



An
Bord
Pleanála

Inspector's Report PL06D.247164

Development	Permission for either a full width clear glazed screen draft lobby or a new enclosed curved clear glazed draft lobby, on the interior side of the existing porch. A Protected Structure.
Location	Holy Cross Church, Main Street, Dundrum, Dublin 14
Planning Authority	Dun Laoghaire Rathdown County Council.
Planning Authority Reg. Ref.	D16A/0427.
Applicant(s)	Holy Cross Parish.
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party
Appellant(s)	Holy Cross Parish.
Observer(s)	None.
Date of Site Inspection	25.11.2016
Inspector	Fiona Fair.

1.0 Site Location and Description

- 1.1. The application site is located towards the centre of Dundrum in Dublin 14. The site has frontage onto both the Main Street in Dundrum and the Ballinteer Road/Dom Marmion Bridge. The Main Street bounds the site to the north-east and the Ballinteer Road bounds it to the south. One of the main pedestrian approaches/entrances to the Dundrum Town Centre is located immediately across the Ballinteer Road from the site, there is an existing pedestrian entrance off the Ballinteer Road to the application site.
- 1.2. The Holy Cross Church and associated parochial house are located on the application site, the Church is currently under extensive, restoration, alteration and extension works, with works being carried out at the time of my site visit.
- 1.3. The front façade of the church and its main church entrance addresses the Main Street to the north-east. There are three vehicular entrances off the Main Street onto the forecourt area of the church, there is another vehicular entrance serving the parochial house which is located to the north of the church. There is a surface car park, 'Mulveys yard' located on lands to the west of the site, to the rear of the grounds. The adjoining existing structures fronting onto the Main Street to the north and south of the site are, for the most part, two-storey terraced buildings accommodating commercial uses.

2.0 Proposed Development

- 2.1. Permission for the insertion of;
 - Either a new full width clear glazed screen as a draft lobby placed below the choir balcony or;
 - A new enclosed curved clear glazed draft lobby,either option being placed on the interior side of the existing restored and refurbished porch, (as approved under D13A/0325 PL06D.243489 and currently being restored). A protected structure

3.0 Planning Authority Decision

3.1. Decision

Planning permission refused. The reason for refusal considers that the proposed development fails to comply with Council Policy, notably Policy AR1, Section 8.2.11.2 (i) and Policy AR7. It would materially affect the protected structure and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Planning Report: The planning report supports the draft decision to refuse planning permission. It considers given the assessment and recommendation of the Conservation Officer that a recommendation of refusal of permission is appropriate.

3.2.2. Other Technical Reports

- Drainage Planning Report: No objection
- Transportation Planning Report: No objection
- Conservation Officer: Refusal of permission recommended. The installation of a glazed lobby would be unduly obtrusive, segregating the porch from the body of the church and in effect changing the spatial character of the church. It is considered both proposals represent a departure from the character of the entrance, the spatial quality and layout of the interior of the church and erodes the inherent original design.

3.3. Prescribed Bodies

- An Taisce: Report received, states, no comment.
- The file was also referred, by the planning authority, to An Comhairle Ealaíon, The Heritage Council, DoAHG and Failte Ireland, however, no response was forthcoming.

3.4. Third Party Observations

None.

4.0 Planning History

- 4.1.1. **D13/0325 / PL06D.243489:** Permission granted for conservation, alteration and extension works to Holy Cross Church a protected structure to be completed in phases, as follows:

Phase 1 - Construction of a new entrance Atrium/Pavilion (140 sq. m) over 2 levels, including ancillary Parish Office accessed at ground level via Dom Marmion Bridge/Ballinteer Road and internally from the Church by means of partial removal of parish shop wall; partial demolition of the existing parish shop and demolition of existing boiler-room, chimney, ramp and external staircase (46.87 sqm) and refurbishment and alterations to the Parish Hall and ancillary rooms at lower ground floor level; remodelling and extension of the Sacristy area at ground level (15.67 sqm), including forming openings in internal boundary wall to provide views to parochial garden (Emmaus);

Phase 2 - Refurbishment of the interior of the Church, including relocation and provision of a new baptismal area, remodelling and extension of choir balcony and removal and relocation of porch screens and doors; minor adjustments to the organ, provision of reconciliation room, olea sacra and reliquary and all internal refurbishment works, to include redecoration, renewal of steps, flooring and selected joinery and rearrangement of seating etc. within the Church and internal refurbishment and alterations at ground and lower ground floor levels, including revised layout and access;

