



An
Bord
Pleanála

Inspector's Report PL06D.247309

Development

Demolition of existing buildings and construction of 4 semi-detached dwelling houses including, 3 A-type (5-bed/202 sqm) with associated vehicular entrances off Adelaide Road, and 1 A1-type (5-bed/212.5 sqm) with associated vehicular entrance off Eden Road Lower, and all associated site works

Location

Site at junction of Adelaide Road and Eden Road Lower, Glasthule, Dun Laoghaire, Co. Dublin.

Planning Authority

Dun Laoghaire-Rathdown County Council

Planning Authority Reg. Ref.

D16A/0503

Applicant(s)

Serbeam Ltd

Type of Application

Permission

Planning Authority Decision

Refusal

Type of Appeal	First Party -v- Decision
Appellant(s)	Serbeam Ltd
Observer(s)	Katherina Bentley & Others
Date of Site Inspection	2 nd December 2016
Inspector	Hugh D. Morrison

1.0 Site Location and Description

- 1.1. The site is located c. 1.1 km to the south east of the centre of Dun Laoghaire in an established residential area that is set two neighbourhood blocks back from the sea front at Scotsman's Bay. The site is presently accessed off Adelaide Road, which bounds it to the east. The local road, Eden Road Lower, bounds the site to the north. The north eastern corner of the site abuts the signal controlled junction between these two roads and the continuation of Adelaide Road to the north and the continuation of the local road to the east (Hudson Road).
- 1.2. To the west, the site adjoins a short retail/commercial parade of single storey buildings that comprise a small DIY store, a beautician, and a landscape design centre. This parade maintains a street front presence onto Eden Road Lower, while to its rear is a bungalow. Further to the west and on the opposite side of Eden Road Lower lies The Harold National School. On the same side of this Road and opposite the site lies a row of single storey cottages.
- 1.3. To the south, the site adjoins an infill residential property, which comprises a two storey detached dwelling house. Further to the south on Adelaide Street, residential properties, typically, comprise two storey semi-detached dwelling houses. These dwelling houses have features such as ground and first floor bay windows and one, at No. 87, has a modern front dormer window. Two storey semi-detached dwelling houses are also typical of the eastern side of Adelaide Road within the vicinity of the site.
- 1.4. The site itself is of regular shape and it extends over an area of 0.117 hectares. This site presently accommodates a single storey former school building, which is presently in use as a crèche and an after-school club. The principal elevation of the building comprises two front gabled features at either end of this elevation and a projecting flat roofed front element between. This building has a return to which a caretaker's flat was attached and a more recent flat roofed extension. Playgrounds accompany this building to the north and to the west and the site is enclosed by stone walls. Additionally, above the wall on the northern boundary, netting is supported on metal poles.

2.0 Proposed Development

- 2.1. Demolition of existing buildings (previously school (239 sqm), including an unoccupied caretaker's flat (48.5 sqm) (total floorspace 287.5 sqm)). Construction of 4 semi-detached dwelling houses (total floorspace 818.5 sqm) including, 3 A-type (5-bed/202 sqm) with associated vehicular entrances off Adelaide Road, and 1 A1-type (5-bed/212.5 sqm) with associated vehicular entrance off Eden Road Lower, and all associated site works including new boundary treatments, gates and connections to public foul and surface water sewers.
- 2.2. At the appeal stage the design of the original proposal has been revised. The principal revisions pertain to the roofscape of the dwelling houses and the single storey element to the most northerly dwelling house.

3.0 Planning Authority Decision

3.1. Decision

Refusal for the following reasons:

1. *The generic design of the proposal would fail to respond adequately to the context of the site's prominent location and so it would fall short of the CDP's urban design requirements and thus be injurious to streetscape amenities.*
2. *The higher ridgeline and the increase in scale and bulk of the proposed roofscape would disallow an acceptable transition from the existing streetscape on Adelaide Road and so the proposal would be incongruous and injurious to visual amenities.*
3. *The proposed private open space would be unsatisfactory: Thus, quantitatively that available for the dwelling houses numbered 1, 2, and 3 would be less than the CDP minimum of 75 sqm and qualitatively that available to dwelling house numbered 4 would be prejudiced by the siting of two car parking spaces in the rear garden.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

See reasons for refusal.

