



An
Bord
Pleanála

Inspector's Report PL07.248663

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| Development | Change of use of ground floor to betting office and first and second floors to office and provisions of new shop front & signage and new access stairs to the rear of the building. |
| Location | Main Street, Loughrea, Co. Galway |
| Planning Authority | Galway County Council |
| Planning Authority Reg. Ref. | 16/1633 |
| Applicant(s) | M.P Young Developments Ltd. |
| Type of Application | Permission |
| Planning Authority Decision | Grant Permission |
| Type of Appeal | Third Party |
| Appellant(s) | Liam Madden |
| Observer(s) | None |
| Date of Site Inspection | 17 th of August 2017 |
| Inspector | Angela Brereton |

1.0 Site Location and Description

- 1.1.1. The proposed development site is located on the north side of Main Street, Loughrea, Co. Galway. It is a three storey premises facing Main Street and lies close to the junction with Abbey Street (R350) to the west.
- 1.1.2. The property which was formerly used as a public house and hotel has been vacant for some time and is not in good repair either externally or internally. Internally there is a counter for the p/h and a large kitchen area and toilets on ground floor level and a staircase at the rear to the former hotel bedrooms on first and second floors.
- 1.1.3. There is a long rectangular rear yard area that is enclosed by buildings on three sides, but has access from an arched gateway onto Main Street. While there is some hard-surface on this the area it is overgrown and there are no parking spaces marked out. There are yellow lines in front of the property and a loading bay to the east. There is a well-used public carpark on Abbey Street to the north west. There is no access to the subject site from Abbey Street.
- 1.1.4. There is a small betting office premises 'Paddy Power's' directly opposite the subject site on Main Street. Otherwise there are no other betting premises in the immediate vicinity. The site adjoins 'Dawdy Kenny's' p/h which is a P.S (RPS1283) and 'Angie Maddens' retail premises. There is a two storey flat roofed extension to the rear of the former. There are a number of vacant premises on Main Street Loughrea, all of which appear in need of maintenance.

2.0 Proposed Development

- 2.1.1. This is to consist of the following:
 - (1) Change of use of ground floor licensed premises to use as a betting office including internal and elevation alterations and the provision of a new shop-front and associated signage;
 - (2) A new access stairwell to the rear of the building to access the existing first and second floor levels;
 - (3) Change of use of existing first and second floors from guest-house accommodation to office use including all internal modifications.

- 2.1.2. The application form provides that the area of the site is 0.05ha, the g.f.s of the existing building is 394sq.m, the g.f.s of the proposed works is 426sq.m, the g.f.s of work to be retained is 357.3sq.m and the g.f.s of demolition works is 36.7sq.m.
- 2.1.3. Drawings to include Site Layout Plan, floor plans and elevations have been submitted showing the existing and proposed development.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 17th of May 2017, Galway County Council granted permission for the proposed development subject to 10no. conditions. These include relative to infrastructural and construction issues and also note the following:
- Condition no.1 – includes that the use of the building be restricted to betting office and for office purposes.
 - Condition no.2 – provides for a photographic record of the building and monitoring of works by a conservation architect.
 - Condition no.3 – refers to restrictions on signage on the front elevation/façade.
 - Condition no.4 – provides that the timber frame windows to the first floor are not permitted and that plans for an alternative window style shall be submitted.
 - Condition no.5 – provides restrictions on advertisements.
 - Condition no.8 – relates to archaeological issues.
 - Condition nos. 9 and 10 relate to site development works and construction/demolition.

3.2. Planning Authority Reports

3.2.1. Planner's Report

This notes the locational context of the site, planning history and policy and the submission made. They noted that the subject site is located in Loughrea town

centre, and is a 3 storey, mid terraced traditional style building currently vacant, and note the previous usage. They noted that the site is adjacent to a P.S RPS 1285 and had regard to the Conservation Officer Report. They provided that in general the principle of development is acceptable at this location, however further assessment of the visual impact and method statement of works is required. They provided that significant impacts on habitats within Natura 2000 sites arising from this development can be ruled out. They noted concerns regarding the integrity of the building and the impact of the proposed development on the façade and wider streetscape at this location within the ACA and RMP of Loughrea town.

Further Information requested included the following:

- The applicant was requested to demonstrate how the demolition of all internal floors and partitions is to be carried out while maintaining the integrity of the existing masonry envelope and also to submit a method statement outlining the intentions of the applicant to carry out the works.
- Access issues to the building and also relative to the high quality specification/treatment and finishes of the existing under carriage/archway.
- An assessment of the impact of the proposed flat roof profile to the rear of the building on the roof profile and roofscapes of Loughrea ACA with views from the rear of the site.
- An assessment to include photographic assessment of the existing façade adjoining the P.S having regard also to the impact on the streetscape within the ACA.
- Details of the proposed opening hours of the betting office/bookmakers to be submitted.

