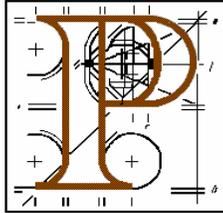


An Bord Pleanála



Inspector's Report

Development: Demolition of structures with the exception of St Paul's Parochial Hall(Protected Structure), conversion to 2 houses, construction of 9 houses and associated works, at St Pauls Parochial Hall, Barkel Motors Site, Adelaide Road, Glenageary, Co. Dublin.

Planning Application

Planning Authority: Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.: D08A/0778

Applicant: O'Connor Property Group

Type of Application: Permission

Planning Authority Decision: Grant

Planning Appeal

Appellant(s): Anthony Harvey
Anna Comerford and Others

Type of Appeal: 3rd Parties V. Decision

Observations: None

Date of Site Inspection: 3.06.09

Inspector: Anne Marie Sheridan

Site Location and Description

The appeal site, with a stated area of 0.3019 ha. is located on the western side of Adelaide Road in Dun Laoghaire, c. 1km south west of Sandycove Harbour. It comprises the amalgamation of two adjoining sites; 1) the former St. Paul's Parochial Hall (a Protected Structure) and the Barkel Car Sales site

The Parochial Hall building is a detached double-height gable fronted structure designed in the arts and crafts style with terracotta roof tiles, a pebble dashed exterior wall finish and tall, timber framed windows. There is a modern (1970's) two storey extension to the rear of the hall. The building is set in its own grounds, enclosed by a stone boundary wall. There is a detached single storey outbuilding in the south west corner of the site. The main hall is currently used for storage purposes related to the applicant's property business.

The Barkel Car Sales site is currently occupied by a number of industrial type single storey structures. The buildings are currently in use but were not open on the date of inspection.

The site is located in a residential area of suburban character and is surrounded by two storey houses; to the south is a terrace of tall two storey houses with frontage onto Claremont Villas. A laneway exists to the south of the site between the site and the rear of the houses on Claremont Villas. The houses of a large c.1940's estate bound the site to the west.

Proposed Development

Note: The proposal was amended following a request for additional information. (See below)
The proposal involves the following;

1. The Parochial Hall

The proposal is to remove the existing modern extension and to convert the existing hall to two residential units. The conversion will involve the following works;

- 1) The replacement of the roof to the two bay lean-to extension to the southwest with a single pitched roof covered in terracotta pan-tiles to match those of the main hall. The lean-to extension is to be extended slightly to the north, returning on the west gable of the hall.
- 2) The insertion of a dividing wall running on a north/south axis through the centre of the building.
- 3) The insertion of a free standing two storey steel framed structure in each of the two units to create an additional floor.

2. New Build

The proposed new build comprises two detached blocks which form 2 sides of a quadrangle with St Pauls Hall; one located to the west of the site and another to the north. The western block comprises a terrace of 7 three storey (attic floor included) over basement 5 bed units. The basement area is c.3.7m below the level of the adjoining site and contains a lightwell/external patio area. The northern block is a two single storey over semi-raised basement structure, containing two three bed duplex units. The basement level is c. 2.7m below the level of the adjoining site.

Design

The proposal is contemporary in design incorporating timber, glass, zinc and red brick. The terraced units have a deep plan and a height of c.7.5m above existing ground level. The roof design has a mansard style profile. Large square shaped windows are a predominant feature of the front elevation.

The duplex units are villa style with a pitched roof, the gable of which faces Adelaide Road.

Car Parking

The proposal provides 22 car parking spaces, 16 at basement level and 6 surface spaces. The underground car park is accessed via a two way ramp opening onto Adelaide Road at the north east corner of the site.

Open Space

The proposal incorporates two small green spaces, one to the rear of the hall and the other to the north of the hall.

Each of the seven terraced houses has private rear garden space.

Conservation

The proposal is accompanied by a Conservation Report which describes the proposed conversion of the hall as a sensitive development that will ensure its long term survival. The new build is stated to constitute a contemporary design which adheres to Article 9 of the Venice Charter.

Additional Information

Following a request for additional information the following details/changes were included in the proposal;

1. Layout

The terrace of 7 units has been moved c.1m eastwards resulting in a minimum rear garden depth of 11.05 and a rear garden area of 60sq.m. This results in minimum separation distances of 17.5 to the houses on Eden Villas. The rear elevations of Nos.5-11 are designed to eliminate directly opposing windows.

2. Design

Additional punctuation and windows have been provided to the south elevation to improve the appearance and surveillance onto the lane.

3. Drainage

1) Foul Drainage

It is proposed to connect to the foul sewer on Adelaide Road at the northern end of the site. The connection to the public sewer for houses 3 and 4 is by way of pump.

