



An
Bord
Pleanála

Inspector's Report ABP-302301-18

Development	Demolition of building and construction of a three-storey 11-bedroom hostel
Location	Altamont Street, Killaghour, Westport, County Mayo
Planning Authority	Mayo County Council
Planning Authority Reg. Ref.	P18/136
Applicant(s)	Gibbons Building & Civil Engineering Ltd.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third-Party
Appellant(s)	1.) Martin Coffey 2.) Rosaleen McGahern & Residents
Observer(s)	None
Date of Site Inspection	8 th December 2018
Inspector	Colm McLoughlin

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1.0 Site Location and Description

- 1.1. The appeal site is located on Altamont Street (R330 regional road), on the southeast side of Westport town centre leading towards Westport railway station.
- 1.2. It contains a single-storey former commercial building with a gross floor area (GFA) of 273sq.m. The building is currently unoccupied and features an overgrown external yard on the west side, which is enclosed by a stone wall over 2m in height. The building is accessed via two doorways off Altamont Street. A water pump set into a recessed archway is situated adjacent to the northwestern corner of the site. This is included in the Record of Protected Structure (RPS) (Ref. 113 or 114) and is also within the National Inventory of Architectural Heritage (NIAH) under Ref. 31,212,190.
- 1.3. The surrounding area is characterised by a range of town centre uses including Westpoint Shopping Centre, anchored by Tesco to the northwest, with an extensive surface level car park and residential units over commercial units on the opposite side of the street to the appeal site. Adjacent to the west of the site is a vacant public house, The Railway Tavern, which is included in the NIAH (Ref. 31,212,189). The site backs onto Westport railway station sidings yard, which features numerous buildings included in the RPS and the NIAH. Adjacent to the east is the railway station surface-level car park, set behind a 2.5m-high stone boundary wall onto Altamont Street. Ground levels in the immediate vicinity drop steadily northwest towards the Carrowbeg River. Altamont Street features a double-yellow line along the northern side with parking available along the southern side. A former railway bridge and viaduct 80m to the northwest of the site are now used as part of the Great Western Greenway pedestrian and cycle route.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - demolition of a single-storey commercial building with a stated GFA of c.273sq.m,

- construction of a three-storey hostel fronting onto Altamont Street with a stated GFA of c.799sq.m, containing facilities for staff and patrons at ground floor, five bedrooms and washroom facilities at first floor and four bedrooms, washroom facilities, laundry, plant room and an external rooftop terrace to the rear;
- refuse collection area within a side yard, new vehicular access off Altamont Street and provision for two parking arrangements options; option 1, comprising set down area and two disabled-parking spaces and option 2, comprising five car parking spaces.

2.2. In addition to the standard planning application documentation and drawings, the application was accompanied by computer-generated images of the proposed development.

2.3. As part of the applicant's response to the Planning Authority's further information requests, the proposed rooftop garden, vehicular entrance and associated parking options were omitted and the hostel GFA was increased by 46sq.m to 854sq.m and the internal layout was revised to provide for two additional bedrooms.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority decided to grant permission subject to six conditions of a standard nature, including the following:

Condition No.3 - external amenity area shall not be used between 22:30 and 09:00hours;

Condition No.6 - development contributions apply, including contribution towards parking.

3.2. Planning Authority Reports

3.2.1. Planning Report

The initial report (April 2018) of the Planning Officer noted the following:

- swept path analysis and sightline visibility at the proposed vehicular access is required;
- there are concerns regarding parking provision and several design aspects.

The second report (July 2018) of the Planning Officer reflects the decision of the Planning Authority. The Planning Officer noted the following:

- during discussions with the Area Engineer, concerns were raised regarding parking arrangements that would require reversing of vehicles onto the public road;
- proposals comply with Development Plan zoning policy and objectives, and one car parking space would be required per 0.5 bedrooms or 60sq.m. GFA;
- location adjacent to the railway station is ideal for the proposed use;
- parking can be provided in non-paying car parks within the town centre, subject to a special development contribution;
- concerns raised by third parties regarding potential anti-social behaviour by patrons can be addressed via condition.

3.2.2. Other Technical Reports

- Road Design Office – no objection, subject to conditions;
- Municipal District Office (Architect) – design amendments requested and omission of car parking required;
- Mayo National Roads Design Office – no comment.

3.3. Prescribed Bodies

- Health Service Executive (Environmental Health Officer) – conditions recommended;
- Irish Water – no response on file.

3.4. Third-Party Submissions

- 3.4.1. Three submissions were received during consideration of the application by the Planning Authority and the issues raised are covered in the grounds of appeal below.