Phase 3 - External works to the existing Church building, to include for repairs and re-pointing of stonework including to campanile, repairs and replacement of rainwater goods as necessary, provision of new bollards (retractable and fixed) and relocation of front railings, gates and plinths to sides of Church facade and along Emmaus garden boundary (retaining gates and railings to Emmaus); redecoration works, including repair of joinery and exchange of location of 2 no. stained glass windows and all ancillary hard and soft landscaping works externally, including provision of new sculptural cross and flagpoles to the Main Street frontage; new

pedestrian gates to the Ballinteer Road entrance and 2 no. pedestrian gates within the fenced boundary to Mulveys yard to the rear of the grounds, as well as upgrading of mechanical and electrical services throughout, including new external lighting.

One Condition of Note:

Condition No. 2: The removal and relocation of the porch screens and stained glass and doors shall not be permitted. These screens and doors shall be retained in-situ. Prior to the commencement of development, the applicant shall submit to, and agree in writing with, the planning authority, plans, sections and elevations at a scale of not less than 1:100 and a method statement indicating compliance with this condition and clearly indicating how works to the choir balcony above the screens and doors can be carried out without the loss of original fabric of the porch area including the exposed joinery both in the porch area and the body of the church.

Reason: In the interests of architectural heritage protection

- 4.1.2. **D09A/0317:** Permission granted for development within the curtilage of Holy Cross Parish Church, a protected structure. The development consisted of; the demolition of the 2-storey garage and kitchen extension to the side and external concrete staircase to rear garden (not forming part of the original house); formation of a new pedestrian gateway opening in the wing-wall and provision of a new vehicular gate and ramp with granite wall guarding to the north side of the house and freestanding glass canopy; extension of existing basement window opening to rear to form new doorway to garden; blocking up of existing door between church grounds and rear garden on the south side of the house; insulation to roof and inner face of external walls; repairs to existing windows; remodelling of basement to include removal of two internal walls; refurbishment of existing en-suite bathroom and provision of a new bathroom at 1st floor level; solar panels to rear face of roof; painting and decorating work throughout; upgrading of mechanical and electrical systems; landscaping works to rear garden and associated site works.'
- 4.1.3. **D09A/0327:** Permission granted for removal of existing heating plant at roof level, the construction of new long sheet copper roofing on existing flat roofs over aisles,

porches and sacristy, the installation of vertical ductwork, radiators and associated pipework at ground floor level and the location of a new heating system consisting of two direct gas fired units to be located at lower ground floor level. A protected structure.'

5.0 Policy Context

- 5.1.1. Architectural Heritage Protection for Places of Public Worship Guidelines for Planning Authorities (2003) (relevant section appended to this report)
- 5.1.2. Architectural Heritage Protection Guidelines for Planning Authorities (2011) (relevant section appended to this report)

5.2. Development Plan

The operative plan for the area is the Dún Laoghaire-Rathdown County Council Development Plan 2016 - 2022. The site is located in an area where the land use zoning objective is 'MTC – to protect, provide for and/or improve major town centre facilities' as indicated on Map 1 of the CDP, that map also indicates that there is a protected structure on the site. The Record of Protected Structures ref. no. 1129 records the church, railings and gates as being protected.

Holy Cross Church is located within an Architectural Conservation Area (ACA) described in the Dún Laoghaire-Rathdown County Council Development Plan 2016 – 2022 as: 'Dundrum Village Crossroads'.

Holy Cross Church is located directly opposite and to the west of an ACA described in the Dún Laoghaire-Rathdown County Council Development Plan 2016 – 2022 as: 'Pembroke Cottages, Main Street, Dundrum'.

Section 6.1 Archaeological and Architectural Heritage of the Council Development Plan 2016 – 2022 is of relevance. Also Policy AR1, Policy AR7 and Section 8.2.11.2 (i) (copy of excerpts from the Plan are attached as appendix to this report).

6.0 The Appeal

6.1. Grounds of Appeal

- Strongly contend that the proposed development options would not 'materially' affect or impact on the protected structure.
- Submit that the Conservation Officer has 'dug in its heels' and exaggerated both the significance of the original porch and the virtually zero impact of the clear glazed options.