2) Surface Water Drainage

Disposal of surface water runoff is via an attenuation tank to the foul sewer. Surface water runoff from the car park is pumped via a petrol interceptor to the foul drainage system.

The sunken patio areas are covered with glazing to avoid the necessity of pumping surface water drainage from them. (The patios remain open to the air).

4. Management of Scheme

The proposed scheme will be managed by a private management company (details submitted).

5. Car Parking and Access

- The main entrance has been located further southwards; a 7.1m entrance is now proposed. The front boundary stone wall is replaced by a low brick plinth wall and open railings. (These amendments are proposed to provide for improved sightlines)
- The existing entrance has been modified too to provide increased width for a fire tender. (This includes the rebuilding of one of the existing piers.
- The ramp access has been modified to a signal controlled one way system.

6. Housing

Unit Nos. 4 and 11 will be transferred to the Housing Department subject to agreement with the Housing Authority.

Planning History

D06A/1946 - PL06D.223850

Planning permission refused to demolish structures on site, convert Parochial Hall (protected structure) to 2 no. apartments, and construct 2 no. blocks with 27no. apartments at St. Pauls Parochial Hall and Barkel Car Sales site. The reason for refusal was as follows;

The proposed development by reason of the design, bulk, height and position of the new buildings, in particular, Block A would be overly dominant and intrusive, resulting in an unacceptably adverse impact on the character and setting of the Parochial Hall, which is a protected structure and would detract from the visual amenity of the streetscape, as well as being visually overbearing in relation to the outlook from adjoining dwellings, thereby causing serious injury to residential amenity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note: No report from the Conservation Officer was provided in relation to this proposal. The Planning Authority's planning report noted a verbal report from the Conservation Officer who requested details of the wall to the west of the hall.

Planning Authority Reports

1) Planning

- Four submission and the issues raised are noted.
- The works to the Parochial Hall are a well considered architectural solution, given the very low level of new works proposed to the main structure. The units proposed are generous in size and are well in excess of the minimum required as per the Sustainable Urban Housing: Design Solutions for Apartments (DoEHLG).
- A relaxation in private open space can be considered for the refurbishment of the hall, given the well considered plans for its reuse, which will ensure its preservation in the future.
- Given the original open aspect of the structure it is considered that the provision of screen walls around the open space is inappropriate.
- The block containing the two duplex units is considered to be subsidiary to the main Parochial Hall in terms of its pared-down architectural treatment and its overall height and bulk.
- The footprint of the duplex block is also behind the front building line of the hall, affording an uninterrupted view from both approaches to the structure from Adelaide Road.
- The height of the duplex block is also subsidiary to the adjoining residential properties to the north.
- The proposed drainage is considered acceptable.
- The removal of the front boundary wall is regrettable but is deemed necessary on traffic safety grounds.
- The proposed one way ramp access is considered acceptable as the installation of a two way system is not desirable in streetscape terms.(notwithstanding the Transportation Department's request for clarification of additional information).
- Issue of lighting levels can be addressed by way of a condition.

2) Environmental Services

1) Foul and Surface Water Drainage

Additional information requested in relation to initial submission. Following additional information no objection subject to conditions.

2) Water Supply

Recommendation to refuse permission as the proposed development will have a detrimental effect on the already critical water supply situation in the Dublin region. Conditions recommended in the event of permission being granted.

3. Transportation Department

Additional information requested in relation to initial submission. Following receipt of additional information a request for clarification of additional information was recommended in relation to the following aspects of the proposal;

- 1) The ramp to the basement car park. The applicant was requested to provide a two way ramp.
- 2) Sightlines at the entrance. The applicant was requested to indicate how adequate sightlines can be achieved (i.e.70m in each direction from a minimum set back of 2.0m).
- 3) Details to be shown for the proposed 11 bicycle car parking spaces at basement level.
- 3) The relocation of the lighting columns to prevent conflict with vehicles.

4. Housing Department

Additional information requested in relation to initial submission.

Planning Authority's Decision

A decision to grant planning permission was made by the Planning Authority subject to 26 conditions;

Condition 9 At least 12 no. half standard trees of indigenous species shall be planted on site prior to the completion of development. Any trees that fall shall be replaced during the subsequent planting season.

Condition 11 That screen walls in block or similar durable materials not less than 2 metres high, suitably capped and rendered, be provided at the necessary locations so as to screen rear gardens from public view. The specific locations and extent of walling must be fully discussed and agreed with the County Council before construction. Timber fencing is not acceptable.

Condition 21 All new works and works of making good to the retained fabric whether internal or external shall be finished to match the adjacent work with regard to the methods used and to materials, colour, texture and profile.

