



An
Bord
Pleanála

Inspector's Report ABP-304593-19

Development	Relocation of existing entrance, re-arrangement of car parking bays and construction of an extension to club house.
Location	Mountpleasant LTC, Mountpleasant Square, Ranelagh, Dublin 6.
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	3766/18
Applicant(s)	Trustees of Mountpleasant LTC
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Olivia Delaney
Observer(s)	Margaret Ayres
Date of Site Inspection	04 th September 2019
Inspector	Colin McBride

1.0 Site Location and Description

1.1. The appeal site, which has a stated area of 1.4736 hectares is located to the north west of Ranelagh and south of Dublin City Centre. The site is located within Mountpleasnt Square, which is a residential square occupied by Mountpleasant Lawn Tennis Club and is surrounded by existing dwellings on three sides. The development on site consists of a two-storey clubhouse and a number of tennis courts. Existing boundary treatment is iron railings on a small stone plinth. The site is also well screened with existing mature trees on all sides and within the confines of the site. There is an existing vehicular access on the southern side about halfway along the southern boundary of the site. The dwellings on each of the three sides are a mixture of two and three-storey over basement Georgian dwellings which are on the record of protected structures. To the east of the site is a small public park with the eastern boundary of Mountpleasant Square defined by the R117.

2.0 Proposed Development

2.1. Permission is sought for the relocation of existing vehicular and pedestrian entrance of the club from its current position to a new position closer to the south eastern corner of Mountpleasant Square; the rearrangement of car parking bays within the club grounds and construction of an extension of 265sqm containing two additional squash courts and accessible toilet, attached to the western gable of the existing club house building and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 9 conditions. Of note are the following conditions...

Condition no. 3: Consultation with the Council prior to the commencement of development in regard to alterations to the public footpath and pay and display markings.

Condition no. 5: Replanting scheme to be prepared and submitted for agreement for trees.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

Planning report (10/10/18): Further information required including the details requested by the Transportation Planning Division, consideration of retaining the entrance in its existing location and provision of an arborist's report/tree survey detailing trees of to be removed.

Planning report (07/05/19): Having regard to the further information received it was considered that subject to a number of conditions the proposal would be acceptable in the context of visual amenities of the area, amenities of adjoining properties and acceptable in the context of traffic safety. A grant of permission was recommended based on the reasons outlined above.

3.2.2. Other Technical Reports

Transportation Planning Division (03/10/19): Further information required including a road safety audit, auto-track analysis, details of sightlines, and clarification of the quantum of parking existing and to be provided, details of cycle parking provision and expected visitor numbers in the case of tournaments/events.

Transportation Planning Division (02/05/19): No objection subject to conditions.

3.3. **Prescribed Bodies**

None

3.4. **Third Party Observations**

3.4.1 40 submissions were received. The submission were a mixture of letter of objections and letters of support. The issues raised were as follows...

- Loss of trees and impact on character of the area, increased traffic congestion in the area, overspill of parking from the site onto public road, loss of historic entrance, traffic safety concerns regarding the new entrance, flooding.
- Additional facilities will have a positive impact, existing entrance is unsuitable and its relocation would improve traffic safety, replanting of trees on site.

4.0 Planning History

3216/18: Permission granted for replacement of floodlight poles with new floodlighting poles.

2291/17: Permission granted for replacement of floodlight poles with new floodlighting poles.

2543/07: Permission granted for the erection of a security barrier.

0348/93: Permission granted to erect 6 no. columns with floodlighting.

5.0 Policy Context

5.1. Development Plan

The relevant Development plan is the Dublin City Development Plan 2016-2022. The site is zoned Z9 with a stated objective 'to preserve, provide and improve recreational amenity and open space and green networks'.

GI28: To support the implementation of the Dublin City Tree Strategy, which provides the vision for the long-term planting, protection and maintenance of trees, hedgerows and woodlands within Dublin City.