3.2.2. First Party response

John Healy Design - Project Management has submitted a response on behalf of the applicant which includes the following:

- They have submitted a revised drawing which provides details of the internal alterations and the works proposed.

- They have regard to structural matters and note that an Archaeological and Architectural Heritage Impact Assessment by Anne Carey has been submitted. They provide that this notes that there are no issues raised regarding the floor or walls that are proposed to be removed.
- They note the revisions to the access now shown on the revised drawings, to provide direct access from the street to the proposed rear stairwell and the upper floors of the building as requested.
- The Archaeological and Architectural Heritage Impact Assessment describes the history and context of the building and deals with the issue regarding the rear roofscape and provides it has no effect on the Loughrea ACA.
- The accompanying photographic record deals comprehensively with the shopfront and the façade in general.
- They provide details of the proposed opening hours of the Betting office/Bookmakers.

3.2.3. Planner's Response

The Planner had regard to the F.I submitted. They noted that the applicant has submitted a comprehensive Architectural and Archaeological report on the building and the proposed works therein. They provide that the applicant has fully responded to the FI request and that there are no further outstanding matters. They recommend this proposal to renovate and bring the building back to active use and that permission be granted subject to conditions.

3.3. **Other Technical Reports**

3.3.1. Conservation Officer

They noted that it is proposed to carry out extensive internal alterations to the building on the Main Street in the centre of the ACA which protects the character of the historic town of Loughrea. DM Standard 44 applies to change of use of buildings within the ACA. They recommended that F.I be submitted to properly assess the proposal and provide a list of details to be provided. They also noted that the historic town of Loughrea is surrounded by a surviving medieval moat and is included on the

Record of Monuments and Places (GA 105 150) and consider the recommendations of the National Monuments Service should be considered in this regard.

3.4. Prescribed Bodies

- 3.4.1. A list of Prescribed Bodies consulted is provided by the Council and includes: The Development Applications Unit, Dept. of Arts, Heritage, Regional, Rural & Gaeltacht Affairs and The Arts Council which were also consulted by the Board. To date no response has been received.

3.5. Third Party Observations

A submission has been received from the subsequent Third Party Appellant which includes the following:

- This application being a material change of use, is development and is not exempted development.
- The proposal being a new development should comply with the requirements of the DP as regards the provision of off street parking.
- This proposal which includes the proposed rear extension, will impact adversely on the access to the existing courtyard area.
- There is no provision for service vehicles.
- The archway to the public street has inadequate visibility and unsafe visibility sightlines.
- The proposal is contrary to the proper planning and sustainable development of the area.

4.0 Planning History

- 4.1.1. The Planner's Report provides an extensive planning history relative to applications within 100m of the site. There appears to be no recent history relative to the subject site.

5.0 Policy Context

5.1. Galway County Development Plan 2015-2021

The County Galway Development Plan 2015-2021 is the statutory Development Plan for the area. This includes many relevant policies and objectives that would apply to such commercial/retail development. Variation No.1 was adopted in April 2017 and includes regard to the Spatial Strategy, Core & Settlement Strategy.

S2.4.14 sets out the Core Strategy in relation to Retail Development.

Chapter 4 of the plan sets out the retail hierarchy for the County and provides a number of other objectives regarding retail management, set within the framework of the Retail Planning Guidelines for Planning Authorities 2012. It is provided that the CDP has adopted a six tiered system, which at no.4 includes Key towns (>1500 pop.): *These towns provide an extensive range of services including health, community, financial, employment and retail. Many have a strong historical identity as market towns and in most cases have a relatively well-developed infrastructure. Sustained growth in these settlements is required to achieve their potential as self-sustaining towns in their own right.*

Section 4.2 provides Strategic Aims and Table 4.1 supports Key towns providing a wide range of employment, retail and other services to a wide catchment. Table 4.2 provides Five Key Policy Objectives for the Retail Sector.

Section 4.4 refers to Employment, Economy and Enterprise – Development and Promotion. This includes S.4.6 which refers to the Provision of Serviced Land and Infrastructure.

Section 4.15 refers to compliance with the RPG and 4.16 to Core Shopping Areas and 4.17 to Improvement of Town Centres i.e. *Following on from the core shopping areas, the Retail Planning Guidelines (2012) also recognise the importance of ‘healthy’ town centres in terms of retail performance. In this regard, regular assessment of the vitality and viability of town centres is recommended and Annex 2 of the guidelines sets out an evaluation approach which can be used by Local Authorities.* Table 4.4 provides a Table showing the Diversity of Retail Uses including in Loughrea Town Centre. Section 4.18 refers to Retail Diversity, 4.19 to Local

Shops and Services and 4.20 to Evening and Later Night Uses. Section 4.23 contains Retailing Policies and Objectives.

