



Planning and Development Acts 2000 to 2018

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD17A/0036

Appeal by Rathcoole Community Council of Main Street, Rathcoole, County Dublin and by Clondalkin Credit Union Limited care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin against the decision made on the 2nd day of October, 2017 by South Dublin County Council to grant subject to conditions a permission to LBJ Properties Limited care of Roisin Hanley Architects Limited of “Lisieux House”, 5 Charlemont Terrace, Crofton Road, Dún Laoghaire, County Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development described in the public notices submitted to the planning authority on the 15th day of February, 2017 was as follows: A new 69-bedroom aparthotel with reception, restaurant/coffee shop and bar on ground floor, function room on first floor with 15 retail units and four market stalls. The Glebe House site is zoned residential amenity and Eaton Drive is zoned village centre. A development consisting of: The conservation and refurbishment of The Glebe House which has been fire damaged previously and the original interior features destroyed (area 306 square metres). Allow for the demolition of ancillary sheds and outhouses.

These are not original historical fabric of the Glebe House (total area 1,043) square metres. A1- Outhouse brick and stone and slate single storey east side of Glebe (47 square metres). A2 - Two-storey brick, timber and asbestos outhouse west side of Glebe (six square metres and six square metres), carwash building B single storey render and slate roof (205 square metres). All original slates to be retained. It is thought these slates have been reused from an earlier extension now demolished. Retail Warehouse C concrete and metal clad roof. (area 480 square metres). Profiled metal Shed E (260 square metres), Outhouse G concrete block (39 square metres).

Allow for the demolition for concrete, brick and flat roof retail units 2, 3, 4, 5, 6 and 7 (total area 591 square metres including colonnade) and demolition of corner shop Unit 1 Eaton Drive (including colonnade 110 square metres) building F. Allow for asbestos survey and disposal of asbestos in accordance with regulations. Conservation works to the Glebe will consist of extensive stabilisation works and the reinstatement of a Blue Bangor slate roof with red ridge detail and bell details to edge of roof. Allow for the removal of concrete pebble dash to external walls to allow for lime render. Allow for closing up of 20th century openings and the reinstatement of sash windows and hardwood door to the Main Street south elevation and two new double glazed timber doors to west wing in existing openings. The reinstatement of hardwood sash windows to east Eaton Drive elevation.

Allow for the construction of a single storey ground floor extension (area 106 square metres) with double glazed aluclad doors with stairs to basement and external first floor terrace to west Tay Lane elevation with stainless steel and safety glass guardrails and three new hardwood double glazed doors to the first floor west elevation of Glebe.

Allow for two-storey zinc clad wings with central single storey extension with flat roof to rear north elevation of Glebe (originally front entrance) (area 120 square metres ground floor and two wings of 38 square metres with central

non accessible flat roof). Allow for conservation of bay window and flanking arched sash windows and reinstatement of new hardwood sash windows. Allow for the construction of a new three-storey hotel guest wing facing towards Tay Lane 1,188 square metres with pale ochre render, zinc monopitch roof and gunmetal grey aluclad double glazed windows and doors, stainless steel and safety glass guardrails. 14 bedrooms on second floor, 19 square metres and 18 square metres. 14 bedrooms on first floor, 19 square metres and 18 square metres. Nine bedrooms on ground floor (six at 19 square metres), (three at 22 square metres) with four ground floor retail units (three at 24 square metres and one at 48 square metres).

Allow for the construction of a new three-storey hotel guest wing to Eaton Drive with retail units on ground floor 1,326 square metres. 16 bedrooms on second floor (eight at 18 square metres and eight at 19 square metres). 16 bedrooms on first floor (eight at 18 square metres and eight at 19 square metres). Eight ground floor retail units (area 48 square metres).

Allow for construction of two three-bedroom family suites (121 square metres each) on first and second floor with electrical substation and retail unit 45 square metres on ground floor and car park access at Eaton Drive opposite Eaton Terrace.

Conservation and repair to granite wall to Tay Lane of stream (tributary of Grifeen) and closure of the double entrance to the Glebe Yard for construction of new granite flood mitigation wall. Allow for a ten-meter wide landscaped river fern garden which acts as a flood compensatory zone. Conservation and reinstatement of granite wall to Main Street and construction of gate lodge retail units with zinc roof and gun metal grey aluclad double glazing 31 square metres and 67 square metres and access to basement car park 20 square metres.

Construction of four Market stands (each 14 square metres), total 56 square metres, monopitch zinc roof and rear wall with gun metal grey aluclad double glazing to north of site and cobble courtyard around Glebe House with tree planters with new granite wall and fire stairs (four) to basement at boundary wall of Credit Union.