GI30: To encourage and promote tree planting in the planning and development of urban spaces, streets, roads and infrastructure projects.

GI31: To improve on existing sports/recreational facilities in the city through the implementation of the Dublin City Sport and Active Recreation Strategy

2009 – 2016 and to ensure the availability of a range of recreational facilities to the general population of all ages and groups at locations throughout the city, including ice-skating. In areas where a deficiency exists, Dublin City Council will work with the providers of such facilities, including schools, institutions and private operators, to ensure access to the local population.

MT14: To minimise loss of on-street car parking, whilst recognizing that some loss of spaces is required for, or in relation to, sustainable transport provision, access to new developments, or public realm improvements.

5.2. Natural Heritage Designations

None in the vicinity.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 A third party appeal has been lodged by Olivia Delaney, 45 Mountpleasant Square, Ranelagh, Dublin 6.

- Mountpleasant Square is a unique and historical residential square and the loss of trees would have a significant and adverse impact.
- It is noted that collectively the trees form an urban woodland that sustains wildlife.
- The tree survey report is vague in the detail of trees or parts of trees to be felled.
- The removal of T2-T4 is a concern due to their age and scale and ability to replace them. There is lack of planting proposed in this area on the drawings submitted.
- The appellant is against the loss of trees to provide car parking spaces noting that it is unnecessary in an urban area with good transport links and a bicycle scheme in the area.

- The lack of planting on the roof of the development is noted.
- The planning scheme is lacking detail regarding density and height of planting proposed.

6.2. Applicant Response

6.2.1 A response has been submitted by Lawrence & Long on behalf of the applicants, The Trustees of Mountpleasant Lawn Tennis Club.

- It is proposed to retain as many trees as possible and the applicants do not wish to impact on the character of the square.
- It is proposed to fell one tree only and retain all others all the perimeter boundary. With additional supplementary tree planting proposed. The planting of new trees will enhance the existing planting on site.
- The applicant is willing to provide a sedum green roof if considered necessary and is willing to accept a condition in this regard.
- The applicants agree that the site is well serviced in terms of public transport and accessible to cyclists and pedestrians. It is noted that the only reason for additional parking is to provide the same number of car parking spaces as currently existing with no reduction. It is noted that if it was considered acceptable to reduce parking level then Tree14 would not need to be felled. This arrangement would be acceptable to the applicants if considered appropriate.
- The tree report confirms that any trees for removal are of poor value. Subject to the provision of additional planting there will be no adverse impact on visual amenities and the new entrance would enhance the architectural character of the square.

6.3. Planning Authority Response

No response.

6.4. Observations

6.4.1 An observation has been received from Margaret Ayres, 4 Ellesmere, Brewery Road, Stillorgan, Co. Dublin.

- The layout of the new entrance is not suitable to cater for service vehicles and would cause endangerment of public safety.
- The method used to measure the sightlines is not in accordance with DMURs and does not accurately reflect the sightline availability. It is noted that sightlines to the west are significantly substandard.
- The applicant failed to address the further information raised regarding demand for parking with concerns that the proposal would lead to overspill of parking onto the public road.
- It is considered that the tree report indicates that further work is required before a full list of trees to be felled could be supplied and that permitted development in this situation conflicts with Development Plan policy.

7.0 Assessment

7.1. Having inspected the site and associated documents, the main issues can be assessed under the following headings.

Principle of the proposed development

Visual impact/trees/planting

Traffic/car parking

Appropriate Assessment

7.2 Principle of the proposed development:

7.2.1 The proposal is for an extension to the existing clubhouse facility associated with Mountpleasant Lawn Tennis Club as well as relocation of the existing vehicular access and a change to the layout of the car parking on site. The proposal is for an

extension and modification of an established development/use and would be consistent with the zoning objective for the site.