Chapter 5 refers to Roads and Transportation. This includes note of the Public Car Park in Loughrea. Policy TI4 seeks to support Land Use Integration and Transportation. Objective TI4 seeks to Investigate the potential for the development of integrated transportation hubs at Tuam, Ballinasloe, Athenry, Loughrea etc. Policy TI5 refers to Roads, Streets and Parking and the need to comply with DMURS to ensure that adequate parking is available. Objective TI9 seeks to: *Provide/improve parking facilities in towns and villages as development and traffic demand.* Objective TI 8 seeks to provide a review of Traffic Management Plans including in Loughrea.

Objective TI 9 refers to Carparking i.e: *Provide/improve parking facilities in towns and villages as development and traffic demand. The requirements for car parking shall be in accordance with the standards and guidelines as set out within Chapter 13 (Development Management Standards and Guidelines) of this plan under Guidelines for Transportation, Roads, Parking, Loading and Storage.*

Section 9.4.4 refers to Architectural Conservation Areas and the protection of the character of such areas. Section 9.5 refers to Architectural Heritage Policies. Objective AH2 refers to Protected Structures and AH3 to ACAs. Objective AH 4 refers to Works relating to P.S and ACA's and includes: *Works within the ACA shall ensure the conservation of traditional features and building elements that contribute to the character of the area. New proposals shall have appropriate regard to scale, plot, form, mass, design, materials, colours and function.*

Section 9.7 has regard to Archaeological Heritage Policies and Objectives and note is had of Archaeological Objective ARC2.

Chapter 13 provides the Development Management Standards and Guidelines. This includes regard to Parking Standards in Table 13.5.

DM Standard 43 refers to Protected Structures and DM Standard 44 to Architectural Conservation Areas.

Appendix III refers to Architectural Conservation Areas and includes Loughrea town centre.

Appendix V refers to the Record of Protected Structures.

5.2. Loughrea Local Area Plan 2012-2018

This has regard to the strategic locational context of the town and its setting. Regard is also had to the town centre Medieval town core. Regard is had to Heritage and Environment and Flood Risk Management. Also to the Strategic Visions for Loughrea which includes realising the town's potential a 'Key Town as set out in the Core Strategy in the GCDP 2015-2023. This includes: *Protecting and enhancing the heritage and character of Loughrea, including the natural assets, environment, built heritage, public realm, local character and amenity, for the benefit of current and future generations.* Consolidation of the town centre is supported.

Chapter 3 refers to Development Policies, Objective and Guidelines. This has regard to Land Use Management Policy and zoning. This includes Objective LU1 which refers to the Town Centre (C1) - Map 1. DM Guidelines LU2 refers to the Land Use Zoning Matrix. A Table is included showing Land Use Zoning Matrix which provides that a Betting Office is open to consideration in the C1 zone.

Section 3.4 refers to Economic Development. This notes that the town centre (C1) is the primary retail area in Loughrea – Objective ED3 refers. Objective ED7 seeks to prevent a proliferation of individual uses which would not support the vitality and viability of the town centre.

Section 3.5 refers to Transportation and this includes regard to Roads, Streets and Parking – Policy TI2 refers. Regard is had to the enhancement of the urban street network, parking and the Traffic Management Plan and Smarter Travel initiative for Loughrea – Objective TI1 refers to Integrated Land Use and Transport. Objective TI20 seeks to ensure the management of Parking Facilities. This notes that requirements for car parking are contained in the GCDP. Objective TI21 refers to Traffic Safety and Access.

Section 3.6 refers to Utility and Environmental Infrastructure and has regard to water supply, wastewater disposal, surface water drainage and Flood Risk Management and Assessment. Regard is also had to Water Quality and to Waste Management. Section 3.6.2 provides the Policies and Objectives.

Section 3.7 refers to Urban Design and Landscape and includes regard to Place-making and seeks to protect the distinctive streetscape and character of the town.

Section 3.7.2 provides the Policy and Objectives. Objective UD1 supports high quality new development.

Section 3.8 notes that the built and cultural heritage within Loughrea contributes to the character and local distinctiveness of the area. The Architectural and Archaeological Heritage of the town is noted. Regard is also had to Protected Structures within the town. Refer to Map 1 and Map 2 of this Plan in relation to the Loughrea ACA and to the Record of Protected Structures in the Galway County Development Plan. Regard is also had to Archaeological Heritage and this notes that most of the town centre is in a zone of such and regard is had to Map 2B.

Section 3.8.2 provides the Policies and Objectives and Policy BH1 refers to the Built Heritage, Objective BH1 refers to Architectural Heritage and BH2 to Protected Structures. Objective BH3 to development in ACA's. Objective BH5 relates to Development/Works relating to PS and ACAs and BH6 to ACA Appraisal and Management. Objective BH8 to Archaeological Heritage and BH10 to Zones of Archaeological Potential (Refer to Maps 1 and 2).