3.2.2. Other Technical Reports

- Drainage Planning: No objection, condition requested.
- Transportation Planning: Further information requested re. public footpath width, available sightlines, vehicle manoeuvring, and boundary heights.
- Heritage Officer: Advises that available sources do not indicate that Sir Roger Casement attended the school on the site.
- Conservation Officer: Advises that an architectural heritage appraisal should be undertaken to inform any decision of the current proposal and that in advance of the same Policy AR5 could apply.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

See Observers comments

4.0 Planning History

- D06A/0759: Demolition of school and construction of three storey over ground floor, including mezzanine, 16 unit apartment block (3 one-bed and 13 two-bed) and basement car park comprising 18 spaces: Refused on the grounds of streetscape, residential amenity, flood risk, and inadequate information with respect to water supply, surface water drainage, and Part V.
- D06A/1954: Demolition of school and construction of two storey over ground floor, including mezzanine, 13 unit apartment block (2 one-bed and 11 two-bed) and basement car park comprising 17 spaces: Refused at appeal PL06D.225900 on the grounds of streetscape and inadequate private open space provision.
- D08A/1078: Demolition of school and construction three storey 13 unit neo-classical style apartment block (6 one-bed and 7 two-bed) and basement car park comprising 20 spaces: Refused at appeal PL06D.234169 on the grounds

of streetscape, i.e. it would be an overly obtrusive and incongruous feature on this prominent corner site and thus seriously injurious to visual amenity.

- 120/15: Section 5 referral concerning the use of the school as an après school/crèche held at appeal (RL06D.RL3443) to not be development.
- V/033/16: A Part V certificate of exemption for the current proposal was granted on 25th April 2016.
- PAC/201/16: Pre-application consultations on 27th April and 20th May 2016.

5.0 Policy Context

5.1. Development Plan

Under the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, the site is shown as lying within an area that is the subject of zoning objective “A”, “To protect and/or improve residential amenity.” Residential use is permitted in principle under this zoning objective.

5.2. Natural Heritage Designations

None

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has responded to each of the reasons for refusal as follows:

First and second reasons

The planning authority’s application of key urban design factors to the proposal is critiqued as follows:

Context (cf. drawings nos. ABP_SK01 – 04)

- Attention is drawn to the pattern of built form on Adelaide Road and the parallel Albert Road Lower to the east: in both cases on crossing Eden Road Lower/Hudson Road this form steps down from two storeys to one storey.

- The proposal would complete the south western corner of the junction between Adelaide Road and Eden Road Lower/Hudson Road in a manner similar to that exhibited by equivalent corner sites opposite or on Albert Road Lower.
- The design of the proposal is not “generic”. Rather it is a response to the fact that Adelaide Street, to the south of the site, is composed of semi-detached dwelling houses with a variety of different features.

Scale/massing

- The footprints and roofscapes of the proposed dwelling houses would all follow traditional built forms.
- The front building line and eaves and ridge lines would broadly accord with those evident in dwelling houses to the south of the site.
- Proposed features, such as gables, chimneys, and bay windows, would all resemble those evident in dwelling houses to the south of the site.

Detail design

- The proposal would give a contemporary expression to the aforementioned traditional forms and features.
- The existing walls and railings to the roadside boundaries would be retained to provide a continuing “sense of place”.
- Dwelling house no. 4 would incorporate a gable and single storey extension to its exposed side elevation, thereby ensuring that this dwelling house is effectively double fronted in its presentation to adjacent roads. Examples of existing similar treatments to dwelling houses on corner sites is cited.

Materials

- The proposed materials reflect the mix of materials exhibited by existing dwelling houses to the south of the site. The applicant draws attention to the scope that exists to vary this mix and at the appeal stage they have submitted some variations (cf. CGI Views 01 & 02).

