



An
Bord
Pleanála

Inspector's Report ABP 300349-17

Development

Permission for alterations to part completed two storey over basement public amenity building (Planning Reference No. D03A/0140) to include altered use to 6 no. hotel suites and café, alterations to internal layout and elevations.

Location

Royal Marine Hotel (Protected Structure), Marine Road, Haigh Terrace and Georges Street Upper, Dun Laoghaire, Co. Dublin.

Planning Authority

Dun Laoghaire Rathdown County Council.

Planning Authority Reg. Ref.

D17A/0826.

Applicant

William Neville & Sons.

Type of Application

Permission.

Planning Authority Decision

Refuse.

Type of Appeal

First Party Vs Decision.

Appellants

William Neville & Sons.

Observers

1. Jonathan Carroll.
2. Barry & Genoveva Griffin.

Date of Site Inspection

7th March 2018.

Inspector

Dáire McDevitt.

1.0 Site Location and Description

- 1.1 The site forms part of the Royal Marine Hotel, located to the southeast of Dun Laoghaire Town centre.
- 1.2 The Hotel and its grounds are bounded to the south by Moran Park, with the dlr Lexicon library occupying the southeast corner. Haigh Terrace also forms part of the southern boundary, this includes The Maritime Museum (The Mariners Church) and is part of the Haigh Terrace to Park Road Conservation Area (ACA). The northern boundary consists of vehicular access to the Hotel off Marine Road with modern mixed uses developments of varied heights and styles along the remainder of the northern boundary. To the east is Queens Road and Dun Laoghaire harbour and the Irish Design Gallery which occupies Moran Park House (Protected Structure Ref. 731).
- 1.3 The site outlined in red with the application, with a stated area of c.1.8 hectares, contains The Royal Marine Hotel (Protected Structure Ref. No.800). The area has undergone significant redevelopment and now contains, a modern extension to the hotel (5 to 7 storey), a 4/5 storey mixed use development under construction off Marine Road, underground carpark and surface carpark with vehicular access road off Marine Road. The original grounds of the Hotel have been opened up and a significant public amenity area has been developed running west to east from the Hotel to Queens Road with links to the adjoining redeveloped Moran Park.
- 1.4 The western side of the Royal Marine Hotel site is visually attractive with the Hotel (5 storeys) centre stage. To the east is the redeveloped Moran Park and the imposing dlr Lexicon building. The Hotel grounds are characterised by grassed areas with paths linking to the adjoining roads and the Moran Park/dlr Lexicon site which is more contemporary in character.
- 1.5 The ground levels of the Royal Marine Hotel site fall from west to east. The difference in levels within Moran Park are addressed by imposing retaining walls, stairs and paths which are features throughout and incorporated into the space, serving both functional and aesthetic purposes.

1.6 The relevant area which is the subject of this appeal, is surrounded by hoarding and contains a partially constructed structure. It is located to the southeast of the entrance to the Royal Marine Hotel, immediately east of the Haigh block and the entrance to the Hotel's underground carpark. It is bounded to the east by large walls and the dlr Lexicon building. Railings and planting form the southern boundary along Haigh Terrace. On the opposite side of Haigh Terrace there are a number of Protected Structures, including six three storey terrace houses (No. 1 to 6 Haigh Terrace) and The Mariners Church (The Maritime Museum). The Church and the dlr Lexicon are bounded by a paved pedestrian civic space which opens onto Haigh Terrace.

2.0 Proposed Development:

The proposed development comprises the following:

- Construction of c. 525sq.m two storey over basement building within the same footprint of the permitted building under D03A/0140 (PL.06D.207858) (gfa of 994 sq.m).
 - Containing a café at basement and first level, 4 no. hotel suites at ground floor level and 2 no. hotel suites at first floor level.
 - Materials and finishes include painted sand and cement knapp plaster finish, architectural cladding, D/G powder coated aluminium glazing system, timber handrails to balconies, selected stone facings, glazed spandel panels and glazed balustrades to the café terrace and a standing seam roof.
 - A monopitch roof with a flat roof section over the protruding glazed section.
- on a site with a stated area of c.1.8 hectares.

The following documentation is included in the application:

- Architects Cover letter.
- Planning Report.
- Computer Generated Images.

