



An
Bord
Pleanála

Inspector's Report ABP-306750-20

Development	Demolition of existing two-storey over basement, terraced building formerly in use as 'The Drake Inn'. The construction of a six-storey over basement, terrace mixed-use development to include gastropub, retail unit and 37 apartments.
Location	The Drake Inn, 59 – 60 Main Street, Finglas, Dublin 11.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	4567/19
Applicant(s)	Mulsh Sarl
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Observers	None

Date of Site Inspection

13th May 2020

Inspector

Paul O'Brien

1.0 Site Location and Description

- 1.1. The subject site comprises 'The Drake Inn', located on a stated site area of 0.09 hectares, on the north western corner/ junction site of Main Street and Jamestown Road in Finglas Village, Dublin 11. Finglas village is primarily located to the east of the R135/ Finglas by-pass. The existing building is a two-storey, terraced unit. The section facing Main Street appears to be an older structure than that addressing Jamestown Road. On the day of the site visit, the Main Street section was in poor external condition, though I could not say if this building was unused for a period of time.
- 1.2. Finglas village currently provides for a poor urban environment as the implementation of road schemes in the past has resulted in poor pedestrian provision, dominant surface car parking and a somewhat confusing road network. The streetscape is also of a poor standard and it was very evident on the site visit, that there was no centre/ focal point to Finglas. The submitted Urban Design Statement clearly indicates on Page 6, the change in urban form over time and division of the village by new roads. There is a mix of retail units in the centre of the village but the poor pedestrian provision in the form of narrow footpaths, and crossing points that are to the benefit of vehicles rather than pedestrians, does not create as vibrant a centre as would be expected.
- 1.3. From the site visit, it was evident that two-storey units were the predominant form of building in the village. Some higher buildings do exist, such as the 'Finglas Village Centre' development which includes a six storey section. It should be noted that the village is built on a number of low hills with the subject site on one of the higher points within the urban centre.
- 1.4. Finglas village is well served by bus with Dublin Bus and Go-Ahead Ireland providing local services. The combined 40/B/D routes operated by Dublin Bus provide for a frequent service into the City Centre and beyond. Go-Ahead route 17A provides a frequent orbital service to Blanchardstown to the west and Ballymun/ Coolock and Kilbarrack to the east. Go-Ahead routes 220/220A also serve the village on an hourly basis. Dublin Bus routes 9/83/83A are available approximately 450 m to the east of the site on Ballygall Road West. Bus Éireann route 103 picks-up/ sets-down for Ashbourne/ Rathoath on the Finglas Bypass west of the site. Despite the number

of bus routes serving Finglas, there is no bus station/ interchange serving the village with instead, bus stops dotted around the village.

2.0 Proposed Development

The proposed development consists of:

- The demolition of an existing two-storey terraced building, formerly known as The Drake Inn on Main Street and Jamestown Road, Finglas. This building has a stated floor area of 1,786 sq m.
- The construction of a six storey over basement building consisting of the following:

Floor:	Use	One-Bed	Two Bed-Three Person	Two Bed-Four Person	Total
Basement	82 Bicycle spaces, bins stores, plant room, kitchen, stores and associated service areas for commercial units				
Ground	One retail unit, one gastropub and lobby areas.				
First	Residential	3	3	2	8
Second	Residential	3	3	2	8
Third	Residential	3	3	2	8
Fourth	Residential	3	3	2	8
Fifth	Residential	4	0	1	5
Total		16	12	9	37

- No car parking is proposed.

- A communal garden/ open space area is to be provided at roof level.
- Total stated floor area is 4,484 sq m.
- The proposed development provides for a density of 411 units per hectare (37/0.09).