Third reason

- The rear gardens to the dwelling houses numbered 1, 2, and 3 would be 80 sqm and so they would exceed the CDP's minimum requirement of 75 sqm (cf. drawing no. ABP_SK05).
- The rear garden to the dwelling house numbered 4, net of the two car parking spaces, would be 80 sqm and so it, too, would be compliant. The boundary between this garden and these spaces would be the subject of a landscape screen.

The applicant sets out how both the original and amended proposals would be compliant with the CDP, in terms of land use, separation distances, density, and housing mix (if the presence of existing three and four bed dwelling houses on Adelaide Road is taken into account).

The applicant outlines the following amendments to the original proposal:

- The ridge height has been reduced to coincide with that exhibited by the dwelling houses to the south on Adelaide Road.
- The reorientation of the dwelling house numbered 4 to have its front door sited within the gabled side elevation onto Eden Road Lower, along with its accompanying pedestrian access. The single storey form that accompanies this elevation would wrap around the north eastern corner of this dwelling house. This form would be in scale with the cottages on the opposite side of this Road.
- The northern boundary of the site would allow for a consistent accompanying public footpath width of 2.5m and this boundary would be denoted by a stone wall with railings. The rear garden to the dwelling house numbered 4 would provide 75 sqm of "unobstructed" private open space.

6.2. Planning Authority Response

The amendments to the proposal, submitted at the appeal stage, are an improvement on the original proposal. However, the planning authority still considers that the design of the proposal is insufficiently site specific and, in particular, the manner in which the corner plot would be handled is considered to be a poor urban design response.

6.3. Observations

The observers begin by addressing each of the draft reasons for refusal:

- Support is expressed for the first reason for refusal. The applicant's contextual study is considered to only emphasis the contrast between the simple elegance of the existing built form and the ungainly generic design of the proposal. Particular exception is taken to the proposed roofscape.
- Support is expressed for the second reason for refusal. Concern is expressed that the amended roofscape would remain overly bulky and unappealing and that the dormers and chimneys on this lower roofscape would appear all the more crowded. The step down single storey form on the exposed side elevation of the dwelling house numbered 4 is considered to be an unconvincing transitional element and the fenestration to this overall elevation is considered to be an unsightly assortment of shapes and sizes. The opportunity to provide a landmark development on this prominent corner site would, accordingly, be missed.
- Support is expressed for the third reason for refusal. Thus, while quantitatively the rear gardens would be compliant, qualitatively, the rear garden to the dwelling house numbered 4 would continue to be unsatisfactory.

The observers proceed to critique the proposal as follows:

- Under the headings of the impact of visual amenity and streetscape and private open space, points raised under their response to the draft reasons for refusal are reiterated and elaborated upon.
- Under the heading of residential amenity, concern is expressed that the proposal would overshadow the cottages to the north on Eden Road Lower

and it would overlook the bungalow to the west leading to a loss of privacy. Furthermore, this proposal would, through its negative impact upon the streetscape, lead to the devaluation of residential property.

- Under the heading of flooding and foul drainage, attention is drawn to regular instances of pluvial flooding nearby and to evidence of an underground stream that, historically, skirted this site. A site specific flood risk assessment is thus required. Attention is also drawn to the foul water drainage system in the locality, which is aged and close to capacity.
- Under the heading of heritage value, the applicant's Architectural Heritage Assessment Report is considered to be too superficial in its level of enquiry. Thus, the fact that the school was the first protestant national school to be built after the Great Famine is omitted and the likely link with Sir Roger Casement is dismissed rather than explored.
- Under the heading of traffic hazard, attention is drawn to the nearby large national school and the heavy attendant usage of the public footpaths that adjoin the roadside boundaries of the site. Consequently, the reversing manoeuvres of vehicles using the proposed drive-ins would be inherently hazardous.
- Under the heading of further issues, the submitted plans are critiqued for omitting to show screen planting in the rear garden to the dwelling house numbered 4 and the presence of an ESB junction box beside the northern boundary to the site. The conclusion of the applicant's grounds of appeal mistake the draft reasons for conditions and these grounds include some miscellaneous pages.