3.0 Planning Authority Decision

3.1. Decision

Refused permission for the following two reasons:

1. Having regard to the Protected Structure status of the Royal Marine Hotel. And noting the protected status of the adjacent Mariner's Church (National Maritime Museum) and Haigh Terrace, and the Architectural Conservation Area (ACA) designation of the area immediately located to the southeast of the subject site, it is considered that the proposed development due to its design, size and layout would be visually discordant and disruptive and would detract from and negatively affect both the character and setting of the surrounding landmark Protected Structures and Civic Buildings and their grounds and the architectural character and streetscape appearance of the Haigh Terrace to Park Road Architectural Conservation Area, and would seriously detract from the streetscape character. The proposed development would contravene Policy AR1 'Protected Structures' and Section 8.2.11.2 (iii) 'Development in close proximity to a Protected Structure' of the Dun Laoghaire Rathdown County Development Plan 2016-2022. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the Dun Laoghaire Rathdown Urban Framework Plan (UFP), Appendix 12 of the Dun Laoghaire Rathdown County Development Plan 2016-2022 and the design and scale of the proposed development, it is considered that the proposed development would be contrary to and conflict with the overall vision for the site and would be contrary to Objective No. 16 which seeks a low scale café/restaurant building of the highest architectural design in the subject location. The proposed development would, therefore, seriously injure the visual amenities and depreciate the value of property in the vicinity and be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1 Planning Report.

The Planner's Report formed the basis for the Planning Authority's decision. The main issues are reflected in the reasons for refusal. Other points of note are summarised as follows:

- A combined report from the Conservation Division and the Architects Office formed a significant part of the planning assessment and the recommendations in this report are reflected in the reasons for refusal.
- The proposed design does not adequately address the historic and visual sensitivities associated with the subject site. It is considered that the design is incompatible with the character of the area and fails to respect and compliment the adjoining Protected Structures.
- The scale of the building is unacceptable, it is not considered to be 'low scale' as required under Objective 16.
- The site is adjacent to the public realm improvement works associated with the dlr Lexicon which are to be extended along Haigh Terrace in accordance with an approved Part VIII scheme.
- Outstanding issues raised by the transportation section (see section 3.3.2 of this report) would need to be addressed in any future application.
- Landscaping proposals are required which show how the proposal would integrate with the adjoining public realm improvement works.
- The current application did not address the refusal reasons set out under Reg. Ref. D16A/0651.
- An Appropriate Assessment screening determined that further information should be sought in order to assess the development in combination with permitted projects with regards to potential for indirect run-off during the construction phase.

3.2.2 Other Technical Reports

Joint Architectural Division and Conservation Division Report. The main issues are summarised as follows:

The subject site is located within the grounds of the Royal Marine Hotel, a Protected Structure with frontage to both Haigh Terrace and the grounds of the hotel. For any new build to be sited in this sensitive environment it must respect its historic context, and not detract from the setting and amenity of the Royal Marine Hotel and the nearby Protected Structures on Haigh Terrace, which includes the Mariner's Church (now the Maritime Museum) and fulfil the objectives set out in the Dun Laoghaire Urban Framework Plan.

The design proposes a crude block typology into a location that is the hub between the Mariner's Church, the dlr Lexicon and the Royal Marine Hotel rather than a building in the round (pavilion) typology which would be more appropriate. It is also poorly designed and generic in nature and fails to overcome the previous reasons for refusal under Reg. D16A/0651.

Recommended that the proposal be refused permission as it does not accord with the following provisions of County Development Plan 2016-2022: Policy AR1 (Protected Structures), Section 8.2.11.2 (iii) (development in proximity to Protected Structures) and Objective 16 & 17 of the Dun Laoghaire Urban Framework Plan (Appendix 12 of the County Development Plan).

Transportation Planning.

Recommendation that further information be requested relating to accessibility, bicycle parking and construction management.

Drainage Section. No objection.

3.3 Third Party Observations

3.3.1 Four submissions were received by the Planning Authority which included two by Observers to this appeal (Jonathan Carroll and Barry & Genoveva Griffin).

3.3.2 The issues raised in the submissions are largely in line with the observations on this appeal and shall be dealt with in more detail in the relevant section of this Report.

Other points of concern raised are summarised as follows:

- Welcome the development of the site which is currently an eye sore.
- There is limited public amenity provision in the new proposal.
- The building does not engage with its surrounds.
- Need to protect the amenities along Haigh Terrace.
- Loss of privacy due to overlooking.
- The library and the Maritime Museum already have cafes. There are a number within the immediate area and there is no need for another one.
- Concerns with anti-social behaviour.
- Need to comply with section 8.2.4.7 of the County Development Plan and provide 11 Sheffield cycle stands for a 228 room hotel.