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse permission for two reasons as follows:

1. Having regard to the height, scale and massing of the proposal on a prominent corner site in Finglas KDC and its proximity to two-storey property, it is considered that the proposal represents an abrupt transition in the streetscape and represents overdevelopment of the site. The development does not successfully respond to its surrounding built environment, fails to make a positive contribution to the streetscape and as a result, would have an adverse impact on the character and visual amenities of Finglas Main Street and Jamestown Road. The proposed development would, therefore, be contrary to the Urban Development and Building Heights, Guidelines for Planning Authorities (December 2018), to the provisions of the Dublin City Development Plan 2016-2022 and to the proper planning and sustainable development of the area.
2. Having regard to the inadequate quantity and poor quality of the communal amenity space, and its inaccessibility to a significant number of residential units within the proposed development, coupled with low quality entrance points and lobby areas, inadequate internal apartment storage and the absence of any car parking spaces to serve the scheme the proposed development would result in an unacceptable level of residential amenity for future occupants and constitutes overdevelopment of this site. The proposed development would, therefore, be contrary to the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities (March 2018), to the provisions of the Dublin City Development Plan 2016-2022 and to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Report reflects the decision to refuse permission subject to the two reasons as above. The Planning Authority Case Officer reported no objection to the demolition of the existing building on site and 'is considered appropriate for a development of limited greater height and increased density'. The issues were considered by the Planning Authority Case Officer to be so fundamental as to require a total redesign of the development.

3.2.2. Other Technical Reports

Transportation Planning: Further information is requested in relation to the lack of car parking/ an identified need to review the rationale for zero parking spaces, Service Management Plan required to detail how the development is accessed/ served by deliveries/ refuse collection and full details on proposed bicycle parking.

City Archaeologist: No objection subject to recommended condition.

Engineering Department - Drainage Division: No objection subject to recommended conditions. Request that a study of the impact of the basement on ground conditions and groundwater be undertaken.

3.2.3. Prescribed Bodies Report

None

3.2.4. Objections/ Observations

A number of letters of objection were received to the original application. These were from individual members of the public, Dessie Ellis TD, Cllr A Connaghan Cllr M Callaghan, Cllr P McAuliffe, the Apartment Owners' Network, Finglas Tidy Towns, and Finglas Historical Society.

Issues raised include:

- There is a shortfall in car parking provision.
- The proposed height at 19 m is in excess of the 16 m allowed in Outer City Areas.

- Insufficient number of dual aspect apartments, which is contrary to the Dublin City Development Plan 2016 – 2022.
- Insufficient provision of communal open space and private amenity space and there is no allowance for public open space.
- A number of the apartments are identified as substandard in terms of poor outlook and daylight provision is substandard.
- The proposed development would be overbearing on the setting and character of Finglas village.
- Overlooking of adjoining properties would give rise to a loss of amenity.
- Proximity of new residential units to existing public houses in the area may negatively impact on the operations of these public houses.
- Demolition of the existing buildings would give rise to traffic congestion in Finglas village during this phase of development.
- Potential for anti-social behaviour associated with the proposed balcony and roof garden.
- External treatment/ use of red/ brown brick is out of character with the area. Similarly, the recessed balconies are not appropriate.
- The design is out of character especially in relation to St. Canice's Church and the AIB building.
- Drainage plans are insufficiently detailed, and the area has a history of drainage issues.
- Concerns regarding potential illegal dumping.
- Concern about the long-term management of common areas after these elements are handed over to the residents.
- The Finglas Regeneration Strategy identifies this as Site 1 and includes a need for a new building line along the footpath which this proposal fails to do.
- Lack of car parking and reliance on public transport is not acceptable when the existing bus service is full from 7.15 am. There is no bus link from Finglas village to Broombridge Luas stop.
- There is an existing shortage of childcare in Finglas village.
- Apartment blocks are not appropriate in Finglas village.

- The 'Drake Inn' name should be preserved and the exterior of the gastropub should have regard to the design of the old public house.

A letter of support for elements of the development was also submitted.

Issues raised included:

- Welcome the provision of residential units in Finglas village.
- Welcome the removal of a derelict building such as 'The Drake'.
- Height is ok and the use of the ground floor for commercial uses was also welcomed.
- Concern about the lack of parking and suggests that another floor be provided to enable the provision of suitable car parking.
- 10% social housing is proposed, should be 20%.
- Brick is not appropriate here.
- Question if Dublin City Council have considered the impact of an additional 100 residents in the area in relation to service provision etc.
- No reference to sustainability in the application.