Section 3.9 refers to Natural Heritage and Biodiversity and includes regard to Natura 2000 sites. Section 3.9.2 provides the Policies and Objectives.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A Third Party Appeal has been submitted by local resident Liam Madden. He considers that the Council did not take account of his submission and notes that the essence of this appeal is the disregard by the Council of its own DP standards and requirements. This includes the duty to make provision for on-site parking. His grounds of appeal include the following:

- The applicant intends not to provide the required on-site parking, but intends to remove all existing parking from the site.
- The open courtyard to the rear is approx. 10metres by 20metres. This is ample area to accommodate 5 or 6 cars with turning space. However, the proposal includes a new extension beside the archway access and vehicular access is therefore obstructed.

- Therefore, this proposal will not provide any parking at all, it will also allow for the loss of the existing 5 or 6 spaces and both taken together is a 100% burden on the public carpark.
- They also note that the Council did not consider the proposal would *overly increase parking* or attach development charges/contributions in lieu of parking spaces.
- They consider that this proposal does not comply with DP policy relative to onsite parking. In addition, this is not a reversible decision on parking. The removal of existing spaces is not sustainable.
- The proposed development is contrary to proper planning and sustainable development and permission should be refused.

6.2. Applicant Response

- 6.2.1. There is no First Party response to the grounds of appeal.

6.3. Planning Authority Response

- 6.3.1. There is no response from the Council to the grounds of appeal

6.4. Observations

- 6.4.1. No Observations have been submitted.

7.0 Assessment

7.1. Principle of Development and Planning Policy

- 7.1.1. The Loughrea Local Area Plan 2012-2018 notes that Loughrea has been identified as a self-sufficient settlement and a 'Key Town' within the Core Strategy/Settlement Strategy of the Galway County Development Plan and it is important that future development for anticipated growth is plan led so that Loughrea can enhance its vibrancy and grow in a sustainable manner. This includes regard to the locational context and the Medieval core: *The town's Main Street is the primary street within the town with seven small side streets connecting to Barrack Street to the south.*

There are significant employment opportunities within the town, which has a viable commercial core that retains its historical vernacular and streetscape.

- 7.1.2. As shown on Map 1 the application site is located in the Town Centre (C1) land use zoning where Objective LU1 seeks to: *Promote the development of the Town Centre as an intensive, high quality, well-landscaped, human-scaled and accessible environment with an appropriate mix of uses, including residential, commercial, service, tourism, enterprise, public and community uses as appropriate, that provide a range of retail services, facilities and amenities to the local community and visitors to the town.* It is also provided that the town centre and associated main streets will remain the primary focus for retail and service activity in Loughrea.
- 7.1.3. The Land Use Zoning Matrix provides that a Betting Office is open to consideration, offices (<100m²) are permitted in principle and offices (100m² to 1000m²) are open to consideration. This also notes that hotels, restaurants or shops are permitted in principle. It is provided that the town centre is the primary retail area in Loughrea. The (C1) Town Centre/Commercial zoning seeks to provide a range of retail and service facilities in suitable locations within the town, which will protect the vitality and viability of the town centre.
- 7.1.4. It is of note that this is a sensitive site adjoining a Protected Structure and is also within an Architectural Conservation Area. Objective BH3 relative to the latter is of note and seeks to: *Protect, conserve and enhance the essential character of the Architectural Conservation Area (ACA) through the appropriate management and control of the design, location and layout of new development, alterations or extensions to existing structures and/or modifications to the character or setting of the Architectural Conservation Area.* Therefore, the proposed development, which includes both internal and external alterations and extensions to facilitate the change of use needs to be considered in this context. Regard is also had to the issues raised by the Third Party relative to access and parking in this Assessment below.

7.2. Regard to Background and Heritage issues

- 7.2.1. An Archaeological and Architectural Heritage Impact Assessment has been submitted in response to the Council's F.I request. This notes that the subject building, located at the western end of Main Street, Loughrea, is an eighteenth

century five-bay, three-storey terraced building, fronting onto the northern side of the street. This provides a background history of the site and the area including regard to cartographic evidence. It is noted that the site which is now vacant, previously operated as 'Moylan's Commercial Hotel', with a traditional shopfront to the ground floor and a carriage arch to the western side of the façade, allowing for access to the rear.