4.0 Planning History

4.1. Appeal Site

- 4.1.1. Pre-planning relating to the proposed development is stated to have been undertaken between representatives of the Planning Authority and the applicant in December 2017 to February 2018. I am not aware of any recent planning applications relating to the appeal site.

4.2. Surrounding Sites

- 4.2.1. I am not aware of recent relevant planning applications in the immediate vicinity.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. Westport Town & Environs Development Plan 2010-2016 remains the statutory Plan for this area. Within the Development Plan the appeal site is zoned 'Residential Phase 1 (A1 - High Density)', which is assigned a stated land-use zoning objective 'to protect, improve and develop residential areas and to provide for facilities and amenities incidental to those residential areas, where appropriate'. While a 'guesthouse or hotel' would be open for consideration on this zoning, the acceptability of a hostel relative to land-use zoning objectives is not referenced in the Plan. The Plan recognises that Westport has been identified as a high performing tourism destination in the Regional Planning Guidelines.
- 5.1.2. The site is included within the Westport Town Centre Architectural Conservation Area (ACA), while the water pump on the northwestern corner of the site is one of two water pumps on Altamont Street identified as a Protected Structure (RPS Refs. 113 and 114) within Map 3 and Appendix 1, Part 3 of the Development Plan. Various buildings and structures within the railway station compound are also listed in the Record of Protected Structures (Refs. 106, 107, 108, 109, 110 and 111).

5.1.3. Section 4 of the Development Plan includes policies and objectives, the following of which are of relevance to this appeal:

- HO-02 – ‘to protect, improve and develop residential areas and to provide for facilities and amenities incidental to those residential areas’;
- HO-08 – ‘it is an objective of the Council to facilitate the provision of tourist accommodation such as Hotels, Holiday Homes and Hostels within Westport, and compatibility with the urban form and socio-economic character of Westport’;
- LUO-03 – ‘It is an objective of the Council that uses, other than the primary use for which an area is zoned, may be permitted provided they do not conflict with the primary land use zoning objective and/or matrix table set out in Section 5’.
- TFO-01 – ‘it is an objective of the Council to promote the sustainable development and enhancement of Westport as a major tourism centre in the West of Ireland and to continue to promote the tourism sector in the town, whilst recognising that there is an interdependency between preserving the character of the landscape, heritage and tourism’;
- TP-01 – ‘to maintain, conserve and protect the architectural quality, character and scale of the town’;
- TO-02 - ‘to designate the town centre as an Architectural Conservation Area as defined on Map 3. New developments shall support the architectural integrity, quality and character of such areas’;
- TO-03 – ‘to protect the protected structures and their settings on the Record of Protected Structures ..’.

5.1.4. Section 7.4 of the Development Plan outlines that a parking standard of 0.5 spaces per bedroom or 1 space per 60sq.m GFA is required for a hostel. Where car spaces are not provided on site, the Council may consider parking off-site, provided as group or dual parking, or may seek a financial contribution towards the cost of car parks provided in the town.

5.2. National Guidelines

5.2.1. The following Guidelines are relevant to this appeal:

- Architectural Heritage Protection: Guidelines for Planning Authorities (2011).

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. Two appeals were received, one from a group of residents along Altamont Street, and another from a resident of Bellataleen, 7km to the southwest of Westport. The grounds of appeal can be summarised as follows:

Planning Policy & Design

- the proposed development would impact on the local streetscape and would be contrary to the land-use zoning objectives for this residential area and would not provide for a suitable mix of uses;
- loss of a portion of wall, which is possibly a Protected Structure;
- further consideration of design is required with respect to the neighbouring pub;
- the scale and density of development is inappropriate;

Residential Amenities

- proposals would detrimentally impact on residential amenities due to increased noise and anti-social behaviour and would substantially devalue properties;
- patrons of the proposed hostel would have to pass homes of the appellants on Altamont Street on their way to and from the town centre;
- when a hostel previously operated from the Old Thread factory site / Westpoint Shopping Centre on Altamont Street, residents experienced significant disruption and nuisance, particularly during night time;
- building height would result in the loss of privacy for residents on the opposite side of the street;

Parking & Access

- proposal could cater for approximately 100 persons and parking provision does not meet Development Plan standards in terms of quantum, layouts, disabled bays and bicycle parking;
- parking requirement and access arrangements need to be considered in combination with Westpoint Shopping Centre;
- vehicles reversing onto Altamont Street would present traffic and pedestrian safety problems;
- access location needs further consideration with respect to planning policy and a road safety audit is required;
- a set down area is required, taking into account existing parking restrictions on the street and the need for servicing;
- access for buses and service vehicles is restricted due to the existence of a railway underpass at the southeastern end of the street;

Other Matters

- the development description used following submission of further information is not correct;
- the Planning Officer failed to take on board the advice of internal consultees.

