Applicant.

It should be pointed out that that Third Party Section 5 application and appeal to An Bord Pleanála is completely driven by the applicant. We consider the Third-Party Section 5 application and appeal to An Bord Pleanála completely vexatious, frivolous and made with the intention of causing a nuisance.

We trust the above is in order.

Dalippe Lalloo & Ann Marie Lalloo

Violet Hill House, Herbert Road, Bray, Co. Wicklow

Before Paint removal – note the damp and deterioration



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Note the original redbrick chimney stacks and deterioration of the Limewash and paint



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After the removal of the limewash and paint.



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Polychromatic elements of the design.



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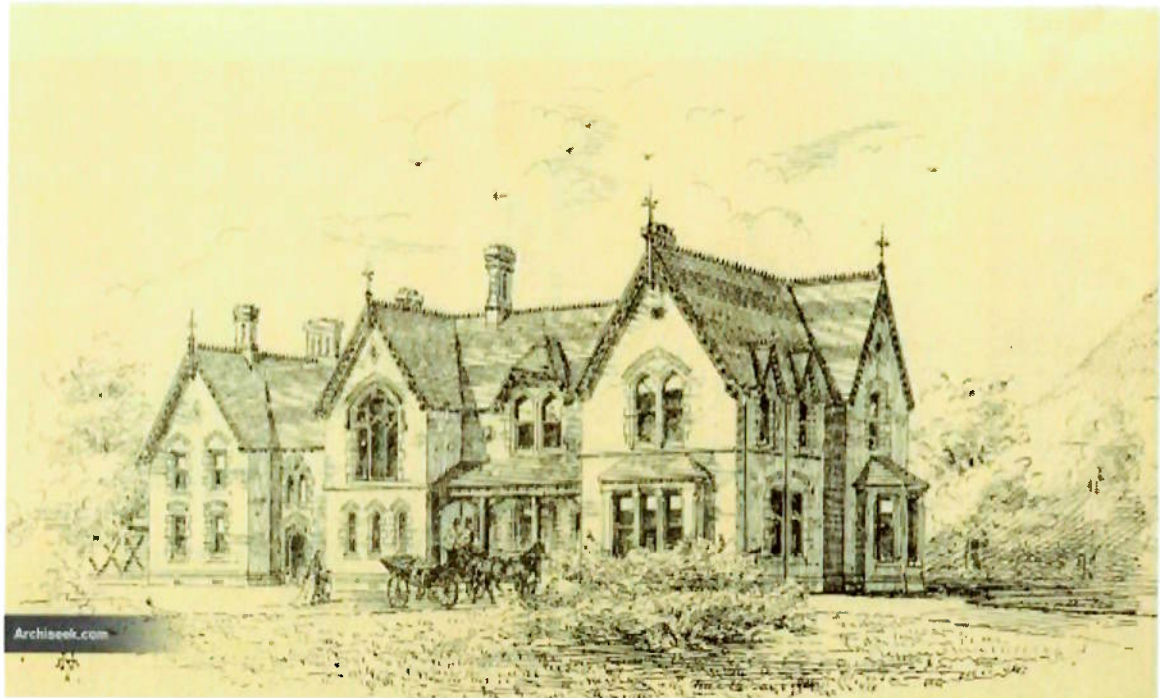
Site Layout



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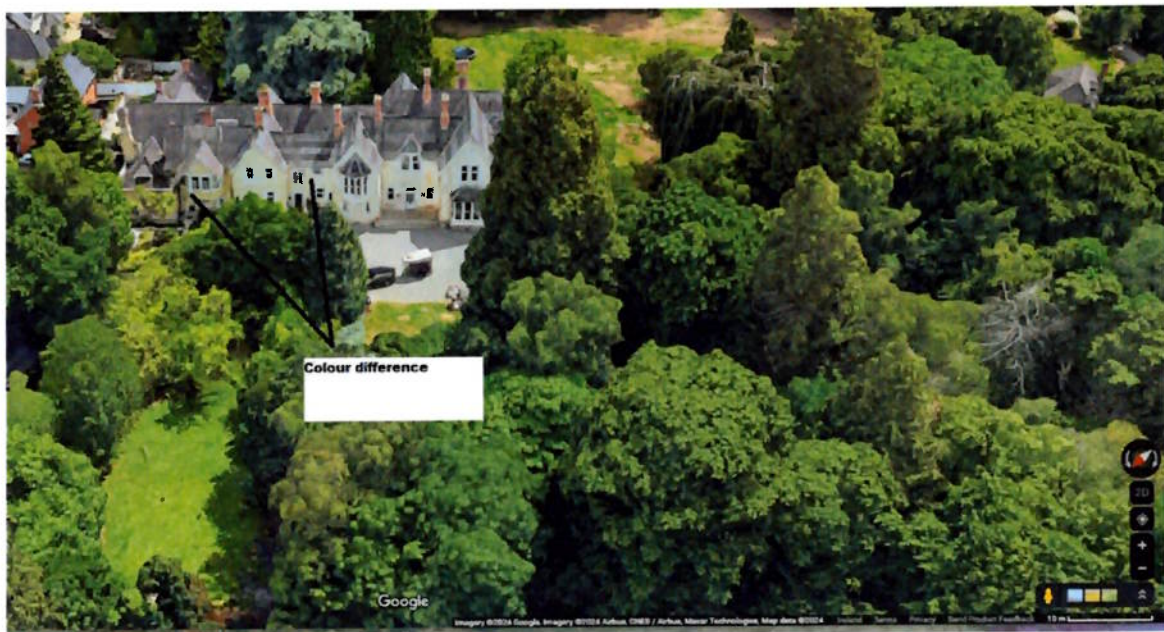
Original Main House Constructed in 1868 – Note The Galley is not yet constructed.



