



An
Bord
Pleanála

Inspector's Report PL 06D.248871

Development	Retention of modifications to site works granted permission under Planning Permission D08A/0702
Location	Former Blackrock Town Hall, Carnegie Library and VEC Building (all Protected Structures), Newtown Avenue, Blackrock, County Dublin.
Planning Authority	Dún Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D17A/0380
Applicant(s)	Dublin and Dún Laoghaire Education and Training Board
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Victor Boyhan
Observer(s)	None

Date of Site Inspection

23rd October, 2017

Inspector

Kevin Moore

1.0 Site Location and Description

- 1.1. The proposed development is located on public lands in Dún Laoghaire-Rathdown County Council's administrative area and comprises an area of 0.04565 hectares. The area is to the front of the former Blackrock Town Hall, Carnegie Library and VEC Building on Main Street, Blackrock, County Dublin. It is laid out in the form of a wide footpath with parking adjoining the footpath edge and a few trees along its length.

2.0 Proposed Development

- 2.1. The proposed site works seeking retention include alterations to roadside kerbing and footpaths, an increase in the number and alignment of parking bays and a reduction in the number of trees from the original application under P.A. Ref. D08A/0702. The original development provided for four car parking spaces, including one disabled space. Over the course of the project and following discussions with the planning authority, a layout of 6 parking bays at 45 degrees to the kerb, one disabled space parallel to the kerb and four trees were decided upon, resulting in the application made to the planning authority for the retention of these modifications.
- 2.2. Details submitted with the application included a letter from the Infrastructure and Climate Change Department of Dún Laoghaire-Rathdown County Council consenting to the inclusion of lands as part of the planning application.

3.0 Planning Authority Decision

3.1. Decision

On 16th June 2017, Dún Laoghaire-Rathdown County Council decided to grant permission for the development subject to one condition.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner noted the site's planning history, the interdepartmental reports received and the objection made. Noting the recommendation from the Conservation Officer, it was submitted that the development works for retention are suitably high quality for

the location and their retention was acceptable. It was further considered that the proposed development, if granted, would not prevent or impede any future public realm improvement works by the Council in this area. A grant of permission was recommended.

3.2.2. Other Technical Reports

The Conservation Officer requested further information, seeking proposals more in keeping with the policies and objectives of the Blackrock Local Area Plan by way of minimising car parking spaces and introducing more soft landscaping.

The Transportation Planning Engineer had no objection to the proposal.

The Drainage Engineer had no objection to the proposal.

3.3. **Third Party Observations**

An objection was received from Victor Boyhan. The third party appeal reflects the issues raised.

4.0 **Planning History**

ABP Ref. PL 06D.230643 (P.A. Ref. D08A/0702)

Permission was granted by the Board in 2009 for refurbishment, alterations to and extension of Blackrock Town Hall, Carnegie Library and Dun Laoghaire VEC.

P.A. Ref. D14A/0391

An application made for retention of modifications to site works was withdrawn following the issuing of a further information request by the planning authority.

5.0 **Policy Context**

5.1. **Blackrock Local Area Plan 2015-2021**

Urban Structure and Character

Policies include:

Policy BK09

It is council policy to upgrade the public realm along Main Street and Rock Hill in order to provide a more attractive streetscape and an improved pedestrian environment in the Village having regard to the broad principles provided for in Drawing 4 and Drawing 6.

Drawing 6: Main Street & Rock Hill Public Realm proposes a new plaza created along the frontage of the Town Hall and VEC buildings.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal by Senator Victor Boyhan may be synthesised as follows:

- Concerns have previously been raised with the planning authority about unauthorised works to the front area of the building, including parking bays, that had been identified for planting and an area for improved public realm.
- The appellant concurs with the views of the Conservation Officer.
- In granting permission, the planning authority failed to have regard to the details and conditions attached to the original grant of permission.
- The planning authority failed to have regard to the objectives of the Blackrock Local Area plan, which identified this area for improved public realm.
- The use of large planters containing trees should be considered as an alternative where the applicant is concerned about underground ducting and additional paving could be installed to replace car parking.
- The proposed development would prevent or impede the potential for future public realm space as envisaged by the LAP, would detract from the amenities of the area and impact on the character and setting of the protected structures.
- The removal of car parking is appropriate and reasonable in light of the transport plan accompanying the original planning application emphasising the importance of public transport and the commitment to encourage staff and students to use same.