Appeal Submission

The appellants are the owner/occupants of neighbouring houses on Adelaide Road and Claremont Villas. The main points made in the appeals are as follows;

1. Inadequate Drawings

- The drawings submitted with the additional information are inadequate to assess the application in that they do not detail measurements from the proposal to adjoining boundaries. As such they do not comply with the planning regulations.

2. Flooding

- An Glas Tuathail runs directly under the site and there have been problems with water and drainage in the vicinity of the proposed development. Information obtained from Dun Laoghaire Rathdown County Council indicates that work in relation to water and drainage problems was carried out on 23 occasions over a two year period in 2004 and 2005. Properties on Claremont Villas have experienced countless problems with flooding.

The proposed level of the basement car park will be 5m below the level of the adjoining lane (to the south). There are serious concerns in relation to the proposed

basement car parking and its impact on the course of the stream and on adjoining properties.

- The proposed tanking would serve as an underground dam facilitating the backing up of water towards properties on Claremont Villas with resulting flooding and possibly subsidence.

3) Demolition of Boundary Wall

The proposal involves the demolition of the existing stone boundary wall. This will have an adverse impact on the parochial hall and is not in keeping with the conservation policies of the Planning Authority.

4) Design out of Keeping with Houses in Area

The proposed design is out of keeping with surrounding houses and streetscape.

5) Extent of Hard Surfacing

The planning report expresses serious concerns with the extent of hard surfacing in the development. However, this issue is not addressed in the report.

Responses to Grounds of Appeal

1. Applicants to Third Parties

The following points are responded to as follows;

1) Flooding

The applicants have satisfied the Council of their case. Local residents have consistently confused the presence of ground water with the stream.

2) Demolition of Boundary Wall

The original proposal sought to retain the boundary wall. However, this was changed following additional information from the roads department requiring the provision of 70m sightlines in both directions at the entrance.

It is unlikely that the existing stone wall is the original boundary as it would be unusual for the original wall to have been coursed in this manner. It seems likely that a brick wall/and or railings may have been removed at some point in the past.

The proposed new brick wall with railings will unify the two sites and increase the visual presence of the Hall on the streetscape.

The existing gate requires to be widened to provide for fire tender access.

3) Extent of Hard Surfacing

The proposed scheme has to accommodate a vehicular access, surface car parking and a through fire tender access. While all of these functional requirements require hard surfacing the scheme will be softened by maximising planting where possible and the use of high quality materials.

4) Design out of Keeping with Houses in Area

The design of the proposed scheme has been informed by the character of surrounding houses in the area and will improve the visual amenity of the streetscape and place the Protected Structure centre-stage within the development.

Responses to Responses

Third Parties to Applicants

Both third parties have responded to the applicants response to the appeals. The points made in these submissions reiterate their appeal claims.

Observations

None.

Development Plan

Zoning

The site is covered by the 'A' zoning, the objective for which is "To protect and/or improve residential amenity".

Conservation

The property is listed in the Record of Protected Structures in the Development Plan.

Special Contributions

The development is not located in an area where supplementary contributions apply.

Policies

Chapter 10 Conservation - Para.10.3.3

The inclusion of a structure in the RPS does not prevent a change of use of the structure, and/or development of and/or extension to a structure provided that the impact of any proposed development does not negatively affect the character of a protected structure in accordance with Dúchas Guidelines.

The design of new buildings, with the potential to impact on the character of Protected Structures, needs careful consideration. Such proposals should not have an adverse effect in terms of scale, height, massing and alignment and materials and should be of high quality contemporary design.

All applications in relation to Protected Structures should include an Architectural Heritage Assessment report as part of the planning application documentation. This report should include a comprehensive assessment of the implications of the development for the character of the structure and the area in which it is located.

National Policy

Architectural Heritage Protection Guidelines for Planning Authorities 2004.

Introduced in December 2004, they provide assistance to planning authorities and the general public, including professionals, in complying with Part IV of the Planning and Development Act 2000. Key points provided in the guidance are as follows;

- With regard to extensions to Protected Structures, it is stated that extensions should complement the original structure in terms of scale, materials, and detailed design while reflecting the values of our time.
- Regarding development in attendant grounds the Planning Authority is obliged to consider the scale, height, massing and materials of a proposed structure and its impact on a Protected Structure

Assessment

Having examined the file and having visited the site I consider that the main issues in this case are those raised by the third part appellants. These are assessed separately below;

1. Inadequate Drawings

The third party appellants claim that the drawings submitted with the additional information are do not detail the measurements from the proposed development to adjoining boundaries and therefore are inadequate for the purposes of assessment and as such do not comply with the planning regulations.