4.0 Planning History

Royal Marine Hotel complex:

The area which is the subject of this appeal is taken from the Royal Marine Hotel site.

Planning Authority Reference No. D03A/0140 (An Bord Pleanala Reference PL. 06D.207858) refers to a 2004 grant of permission for the refurbishment and extension of the hotel, construction of a new public amenity building (c.994sq.m two storey over basement), construction of a new detached bedroom block (part 2,5, 6 and 7 storey), basement carpark, leisure facilities, civic building. Overall c. 19,772sq.m of floor area proposed (including c, 8,714 sq.m of existing floor area), Landscaping, paving routes, reinstatement and relocation of bandstand. **The 994sq.m civic building was partially constructed and is the subject of the current appeal.**

Relevant site:

Planning Authority Reference No. D16A/0651 refers to a 2016 application for the completion and change of design of the structure which is the subject of this application. The proposal consisted of a two storey over basement building (c.710 sq.m) consisting of a fitness room and 11 no. hotel suites. It was refused permission for 2 reasons, similar to the current reasons for refusal that are the subject of this appeal.

Planning Enforcement

ENF97/09A refers to the non completion of a two storey structure granted under Planning Reference No. 03A/0140 (An Bord Pleanala Reference No. PL.06D.207858). Case closed in September 2017 when the current planning application was lodged.

Other applications for the Royal Marine Hotel site:

Planning Authority Reference No. D13A/0355 (An Bord Pleanála Reference No. PL.06D.243209) refers to a 2014 grant of permission for development to the northwest of the main hotel consisting of the construction of a part 4 part 5 storey over basement level mixed use development (residential and commercial). It is currently under construction.

5.0 Policy Context

5.1 Dun Laoghaire Urban Framework Plan (Appendix 12 Dun Laoghaire Rathdown County Development Plan 2016-2022).

Section 2.4 The Royal Marine Hotel, Haigh Terrace and Park Road.

It is an objective of the Framework Plan to seek to upgrade the existing landscape and environs of the Royal Marine Hotel to complement the design standard achieved at the dlr Lexicon. This will ensure that the Hotel and its gardens realise their full potential as an important green space within the Town and so complement surrounding upgrades to public realm.

The main entrance to the dlr Lexicon is located along Haigh Terrace and addresses the newly developed civic space outside the Mariners Church. It is intended to further upgrade and improve Haigh Terrace to emphasise and create a strong link to George's Street.

Objectives

Objective 16 *To seek the development of a **low scale café restaurant building of the highest architectural design** addressing the new public space between the dlr Lexicon and the Mariner's Church. The redevelopment of the site should respect the vista of the Mariner's Church.*

Objective 17 *It is an objective of the Framework Plan to seek to upgrade the existing landscape and environs of the Royal Marine Hotel to compliment the design standard achieved at the dlr Lexicon.*

Objective 23 *To seek the creation of an improved pedestrian environment and the rationalisation of car movements at the entrance to the dlr Lexicon and the Pavilion car park through the implementation of the Council's adopted Part 8 scheme PC/06/10.*

5.2 Dun Laoghaire-Rathdown County Development Plan 2016-2022

- Land Use Zoning Objective 'MTC' to *protect, provide for and or improve major town centre facilities.*
- The site is to the north of the designated Haigh Terrace to Park Road Architectural Conservation Area.
- It is within the curtilage of the Royal Marine Hotel, Protected Structure, Ref. No.800 (hotel and wrought iron gates (Marine Road). Wrought Iron gates at Queens Road are also a Protected Structure).
- The site is located within lands identified for the preparation of a Local Area Plan.
- There are two public rights of way identified through the grounds of the Royal Marine Hotel: 1) Marine Road to Haigh Terrace and 2) Royal Marine Hotel to Queens Road.

Built Heritage

Section 6.1.3 refers to the County's architectural heritage. **Policy AR1** refers to the Record of Protected Structures and sets out the scope of their protected status.

Section 8.2.11.2 (iii) refers to development management standards for development within proximity to a Protected Structure and the requirement to protect its setting and amenity.

Appendix 4 includes the Record of Protected Structures & Architectural Conservation Areas.