6.4. Further Responses

None

7.0 Assessment

I have reviewed the proposal in the light of CDP, relevant planning history, and the submissions of the parties and the observers. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Land use,
- (ii) Conservation,
- (iii) Streetscape,
- (iv) Amenity,
- (v) Development standards,
- (vi) Traffic movements,
- (vii) Water, and
- (viii) AA.

(i) Land use

7.1.1 The site lies within an area that is the subject of zoning objective “A” in the Dun Laoghaire – Rathdown County Development Plan 2016 – 2022 (CDP). Under this objective, the residential use of this site is permitted in principle. Previous CDP’s have likewise zoned the site in this manner.

7.1.2 The planning history of the site indicates that previously it has been the subject of redevelopment proposals for a multi-storey apartment block. The current proposal is the first for two storey dwelling houses.

7.1.3 I conclude that there is no in principle land use objection to the proposal.

(ii) Conservation

7.2.1 The observers draw attention to the former school building on the site and to its conservation interest, as the first protestant national school to have been built after the Great Famine and one which may have been attended by Sir Roger Casement.

7.2.2 At the appeal stage, the applicant has submitted an Architectural Heritage Assessment (AHA) of the former school building. This Assessment includes an

assessment of the architectural significance and the historical, social, and cultural significance of the building.

- 7.2.2.1 With respect to the former, it comments that “The former school building is of modest design depending on its balanced composition and well-proportioned openings for architectural expression.” Original and subsequent design influences reflect school typologies from the second half of the 1800s and the 1930s. Features itemised are thus not unique but shared with other historic schools elsewhere in the country. Suggested mitigation measures for the loss of this building include the preparation of a permanent record of the same, the reuse in the proposed most northerly dwelling house of salvaged items of architectural interest, and the retention, albeit of a lowered eastern boundary wall and a resited northern boundary wall.
- 7.2.2.2 With respect to the latter, the sub-division of the school by gender is reflected in its architecture and the granite stone boundary walls reflect historic masonry practice. The association of the school with Sir Roger Casement is raised. However, no documentary evidence has been produced to establish the same, a point that is confirmed by the Council’s Heritage Officer.
- 7.2.3 The former school building is not on the Council’s RPS. Under Section 51(1) of the Planning and Development Act, 2000 – 2015, special interest needs to pertain before such an addition would be warranted. The submitted AHA does not indicate the existence of this degree of interest.
- 7.2.4 The Council’s Conservation Officer cites Policy AR5 of the CDP, which seeks the retention and rehabilitation of buildings which make a positive contribution to the character and appearance of a streetscape, rather than their demolition and site redevelopment. The case planner interacted with this citation to the effect that previous refusals on the site did not object in principle to the demolition of the former school building. I have reviewed the two previous applications determined by the Board and I note that, indeed, no in principle objection to the redevelopment of the site was raised. I note, too, that the issue of conservation was not previously to the fore in the assessments undertaken.

7.2.5 I conclude that the former school building is of limited architectural heritage interest and that its presence within the streetscape, while contributing to the character of the area, is of not of sufficient value to warrant objection to the redevelopment of the site.

(iii) Streetscape

7.3.1 The proposal would entail the redevelopment of the site to provide two pairs of two storey semi-detached dwelling houses, each of which would utilise their roofspace for habitable accommodation, too.

7.3.2 The planning authority's first two reasons for refusal relate to the design of the proposal, which is considered to be too generic, and the scale and bulk of the roofscape, which is considered to be inappropriate within a context that transitions northwards to single storey cottages.

7.3.3 The applicant has responded to the aforementioned reasons for refusal by, at the appeal stage, bringing forward revisions to their proposal. Thus, the most northerly of the proposed dwelling houses would be effectively double fronted with principal elevations to the north and the east, which would address the adjacent streets, and the specification of a more extensive single storey element, which would be in scale with the cottages opposite and further to the north. The proposed ridgeline would be reduced in height to coincide with dwelling houses to the south.

7.3.4 The planning authority has responded to the aforementioned revisions by expressing the view that, while they represent an improvement on the original proposal, they remain too generic and the design of the most northerly dwelling house would still be unsatisfactory.