The architectural drawings submitted with the additional information are shown as being at a scale of 1:100 at A1 size. However, the drawings have been reduced in size and the scale is 1:200. This may not have been clear to third parties. However, while there is this discrepancy in the scale of the drawings, the plans do contain sufficient measurement details to assess distance from adjoining boundaries. On that basis I would not support a refusal on grounds of inadequate drawings.

2. Flooding

The third party appellants are concerned about the potential for flooding on the site and the impact of the proposal on the water and drainage problems in the area. These concerns were raised in relation to the previous proposal for a more extensive development and were not considered by the Board to warrant refusal. On that basis and given that the drainage proposals have been accepted as reasonable by the Drainage Authority, I consider that the concerns regarding drainage do not warrant a refusal.

3. Demolition of Boundary Wall

The third parties are concerned about the demolition of the front boundary wall which is considered will have an adverse impact on the parochial hall and is not in keeping with the conservation policies of the Planning Authority. The applicant's state that the changes to the front wall were made in response to the Transportation Department's request for the provision of improved sightlines at the main entrance, and improved fire tender access. It is also claimed that the boundary wall is unlikely to be the original front boundary. In the absence of any report from the Planning Authority's Conservation Officer on the matter, I am inclined to accept the applicant's case in this regard. The proposed new boundary treatment will provide for improved sightlines at the entrance to the scheme and a much greater degree of visual access to the site than exists at present. A benefit of this will be greater visual exposure to the Protected Structure from Adelaide Road.

On that basis I consider that the alterations to the front boundary do not warrant a refusal.

4. Design out of Keeping with Houses in Area

The third party appellants consider that the proposed design is out of keeping with surrounding houses and streetscape. While this is not elaborated on in any great detail I consider that the issue of the character, layout and design of the proposal requires critical assessment in the context of the character of the Protected Structure and adjoining houses.

1) Protected Structure

The Parochial Hall as it stands is striking in appearance and is located on a site which provides a reasonably spacious setting for this sizable Protected Structure. The proposed rear block of seven units is situated c.8m from the rear line of the Protected Structure with the intervening space taken up with access roadway and basements at a significantly lower level than the adjoining ground level. I consider that this proximity is insufficient to allow the Protected Structure an appropriate setting. I consider that the distance of c.14m from the northern facade to the duplex block provides for a more appropriate spatial relationship between the respective blocks.

In addition to the issue of proximity to the rear block, I consider that the differences in the ground level of the Parochial Hall and both new build blocks creates a feature of the development which is incongruous in appearance in relation to the rest of the site and creates a poor visual relationship between the Protected Structure and the new build.

I have concerns about the design of the proposed blocks in relation to the Protected Structure. While I do not take issue with the contemporary character of the proposed blocks I consider that in the instance of the block to the rear, the massing of the block together with the roof profile and large squared projecting windows are details which provide for an overbearing backdrop to the Protected Structure.

In relation to the northern block, I consider that its design bear little relation to either the Protected Structure or the houses to the north.

I am inclined to suggest that the scale, bulk and roof profiles of the adjoining houses to the north and west of the site would provide an appropriate starting point for any future design of the proposal.

2) Adjoining Property

I consider that the houses in Eden Villas to the west, and those to the north of the proposed development on Adelaide Road, by reason of their proximity, are the most relevant references both in urban design and architectural design terms, including form, height and bulk.

The adjoining houses are terraced houses of modest scale, height and bulk. The proposed housing blocks by reason of their scale, roof profile and width are at odds with the character of the adjoining houses. On that basis I consider that the design of the proposal is not complementary to its setting and in this respect I would support the appellant's objection.

5. Extent of Hard Surfacing

The third party raise the issue of the extent of hard surfacing associated with the proposal and refer to the planning report which expresses serious concerns in relation to this aspect of the development but does not address it in the assessment of the proposal. I concur with the appellants in this regard. The proposal is predominantly hard landscaped and there would appear on the basis of the extent of basement car parking and access routes there would appear to be very little scope for any relief in the form of green space or significant planting. The dearth of space for significant planting has been exacerbated by the creation of a basement level to the houses.

I consider that the extent of hard surfacing in the proposal will further detract from the setting of the Parochial Hall and will detract from the residential amenities of this suburban area.

Conclusion/Recommendation

On the basis of the above I recommend a decision to refuse planning permission, as follows;

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

The proposed development by reason of the layout, bulk and design details would create an incongruous form of development in the context of the Protected Structure and adjoining houses. In addition the extent of hard landscaping is considered to be excessive in a suburban setting. As such the proposal would detract from the character and setting of the Parochial Hall, which is a protected structure and would detract from the visual amenity of the streetscape, thereby causing serious injury to residential amenity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Anne Marie Sheridan
Planning Inspector