7.3 Visual impact/trees/planting:

7.3.1 The site is an attractive open space area of considerable character and visual amenity. The Square is not within a conservation area but is surrounded on all sides by protected structures/residences of architectural heritage value. The existing trees and vegetation on site and along the perimeter of such add to the character of the area. The main changes proposed are the extension of the western gable of the existing structure on site, relocation of the existing vehicular access further east along the perimeter and an alteration to the car parking layout.

7.3.2 The extension is a single-storey extension with a floor area of 265sqm and a ridge height of 5.945m above ground level. The ridge height of the extension matches the ridge height of the existing structure on site. The overall scale of the extension is subordinate to that of the existing structure on site and is in keeping with the proportions and architectural character of the existing structure on site. I would consider that design and scale of the proposed extension would be acceptable in the context of the visual amenities of the area. In addition I would note that the extensive level of trees and vegetation on site including around the entire perimeter of the site mean the existing structure is not highly visible outside of the site and is only partially visible through the existing entrance. This fact taken in conjunction with appropriate design and scale of the extension would mean the proposal would have no significant or adverse impact on the visual amenities of the area. The alteration to the parking layout would have no significant visual impact and the relocation of the entrance would have a very minor visual impact that would be acceptable in the context of the visual amenities of the area.

7.3.3 As noted above the site has an abundance of trees and vegetation on site including around the perimeter of the site and one of main issues raised by the appellant regards loss of such due to the existing trees being mature trees and the adverse impact it would have on the character of the area. The applicant was requested by

way of further information to submit a tree survey report with an assessment of existing trees on site and indicating the extent of trees to be removed to facilitate the proposed development. The tree survey classifies all trees on site based on four categories (A, high quality and value, B moderate quality and value, C, low quality and value and U, trees with limited lifespan due to condition). The majority of the trees are classified as C with the next largest group classified as B and a few classified as A and U. In terms of condition the majority of the trees are classified as 'fair' condition with one classified as 'poor' and two classified as 'good' condition. It is proposed to remove 7 no. trees/grouping of trees. Only one of these trees/groupings is on the perimeter (G4) and is being removed to facilitate the new entrance. The remainder of the trees to be removed are located within the confines of the site and are being removed to facilitate the extension to the side (T2, T3 and T4) and changes to the car parking layout (T5, T6 and T 14). T2, T3, T4 are classified B with T5, T6 and T14 classified C. G4 corresponds to a grouping of 3 no. three, one classified B, one C and one U. The tree survey report also details tree protection measures to be implemented during construction to protect the trees indicated for retention.

7.3.4 In the context of the level of existing trees and vegetation on site, the level of tree loss proposed is relatively small. The existing perimeter planting and vegetation around the site is significant and contributes to the attractive visual character of the area. I would note that the level of disruption of such is being kept to the minimum with only one grouping of 3 no. trees to be removed to facilitate the relocated entrance. The removal of the other trees would have no significant impact on the visual character of the area given they are located well within the confines of the site and screened from the public areas in the vicinity. In addition the loss of these trees would have minimal impact in the context of the level of trees and vegetation existing on site and to be retained. The applicant has suggested that if considered necessary no alteration in car parking could be considered with the alterations facilitating the same number of spaces as the existing parking layout and therefore allowing retention of some of the trees earmarked for omission. I would consider that the level of tree loss is an acceptable level and an appropriate balance is provided between facilitating further development of an established facility on site and

protection of existing trees and vegetation that contribute to the visual character of the area. The applicants have indicated that supplementary planting will be provided for on-site, however there is a lack of details regarding such. I would recommend a condition be imposed requiring carrying out of the development as per the tree survey report submitted in addition to the provision of a landscaping scheme giving details of a supplementary planting to be agreed with the Council prior to the commencement of development.

7.4 Traffic/car parking:

7.4.1 The proposal entails two changes to the traffic and parking arrangements on site.

The first is a relocation of the vehicular and pedestrian entrance further east along its southern road frontage. Secondly it is proposed to rearrange the car parking layout with intention to provide the same number of spaces on site as is currently available, 81 spaces. 10 additional bicycle parking stands are also proposed increasing the number on site to 22.