Precedent

- Similar solutions have been successfully achieved locally, nationally and internationally either by way of appropriate consideration of planning applications or by exempted development within a protected structure.
- Church of Annunciation, Willbrook Road, Rathfarnham (SDCC Reg. Ref. ED12/0057)
- St. Chad's Cathedral, Birmingham
- St. Bridgets Church, Clogherinkoe
- St. Saviours Church, Lower Dominick Street,
- St. Marys Church Castleblaney
- St. Peter and Paul Monasterevin
- St. Michaels Church Inchicore
- St. Patricks Church Skerries
- Kings Chapel, Cambridge,
- Precedent examples were referred to DLRD CC, however, they were rebutted as irrelevant as they were not within the DLRD CC planning area.

Option A or Option B

- Submitted options followed extensive consultation with the conservation officer of Dun Laoghaire Rathdown County Council.

- Have engaged the services of Mr. David Slattery experienced and respected Conservation Architect
- Mr. Slattery's stated preference is Option A. It is respectfully contended that in tandem with Architectural merit points submitted the conservation appraisal points apply equally validly to Option B

Architectural Merit

- The conservation officer in their report exaggerate both the significance of the original joinery and the visual impact of the insertion of a clear frameless glass full width screen or curved lobby which would be entirely visually transparent.
- Option A: Fail to understand how a glass screen standing 0.775m away from the retained and fully restored timber lobby which remains fully visible from both sides could be considered as eroding 'the architectural interest / craftsmanship' or 'visually detract from the timber screen'.
- Option B: proposes a standalone, curved glazed enclosure abutting, but not fixed in any way, to the retained and fully restored timber lobby screen again fail to understand how this could be considered as eroding the 'architectural interest / craftsmanship' or 'visually detract from the timber screen'.
- Urge An Bord Pleanála to overturn the refusal and to grant permission for either or both of the option proposals sought.
- No rationale for the statement that 'the proposed lobbies would not be considered a subsidiary intervention placed next to the original entrance screen.'
- Both design options being the insertion, in a clearly modern idiom and in compliance with nationally and internationally accepted best practice, of clear glazed screens would not diminish in any way the 'presence' of any of the existing church elements.

Reasonable aspiration to sensitively modify and upgrade the parish church

- Wish to make a place more welcoming for the community and Dundrum Village today and into the future.
- Dispute the assertion that the glazed lobby would become the 'primary focus'
- The retained lobby is being protected and cared for in its entirety in accordance with existing permission and the Conservation of Places of Worship issued by the DAHG
- Aspiration to achieve a visual link from the street to the sanctuary of the Church.
- Conservation officer is conflating this application with the previous proposal to remove the timber panelled screen which forms no part of this application and is not being pursued.

Energy

- Proposal makes no reference to 'energy efficiency' – do not seek to use energy efficiency as justification for the proposal
- Proposal is to provide visual openness to the church and its interior while minimising heat loss and possible sound nuisance from the street.
- Practical considerations of draft, heat loss in winter and security require the maintenance of a lobby arrangement
- Clear glass insertion to Willbrook Road was deemed exempted development, in that case.

Appeal accompanied by report from Davis Slattery – Architect – Historic Buildings Consultant.

- Favours Option A as the most appropriate approach.
- The primary view from the entrance is west
- The view of the east entrance demonstrates the architectural features of note within the church
- The entrance porch contributes very little to the overall composition of the church
- The entrance porch and screen are being retained and fully restored

- The installation of Option A would have no physical impact on the screen or porch.
- The quality of the joinery in the screen is average and unexceptional and the coloured glass too is of little consequence.
- The overall quality of the screen and doors is out of keeping with the quality of detailing and material in the construction and finishing of Holy Cross Church
- The general detailing is quiet average and the timber work would appear to have been replaced or renewed in the lower areas and in the door panels
- The mosaic floor and brass door closers are replacements
- There are innumerable examples of glazed screens being inserted in Protected Structures to resolve issues with inadequate entrances in major public buildings
- The balcony will be altered and extended forward as part of the 2013 planning permission and thus this historic relationship ceases.
- No grounds for considering that the glazed screen would affect the ‘spatial character’ of the Church.
- The ‘inherent original design’ referred to no longer exists following the major extension in 1957 and the installation of the organ in 1982.
- The porch is a minor element within the much enlarged church
- In response to the Conservation Officers concerns the Architects revised their proposals and submitted a planning application for the complete retention of the existing porch and two alternative proposals for glazed screens
- A glazed screen will allow for full visual interaction with the church interior which is a fundamental feature of the overall proposal in Option A.