- 7.2.2. While the site is located in an Architectural Conservation Area (ACA) in the centre of Loughrea town, the subject building is not a Protected Structure. However, the building adjoining to the west (named as 'Connolly's in the RPS; now called Dawdy Kenny's) is a P.S, RPS1283 refers. The site is also located within the Zone of Archaeological Potential for Loughrea (RMP No.GA105:150) Medieval town.
- 7.2.3. It is noted that Assessment provides details relative to archaeology in the area. This includes that the long narrow plots to the rear of the properties on both sides of Main Street and other streets in the town, such as Barrack Street, indicate the presence of medieval burgage plots. They provide that the town is of undoubted archaeological significance but it is notably poor in significant or conspicuous medieval built heritage. They consider that this medieval heritage may now mainly exist sub-surface or be incorporated into the existing buildings in the town. Section 3.8 of the LAP includes regard to Archaeological Heritage and provides that most of the town centre is within a zone of archaeological potential – Map 2B refers to the various constraints. It is recommended that if the Board decide to permit that a condition to include archaeological monitoring of groundworks during excavation and construction be included.
- 7.2.4. The Assessment has regard to the Evolution of the Site and provides that following an appraisal of the interior and exterior of the building it is clear that a number of building phases are represented on site. The current outward appearance of the building is eighteenth/nineteenth century in form, following the Classical design favoured throughout the Georgian era, with twentieth century joinery to the roof, doors and windows. They date the three storey five bay building as it currently stands back to the eighteenth century, incorporating possibly earlier fabric. They note that the building was damaged by fire in the early to mid-twentieth century and rebuilt using imported pitch pine beams to the second floor. Also that it operated for many years as Moylan's Hotel.

- 7.2.5. The façade is rendered and painted, although this does not appear in good repair with peeling throughout. The ground floor has a traditional shopfront to the eastern side of the façade and a carriage arch to the western side, with a door and window centrally placed within. The shopfront consists of a plate glass window and recessed doorway with a traditional entablature over. The name 'Moylan's' still appears on the signage. A description is provided of the bays and it is noted that there is a string course between the first and second floors and there are five bays of shorter window openings on the second floor, also fitted with timber windows. The façade above the string course broadens to the west, extending into the façade of 'Dawdy Kennys'.
- 7.2.6. The rear of the building is accessed via the carriage arch to the western side. There are a number of returns to the rear of the main building, these include a pitched roof three storey return with a single pitched two storey extension to the west side and a single pitched single storey extension. All buildings to the return are subservient to the existing property and are rendered. There is a stone built outbuilding to the western side of the yard to the rear, which is to be retained.
- 7.2.7. An internal description is also provided of the various rooms within the former hotel premises and photographs are included. It is noted that there are toilet cubicles in the room to the west of the hallway which served the p/h. Plate 6 shows the traditional form of the bar counter and shelving of the former public house area on the ground floor. They provide that stairs leading to the upper floors have a dog-led plan, with a bathroom off the half landing on both the first and second floors. Internally a number of differences in wall thicknesses were noted which have a significance in dating masonry. They provide details of such and note that there are various internal features, including the delicate plaster ceiling rose. It is provided that this style of ceiling rose is consistent with the eighteenth century transition phase of decorate plaster. The photographs show external and internal features of the premises as existing.
- 7.2.8. Therefore, while not listed, it is considered that the integrity of this period building is of some merit and interest that visually contributes to the character of the ACA and to the P.S adjoining. It is considered important that any new use or extensions do not detract from this.

7.3. Regard to proposed Design and Layout

- 7.3.1. Drawings showing the existing and proposed development have been submitted. It is provided that the floor area of the Betting Office Use is 103.3sq.m, the Office Use on first and second floors is 254sq.m and circulation area is 68.7sq.m. i.e. 426sq.m in total. In general, it is proposed to remove the internal floors and partition walls to provide for a more open plan usage on all floors, rather than the smaller rooms there at present which were to facilitate the hotel accommodation. The Assessment provides that it is proposed to retain the broad spine wall running east-west through the building at first floor level and to retain the lugged architraves, doors and wooden panelling as part of the new development.
- 7.3.2. Regard is had to the F.I submitted which provides details on retention of some of the internal walls. This notes the removal of the existing staircase and includes that all existing masonry walls on the first floor are to be retained fully intact, there are no masonry walls on the second floor. As noted in the 'Archaeological and Architectural Heritage Impact Assessment' submitted, the building has been substantially altered over its lifetime and was converted to a Hotel at one point which required the division of the space into smaller bedrooms by the use of lightweight stud partitioning with no impact on the structural integrity of the building therefore they provide that the removal of these walls will not have a negative impact on the building.
- 7.3.3. It is also proposed to remove the stairwell so that this area can be included in floor area of the proposed uses. A new stairwell and lift is to be provided to access all three floors in the proposed three storey flat roofed structure at the rear. As shown on the drawings the floor area of the proposed extension is 68.7sq.m. The elevations show that in order to achieve the three storey height, this, including the lift shaft, will be higher than the eaves but lower than the ridge height of the existing former hotel premises. This is to have a napp plaster finish.
- 7.3.4. Changes are also proposed to the existing front elevation, an additional shop front area was originally to be added and an existing door is to be replaced by a new timber window. The juxtaposition of this is shown on the original front elevation submitted. It is noted that a revised drawing Revisions A was submitted as part of the F.I response, which does not include the additional shop front. This now shows an access being created from the street which leads to the proposed rear stairwell.