6.2. Planning Authority Response

The planning authority submitted that it had due regard to the details and conditions of the original planning permission and the objectives of Blackrock LAP. It was stated that the development would not prevent or impede any future public realm improvement works by the Council and it was noted that the Transportation Planning Section had no objection to the proposal. The Board was asked to uphold its decision.

7.0 Assessment

- 7.1. The proposed development seeks to change permitted parallel parking to the kerb that provided for 4 parking spaces to the provision of 6 parking bays at 45 degrees to the kerb and one disabled space parallel to the kerb. I consider that the proposed development should be considered in light of what has previously been approved and in the context of the provisions of the existing Blackrock Local Area Plan.
- 7.2. Policy BK09 of the Blackrock Local Area Plan seeks to upgrade the public realm along Main Street in order to provide a more attractive streetscape and improved pedestrian environment, with regard to Drawing 4 and Drawing 6 of the Plan. With regard to the provisions of the Plan that seek to explain Policy BK09, it is stated that it is envisaged that the centrality of the village cross-roads as a focus for activity should be re-established. The BFEI redevelopment at the Town Hall is seen to be a key 'magnet' at one end of the village core. The Plan also explains that it is proposed to retain a two-way traffic system along Main Street to allow for full vehicular access to businesses and the retention of bus routes. It is also stated that any public realm improvement scheme will be predicated on a reduction in carriageway widths and a rationalisation of on-street parking. Drawing 4 illustrates the 'Public Realm Strategy' and this identifies Blackrock VEC as a 'Major Generator of Activity'. Drawing 6, entitled 'Main Street & Rock Hill Public Realm', refers to 'Ideas for the Main Street and Rock Hill' and one such 'Idea' is: *10. New 'plaza' created along the frontage of the BFEI and Old Town Hall.*

- 7.3. With due regard to the above, it is apparent that the site works associated with the redevelopment of the Town Hall and VEC buildings have improved the pedestrian environment and have made the streetscape more attractive in terms of reducing the carriageway width, rationalising parking by lessening the number of spaces at this location, widening the footpath and enhancing surface finishes, as well as introducing a number of trees. These provisions are clearly in accordance with Policy BK09 of the LAP. In seeking to maintain two-way vehicular traffic along Main Street to accommodate businesses and retention of bus routes, the footpath has been widened significantly and the streetscape has been enhanced by finishes and increased pedestrian space.
- 7.4. It is my submission, in the context of seeking to achieve a 'plaza' in such a confined space and where it is expressly intended to maintain full vehicular access along the street, that attaining the provision of such an 'Idea' is extremely difficult. Furthermore, in the context of what was previously permitted in the form of parallel parking, the changes to an increased number of spaces by way of 45-degree parking has had a minimal impact on the ability to enhance the pedestrian environment so significantly as to gain a functional 'plaza'.
- 7.5. Overall, I am of the opinion that the proposed development is in keeping with the provisions of the LAP. It clearly has improved the pedestrian environment, has visually improved the setting of the adjoining protected structures, and has significantly reduced on-street parking over that which was originally accommodated on the street. Finally, I am of the opinion that the frontage arrangements that are now in place would not likely undermine the ability of the local authority to further enhance the streetscape at this location in the future, especially in the context where vehicular movement through the street is a fundamental requirement of the functioning of that street.

8.0 Recommendation

- 8.1. I recommend that permission is granted in accordance with the following reasons and considerations

9.0 Reasons and Considerations

Having regard to the provisions of the Blackrock Local Area Plan 2015-2021 as they relate to the urban structure and character of the location of the proposed development and to the enhanced pedestrian environment and rationalisation of parking achieved by the upgrading of the public realm at this location, it is considered that the retention of the site works modifications would be in accordance with the provisions of the Local Area Plan, would not adversely impact on the setting of the adjoining protected structures or on the visual amenities of the area, and would otherwise be in accordance with the proper planning and sustainable development of the area.

Kevin Moore
Senior Planning Inspector

25th October 2017