



Planning and Development Acts 2000 to 2018

Planning Authority: Laois County Council

Planning Register Reference Number: 18/639

Appeal by Margaret Aylward and Pat Dunphy and others care of Patrick Street, Durrow, County Laois against the decision made on the 8th day of February, 2019 by Laois County Council to grant subject to conditions a permission to Durrow Development Forum care of Fintan Dunne Architect of Aharney, Durrow, County Laois in accordance with plans and particulars lodged with the said Council:

Proposed Development: Demolition of the former Civil Defence building and two associated storage buildings to its side and rear, and the demolition of a single storey toilet extension to the side of the former Methodist Chapel/ICA Hall (RPS Number 164) and the demolition of the party wall between the former Civil Defence site and the existing car park and the erection of a part single storey/part two-storey community use facility comprising of meeting rooms and related back up spaces, attached and internally connected to the former Methodist Chapel/ICA Hall (RPS Number 164), a storage and boiler house building and the enlarging and refurbishment of the existing car park and associated site works, all at Patrick Street, Durrow, County Laois, as revised by the further public notice received by the planning authority on the 22nd day of January, 2019.

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 zoning provisions of the Laois County Development Plan 2017-2023, the location of the subject site, the proposal to renovate and reuse a Protected Structure, the community use proposed and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the area, would not impact negatively on the form or setting of a Protected Structure, would be acceptable in terms of design contribution to the streetscape and would be acceptable in terms of pedestrian and 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, as amended by the further plans and particulars submitted to the planning authority on the 14th day of January, 2019, 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 circular window to the stairwell in the front curved element of the building shall be omitted. The provision of natural light to the stairwell shall be by means of a rooflight which shall not be visible above parapet level. Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the development.

Reason: In the interest of visual amenity.

3. Secure parking for 10 bicycles shall be provided within the curtilage of the site prior to first occupation for community use of any part of the redeveloped site.

Reason: In the interest of orderly development and to encourage cycling in accordance with the specific objectives, as set out in section 6.1.3.1 of the current Development Plan for the area.

4. Car parking spaces numbers 1 and 12 shall be omitted. A drawing setting out the final layout of the car parking area shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure orderly development and the safe turning movement of vehicles within the subject site.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. In particular, the surface water outfall from the reconfigured car park shall be fitted with a grit interceptor and a hydrocarbon interceptor.

Reason: In the interests of public health and surface water quality.

6. All service cables associated with the proposed development shall be located underground.

Reason: In the interest of visual amenity.

7. A schedule (and appropriate samples) of all materials to be used in the external treatment of the development, to include plasterwork, roofing materials, windows, doors and rainwater goods, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure an appropriate standard of development and conservation.

8. The developer shall comply with the following requirements in relation to the restoration of the Protected Structure, which shall be carried out in accordance with the document “Architectural Heritage Protection – Guidelines for Planning Authorities”, published by the Department of the Environment, Heritage and Local Government in 2004:
 - (a) the creation of two new opes to link the building to the new building and the closing up of the existing ope to the toilet extension,
 - (b) the tie-in of the new building to the old one, and
 - (c) the extension of the roadside boundary plinth wall and railings to tie into the new building.

Details of the procedures to be followed, in order to comply with these requirements, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to ensure an appropriate standard of restoration works for this Protected Structure.

9. (a) A conservation architect shall be employed to manage, monitor and implement the works on the site, and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and façades structure and/or fabric.
- (b) All repair works to the Protected Structure shall be carried out in accordance with best conservation practice, as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities”, issued by the Department of the Environment, Heritage and Local Government in 2004. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery, and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued, and numbered to allow for authentic re-instatement.
- (c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings) and skirting boards, shall be protected during the course of refurbishment.

Reason: To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

10. Notwithstanding the provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no advertisement signs (including signs installed so as to be visible through windows), advertisement structures, banners, canopies, flags or other projecting elements 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: To protect the visual amenities of the area.

11. Any public lighting erected within the site shall be angled so as not to cause overspill or glare within adjoining properties.

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

12. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the amenities of property in the vicinity and the visual amenities of the area.

13. Site development and building works shall be carried out only between the hours of 0800 and 1800 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

14. 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, noise management measures and off-site disposal of construction/demolition waste.

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

Chris McGarry
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2019.