The structures of most relevance in this instance are those immediately adjoining the application site:

- Royal Marine Hotel (RPS No. 800), the site is within the curtilage of this structure.
- The Mariners Church (RPS No. 798).
- No. 1 to 6 Haigh Terrace (RPS No. 802, 807, 820, 828, 835 and 844 respectively).

5.3 Architectural Heritage Protection Guidelines 2011 (DAHG)

These provide guidance on architectural heritage protection.

5.4 Natural Heritage Designations

There are no designated sites of relevance in the immediate vicinity.

The nearest designated sites are:

- South Dublin Bay SAC (site code 000210) located c.1.1km northwest of the site.
- South Dublin Bay & River Tolka Estuary SPA (site code 004024) located c. 1.3km northwest of the site.
- Rockabill to Dalkey Islands SAC (site code 003000) located c. 3km southeast of the site.
- Dalkey Islands SPA (site code 004172) located c3km to the southeast of the site.

6.0 The Appeal

6.1 Grounds of Appeal

The First Party Appeal seeks to address the reasons for refusal of permission and is summarised as follows:

Reason No. 1:

- The proposal has been altered from that refused permission in 2016 (PA. Reg. Ref. D16A/0651) for similar reasons to the current application. The changes are as follows:
 - **GFA:** The overall gfa has been reduced from c.710 sq.m to c 525 sq.m.
 - **Use:** Fitness room and 11 no. hotel suites changed to café/restaurant at basement and ground floor levels and 6 no. hotel suites.

- **Height:** This has been reduced by c. 0.5m (from the ground level) and by c. 2m (when taken from the basement level).
- Changes to the overall design with more glazing and a more active frontage to the front (western) elevation with an external terrace proposed under the current application and an angled roof.

Reason No. 2:

- An Bord Pleanála granted permission under PL.06D.207858 for development that included the partially constructed building. This was more substantial than the current one on the same footprint.
- The change in the roof profile from that refused under D16A/0651 reveals more of the front elevation of the Mariners Church when viewed from the northern approach from Marine Road. A Master Plan prepared for the larger site indicated a building with an angled roof to open up views to the Church as one approached from the north. The previous permitted building (PL.06D.207858) did not offer a clear view of the Church.
- The Lexicon, as shown in the photomontages submitted with the application, interrupts the view for the pedestrian of the Mariners Church when approaching from Marine Road and from the front steps of the Royal Marine Hotel.
- The high boundary walls erected by the Council to conceal plant associated with the dlr Lexicon are significant visual obstructions across the space.
- The Lexicon is enormous by any description. Objective 16 does not give reference to what 'low scale' means when viewed in juxtaposition to the enormity of the Lexicon or the Spires of the Mariners Church or in comparison with the height of the Victorian period buildings along Haigh Terrace (3 storey), equivalent to modern day 4 storey. 'Low scale' has to be assessed as comparative to the surroundings.
- The proposal is modern in design, it is not generic. The material and finishes would complement the Part VIII proposals for Haigh Terrace.

- A pavilion typology suggests a tented structure or a light weight frame, this would be inappropriate considering the massing of the partially completed building.
- Taste/design are open for criticism as indeed was the Lexicon until its interiors were revealed.

6.2 Planning Authority Response

The Board is referred to the previous Planner's Report as it is considered that the grounds of appeal do not raise any new matters which would justify a change of attitude towards the proposed development.

6.3 Observations

Two Observations have been received:

- Jonathan Carroll, Marine House, No. 3 Haigh Terrace, Dun Laoghaire, Co. Dublin).
- Barry and Genoveva Griffen, c/o Walter Odlum & Co., 16 Main Street, Blackrock, Co. Dublin. (Prospective purchasers of No. 1 Haigh Terrace, Dun Laoghaire, Co. Dublin).

There is an overlap and reiteration of issues throughout the Observations. Each observation is summarised below, however where repetition occurs the issue is only referred to once.

6.3.1 The Observation by **Jonathan Carroll** is summarised as follows:

- Supports the Planning Authority's decision to refuse planning permission.
- The proposal has no architectural merit and would detract from its historical setting.
- There is no need for another coffee shop as there are already a number within the immediate vicinity, including one at the Lexicon, the Maritime Museum, the Hotel and the Pavillion shopping complex along Marine Road.
- The open space and vista of Dun Laoghaire harbour and its historical importance would be obscured by the proposed development. The library

already detracts from the Georgian line of terraced houses and overwhelms their proportion.