7.3.5 During my site visit, I observed that Adelaide Road is paralleled to the east by Albert Road Lower and that both of these Roads provide examples of a step down in the scale of dwelling houses in crossing the east/west route northwards that comprises Eden Road Lower/Hudson Road. Thus, on the western side of Adelaide Road, two storey dwelling houses, give way to the former single storey school building on the site and then single storey cottages on the opposite side of the said route. On both sides of Albert Road Lower, two storey

dwelling houses give way to single storey dwelling houses on the opposite side of this route.

7.3.6 During my site visit, I also observed that opposite the site and on the eastern side of Adelaide Road there is a pair of shops with associated accommodation overhead. These shops have feature chimneys on their front roof plane. The most northerly of these shops presents to the aforementioned east/west route as a prominent gabled elevation. Similarly, the equivalent two storey dwelling houses on Albert Road Lower present to this route as gabled elevations.

7.3.7 The proposal would entail the provision of dwelling houses that would be deeper than the existing ones on Adelaide Road. As originally submitted, these dwelling houses would have had eaves lines that aligned and ridgelines that exceeded the height of these items in the said dwelling houses. As revised, they would have lower eaves lines and a ridgeline that aligns. Consequently, the roofscape now proposed would be more in scale. The aforementioned depth of the dwelling houses would be apparent in the presenting gabled side elevation to Eden Road Lower. This elevation would be visible in conjunction with that of the shop's. However, it would be wider, at 11.8 rather than 10.2m, and its roof line would be shallower, at 30 rather than 40 degrees.

7.3.8 The proposed roofscape would include within its front planes projecting dormer windows and chimneys. Elsewhere on Adelaide Road there is an example of a front dormer at No. 87 and examples of front chimneys are referred to above. These items would represent one of the more striking contemporising influences. The front elevations of the proposed dwelling houses would also comprise examples of ground and first floor bay windows that would reflect the presence of such windows elsewhere on Adelaide Road.

7.3.9 The transition from the aforementioned presenting gabled side elevation to the single storey cottages opposite would be mediated by the inclusion of a single storey element on this elevation that would wrap around to the front elevation, too. The presence of this element would ease the perceived mass of the side elevation and it would acknowledge the reduced scale of the built form across Eden Road Lower. The aforementioned more elongated form of this elevation would, likewise, be eased by the pattern of fenestration specified.

7.3.10 In the light of the foregoing comments and in view of the variety of built forms and designs within the vicinity of the site I conclude that the revised proposal is an appropriate urban design response to this context, which, due to the said variety, would be robust enough to accommodate the proposal visually.

(iv) Amenity

7.4.1 Observers express concern that the proposal would lead to overshadowing of the cottages on the northern side of Eden Road Lower and overlooking of the bungalow to the west of the site.

7.4.2 The submitted site layout plan shows that the aforementioned bungalow is sited in a position whereby its eastern gabled rear elevation is immediately adjacent to the common boundary wall between the site and the curtilage to this bungalow. This plan also shows that this bungalow is effectively served by a front garden only. Under the proposal, the said common boundary wall would be retained and so the ground floor openings in the rear elevation would continue to be screened. Accordingly, no appreciable overlooking would arise.

7.4.3 The submitted site layout plan shows that the aforementioned cottages would be between 18.314 and 19.970m to the north of the two storey portion of the most northerly of the proposed dwelling houses. These distances would be sufficient to ensure that no undue overshadowing of the cottages would arise. As the northern site boundary wall would be retained, albeit in a resited position, nearer ground floor openings in the proposed northern elevation would be effectively screened. Upper floor openings would overlook the principal elevations of the said cottages. However, given the area's inner suburban character, I consider that the aforementioned clearance distances would be acceptable and that privacy would not be significantly affected.

7.4.4 I, therefore, conclude that the proposal would be compatible with the residential amenities of the area and so the prospect of a reduction in property values would not arise.

