



An
Bord
Pleanála

Inspector's Report PL06F.249208

Development	Two-storey building for retail purposes
Location	Deanstown House, Main Street, Blanchardstown, Dublin 15.
Planning Authority	Fingal County Council.
Planning Authority Reg. Ref.	FW17A/0104.
Applicant(s)	Patrick Molloy.
Type of Application	Permission.
Planning Authority Decision	Refuse permission.
Type of Appeal	First Party
Appellant(s)	Patrick Molloy.
Observer(s)	Patrick O'Reilly.
Date of Site Inspection	3 rd November 2017
Inspector	Patricia Calleary.

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	4
3.4. Third Party Observations	5
4.0 Planning History.....	5
5.0 Policy Context.....	5
5.1. Development Plan.....	5
6.0 The Appeal	6
6.1. Grounds of Appeal	6
6.2. Planning Authority Response	7
6.3. Observations	7
7.0 Assessment	8
7.1. Introduction	8
7.2. Design and Integration	9
7.4. Amenities of Adjoining Building to the East.....	10
7.5. Structural Concerns	10
7.6. Appropriate Assessment	10
8.0 Recommendation.....	11
9.0 Reasons and Considerations.....	11

1.0 Site Location and Description

- 1.1. The appeal site as marked within the redline boundary comprises a commercial building, Deanstown House and a vacant area to its east. The site is located on the northern side of Main Street in Blanchardstown at a point where Main Street and River Road converge. The site has a stated area of 0.9 ha and the vacant plot is trapezoidal in shape, narrowing in width from front to back.
- 1.2. A two storey detached building with a hipped roof is located to the east of the site. It is stated in the Conservation Officer's report that this building was at one point in time a Royal Irish Constabulary (RIC) Barracks. It is currently occupied by a retail use at ground and office use overhead. There is a small timber shed on the site and to the rear of the site there is gate and connecting passageway to the rear of Deanstown House commercial development.

2.0 Proposed Development

- 2.1. The proposed development would comprise a two storey commercial building with a stated floor area of 81 sq.m. It would be flat roofed and it would provide retail development on the ground and first floor levels. It would incorporate a fully glazed front façade facing Main Street.
- 2.2. The layout is shown as open plan with a stairway connecting the ground and first floors.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority issued a decision to refuse permission as they considered it would be out of character and visually incongruous with the existing development at its location on Main Street. It was also considered that it would seriously injure the visual amenities and depreciate property in the area and would contravene the 'TC' zoning objective in the Fingal Development Plan 2017-2013.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. The Planning Officer refers to the development proposal as one which would infill a short laneway between Deanstown House and the detached property to the east, and considers that both of these properties occupy a prominent location on the Main Street. The following provides a summary of the Planning Officer's assessment:

- The proposal for a retail unit at this location is acceptable in principle subject to a full planning assessment;
- At ground floor level, the design presents a 50mm gap between the proposal and the adjoining building to the east which is not sufficient to visually protect the historic character of the building;
- At first-floor level the proposal would introduce a wall positioned at 0.8m from the centre of the window face thus causing a reduction in outlook from and daylight to the window on the west side wall of Deanstown House, which would be unacceptable;
- The design is considered unacceptable and this view is shared by the Conservation Officer;
- Matters concerning traffic, parking, drainage and potential impact on foundations are noted and these could be addressed via an appropriate condition.

3.2.3. Other Technical Reports

- Water Services – No objection subject to conditions;
- Transportation – No objection;
- Conservation – Proposal for a two-storey building and the design submitted are not acceptable.

3.3. Prescribed Bodies

- Irish Water – No objection subject to conditions.

3.4. Third Party Observations

- 3.4.1. A third-party submission was received from Patrick J. O Reilly, who is the owner of the detached building to the east of the appeal site. Concerns are raised that the proposal would impact unduly on the existing property to the east, a 'standalone' historic building and that it would diminish its architectural significance by joining two buildings. Concern was also raised regarding loss of outlook from the existing building and potential for disturbance to the stone foundations of the neighbouring building.