6.2. Planning Authority's Response

6.2.1. The Planning Authority did not respond to the grounds of appeal.

6.3. Applicant's Response

6.3.1. None.

6.4. Observations

6.4.1. None received.

7.0 Assessment

7.1. Introduction

7.1.1. I consider the substantive planning issues arising from the grounds of appeal and in assessing the proposed development are as follows:

- Zoning Objectives & Residential Amenities;
- Design & Impact on Architectural Heritage;
- Traffic Safety & Parking.

7.2. Zoning Objectives & Residential Amenities

7.2.1. The grounds of appeal assert that the proposed use of the site as a hostel would not complement the surrounding mix of uses and would be contrary to the zoning objectives for the site, as provided for in the Westport Town & Environs Development Plan 2010-2016. It is also asserted that the use of the site as a hostel would be detrimental to residential amenities, as a result of noise and anti-social behaviour.

7.2.2. The appeal site is zoned for 'Residential Phase 1 (A1 - High Density)' in the Development Plan, with a stated objective 'to protect, improve and develop residential areas and to provide for facilities and amenities incidental to those residential areas, where appropriate'. The Plan does not specifically outline whether or not a 'hostel' would be acceptable, or otherwise, in this residential zone. However, Objective LUO-03 does state that 'uses, other than the primary use for which an area is zoned, may be permitted provided they do not conflict with the primary land use zoning objective and/or matrix table set out in Section 5' of the Plan. In this regard, I note that the Planning Authority highlighted that a 'hotel' or 'guesthouse' use would be 'open for consideration' on 'Residential Phase 1 (A1 - High Density)' lands. Furthermore, the Planning Authority consider that the proposed use within the town, close to rail services and the Great Western Greenway, would be appropriate in this location.

7.2.3. The Development Plan and the Regional Planning Guidelines recognise the importance of Westport town in serving as an important tourist destination for the region. The proposed development would support the land-use zoning objectives for

the town, by adding to the vibrancy and variety of uses in the town and by making a positive contribution to the town, in redeveloping a vacant commercial property and supporting the tourism function of the town. Given the stated nature and scale of the development, I am satisfied that the proposed use would be broadly in compliance with the land-use zoning objectives for the area, would complement neighbouring land uses and would have negligible potential to impact on residential amenities. A condition to restrict noise levels potentially emanating from the proposed facility would suitably protect the amenities of residential property in the vicinity.

Accordingly, subject to a condition, the permission should not be refused on the basis of zoning objectives for the area or the impact of the proposed development on residential amenities.

7.3. Design & Impact on Architectural Heritage

- 7.3.1. The grounds of appeal assert that the subject proposals should be examined with respect to the impact on the setting of an adjoining building, The Railway Tavern, a vacant public house included in the NIAH (Ref. 31,212,189) and the recessed water pump feature, which is within the RPS (Ref. 113 or 114) and the NIAH (Ref. 31,212,190). This part of Altamont Street, including the appeal site and as far southeast as the railway station, is within the Westport Town Centre ACA.
- 7.3.2. Policy TP-01 and Objectives TO-02 and TO-03 of the Development Plan are aimed at protecting the historic character of the town, the ACA and Protected Structures. The Architectural Heritage Protection Guidelines for Planning Authorities (2011) require careful consideration of proposals to demolish buildings, where they would adversely affect the character of an ACA.
- 7.3.3. The existing building does not contribute to the historical character of the area, as it is of recent origin and it is not of particular architectural merit. Proposals need to have sufficient regard to the form and scale of surrounding buildings within the ACA, which covers an expansive area and includes a mix of landmark buildings and vernacular structures, including the adjoining railway station walls and water pump. I am satisfied that the scale, mass and material finishes for the proposed building replacing an existing vacant commercial building, would respect, complement and positively enhance the character of the ACA and, therefore, the proposed development would not be contrary to the relevant provisions set out in the

Development Plan. The proposed development would not entail works to the adjacent Protected Structure, while the proposed building would be of greater height and scale than the existing building, significant potential to impact on the character and setting of the water pump would not arise, primarily as the recessed stone wall setting to the water pump would remain.

- 7.3.4. In conclusion, the demolition of the building on site and redevelopment with a new building, would comply with Policy TP-01 and Objectives TO-02 and TO-03 of the Development Plan, which are aimed at protecting the historic character and setting of Protected Structures, the ACA and historic streetscapes. Accordingly, I recommend that permission should not be refused on the basis of design or the impact of the proposed development on architectural heritage.