- The area is a designated Architectural Conservation Area and needs to be protected for future generations.
- A single storey tea rooms, similar to that at the Peoples Park, would be more in keeping with the built heritage.
- No objection to modern design where it is fitting and not detracting to the local environment. The tones of old and new could be blended to show modern structural and environmental benefits, with a style that could complement the existing heritage, not destroy it with a modern cube like structure.

6.3.2 The main issues raised in the Observation by **Barry and Genoveva** are summarised as follows:

- The proposal would not comply with Objective 16 which seeks a ‘low scale café/restaurant building of the highest architectural design.’
- The building is a poorly designed crude structure that would not enhance the area.
- A high quality pavilion style building would be more appropriate.
- Inadequate drawings submitted.
- The visualisations submitted show the impact of the proposal on No. 1 & 2 Haigh Terrace.

7.0 Assessment

The main issues in this appeal are those raised in the grounds of appeal which seek to address the Planning Authority’s reasons for refusal. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Architectural Heritage.
- Design and Scale

- Appropriate Assessment.

7.1 Architectural Heritage

- 7.1.1 The site is located within the curtilage of the Royal Marine Hotel, a Protected Structure, and within close proximity to adjoining Protected Structures along Haigh Terrace, therefore Section 8.2.11.2 (iii) of the County Development Plan applies. The site is not located within an Architectural Conservation Area (ACA) as identified in the current County Development Plan, therefore the relevant policies do not apply.
- 7.1.2 The principle of a structure at this location was established under An Bord Pleanala Reference No. PL.06D.207858 for the redevelopment of the Royal Marine Hotel. Works commenced on a c.994 sq.m civic building on foot of this 2004 An Bord Pleanala grant of permission. These included the basement level, floor slabs and some block work at ground floor level. The partially constructed structure is currently surrounded by hoarding which detracts from this important amenity space. The current proposal before the Board consists of a c.525sq.m contemporary style two storey over basement structure, occupying the same footprint of that previously permitted but reduced in scale and height.
- 7.1.3 The Planning Authority's first reason for refusal was on the basis that the proposed development would be visually discordant and disruptive and would detract from and negatively affect both the character and setting of the surrounding Protected Structures, Civic Buildings (dlr Lexicon) and the adjoining Haigh Terrace to Park Road Architectural Conservation Area.
- 7.1.4 I note the concerns raised by the Planning Authority relating to the negative impact the proposal would have on the vista of The Mariners Church and Haigh Terrace from the northern approach. I also note the impact of the dlr Lexicon building, which is much larger than the proposed development, on the view of the Mariners Church. I have examined the County Development Plan and I cannot find reference to a protected views across the Royal Marine Hotel site towards the Mariners Church.

- 7.1.5 The building which is the subject of this application is lower in height than that previously permitted under An Bord Pleanála Reference No. PL.06D.207858, which was considered acceptable in terms impact vis a vis Haigh Terrace and the Mariners Church. Furthermore, the site has been identified by the Council in Objective 16 of the Dun Laoghaire Urban Framework Plan as one suitable for a structure to accommodate a café/restaurant. I do not consider that the proposed development is of such a scale and height that it would detract from the vistas of the Mariners Church or have a negative impact on the setting and character of adjoining Protected Structures or the dlr Lexicon.
- 7.1.6 This part of Dun Laoghaire has been the subject of extensive redevelopment in recent years. The grounds of the Royal Marine Hotel and the adjoining Moran Park have been transformed into an important outdoor amenity area for the town.
- 7.1.7 The Hotel itself has been extended with a contemporary style (5 to 7 storey extension). There are 5 to 7 storey buildings along Marine Road which form the northern boundary of the Royal Marine Hotel site. The dlr Lexicon building bounds and dominates the area to the southeast of the Hotel, clearly distinguishing itself from the surrounding Protected Structures. Photomontages have been submitted with the application illustrating the proposal in the context of the existing built environment.
- 7.1.8 It is my considered opinion that the impact of the proposal on the character and setting of the Protected Structures in the immediate vicinity, in particular Haigh Terrace, The Mariners Hotel and the Royal Marine Hotel, would be minimal compared to that caused by the transformation of the area in recent years. As a result of the introduction of a large contemporary public space, using large solid structures, water bodies, walkways, stairs, feature walls and the widespread use of granite.
- 7.1.9 The proposal also includes the removal of railings which form the boundary with Haigh Terrace. I have no objection to their removal as they are not integral to the character of the Haigh Terrace to Park Road Architectural Conservation Area. I consider the opening up of the site onto Haigh Terrace would benefit the area as a

whole by enhancing connectivity and permeability through the public realm area and the hotel onto Marine Road.