4.0 Planning History

The appeal site

- **Reg. Ref. FW17A/0015** relates to an application for permission for the change of use of ground floor of Unit No.2 from a tanning salon/retail use to use as a restaurant for consumption of food on the premises and also dialup home delivery services (16th May 2017);
- **Reg. Ref. FW16A/0114** relates to an application for permission for refurbishment works and extensions. During the course of the application and following a request for further information, the applicant omitted the proposed single storey retail unit which was located at the eastern side of the site (7th February 2017);

Adjoining site (East)

- **Reg. Ref FW15/0086** relates to an application for a change of use from 1 no. retail unit and office use to 2 no. retail units at ground floor level (15th September 2015).

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The provisions of the Fingal County Development Plan 2017-2023 apply. The appeal site is located in an area which is zoned '**Town and District Centre / TC**' – 'To protect and enhance the special physical and social character of town and district

centres and provide and/or improve urban facilities'. The following provisions are of specific relevance:

- **Section 3.4 – Sustainable Design and Standards** (Inc: Design Criteria for Urban Development): Good urban design principles will help the delivery of high quality environments with a clear urban structure. Observing these principles will ensure the conservation of architectural heritage and streetscape, the promotion of high standards of architectural design for new buildings and the reinforcement of local identity and 'sense of place'.
- **Objective Blanchardstown 1:** Prepare an Urban Framework Plan for Blanchardstown Village to guide and inform future development to include improvements to the Village streetscape and environment through appropriate high quality infill development not exceeding three storeys; retain the historic streetscape by ensuring the conservation of traditional buildings; enhance levels of public lighting and supervision and provide a central public space.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. An appeal against the decision to refuse planning permission was received from Stephen Molloy Architects on behalf of the applicant. The following is a summary of the grounds of appeal:

- The contemporary design was deliberately flat roofed to provide a distinct difference between the proposed building and the adjoining commercial building;
- The proposed frontage of 4.5m is entirely consistent with neighbouring units and would form part of a terrace where individual shops wouldn't necessarily be distinguished from each other;
- Proposal includes a step back to the building to take account of the window on the east of the adjoining property. First floor accommodation is in commercial use and there is no residential element;
- Would not contravene the 'TC' zoning objective.

- Design response would represent infill at the location and this type of development is encouraged subject to the design considerations;
- Proposal would not serve to depreciate property in the area, the reverse would occur;
- TC zoning would not be breached and development would remedy issues with the original detached form of the original Deanstown house, constructed in 1988;
- Applicant bought the building in 2016 and carried out redevelopment and improvement works and the building is fully occupied;
- The proposed retail unit represents a high-quality design taking full cognisance of its surroundings and would not result in any negative impacts onto the building to the east or the west, but rather enhance the streetscape;
- Site was previously used for bin storage and is waste ground, which has attracted anti-social behaviour.

6.1.2. Reference is made in the appeal to permissions granted for similar type of new proposals adjacent to existing developments under planning permissions FW11A/0121 and FW15A/0012 (PL06F.245048). It is asserted that these offer strong precedents in support of the current proposal.

6.2. **Planning Authority Response**

6.2.1. The Planning Authority notes the contents of the appeal and reaffirm their position that the decision to refuse permission is considered reasonable.

6.3. **Observations**

6.3.1. An observation was received from Patrick J O'Reilly who is the owner of the detached building adjacent to the east. The principal grounds of appeal can be summarised as follows:

- The development would negatively impact on the property, which has high historic value and architectural significance;

- The building has always been standalone and the proposed development would take from the integrity of the building;
- Notwithstanding the unsightly nature of the alleyway between the two buildings, the proposed development would be an inappropriate solution;
- The site is overdeveloped and would create or increase illegal parking and set down;
- **Would** risk damage to the stone foundations to this existing building to the east.