Construction of underground car park with 84 spaces with access ramp from Eaton Drive along north of site. Construction of toilet block and stair access 126 square metres and preparation kitchen 179 square metres in basement. Overall area of basement is 3,368 square metres. Area of site 4,844 square metres (0.4844 hectares), Unit Number 1 Eaton Drive 110 square metres included. All at The Glebe House, Main Street, Rathcoole, County Dublin. This is a protected structure (313) and is in an architectural conservation area and is in an area of archaeological potential. Revised public notices were received by the planning authority on the 6th day of September, 2017.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the planning history of the site, the pattern of development in the area, and to the nature and scale of the proposed development (including proposals to restore Glebe House), it is considered that, subject to compliance with the conditions set out below, the proposed development would represent a distinct improvement to the architectural conservation area within which the site is located, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, would not adversely affect the setting of the Protected Structure on the site, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, including the further information response that was received by the planning authority on the 6th day of September, 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development, and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The design of the three-storey block in the north-eastern corner of the site (adjacent to Eaton Drive) shall be amended as follows-
 - (a) The winter gardens on the northern elevation, at first and second floor level, shall be omitted.
 - (b) The north-facing windows in the corner bedrooms on both the first and second floor level shall be omitted – leaving only windows addressing Eaton Drive in these two bedrooms.
 - (c) The north-facing windows in the remaining two bedrooms at first and second floor level shall be replaced with squint or angled windows, oriented towards Eaton Drive.
 - (d) The bicycle parking spaces at ground level shall be relocated away from the ramp access to the basement, and the number of spaces shall be increased to at least ten.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity, traffic safety, and to protect the amenities of the adjoining site to the north.

3. Works to the Protected Structure (Glebe House) shall be carried out as part of, and in tandem with, the proposed apart-hotel development. Restoration, repair and alterations to Glebe House shall be completed prior to first occupation of any retail unit or apart-hotel bedroom within the site.

Reason: To ensure that the development is carried out in its entirety in the interest of the restoration and renovation of Glebe House, and in the interest of the visual amenities of this prominent site on the Main Street of the village.

4. The proposed apart-hotel development shall be used only as a short-stay tourist accommodation facility, with a maximum occupancy period of two months, and shall not be used for permanent occupation or for use as a student residence.

Reason: In the interest of orderly development and to protect residential amenities.

5. Details, including samples of the materials, colours and textures of all the external finishes, including external paving/hard landscaping, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

6. No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

7. Details of signage for retail units, apart-hotel and market stalls shall be the subject of separate planning application(s) to the planning authority.

Reason: In the interests of clarity and the visual amenity of the area.

8. The landscaping scheme for the courtyard areas and the river fern garden shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of residential and visual amenity.

9. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:-

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
- (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site,
and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

10. Water supply and drainage arrangements, including the disposal of surface water and internal basement drainage, shall comply with the requirements of the planning authority for such works and services as appropriate. In particular, no part of the development shall be occupied until such time as the issue of foul discharge to the Tay Lane Pumping Station is resolved to the satisfaction of the planning authority.

Reason: In the interest of public health and to ensure a proper standard of development.

11. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working and noise management measures.

Reason: In the interests of public safety and residential amenity.

12. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated. Any asbestos-containing materials (ACM) identified within structures to be demolished shall be removed by a licenced waste contractor.

Reason: In the interests of public health and sustainable waste management and to ensure a proper standard of development.

13. The internal noise levels, when measured at the windows of any bedroom within the apart-hotel development, shall not exceed:

(a) 35dB(A) L_{Aeq} during the period 0700-2300 hours, and

(b) 30dB(A) L_{Aeq} at any other time.

A scheme of noise mitigation measures, in order to achieve these levels, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The agreed measures shall be implemented prior to the occupation of any bedroom within the apart-hotel.

Reason: To protect occupants of bedrooms from noise from the nearby N7 and from Casement Aerodrome, Baldonnell, in the interests of residential amenity and human health.

14. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual amenity.

15. Before any development authorised by this permission takes place, the long, single-storey west wing range of Glebe House (currently in use as a motor repair facility) shall be removed in such a manner as to enable its construction and detailing to be recorded and photographed. Details of that element, including measured architectural drawings and coloured photographs, shall be recorded in accordance with the requirements of the planning authority. Details of procedures for removal and recording shall be submitted to, and agreed in writing with, the planning authority.

Reason: To ensure the preservation of an accurate record of a structure of architectural heritage value, forming part of a Protected Structure, which is to be permanently removed.

16. Prior to commencement of development, the developer shall provide for the following:-

- (a) The appointment of a conservation expert, who shall manage, monitor and implement works on the site and ensure adequate protection of the historic fabric during these works.
- (b) The submission of details of all finishes and of all existing original features to be retained and reused, where possible, including interior and exterior fittings/features, joinery, fenestration, plasterwork, features (cornices and ceiling mouldings), roofs, staircases (including balusters and handrails) and skirting boards.

All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and in the “Architectural Heritage Protection – Guidelines for Planning Authorities”, reissued by the Department of Arts, Heritage and the Gaeltacht in October, 2011. The repair/restoration works shall retain the maximum amount possible of surviving historic fabric, in-situ, including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.

Reason: To ensure that the integrity of the Protected Structure is maintained and that it is protected from unnecessary damage or loss of fabric.

17. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

18. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

John Connolly
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2018.