7.1.10 Given the assortment of architectural styles and designs within the immediate vicinity, I consider the proposed two storey over basement building with a low monopitch roof would be an appropriate intervention within the curtilage of the Royal Marine Hotel. It would replace a partially built structure within an important amenity space within the town. I consider the development satisfactory in terms of protecting the character, setting and amenities of the nearby Protected Structures and the character of the adjoining Architectural Conservation Area. Therefore, the development would comply Section 8.2.11.2 (iii) of the County Development Plan.

7.2 Design and Scale

7.2.1 Objective 16 of the Dun Laoghaire Urban Framework Plan refers to the requirement for a low scale café/restaurant of the highest architectural design for the area which is the subject of this appeal. Having examined the adopted Urban Framework Plan and County Development Plan I note that there is no definition for 'low scale' and I cannot find a reference for specific design parameters for a building at this location.

7.2.2 The proposal is for a two storey over basement building (gfa of c.525 sq.m) with a monopitch roof and a flat roof section, ranging in height from c.7.7m to c.4.4m over a 3.3m basement.

7.2.3 Buildings in the immediate vicinity include the dlr Lexicon building, the Royal Marine Hotel, mixed use developments along Marine Road, The Mariners Church and the terraces along Haigh Terrace. These structures range in height from 3 to 7 storeys. In my view, scale is relative to its surrounds. And in the absence of defined parameters for a building at this location and taking into account the existing built environment. I consider a two storey over basement building at this location would be 'low scale' as required under Objective 16 of the Dun Laoghaire Urban Framework Plan.

- 7.2.4 The issue of design and compliance with Objective 16 was raised by the Observers. It was considered that the design of the proposal would be visually incongruous and would detract from the character of the area.
- 7.2.5 I note concerns were also raised in the joint report from the Council's Conservation Officer and the Architects Office regarding the quality of the design and a preference for a pavilion type structure was highlighted. I have examined the relevant Objectives set out in the Urban Framework Plan for this site and I cannot find a reference to the requirement for a pavilion style building at this location.
- 7.2.6 The area has an eclectic mix of architectural styles and scales. Immediately bounding the proposed development to the east is the dlr Lexicon building, an impressive example of modern design in the form of a large oblong wedge. With its elevations facing Moran Park and the appeal site clad in Iberian granite and red English brick with granite courging on the Haigh Terrace elevation.
- 7.2.7 By contrast the redevelopment of the Royal Marine Hotel has seen the use of more traditional styles in conjunction with contemporary extensions. The Royal Marine Hotel and Moran Park are interlinked but retain their different distinctive styles. In my view, the current proposal would be an opportunity to bridge this transition. The external terrace proposed for the café facing Moran Park and the grounds of the Hotel would further integrate the two spaces.
- 7.2.8 The finishes and pallette of materials for the proposed development reflect, for the most part, the materials used in the civic space around the Lexicon and adjoining improvements carried out to Haigh Terrace, in front to the Mariner's Church and the dlr Lexicon. In my view, the use of these materials and finishes assist in integrating the building with the adjoining public realm, creating a sense of continuity between the two spaces. However, I have some concerns relating to the use of sand and cement knapp plaster on the exterior of the building as, in my view, it detracts from the overall design. This should be replaced with granite cladding mirroring the granite used on the dlr Lexicon elevation facing the

proposed building creating a sense of connectivity between the structures and the larger public realm. This could be required by condition in the event the Board grant permission.

- 7.2.9 The location of the proposal would require high quality landscaping and paving to integrate with the adjoining permitted public realm improvement works along Haigh Terrace. Notwithstanding the absence of a landscaping plan with the application, I am satisfied that this matter could be dealt with by condition.
- 7.2.10 The applicants have attempted to address the prominent location of the proposed building within a larger contained public amenity space through the use of a contemporary design solution. The buildings that directly bound this space are predominantly modern additions, the original hotel building and Moran Park House being the exceptions. The effect is not to jar with the existing built environment, including the adjoining Protected Structures within and bounding the site, while adding another contemporary element that enhances the architectural grain of the area.
- 7.2.11 It is my considered opinion that the development would be of an appropriate design idiom and scale, would replace a partially constructed structure on a prominent site within one of the town's main amenity spaces and would enhance rather than detract from the amenities of the area. Therefore, in conjunction with its proposed use would comply with Objective 16 of the Urban Framework Plan which required a low scale café building of high architectural standards that respects the vista of the Mariner's Church at this location.