4.0 Planning History

P.A. Ref. 0101/03 refers to an April 2003 decision to grant permission for a first floor function room, restaurant and lounge extension - floor area 493 sq m with elevational alteration to front, side and rear, incorporating new entrance.

5.0 Policy and Context

5.1. Development Plan

- 5.1.1. Under the Dublin City Development Plan 2016 – 2022, the subject site is zoned Z4 – 'District Centres' with the objective 'To provide for and improve mixed-services facilities'. Finglas village is designated as one of the 'Key District Centres' – KDC4. 'The key district centres (KDCs) represent the top-tier of urban centres outside the city centre'.

5.1.2. The following policies/ objectives are noted as of relevance to this development:

Chapter 4: 'Shape and Structure of the City'

Policy SC10: 'To develop and support the hierarchy of the suburban centres, ranging from the top tier key district centres, to district centres/urban villages and neighbourhood centres, in order to support the sustainable consolidation of the city and provide for the essential economic and community support for local neighbourhoods, including post offices and banks, where feasible, and to promote and enhance the distinctive character and sense of place of these areas'.

Policy SC12: 'To ensure that development within or affecting Dublin's villages protects their character'.

Policy SC13: 'To promote sustainable densities, particularly in public transport corridors, which will enhance the urban form and spatial structure of the city, which are appropriate to their context, and which are supported by a full range of community infrastructure such as schools, shops and recreational areas, having regard to the safeguarding criteria set out in Chapter 16 (development standards), including the criteria and standards for good neighbourhoods, quality urban design and excellence in architecture. These sustainable densities will include due consideration for the protection of surrounding residents, households and communities'.

Policy SC14: 'To promote a variety of housing and apartment types which will create a distinctive sense of place in particular areas and neighbourhoods, including coherent streets and open spaces'.

Policy SC18: 'To promote a co-ordinated approach to the provision of tall buildings through local area plans, strategic development zones and the strategic development and regeneration areas principles, in order to prevent visual clutter or cumulative negative visual disruption of the skyline'.

Policy SC25: 'To promote development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture befitting the city's environment and heritage and its diverse range of locally distinctive neighbourhoods, such that they positively contribute to the city's built and natural environments. This relates to the design quality of general development across the city, with the aim of achieving excellence in the ordinary, and which includes the creation of new landmarks and public spaces where appropriate'.

Policy SC26: 'To promote and facilitate innovation in architectural design to produce contemporary buildings which contribute to the city's acknowledged culture of enterprise and innovation, and which mitigates, and is resilient to, the impacts of climate change'.

Chapter 5: 'Quality Housing'

Policy QH2: 'To have regard to the Regional Planning Guidelines for the Greater Dublin Area and make provision for the scale of population growth and housing allocations outlined in these Guidelines, taking account of the Central Statistics Office Regional Population Projections 2016 – 2031 and to have regard to any Regional Spatial and Economic Strategy that replaces the Regional Planning Guidelines'.

Policy QH3(i): 'To secure the implementation of the Dublin City Council Housing Strategy in accordance with the provision of national legislation. In this regard, 10% of the land zoned for residential uses, or for a mixture of residential and other uses, shall be reserved for the provision of social and/ or affordable housing in order to promote tenure diversity and a socially inclusive city'.

Policy QH6: 'To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city'.

Policy QH7: 'To promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area'.

Policy QH8: 'To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area'.

Policy QH12: 'To promote more sustainable development through energy end-use efficiency, increasing the use of renewable energy, and improved energy performance of all new development throughout the city by requiring planning applications to be supported by information indicating how the proposal has been designed in accordance with the development standards set out in the development plan'.

Policy QH18: 'To promote the provision of high-quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood, in accordance with the standards for residential accommodation'.