7.4. Traffic Safety & Parking

- 7.4.1. The grounds of appeal assert that the proposed development would impact on traffic, as it would not be adequately provided with parking to serve the potential number of patrons, in particular considering other town centre uses in the vicinity. In response to this, the Planning Authority assert that there are various Council operated parking areas within the town centre area that would facilitate the anticipated parking demand and that a contribution towards the shortfall in car parking can be requested via condition.
- 7.4.2. The existing vacant commercial building is not provided with car parking on site. Parking for the proposed hostel is not proposed on site either, subsequent to the submission of revised drawings at further information stage. On-street parking is available along the streets in the immediate vicinity of the appeal site, including the south side of Altamont Street fronting the appeal site. There are also numerous car parks within the immediate vicinity of the appeal site. Based on Development Plan standards for a 'hostel' requiring 0.5 spaces per bedroom or 1 space per 60sq.m GFA, the 11-bedrooms or 854sq.m GFA for the hostel would require between 6 and 14 car parking spaces. Where car spaces are not provided on site, the Development Plan sets out that the Council may consider parking off-site, provided as group or dual parking, or they may seek a financial contribution towards the cost of car parks provided in the town. The applicant has not objected to the imposition of such a condition.

7.4.3. Given the existing development, the nature, scale and location of the proposed hostel, including proximity to the town centre, the Great Western Greenway and the railway station, the capacity of parking within the immediate vicinity of the appeal site and the parking requirement based on Development Plan standards, I am satisfied that the proposed development would not have a significant negative impact on the operation and safety of traffic on the local road network and would not lead to traffic congestion. Accordingly, I recommend that permission should not be refused for reasons relating to parking and traffic safety.

8.0 Appropriate Assessment

8.1. Having regard to the nature of the proposed development, involving the redevelopment of an existing town centre site, 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.

9.0 Environmental Impact Assessment - Preliminary Examination

9.1. Having regard to the existing development on site, the nature and scale of the proposed development and the location of the site, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

10.0 Recommendation

I recommend that planning permission should be granted for the proposed development, subject to conditions, as set out below.

11.0 Reasons and Considerations

Having regard to the nature, scale and location of the proposed development, the existing development on site, the zoning of the site for 'Residential Phase 1 (A1 -

High Density)' in the Westport Town & Environs Development Plan 2010-2016, which also recognises the importance of Westport in serving as a regional centre for tourism, and the pattern of development in the area, including surrounding uses, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the character, setting or special interest of the Westport Town Centre Architectural Conservation Area, the neighbouring historic streetscape and the adjacent Protected Structure, would be acceptable in terms of traffic safety and convenience and would be in accordance with the provisions of the Westport Town & Environs Development Plan 2010-2016. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further information received by the Planning Authority on the 25th day of June 2018, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the 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 visual amenity.

3. Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them,

no additional development including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or associated equipment, shall take place above roof level other than as indicated on the submitted drawings unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

5. (a) Amplified music or other specific entertainment noise emissions from the premises shall not exceed the background noise level by more than 3 dB(A) during the period 0800 to 2200 hours and by more than 1 dB(A) at any other time, when measured at any external position adjoining an occupied dwelling in the vicinity. The background noise level shall be taken as L₉₀ and the specific noise shall be measured at L_{AeqT}.
- (b) The octave band centre frequencies of noise emissions at 63 Hz and at 125 Hz shall be subject to the same locational and decibel exceedance criteria in relation to background noise levels as set out in (a) above. The background noise levels shall be measured at L_{AeqT}.
- (c) The background noise levels shall be measured in the absence of the specific noise, on days and at times when the specific noise source would normally be operating; either:
 - (i) during a temporary shutdown of the specific noise source, or
 - (ii) during a period immediately before or after the specific noise source operates.
- (d) When measuring the specific noise, the time (T) shall be any five minute

period during which the sound emission from the premises is at its maximum level.

(e) Any measuring instrument shall be precision grade.

Detailed plans and particulars indicating sound-proofing or other measures to ensure compliance with this condition shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. An acoustical analysis shall be included with this submission to the Planning Authority.

Reason: In order to protect the amenities of residential property in the vicinity having particular regard to the nuisance potential of low frequency sound emissions during night-time hours.

6. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

7. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

Reason: In the interest of sustainable waste management.

8. A Plan containing details for the management of waste/recyclable materials

within the development, including the provision of facilities for the storage, separation and collection of the waste/recyclable materials including waste oil and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste/recyclable materials in the interest of protecting the environment.

9. 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.

Colm McLoughlin
Planning Inspector

10th December 2018