7.3 Other issues.

- 7.3.1 The Observers have raised concerns that the proposal would result in overlooking and loss of privacy of the houses along Haigh Terrace. I am satisfied that this is not a concern taking into account the setback of c.15m from the proposed development and the front elevation of No. 1 Haigh Terrace, directly facing the site on the opposite side of a public road.

7.4 Appropriate Assessment

7.4.1 The nearest designated sites are South Dublin Bay SAC (site code 000210), located c.1.1km to the northwest of the site, South Dublin Bay & River Tolka Estuary SPA (site code 004024) located c.1.3km to the northwest, Rockabill to Dalkey Islands SAC (site code 003000) located c.3km to the southeast and Dalkey Islands SPA (site code 004172) located c.3km to the southeast of the site.

7.4.2 The Planning Authority's Appropriate Assessment Screening Report determined that further details would be required in order to assess the proposed development in combination with permitted projects with regards to potential for indirect run-off during the construction phase.

7.4.3 The proposed development, consisting of the completion and alteration of a partially constructed structure, is located c.300m from Dun Laoghaire harbour and the bay. The site is located on serviced zoned lands c.1.1km from the nearest designated site, South Dublin Bay SAC (site code 000210), and separated from it by a buffer of urban development. There are no direct or indirect links to the nearest designated site. The potential for indirect run off during construction to have a significant effect on the designated site is not likely.

7.4.4 It is reasonable to conclude that on the basis of the information on file, which I consider adequate in order to issue a screening determination, that the proposed development individually or in combination with other plans or projects would not be likely to have a significant effect on European Sites South Dublin Bay SAC (site code 000210), South Dublin Bay & River Tolka Estuary SPA (site code 004024), Rockabill to Dalkey Islands SAC (site code 003000) and Dalkey Islands SPA (site code 004172), a stage 2 appropriate assessment (submission of an NIS) is not therefore required.

8.0 Recommendation

I recommend therefore that planning permission be granted subject to the conditions as set out below.

9.0 Reasons and Considerations

Having regard to the location of the site adjoining an Architectural Conservation Area and adjacent to Protected Structures, the scale and design of the proposed public amenity building and the provision of the Dun Laoghaire County Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would integrate in a satisfactory manner with the existing built environment, would not detract from the character or setting of nearby Protected Structures or the adjoining Haigh Terrace to Park Road Architectural Conservation Area and comply with Objective 16 of the Dun Laoghaire Rathdown Urban Framework Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10. 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. Prior to the commencement of development the developer shall submit for the written agreement of the Planning Authority:
 - a) Revised details and specifications to include the replacement of the sand and

cement knapp plaster finish to the exterior of the building with granite cladding in keeping with that used on the adjoining dlr Lexicon building.

- b) Details including samples of the materials, colours and textures of all the external finishes to the proposed building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development

Reason: In the interest of protecting the character of the area.

3. The hotel suites shall be used solely as part of the Royal Marine Hotel. They shall not be used as separate residences, and shall not be let, sold other otherwise disposed of separate to the Hotel.

Reason: In the interest of clarity.

4. A comprehensive landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:-

(a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths/steps, terraces and kerbing within the development;

(b) proposed locations landscape planting in the development, including details of proposed species and settings;

(c) details of proposed street furniture, including bollards, lighting fixtures, plant boxes and seating;

(d) if required, details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.

The landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

5.

- a) Details of signage, including method of illumination, shall be submitted to the Planning Authority and agreed in writing prior to the commencement of development.
- b) Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the building or within the curtilage of the site, or attached to the glazing unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

6.

Prior to commencement of development the developer shall submit, and obtain the written agreement of the planning authority to, a plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, and for the ongoing operation of these facilities.

Reason: To provide for the appropriate management of waste and, in particular, recyclable materials, in the interest of protecting the environment

7.

No additional development shall take place on the roof area, including air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect visual amenities of the area.

8. Site development and building works shall be carried out only between the hours of

0800 to 1900 Mondays to Fridays inclusive, between 0800 hours to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

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

Reason: In the interest of public health.

10. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the

Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Dáire McDevitt
Planning Inspector
25th May 2018