



An  
Bord  
Pleanála

## Inspector's Report 05E.248354

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| <b>Development</b>                  | Demolition of existing derelict church hall, erection of boundary wall and outline permission for erection of replacement hall.  |
| <b>Location</b>                     | Tooban, Burnfoot, Lifford, Co. Donegal   |
| <b>Planning Authority</b>           | Donegal County Council   |
| <b>Planning Authority Reg. Ref.</b> | 17/50207   |
| <b>Applicant</b>                    | Fahan Presbyterian Church  |
| <b>Type of Application</b>          | Permission   |
| <b>Planning Authority Decision</b>  | Split decision.<br>Schedule A - grant permission for demolition of existing derelict church hall, erection of boundary wall.<br>Schedule B - refuse outline permission for the erection of a replacement hall. |
| <b>Type of Appeal</b>               | First Party v refusal  |
| <b>Appellant</b>                    | Fahan Presbyterian Church  |
| <b>Date of Site Inspection</b>      | 6 <sup>th</sup> July 2017  |
| <b>Inspector</b>                    | Dolores McCague  |

## 1.0 Site Location and Description

- 1.1. The subject site is located at a junction between a local road and a regional road (R-238) with access from the regional road. The site is occupied by a double volume, barn style Church of some considerable age with its main axis parallel to the regional road. It has a single storey porch attached on its eastern end (left hand side viewed from the front) and a two storey building of domestic appearance attached on its western end, close to the local road. There is a boiler housed within this building at ground floor.
- 1.2. The area in front of the Church is largely a surfaced parking area and a driveway runs along the eastern gable. Set behind the Church, at the rear of the site, there is a modern building, identified on the drawings as a Church Hall, and running along the local road there is long, narrow low level building, which creates a courtyard within the site. This building is in poor condition, and is identified as the former church hall to be demolished.
- 1.3. The site is located at Tooban, Burnfoot, west of the settlement of Burnfoot, (townland of Tievebane) at the southern end of the Inishowen peninsula in Donegal.
- 1.4. The site is given as 0.36ha.

## 2.0 Proposed Development

- 2.1. The proposed development is the demolition of the existing derelict church hall, erection of boundary wall and outline permission for erection of replacement hall.
- 2.2. The application details state that the floor area of the proposed works is 150m<sup>2</sup>, and that the floor area for demolition is 141m<sup>2</sup>.
- 2.3. Drawings accompanying the application indicate the location of a septic tank to the front of the Church.
- 2.4. A replacement hall is shown on the layout plan, stated to be 8m x 18m with the same eaves height as the existing Vestry, and same roof pitch as existing Church and Vestry. A proposed link to the existing Church is shown. The building is shown as a

rectangular shape, with a link to the Church. A projection is shown on the north western end, close to the local road.

- 2.5. An elevational drawing is provided showing the proposed wall with 1m piers at intervals, separated by wall sections mainly in 6.3m lengths. The walling is shown as 1.7m in height, finished in wet dash finish and the piers are shown to be of local stone construction to a height of 2m to the capping. The elevation indicates 'existing gates' 7.3m wide, at the southern end.
- 2.6. The elevational drawings present the Church and Vestry (and proposed wall) at two different scales; and the drawings, in so far as they relate to the vestry, do not match. It is also worth noting that the two storey building (Vestry) attached to the western gable of the Church is not as represented on the elevation of the western gable. The porch, attached to the eastern gable is more akin to the building shown on these drawings but it should not be visible on a drawing of the western elevation.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

- 3.2. The planning authority decided, (Schedule A), to grant permission for the demolition of the hall and the construction of the roadside wall and to refuse outline permission for the erection of a replacement hall.
- 3.3. The decision to grant permission is subject to three conditions including condition no. 2 that the stone finish to pillars shall be constructed from locally sourced materials.
- 3.4. The decision to refuse permission, (Schedule B), is for the following reason:

The subject site comprises the grounds and mature setting of a period property known as Fahan Presbyterian Church. It is a policy of the Council (Policy BH-P-3, County Donegal Development Plan 2012-2018, (as varied)) to ensure, where appropriate, measures to extend, modify or materially alter fabric of vernacular and/or historic buildings are sensitive to traditional construction methods and materials and do not have a detrimental impact on the character or appearance of a structure, while it is also a policy of the Council (Policy BH-P-6) to facilitate

appropriate quality design solutions including considerations of scale, proportion, detailing and materials specification for development proposals affecting vernacular and /or historic buildings in both urban and rural settings.

On the basis of the information submitted in support of the application and in particular having regard to (a) the absence of any detailed plans and drawings of the proposed replacement hall building and (b) the lack of information in relation to the scale, mass, design and finishes of the proposed replacement hall building, the Planning Authority cannot make an informed assessment of the proposed development or determine the potential impact of the proposed development on the character or appearance of the existing church building. Accordingly, to permit the proposed development would materially contravene the aforementioned Policies BH-P-3 and BH-P-6 of the County Donegal Development Plan 2012-2018, (as varied) and would thereby be contrary to the proper planning and sustainable development of the area.