6.2. Planning Authority Response

Response received it is summarised as follows:

- The Conservation Division maintain the opinion that the proposed development would injure the inter-relationship between the existing timber porch and the internal volume of the body of the Church, the relationship between the spaces, fittings and fixtures is an inherent design concept of the original church.
- Refute claims that the conservation officer exaggerated both the significance of the original joinery and the visual impact of the glazed lobby
- The importance of the timber porch was highlighted under D13A/0325 and was also recognised by The DoAHG
- The Board Inspector in his assessment of PL06D.243489 agreed the porch was off significance
- None of the precedent examples demonstrate comparable circumstances
- None of the churches referred to retain an original timber porch and therefore the impact of an additional glazed porch on the original fabric is not a consideration
- UK examples are not relevant in the circumstances.
- Accept that glazed screens have been inserted into other public buildings such as Museums and Hotels within Dublin however each building has its own inherent qualities.
- Installation of a glazed screen would be at the expense of the architectural significance of the Church.
- Conservation Division have always been supportive of the restoration works at Holy Cross Church with many alterations and interventions granted permission under previous planning permissions and Section 5 Declarations.
- Willingness to achieve a fair balance between the preservation of the architectural significance of the church and its function has been demonstrated

- Further changes such as that proposed would undermine the importance of the architectural character of the Church.

7.0 **Assessment**

The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- **Impact of a Clear Glazed Screen, Either, Option A or Option B Upon Visual and Architectural Character of the Holy Cross Church Protected Structure**
- **Appropriate Assessment**

7.1. **Impact of a Clear Glazed Screen, Either, Option A or Option B Upon Visual and Architectural Character of the Holy Cross Church Protected Structure**

The main entrance to Holy Cross Church, protected structure, is through the east elevation facing Main Street in Dundrum. The proposed development comprises either of two options for an internal glazed lobby adjoining this entrance.

- Option A proposes a new full width clear glazed screen as a draft lobby placed below the choir balcony, on the interior side of the porch entrance.
- Option B proposes a standalone, curved glazed lobby enclosure, abutting, but not fixed in any way, to the interior side of the porch entrance

The planning authority with the strong support of the Conservation Division are of the opinion that the proposed development would injure the inter-relationship between the existing timber porch and the internal volume of the body of the Church. It is held that the relationship between the spaces, fittings and fixtures is an inherent design concept of the original church. See section 3.1 'planning authority decision' of this report for details of notification of decision to refuse permission.

At the time of my site visit I witnessed the porch and choir balcony area under extensive restoration and refurbishment works, see photographs attached as appendix to this report. While cognisance is had to PL06D.243489 / Reg. Ref. D13A/0325 on foot of which planning permission was granted for refurbishment of the interior of the church, which included Phase 2, remodelling and extension of the choir balcony. Condition 2 of that grant of planning permission is of significance. It requires that:

‘The removal and relocation of the porch screens and stained glass and doors shall not be permitted. These screens and doors shall be retained in-situ...’ (this condition is set out in full in section 4.1.1 of this report above).

The first party insist that the retained lobby is being protected and cared for in its entirety and in compliance with condition 2. I consider this a matter for the enforcement section of the planning authority to confirm, upon completion of the works permitted as part of Phase 2. From observations made during my site visit, given the works ongoing, incl. stained glass and doors removed, it was not possible to determine whether ultimately the works are being carried out fully in accordance with and in the interests of architectural heritage protection. In particular, whether condition 2 of PL06D.243489 / Reg. Ref. D13A/0325 is being fully complied with, in that works to the choir balcony above the screens and doors is being carried out without the loss of original fabric of the porch area. This is a matter for the planning authority.