This has been achieved by replacing the existing window to the west of the ground floor with a corridor leading to the rear. It is provided that this will give direct access off the street to the rear stairwell and the upper floors of the building as was requested. It is considered important that there be a separate access route to the proposed offices above, which are to be separate to the Betting office use.

- 7.3.5. Having regard to external finishes it is provided that the problematic oil based paint to the front façade will be removed and replaced with a more suitable water based paint. It is noted that the existing frontage is in need of maintenance and it is considered important that any modifications to the traditional shop front and signage be in character with the existing property and the ACA.

7.4. **Regard to Change of Use**

- 7.4.1. This three storey terraced premises with frontage onto Main Street, Loughrea, appears to have been vacant for some time. The former use of the ground floor was as licensed premises, and of the first floor was in use as guest accommodation associated with the former hotel use. The bar counter, kitchen and toilet areas are still present on the ground floor as is the subdivision of guest rooms above and the rear staircase to all floors. The proposed use of the ground floor is as Betting Office, and the 1st and 2nd floor is as Office Use. It is proposed to renovate the former public house area on the ground floor for inclusion in the larger betting office floor space. Therefore, no element of the pub floor will remain. The proposed hours of opening of the Betting office/Bookmakers are to be from 9.30am to 9.30pm which the First Party provides is considered to be the norm for such a business.
- 7.4.2. Regard is had to the Retail Planning Guidelines 2012. Section 4.4.1 notes that: *The Centres of Cities and Town Centres are the most suitable locations for the higher order fashion and comparison goods and are the most accessible locations for the majority of the catchment population.* This also includes that: *They should be supported in maintaining and expanding their retail offer to serve that population in a sustainable way which will also help to reduce the need to travel.* Section 4.6 refers to the Sequential Approach and Extension – Change of Use Applications and includes relative to proposals for the extension or material change of use of existing development that such extensions will have to be assessed in the context of the

floorspace requirements of the development plan/relevant retail strategy where appropriate.

- 7.4.3. Annex 2 of the Guidelines refers to Assessing the Vitality and Viability of Town Centres and this includes regard to 'Health Checks' and detailed land use surveys. Regard is had to the Table 4.4 of the GCDP 2015-2021 which has regard to: *Diversity of Retail Uses in Tuam, Ballinasloe & Loughrea Core Town Centres*. This notes that when the survey was carried out (c.2015) there was a relatively high level of vacancy in Loughrea. Section 4.18 provides: *Variety in the services on offer is required in order to achieve and maintain a vibrant town or village centre. A proliferation of one particular use above all others can jeopardise this vibrancy.*
- 7.4.4. It is noted that the subject premises is three storey and the current application refers to the ground floor use as Betting Office, with the first and second floors being in separate use as offices. Therefore, it is proposed that the building be used for bookmakers and offices and no element of retail is proposed in this extensive frontage to Main Street. There is another bookmakers 'Paddy Powers' on the opposite side of the road, in a smaller premises. Therefore, the scale of the proposed use will provide for a much larger premises and appears to be in addition to the premises across the road.
- 7.4.5. Objective ED3 in the Loughrea LAP refers to this primary focus on retail and regard is also had to the Retail Planning Guidelines 2012. Objective ED7 seeks to: *Protect and enhance the vitality and viability of the town centre by ensuring that it remains the primary retail, commercial and mixed use centre in the town and prohibit a proliferation of any individual use that, in the opinion of the Planning Authority, does not contribute to the vitality and viability of the town centre.* While the use is open to consideration in the Land Use Zoning Matrix there is a concern that the extent of the proposed use could lead to a proliferation of betting shops in the core retail area of Main Street, which would be undesirable having regard to the primary retail focus, also relative to active street frontages and to vitality and viability of the town centre and the sensitive character of the ACA.