3.5. The decision was in accordance with the planning recommendation.

### 3.6. **Planning Authority Reports**

3.6.1. Planning Report:

3.6.2. The planning report states that the site is located in an area defined as an area under strong urban influence. At the junction of the R-234-4 regional road between Buncrana and Bridgend and the local secondary road L-7571-1. The derelict hall is positioned directly adjacent to the northwestern boundary along the edge of the local road and is currently screened by an existing hedge which extends from the back of the hall down as far as the gate at the back of the site.

3.6.3. A second vehicular access from the back of the hall facilitates direct access from the local road.

3.6.4. Relevant CDP policies

BH-P-3

BH-P-4

BH-P-5 and

BH-P-6

- 3.6.5. The existing former church hall building is not identified on the National Inventory of Architectural Heritage or the Record of protected Structures and it is not considered that the building in its current state makes any significant contribution to the built heritage of the area. It was noted that the building is in poor state of disrepair and may not be structurally sound.
- 3.6.6. Accordingly it is considered that demolition of the former hall building and construction of the new boundary wall can be accommodated.
- 3.6.7. The Church itself is of notable character and it is therefore necessary to ensure that any proposed new church hall, which is indicated to be linked to the church, is designed and finished in such a manner as to integrate appropriately with the existing church building and not to have a detrimental impact on it. In the absence of any actual design proposals or drawings, for the proposed replacement building, it is not possible to undertake an informed assessment of the proposed development in the context of the outlined policies or to determine how the proposed new hall may impact on the existing Church.
- 3.6.8. To consider the proposed development in the absence of a thorough assessment of the potential impact on the church would be contrary to policies and to the proper planning and sustainable development of the area.
- 3.6.9. Area Engineer – conditions.
- 3.6.10. TII – no observations.

## 4.0 **Planning History**

02/5046 temporary permission (5 years) granted in 2002 for temporary prefabricated classrooms with connection to existing septic tank (existing septic tank and percolation shown at the south eastern end of the site).

## 5.0 Policy Context

Donegal County Development Plan 2012-2018 is the operative plan. Relevant provisions include:

Provisions to protect built heritage including policies:

to ensure, where appropriate, measures to extend, modify or materially alter the fabric of vernacular and/ or historic buildings are sensitive to traditional construction methods and materials and do not have a detrimental impact on the character or appearance of a structure, BH-P-3 It is a policy of the Council to ensure retention of historic structures (and parts of structures), including their functional and decorative details, in accordance with current conservation guidelines and best practice, (BH-P-4),

to ensure the repair, reuse and appropriate refurbishment of vernacular/historic buildings, which make a positive contribution to the built heritage of the area including those as referred to on any National Inventory of Architectural Heritage listing, (BH-P-5),

to facilitate appropriate quality design solutions including considerations of scale, proportion, detailing and material specification for development proposals affecting vernacular and/or historic buildings in both urban and rural settings, (BH-P-6),

The plan expresses general support for the development of social infrastructure and identifies the importance of integrating social, community and cultural requirements into the Plan in order to make the County an attractive place to live and work and where cultural assets can be sustainably developed and includes among its objectives to integrate the planning and sustainable development of the County with the social, community and cultural requirements of its population, (CCG-O-1).

### 5.1. Natural Heritage Designations

Lough Swilly SPA (Site Code 004075) and Lough Swilly SAC (Site Code 002287) are the nearest Natura sites c700m, 800m from the subject site.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.2. The appeal on behalf of the first party, Fahan Presbyterian Church, to the decision in Schedule B, to refuse outline permission for the erection of a replacement hall., has been submitted by Joan Hamilton (Secretary).

6.2.1. The grounds of appeal includes:

6.2.2. They needed to tidy up the property; the semi-derelict building had become unsafe and unsightly. The removal of the old wall would expose this part of the site to the public road thus requiring a new boundary wall. They don't have the funds for the immediate erection of a replacement building. The decision to apply for outline permission was by way of future proofing their ability to get a replacement in the belief that once gone the opportunity to get such permission would be more difficult.

6.2.3. They followed the route outlined by a County Donegal Planner in 2015.

6.2.4. They have taken advice from an Architect and feel the requirement for detailed plans and drawings and information on design and finishes is above what would be needed for outline permission.

6.2.5. They specified the floor area of the building being demolished and the approximate equivalent floor area of the replacement building.

6.2.6. They moved it further away from the main Church building.

6.2.7. They specified that the eaves height of any replacement would be the same as the existing vestry and that the roof pitch would be the same as the existing vestry and main Church building.

6.2.8. They are very cognisant of the issues around building adjacent to their existing property and realize that the connection between the two would need to be extremely well designed and constructed. It would be their intention not to detract from what is a fine, stand-alone property in a public position.

## 7.0 **Assessment**

- 7.1.1. The issues which arise in relation to this appeal are appropriate assessment, visual amenity and building conservation and the following assessment is dealt with under these headings.

### 7.2. **Appropriate Assessment**

- 7.2.1. Having regard to the nature and scale of the proposed development and nature of the receiving environment no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect, individually or in combination with other plans or projects, on a European site.