(v) Development standards

7.5.1 As originally submitted, the proposal would entail the construction of two pairs of semi-detached dwelling houses. Three of these dwelling houses are denoted as A-type and they would provide five-bed accommodation over a floorspace of

202.5 sqm. The remaining most northerly dwelling house is denoted as A1-type and it would provide five-bed accommodation over a floorspace of 212.05 sqm, with the additional floorspace arising from a single storey element that would be attached to the northern two storey elevation.

7.5.2 While five-bed dwelling houses are not included under Table 5.1 of the Quality Housing for Sustainable Communities Best Practice Guidelines, I note that the total floorspace of each of the proposed dwelling houses and their internal layouts and distribution of space would ensure that they would afford a satisfactory standard of amenity to future occupiers. I note, too, that, at the appeal stage, the most northerly of the proposed dwelling houses has been enlarged slightly as part of the applicant's response to the urban design critique of this dwelling house and so its amenities have, by the same token, been enhanced.

7.5.3 The third reason for the planning authority's refusal refers to the provision of private open space. Under this reason, the quantitative provision of such space is said to be inadequate on three of the four house plots, while the qualitative value of the further, most northerly, house plot would be prejudiced by the siting of two car parking spaces within the rear garden.

7.5.4 The applicant has responded to this reason by submitting an enlarged site layout plan (drawing no. ABP_SK05), which states that the area of the rear gardens in each of the house plots referred to above would be 80 sqm and so in excess of the CDP's 75 sqm requirement. The applicant draws attention to a proposed landscape screen that would separate the rear garden and parking area in the most northerly of the house plots. They also draw attention to the additional side and front garden space that this plot would, uniquely, enjoy, space that would extend over 75 sqm.

7.5.5 I, therefore, conclude that the proposed dwelling houses would afford a satisfactory standard of amenity to future occupiers and that their accompanying private open space would be satisfactory, too, from both quantitative and qualitative perspectives.

(vi) Traffic movements

7.6.1 The Council's Transportation Planning advice requested that further information be sought at the application stage, with respect to available sightlines and vehicle manoeuvring paths to and from the proposed drive-ins. At the appeal stage, the applicant has submitted this information, which illustrates the said sightlines and the accessibility of the drive-ins. These would all be adequate.

7.6.2 The aforementioned advice also requests that the height of gate piers and immediately adjacent walling be no greater than 1.1m. While I recognise that this approach would be optimum from a visibility perspective, I recognise, too, that the conservation interest of retaining some of the existing wall along the Adelaide Road frontage, including the existing stone gate piers, and the existing wall along the Eden Road Lower frontage would be in tension with this objective. The applicant's specification of railings, above the retained wall, in the former case, and the widening of the public footpath, described further below, in the latter case, would in my view represent a reasonable balance between these competing objectives.

7.6.3 Observers draw attention to The Harold National School that is located on Eden Road Lower, further to the west of the site. At opening and closing times this School generates heavy footfall in the surrounding area and so they express concern that, as the use of proposed drive-ins to each of the house plots would entail reversing movements, inevitable conflict/hazard would arise.

7.6.4 During my site visit, I noted that existing residential properties on Adelaide Road are served, typically, by drive-ins, the use of which entails reversing movements. Thus, the proposed three drive-ins from this Road would simply continue this pattern. I note, too, from the plans submitted at the appeal stage that the northern boundary wall to the site would be set back to ensure that the nearside public footpath along Eden Road Lower would have a consistent width of 2.5m. This increased width would improve the carrying capacity and the safety of this public footpath. The sightline between the proposed drive-in off this Road and the signalled crossing to the east would also be improved.

7.6.5 I, therefore, conclude that the proposed drive-ins would pose no undue conflict/hazard, as they would either represent the continuation of an existing pattern of

drive-ins or, in the case of the most northerly house plot, it would be accompanied by a widened public footpath and an improved sightline.

(vii) Water

7.7.1 The application is accompanied by an Engineering Services Report, which addresses the water supply and surface and waste water drainage arrangements for the site. This Report refers to the existing connections between the site and the public water mains and drainage systems. These connections would continue to be utilised, with the proviso that, in the case of surface water, attenuation measures would reduce existing flows. No capacity issues with these systems have been flagged by either Irish Water or the Council's Surface Water Drainage Engineer.