7.0 Assessment

7.1. Introduction

7.1.1. Having read the appeal file and attended the site and environs and noting the 'TC' zoning category applicable to the site, I consider the development of retail/commercial on the Main Street at Blanchardstown to be acceptable in principle and in accordance with the land-use zoning objective, subject to consideration of other relevant planning issues. The main issue that arises is the consideration as to whether the design response satisfactorily integrates with the adjoining buildings and with the streetscape. I also intend to consider if the development would result in any negative impacts on the adjoining buildings, specifically on the detached building to the east. My assessment proceeds under the following headings:

- **Design and Integration**
- **Amenity of Adjoining Building to the east**
- **Structural Concerns**

7.1.2. In addition to these matters, I have also considered the proposal in the context of **Appropriate Assessment**.

7.2. Design and Integration

- 7.2.1. The pattern of development along this section of Main Street consists of a mix of detached and terraced buildings including an attractive historic two-storey building immediately east of the site.
- 7.2.2. According to the Conservation Officer, this building has historic significance, dating back to the late 19th century or early 20th century, and states that it was at one point used as an RIC barracks. At ground floor level, the building would be attached to the existing Deanstown house commercial building to its west. It would be built up to the side of the building to the east, save a small gap of 50mm proposed to be retained at ground floor level. At first floor level the 50mm gap would also be retained for the most part but would widen to form a 1.5m gap at a point 5.6m back from the front face of the new proposal. The front face of the building would itself be sited c.1.5m forward of the neighbouring building to the east, and set back c.1m from Deanstown house front building line.
- 7.2.3. While the infilling of a gap along a streetscape would normally be acceptable and even preferred in planning terms, I do not accept it is so in this instance. The streetscape at this location does not comprise terraced buildings but rather two separate building entities. I would envisage no difficulty with the extension of the Deanstown House commercial building itself, except the context and surrounding environment, particularly the attractive detached hipped roof building to the east. I concur with the Planning Authority's assessment that while this historic building has been significantly altered at ground floor level, it still retains an appearance which is of sufficient character and value, and is of reasonable/significant architectural merit and contributes positively to the overall streetscape.
- 7.2.4. I consider that by virtue of its position and flat roof design abutting the hipped roof detached structure, the proposed development would be visually incongruous, discordant and would be at variance with the wider streetscape, such that it would significantly detract from the visual amenities of the historic building and to the streetscape to an unacceptable extent. I do not consider that previous permissions granted by Fingal County Council, as put forward by the appellant as precedents, support a grant of permission in this instance, as they are not comparable in the context of the proposed development. The proposed development would not be

supported by the Fingal Development Plan, specifically the principles to ensure the conservation of architectural heritage and streetscape (Section 3.4 – Sustainable Design and Standards) and retaining the historic streetscape (Part of Objective Blanchardstown 1).

- 7.2.5. In conclusion, it is considered that the proposed development would be detrimental to the character and amenities of the streetscape and to the visual amenities of the area and the proposal should be refused for this reason.

7.3. Amenities of Adjoining Building to the East

- 7.3.1. Concerns have been raised by the observer that the proposal would introduce a wall positioned at 0.8m west from the existing window opening in the west (side) wall of the detached historic building and this would reduce the outlook from and daylight to this window to an unacceptable degree. I note that the building is in commercial use and there is no residential element so therefore the loss of outlook is not a significant issue in this context and I do not recommend that this would form a reason for refusal.

7.4. Structural Concerns

- 7.4.1. The observer states his concern that the development works could result in destabilising the 'stone' foundations of the existing building to the east. This is a concern which can be dealt with by an adequate structural design and construction methodology. These are matters that would more readily be incorporated into the detailed design and the construction stage separate from the consideration of the planning merits of the proposal. Accordingly, the concern for the protection of the stone foundations can be appropriately addressed and should not form a reason for refusal.

7.5. Appropriate Assessment

- 7.5.1. Having regard to the nature and scale of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise and it is not considered that

the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. Further to the above assessment of matters pertaining to this appeal, including the consideration of the submissions made in connection with the appeal and including my site inspection, I recommend that permission is **refused** for the reasons and considerations set out below.

9.0 Reasons and Considerations

- 9.1.1. Having regard to the existing character and the prevailing pattern of development in the area and character which is defined by a mix of detached and terraced type commercial buildings and units, including an attractive prominent detached building to the east which has historic and architectural merit, it is considered that the proposed development, by reason of its position and design would result in an incongruous and unattractive feature which would detract from the historic and architectural character and visual amenities of the streetscape at this location to an unacceptable extent. It is considered therefore that, if permitted, the proposed development would seriously injure the visual amenities of the area and would be contrary to the provisions of the current Fingal Development Plan which seek to conserve architectural heritage and historic streetscapes. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Patricia Calleary
Senior Planning Inspector

7th November 2017