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Difference in paint colours as between the units – Gallery is much a darker cream not in keeping with the remainder of the units.



Clear colour difference between the Gallery and the Main Original House – Courtesy of Google maps



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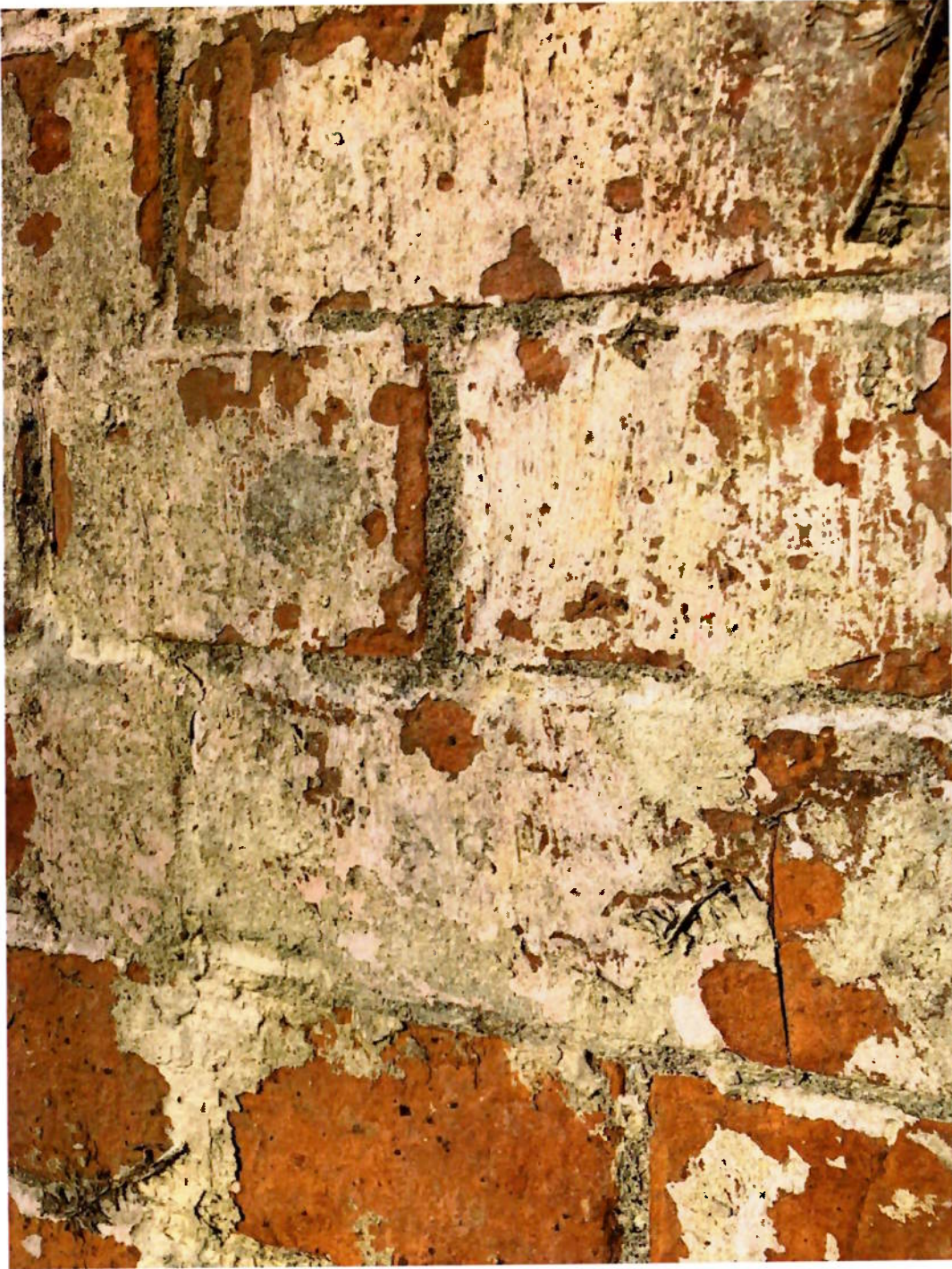
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The bad state of the deteriorated Limewash and flaking pain



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The bad state of the deteriorated Limewash and flaking paint.



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Close up the limewash



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Further deterioration of the brick work due to the limewash and painting.



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Close up the Limewash that had to be delicately removed.



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Further photographs to show the before and after, and also some pictures of the process.



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