7.5. Impact on the Character and Amenities of the Area

- 7.5.1. The Archaeological and Architectural Heritage Impact Assessment includes an Impact Assessment. This provides that the proposed changes to the front façade of the building includes the replacement of the existing timber window with replica double glazed timber windows. Regard is had to the restrictions imposed by the Council's condition no.4 in this respect. It also notes the windows to all floors will be replaced and the front façade will be repainted and provides that this will improve the appearance of the frontage in the ACA. They note that the building while not a P.S has features of eighteenth century date therein. Also, that this development will preserve these features and will not impact on a broad spine wall at ground and first floors, which is of potentially early date.
- 7.5.2. The proposed widening of the doorway of the traditional shopfront is required due to the Building Regulations. The current appearance of the traditional shopfront will be maintained despite this change and the original plaster elements of the cornice and brackets will be retained. They note that replacement signage will be erected and consider that overall the changes will not have a negative impact on the ACA. They provide that the alterations that are proposed to the shopfront are the minimum amount needed to facilitate a new tenant who will use the existing shopfront for access and advertising.
- 7.5.3. The roofline of the proposed extension to the rear of the building will be lower than the pitched roof of the main building and it will have a flat profile. They provide that the proposed extension will not be visible from the ACA to the south. It is noted that there are a variety of rooflines in buildings and extensions to the rear of the Main Street facades within and on both sides of the subject site. Immediately to the west the two storey extension to the rear of the P.S has a flat roof with a metal railing to the perimeter and to the east the return has a pitched roof. They provide that while the proposed access extension is of three storeys it will not have a negative impact on the ACA or on the rooflines in the town of Loughrea.
- 7.5.4. The built and cultural heritage of the town includes both architectural and archaeological heritage and that Loughrea (historic town) has a number of significant elements of both that form part of the history and character of the town. It is noted that the outward appearance of Loughrea is that of a mid-eighteenth century/early

nineteenth century market town, lined with three to four storey buildings, many with traditional shopfronts. As the principal street in the town, Main Street commands many of the finest buildings with broad facades and Classical fenestration.

- 7.5.5. The subject premises adjoins 'Dawdy Kenny's p/h which is a P.S (RPS1283 refers) and is described as a 4 bay, 3 storey, 19th century house in the Council's RPS1283 – Appendix V RPS refers. While the frontage to the Main Street appears original it is noted that this has a more recent flat roofed two storey extension at the rear. DM Standard 43 has regard to the issue of development works on adjoining sites relevant to Protected Structures i.e *Development on sites adjoining a protected structure will be required to demonstrate that it will have no adverse impacts on the character or integrity of the protected structure or views to and from it.*
- 7.5.6. As shown on Map 1 of the LAP a large area of the centre of the town including the subject site is included in the ACA, which seeks to protect the special character of the historic core. It is noted that an ACA may or may not include Protected Structures. Planning permission must be obtained before significant works can be carried out to the exterior of a structure in an ACA. Section 3.8 of the LAP notes that the vast majority of buildings span the late 18th to late 19th centuries and share many characteristics. It provides that surviving traditional shopfronts are an important feature. This also includes: *The designation of the historic town centre core as an ACA and the associated management of both individual buildings and the public realm in the area will significantly enhance the quality of the local environment within Loughrea.*
- 7.5.7. DM Standard 44 as provided in the GCDP is of note relative to development works in an ACA. This includes that proposals for development in an ACA that involves a new building, reuse or change of use and extensions will be required to: *Conserve and enhance the character and appearance of the ACA; Respect the scale, massing, proportions, design and materials of existing structures; Retain important exterior architectural features that contribute to the character and appearance of the ACA.*
- 7.5.8. It is not considered that the scale and height of the three storey rear extension will provide an attractive addition to the existing building which adjoins the curtilage of a P.S and as shown on the Loughrea LAP is within the ACA. However, it is noted that there is a two storey flat roofed extension to the rear of the p/h which is the P.S to

the west. This appears less dominant and more subservient than the proposed structure.

- 7.5.9. Section 3.7 of the Loughrea LAP had regard to Urban Design and Place-making and seeks to protect the distinctive character of the town and to enhance the quality of the built environment. This includes: *The townscape and streetscapes of Loughrea are an important part of the built heritage and visual amenity of the town. The protection and enhancement of the townscape, streetscapes and historic street pattern would all need to be considered with respect to the future conservation and development of the town.* Objective UD1 seeks to support high quality new developments that would enhance the character of the townscape. Objective UD5 seeks to promote street oriented development and responsive frontages. It has to be queried as to whether a Betting Office that encompasses the whole of the ground floor of the former hotel premises would provide for such responsiveness or would be a suitable primary use. Also there is concern that the proposed three storey extension at the rear would not enhance and would be detrimental to the character of the existing building the and the character of the ACA.