QH19: 'To promote the optimum quality and supply of apartments for a range of needs and aspirations, including households with children, in attractive, sustainable, mixed-income, mixed-use neighbourhoods supported by appropriate social and other infrastructure'.

Chapter 7: Retailing

Objective RDO1: 'To implement the retail hierarchy contained in the retail strategy of this development plan i.e. the city centre retail core, the district centres/urban villages, neighbourhood centres/shopping parades, local shops'.

Policy RD19: 'To promote the retail provision in the key district centres, district centres and neighbourhood centres, including the revitalisation of existing established centres (see Appendix 3 Retail Strategy)'.

Chapter 8: Movement and Transport

Policy MT17: 'To provide for sustainable levels of car parking and car storage in residential schemes in accordance with development plan car parking standards (section 16.38) so as to promote city centre living and reduce the requirement for car parking'.

Policy MT18: 'To encourage new ways of addressing the parking needs of residents (such as car clubs) to reduce the requirement for car parking'.

Policy MT19: 'To safeguard the residential parking component in mixed-use developments'.

Chapter 14: Land-use Zoning

Full details on District Centres – Zone Z4 is provided here. The following is relevant:

'The district centre can provide a focal point for the delivery of integrated services and the designated key district centres have, or will have in the future, the capacity to deliver on a range of requirements, the most important of which are:

- An increased density of development
- A viable retail and commercial core
- A comprehensive range of high-quality community and social services
- A distinctive spatial identity with a high-quality physical environment'

Permissible uses include 'public house, residential, restaurant and shop (district and neighbourhood'.

Chapter 16: Development Standards: Design, Layout, Mix of Uses and Sustainable Design

This chapter is noted and includes standards and details for development within the Dublin City area.

5.1.3. Part of the site is located within an area designated as 'Zones of Archaeological Interest'. DU014-0066 refer to Archaeological features including a High Cross, Church, Graveslab and Graveyard, located to the west of the R135/ Finglas By-Pass.

5.2. National Guidance

- The National Planning Framework includes a specific Chapter, No. 6 - '*People Homes and Communities*' which is relevant to this development. This chapter includes 12 objectives (National Policy Objectives 26 to 37) and the following are key to this development:
 - National Policy Objective 27 seeks to 'Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments, and integrating physical activity facilities for all ages'.
 - National Policy Objective 33 seeks to 'Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location'.
 - National Policy Objective 35 seeks to 'Increase densities in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights'.
- Design Manual for Urban Roads and Streets (DMURS).
- Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) (DoEHLG, 2009) and its companion, the Urban Design Manual - A Best Practice Guide (DoEHLG, 2009).
- Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (DoHPLG, 2018).

These guidelines provide for a range of information for apartment developments including detailing minimum room and floor areas.

- Urban Development and Building Heights Guidelines for Planning Authorities (DoHPLG, 2018).
- Quality Housing for Sustainable Communities (DoEHLG, 2007).
- Permeability Best Practice Guide (NTA, 2015).

5.3. **Natural Heritage Designations**

None.

5.4. **EIA Screening**

Having regard to the nature of the proposed development comprising the demolition of an existing public house and the construction of a mixed use development consisting of a gastropub, retail unit and 37 no. apartment units, located in an established urban area and where infrastructural services are available, 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.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The applicant has engaged the services of Downey Planning & Architecture to appeal the decision of Dublin City Council to refuse permission. Revised elevational drawings, floorplans and photomontages have been submitted in support of the appeal. The revisions/ details include:

- Reduction in the footprint of the building at fourth and fifth floor levels. This has resulted in a reduction in the number of units on these levels. Three units on floor four are removed and two on floor five. This now provides for a total of 32 units.
- The revisions to the fourth and fifth floors have also included a change in unit types as follows:

Floor	One-bedroom units	Two bedroom – three person	Two bedroom – four person	Three bedroom - five person	Total
Fourth (proposed)	3	3	2	0	8
Fourth (Revised)	2	0	2	1	5
Fifth (proposed)	4	0	1	0	5
Fifth (Revised)	2	0	0	1	3