### 7.3. **Visual Amenity and Building Conservation**

- 7.3.1. The refusal reason is based on the potential impact on the adjoining Church which is of notable character.
- 7.3.2. The planning authority considers that outline permission is inappropriate because insufficient information is available regarding the impact on the Church.
- 7.3.3. In my opinion it cannot be said that outline permission, per se, is inappropriate. There are however some difficulties which need to be considered in this case. The drawings indicating the 'vestry' are inconsistent and neither version bears any resemblance to the proportions of the two storey building attached to the western end of the Church. The smaller building indicated on the drawings is so out of proportion with the church gable as to appear to represent the porch element attached to the eastern gable. It is important to understand the proportions of the 'vestry' because the proposed hall is defined, with reference to the 'vestry'. The proposed hall is stated to be 8m x 18m with the same eaves height as the existing Vestry, and the same roof pitch as existing Church and Vestry. Notwithstanding the confusion created by the drawings it appears to me that the vestry is the two storey building attached to the western gable of the Church.



- 7.4. It is noted that the proposed building is shown as a rectangular shape, with a link to the Church and a projection on the north western end close to the local road; this suggests some consideration has been given to its design.
- 7.5. I would have some difficulty with the hall as proposed. Having the same eaves height as the existing Vestry, and the same roof pitch, and because the width at 8m is wider than the two storey building (the vestry?), which is given on the survey drawings as 5.5m in width, the proposed building, would extend above the ridge of the two storey building. This would create an unsatisfactory relationship between these buildings.
- 7.6. It is important that buildings on this site are subordinate to the Church, as is currently the case.
- 7.7. The building composition currently on site is subordinate to the Church building. The new Church hall, which is located at the rear of the site and therefore separated from the Church, although it has a deep plan, it's very low eaves level, and dark roof, create an impression of lower height and maintain a subordinate relationship with the Church. The porch is very small scale and subordinate building. The two storey domestic style dwelling attached to the western elevation is distinctively different in style and is subordinate in scale. The old hall building, in respect of which permission to demolish has been granted, is a long, narrow, ground hugging building and subordinate to the main Church building.
- 7.8. In my opinion outline permission could be granted by setting parameters according to which an 8m x 18m building could be erected on this site. I consider a replacement building should be defined by:

Being clearly subordinate to the Church building and not disturbing the harmonious relationship which currently exists between the main Church building and the associated buildings attached to it's gables. The height of the building should be defined by the subordinate quality of its relationship with the existing main Church building and two storey building, achieved by the design; in any case the ridge should not extend above the ridge of the two storey building.

The link element of the proposed building should be clearly identifiable as a linking structure, and designed to be unobtrusive and subordinate to both the main Church and the proposed Hall.

Unless otherwise agreed with the planning authority, the roof of the proposed hall should have the same roof pitch as the main Church building.

## **8.0 Recommendation**

- 8.1. In accordance with the foregoing assessment I recommend that outline planning permission be granted for the following reasons and considerations and in accordance with the following conditions; and that schedule B of the planning authority's decision be amended accordingly.

## **9.0 Reasons and Considerations**

Having regard to the use of the main Church building on site, as a place of religious worship, and to the community use of the other building on site; to the permission granted by the planning authority for the demolition of the existing building, formerly a Hall, along the local road and the reasonable desire to replace that building; it is considered that subject to the following conditions and to the detailed design, which remains to be determined, the granting of outline planning permission for the construction of a replacement hall on the site would not detract from the conservation value of the historic Church or the visual amenities of the area and would be otherwise 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 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 Details of the design of the building shall be submitted by way of a separate application for permission consequent and shall incorporate the following requirements:
  - a) The building shall be clearly subordinate to the main Church building and shall not disturb the harmonious relationship which currently exists between the main Church building and the associated buildings attached to its gables.
  - b) The height of the building shall be defined by the subordinate quality of its relationship with the existing main Church building and two storey building, achieved by the design; in any case the ridge shall not extend above the ridge of the two storey building.
  - c) The link element of the proposed building shall be clearly identifiable as a linking structure, and shall be designed to be both unobtrusive and subordinate to both the main Church and the proposed Hall.
  - d) Unless otherwise agreed with the planning authority, the roof of the proposed hall shall have the same roof pitch as the main Church building.
  - e) The design and treatment of the proposed Hall shall be adequately detailed in the application for permission consequent and shall satisfy the Planning Authority of compliance with the foregoing requirements.

**Reason:** In the interest of visual amenity and to protect the notable character of adjoining Church.

3. The proposed hall shall be used for community purposes, ancillary to the use of the main Church as a place of religious worship.

**Reason:** In the interest of orderly development.

- 4 If toilet / washroom facilities are intended to be provided in the proposed hall, adequate provision shall be made for on-site wastewater treatment. Details to be submitted in the application for permission consequent.

**Reason:** In the interest of orderly development.

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Planning Inspector

24<sup>th</sup> July 2017

#### Appendices

- 1 Photographs
- 2 Extracts from Donegal County Development Plan 2012-2018