7.7.2 The aforementioned Report also addresses flood risk. This Report concludes that the site is not at risk of tidal, fluvial, pluvial, or ground water flooding, due to its geographical location and topography. In the event of local flooding either from the road or the surcharging of the on-site surface water drainage system, flows would be either contained within the roadway or, if the site is directly affected, directed away from the proposed dwelling houses to the lower lying rear gardens.

7.7.3 Observers refer to the risk of pluvial flooding and they draw attention to evidence of an underground stream that skirted the site. They thus considered that a site specific flood risk assessment should be undertaken.

7.7.4 I note the measures that the applicant identifies to address any residual pluvial flood risk. I note, too, that the said stream skirts rather than crosses the site. In these circumstances, I do not consider that the suggested additional assessment would be necessary.

7.7.5 I conclude that the proposal would be capable of being satisfactorily serviced and that any residual flood risk would be capable of being mitigated.

(viii) AA

7.8.1 The site is not in a Natura 2000 site and it is located within an inner suburban location within which all mains services are publically provided. The nearest

such sites are in Dublin Bay. Waste water drainage from Dun Laoghaire is processed at the Ringsend WWTW. However, given the overall volumes of waste water handled by this facility, any net increase from the redeveloped site would be negligible and so no significant effect would arise. Accordingly, the proposal poses no Appropriate Assessment issues.

7.8.2 It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on European Site No. 000297, or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

8.0 Recommendation

In the light of my conclusion, I recommend that the proposal be permitted.

9.0 Reasons and Considerations

Having regard to the Dun Laoghaire – Rathdown County Development Plan 2016 – 2022, it is considered that, subject to conditions, the redevelopment of the site would be justified and that the revised proposal would comply with the zoning objective for this site. The proposed dwelling houses would represent an appropriate urban design response to the site within its context. These dwelling houses would be compatible with the visual and residential amenities of the area and they would be capable of being satisfactorily accessed and serviced. No Appropriate Assessment issues would arise. The proposal would thus accord 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, as amended by the further plans and particulars received by An Bord Pleanála on the 26th day of September 2016, 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. A full architectural survey of the former school proposed for demolition shall be carried out, and shall be submitted to the planning authority prior to the commencement of development. Archive standard drawings and a photographic survey shall be prepared in accordance with the requirements of the planning authority.

Reason: In order to facilitate the recording of the architectural heritage of the site.

3. Prior to the commencement of development, working drawings of the incorporation of original building features into the proposed dwelling house denoted as house type B shall be submitted to and agreed in writing with the planning authority.

Reason: In the interest of clarity and good conservation practise.

4. Prior to the commencement of development, working drawings of the incorporation of the original gate piers into the proposed roadside boundary walls and the resiting of the northern boundary wall, in accordance the revised plans submitted to An Bord Pleanala on 26th September 2016, shall be submitted to and agreed in writing with the planning authority.

Prior to the commencement of commencement of occupation of the any of the dwelling houses, the agreed working drawings shall be fully implemented

Reason: In the interest of clarity and good conservation practise and in order to ensure the availability at all times of improved sightlines from the egress to the drive-in to the dwelling houses denoted as No. 4.

5. Details of the materials, colours and textures of all the external finishes to the proposed dwelling houses shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. 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.

7. Site development and building works shall be carried only out between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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 residential amenities of property in the vicinity.

8. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

9. Proposals for a house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all house numbers, shall be provided in accordance with the agreed scheme.

Reason: In the interests of urban legibility.

10. The site shall be landscaped in accordance with the submitted landscaping scheme, which shall be revised to reflect the revisions to the proposal submitted to An Bord Pleanála on 26th September 2016. This revised landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Any plants which die, are removed or become seriously damaged or diseased, within a period of 5 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 interest of visual amenity.

11. 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 – 2015. 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 – 2015 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.

Hugh D. Morrison
Planning Inspector

11th January 2017