7.6. Access and Parking

- 7.6.1. It is of note that Section 3.5 of the Loughrea LAP includes that it is the aim of the Council to: *support the enhancement of the urban street network, to promote the efficiency of traffic circulation and management around Loughrea and to facilitate the provision of parking convenient to the town centre, including park and ride / park and stride facilities where appropriate.* This also notes that there is a Traffic Management Plan for Loughrea that deals with issues of traffic and parking management in the town and has regard to the Smarter Travel Initiative for Loughrea. Objective TI1 includes the prioritising of walking, cycling and public transport within, and providing access to, new development proposals, as appropriate. Objective TI20 seeks to ensure that parking facilities in the town are managed appropriately. It is noted that there is a public car park to the north west of Abbey Street within a short walk of the premises, although this appeared well used and at capacity on the day of the site visit.
- 7.6.2. Objective TI21 seeks to ensure Traffic Safety and provide for safe Access. This seeks to (d): *Require, where possible, the provision of adequate off-street parking*

and adequate loading/ unloading facilities as part of each development to ensure that parked vehicles do not cause a traffic hazard, obstruct vehicle or pedestrian movement or create a negative visual impact. It also refers to new developments and also seeks to provide mobility access.

- 7.6.3. The Parking Standards are provided in the Galway CDP 2015-2021. Table 13.5 provides that Offices (Town Centre) require 1 car space per 25sq.m of g.f.s. A separate standard is not given for Betting Offices. It is noted that as per Class 2 of Part 4 of the Planning and Development Regulations 2001 (as amended) office use is included in parts (a) & (b) and part (c) provides for any other services (including use as a betting office). Therefore, it is considered advisable to include a betting office in the Offices criteria i.e: 14no spaces would be required for the proposed 103.3sq.m betting office and the 254sq.m of offices above. In accordance with Table 13.5 the hotel use would have required 1 space per bedroom, 13 bedrooms are shown on the existing floor plans. Therefore, the parking requirement is relatively similar for the hotel and office use. This assumes that the lounge/bar was ancillary to the hotel use.
- 7.6.4. It is noted that the Third Party is concerned that no on-site parking is to be provided in the current proposal. Documentation has not been submitted to provide that car parking was provided for the hotel use in the rear yard area. However, while overgrown it is noted that this area is partly surfaced. As shown on the Site Layout Plan it is proposed to retain the existing sizable shed and the area of the rear courtyard is c.10m by 20m ie.200sq.m. Access to the rear is somewhat restrictive in that it would be via the narrow arched entrance to Main Street. It is noted that there is an area for Loading on Main Street to the east of the hotel frontage which also includes parking meters and that this area was also parked up on the day of the site visit. Therefore, it is considered that it maybe possible to provide some on-site parking at the rear, possibly for staff, which would be desirable in this case considering the parking shortfall in the immediate vicinity. If the Board decides to permit it is recommended that it be conditioned that the use of this rear access be investigated and that a parking layout be submitted.
- 7.6.5. However, it is also noted that having regard to the drawings, the proposed siting of the rear extension will protrude from the rear of the building and will impact somewhat on circulation to the arched access and the rear yard area, and that the

form of the existing rear elevation would have less of an impact on this. Therefore, relative to onsite parking and access there could be an issue that the proposed extension would somewhat impede circulation in the rear yard area.

7.7. Appropriate Assessment

- 7.7.1. The site is located within 170m of Lough Rea SAC, which is to the south. However, this is a fully serviced site within the boundaries of the town of Loughrea. Having regard to the nature and scale of the proposal relative to change of use of an existing premises, no appropriate assessment issues arise and it is not considered that the proposal would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. Having regard to the documentation submitted, the Assessment above including planning policy and objectives, to the submissions made, including the grounds of appeal, and to the site visit carried out, it is recommended that permission be refused for the reasons and considerations below.

9.0 Reasons and Considerations

1. Having regard to the zoning objective for the Town Centre (C1) area where as per Objective LU1 of the Loughrea Local Area Plan 2012-2018 the primary focus is for retail and service activity, and to the proposed scale and extent of the office and betting office uses, there is concern that this proposal would lead to a proliferation of such individual uses which would not contribute to the vitality and viability of the town centre and as such be contrary to Objective ED7 of the said Local Area Plan and Section 4.18 of the Galway County Development Plan 2015-2021 (as varied). As such the proposal would also be contrary to policy approach for the provision of retail development in the town centre as per Section 4.4.1 of the Department of the Environment, Community and Local Government Retail Planning Guidelines 2012.
2. The subject premises comprises an eighteenth century three storey, five bay period building which while not listed, is a building of some architectural merit

with frontage onto Main Street, Loughrea, that adjoins a Protected Structure and contributes to the character of the Architectural Conservation Area. As such it is not considered that the proposed inactive frontage, or three storey rear extension would contribute to the conservation or enhancement of the character of the Architectural Conservation Area and as such would be contrary to Objective AH3 and DM Standard 44 of the Galway County Development Plan 2015-2021 (as varied) and to Objectives BH3 and UD5 of the Loughrea Local Area Plan 2012-2018. Therefore, the proposal would be contrary to the proper planning and sustainable development of the area.

Angela Brereton,
Planning Inspector

11th of September 2017