7.4.2 The rationale for relocating the entrance is noted as being the fact that the layout of the proposed extension impacts use of the existing access. In addition the applicant noted in the further information response that the relocated entrance position and layout is an improvement in terms of traffic safety in comparison to the existing entrance. The applicant submitted a mobility management plan and auto-track analysis in response to further information. In regards to sightlines the applicant has indicated that sightlines of at least 23m (2m from the road edge) in each direction are available (taking into account on street car parking) and such is in accordance with recommendation of the Design Manual for Urban Roads and Streets as set out under table 4.2 and for roads with design speed of 30kph. The applicant has also indicated that the 24m long parking bay to the east of the relocated entrance can be shifted eastwards by 3m with no loss of on-street car parking. I am satisfied subject to alteration of the on street car parking layout adjoining the site (which the Council appears to be amendable to) that the design, layout and location of the proposed relocated entrance would be satisfactory in the context of traffic safety and convenience.

7.4.3 As noted earlier the proposal entails the retention of 81 spaces on site in an amended layout as per the existing number of car parking spaces on site. The car parking standards for various categories of development is under Table 16.1 of the City Development plan. The use proposed and established on site would come under the classification of 'Other Cultural and Recreational and Leisure Uses' with it noted that the level of parking required is 'dependent on nature and location of use' with no maximum standard applied. I would consider that although the proposal entails an increase in floor area (provision 2 no. additional squash courts), the provision of a similar level of parking on site is acceptable. The appeal site is located in an urban area that is well serviced by public transport (Bus and Luas) and in close proximity to a significant residential population and therefore in easy walking/cycling distance. I would consider that maintenance of a similar level of parking and the provision of additional cycle parking facilities would be acceptable. I would also note that the requirement to provide additional parking may have an adverse impact on the level of trees that could be retained on site. In addition I would note that the actual nature of the extension (2 no. squash courts) is unlikely to generate a significant increase in traffic levels to the site. I would consider that the proposal for parking are satisfactory and sufficient to cater for the proposed development.

7.5 Appropriate Assessment:

7.5.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed 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. I recommend a grant of permission subject to the following conditions.

9.0 Reasons and Considerations

Having regard to the pattern of development in the vicinity of the site, the established use of the site for recreational purposes, and the limited nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with land use zoning policy under the Dublin City Development Plan 2016-2022, would not seriously injure the residential amenities of property in the vicinity, would entail minimal loss of trees on site and subsequently would have no adverse impact on character of the area, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans submitted on the 11th day of April 2019, 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. Site development and building works shall be carried only out between the hours of 0800 hours 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, and in the interests of traffic safety.

3. 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. The plan shall include details of waste to be generated during demolition, site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

4. 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.

5. The site shall be landscaped in accordance with a scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The landscaping scheme shall include the following...

(a) Proposals for the protection of all existing and new planting for the duration of construction works on site, together with proposals for adequate protection of new planting from damage until established

(b) A timescale for implementation.

Reason: In the interest of visual amenity.

6. All trees and hedgerows within and on the boundaries of the site shall be retained and maintained, with the exception of the following:

- (a) Specific trees identified for removal in the tree report and associated drawing submitted to the Planning Authority on the 11th day of April 2019.
- (b) Trees which are agreed in writing by the planning authority to be dead, dying or dangerous through disease or storm damage, following submission of a qualified tree surgeon's report, and which shall be replaced with agreed specimens.
- (c) Retained trees and hedgerows shall be protected from damage during construction works. Within a period of 6 months following the substantial completion of the proposed development, any planting which is damaged or dies shall be replaced with others of similar size and species, together with replacement planting required under paragraph (b) of this condition.

Reason: In the interests of visual amenity.

7. 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.

Colin McBride
Planning Inspector

04th September 2019