Having considered the Conservation Report on the Architectural and Historic Significance of Holy Cross Church carried out by ndba architects (June 2013) which accompanied PL06D.243489 / Reg. Ref. D13A/0325 in conjunction with the Conservation Impact Assessment Report for internal alterations works (June 2016) also carried out by ndba architects, which accompanies the subject application, I note in particular the description of the main church entrance and the significance of

the timber glazed screen with stained and pigmented glass. I agree with Dun Laoghaire Rathdown County Council with respect to the importance and significance of the existing timber porch. I note that while no response has been forthcoming from the Department of Arts Heritage and the Gaeltacht (DoAHG) in the subject case that in the case of PL06D.243489 / Reg. Ref. D13A/0325 the Department shared the concerns of the planning authority with respect to removal and relocation of porch screens and doors. The Department report agreed with the findings of the conservation officer as to the importance of the screen and balcony ensemble, which it considers, in its architectural and structural detailing and proportions contributes significantly to the character of the east end of the Church.

Cognisance being had to the foregoing, I highlight that the main issue before the Board in the subject case instance is whether a full width clear glazed screen draft lobby or a new enclosed curved clear glazed draft lobby, on the interior side of the existing porch (either Option A or B) would be acceptable in the light of impact on the character of the protected structure and the elements which contribute to this architectural heritage character.

Section 8.2.11.2 Architectural Heritage – Protected Structures of the County Development Plan 2016 - 2022 states: ‘The inclusion of a structure in the Record of Protected Structures does not prevent a change of use of the structure, and/or development of, and/or extension to, provided that the impact of any proposed development does not negatively affect the character of the Protected Structure and its setting.’

I note that the DoAHG Report attached to PL06D.243489 / Reg. Ref. D13A/0325 states: ‘The Department is not averse to high quality modern interventions into historic places of worship in principle, as is clear from our guidance booklet of 2010. The Conservation of Places of Worship (Advice Series)’. Copy attached as appendix to this report. The Department report goes on to state: ‘There is however a balance

to be achieved between preserving, restoring or enhancing the character of a protected structure in a way that facilitates current liturgical practices and the introduction of new elements, forms and materials designed to aid these practices...'

I believe that the planning authority have acted reasonably in relation to restoration works at Holy Cross Church with many alterations and interventions granted permission under previous planning applications and Section 5 Declarations. The importance of the original timber porch is recognised. This being said, however, I do not agree that the installation of a glazed screen would be at the expense of the architectural significance and spatial character of the Church and visually dominate the entrance area.

The entrance porch and screen are to be retained and fully restored in accordance with the Conservation Officers requirements. I am of the opinion that Option A would have no physical impact on the screen or porch. I note the examples of glazed screens being inserted in Protected Structures to resolve issues with inadequate entrances submitted by the first party. I consider that the stated aspiration to achieve a visual link from the street to the sanctuary of the Church to be agreeable. I do not agree that the insertion of an obviously modern idiom, clear frameless glass full width screen as proposed in Option A would materially affect the special interest of the protected structure. I disagree that it would be at the expense of the architectural integrity and spatial character of the church and visually dominate the entrance area of the church and its original intended layout and plan.

Overall I am of the opinion that Option A is preferable to Option B in terms of simplicity and visual impact. In addition to aiding visual interaction with the Church interior I note the applicant's submission that the glazed screen would aid heat loss, draft prevention and security. I consider the intervention is reasonable in terms of purpose, being of modern idiom and reversible in nature, thereby, in keeping with

best Conservation principles and the Guidelines for Planning Authorities on Architectural Heritage Protection for Places of Public Worship.

7.2. Appropriate Assessment

Overall I consider it is reasonable to conclude on the basis of the information available that the proposal individually or in combination with other plans or projects, would not adversely affect the integrity of a Natura 2000 site having regard to the nature of the proposed development, urban location and separation distances involved to adjoining Natura 2000 sites. It is also not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European Site.

8.0 Recommendation

I recommend that the decision of the planning authority be overturned and planning permission be Granted to the proposed development.

9.0 Reasons and Considerations

Having regard to permitted restoration and alteration works at Holy Cross Church, to the reversible nature of the proposal, as proposed in Option A, for the insertion of a clear frameless glass full width screen, it is considered that the proposed development, would not adversely impact on the visual or architectural heritage of the protected structure on the application site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail 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. This permission authorises Option A, for the insertion of a clear frameless glass full width screen, only.

Reason: In the interest of clarity.

3. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on 20/10/2014 under appeal reference number PL06D.243489, planning register reference number Reg. Ref. D13A/0325, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

Fiona Fair

Planning Inspector

29.11.2016