- Units 25, 26 and 31 are provided with large roof terraces.
- A communal garden is provided at fourth floor level to serve the units accessed by the northern core. This has an area of 75 sq m.
- The communal garden at fifth floor level is revised to now provide for 152 sq m and is accessed from the southern core.
- Unit 32 is revised such that its balcony does not adjoin the extract duct.
- Entrance lobby areas are revised to provide for more room/ light.
- Combi boilers are provided so that hot presses can be replaced with storage areas.
- The elevations of the proposed building are revised to take account of the above changes. The height of the building on Jamestown Road is reduced to four storeys where it adjoins the existing two-storey buildings here.
- There is an increase amount of ‘stepping’ in the design which reduces the bulk of the building whilst maintaining a contemporary form on the junction of Main Street and Jamestown Road.

The grounds of appeal can be summarised as follows:

- A number of the items of concern could have been addressed by a further information request. The revised floorplans/ elevations (as listed above) have been submitted in response to the concerns.
- The issues of height, scale and massing have been addressed by reducing the scale and mass of the building. There is 'a softer transition between the proposed building and the adjoining two storey commercial properties...'. The use of set-backs reduces the impression of bulk.
- Note that Dublin City Council welcome the demolition of this building.
- The development is in accordance with Ministerial Guidelines and the applicant has listed these in summary form.
- Examples of similar developments with zero car parking are provided
 - Mixed use hotel and retail development – The Big Tree, Dorset St.
 - Apartment development – Stoneybatter, Dublin 7.
 - Build to rent apartments – Annesley Place, Dublin 3.
- Additional communal open space is proposed to serve the development.
- The entrance lobby areas have been improved in terms of size and increased daylight is provided for by the provision of a window in the Jamestown Road lobby.
- Revisions have been made to storage provision within the units.
- Justification provided for zero car parking is that there is a high frequency bus service in the area. Proposals exist to extend the Luas Green Line from Broombridge to Charlestown (to the north of Finglas village in the Fingal County Council area).
- Note that the Dublin City Council Roads Division would only consider zero car parking if there was a significantly reduced number of apartments; the proposed number of apartments has been reduced from 37 to 32.
- The development is in accordance with National and County policies.

6.2. **Planning Authority Response**

6.2.1. **None.**

6.3. **Observations**

6.3.1. **None**

7.0 **Assessment**

7.1. The main issues that arise for consideration in relation to this appeal can be addressed under the following headings:

- Principle of Development
- Design and Impact on the Character of the Area
- Impact on Residential Amenity
- Density
- Traffic and Access
- Other issues
- Appropriate Assessment Screening

7.2. **Principle of Development**

7.2.1. The subject site is zoned 'Z4' for District Centre development, and it is therefore considered that the provision of a mixed-use development of residential, retail and public house on this site is acceptable in principle. I note that the Dublin City Council Case Officer has no objection to the demolition of the existing building and whilst I also note that in the letters of objection that there is a local significance attached to the building, the demolition of this building is acceptable subject to the appropriate redevelopment of this site. The building has been much modified and altered over time such and does not appear to have any architectural significance in its current condition.

7.2.2. I welcome the proposed mixed-use nature of this development site. The Finglas area is geographically large and includes a large population. However, the village

has lost its importance over time with retail leakage to a large Tesco Extra to the south west of the village within walking distance but very much car orientated and further afield to Blanchardstown Shopping Centre, which is connected to Finglas by good access/ the 17A/220 bus routes and most recently to Charlestown Shopping Centre which is approximately 1.6 km to the north of the village. Increased residential development in the village combined with commercial development may improve the vitality of the village in accordance with the Dublin City Development Plan 2016 – 2022.

- 7.2.3. I am unaware of any proposals for a comprehensive plan for the redevelopment of Finglas Village. From the site visit it was apparent that there are a number of sites suitable for redevelopment in addition to the extensive provision of surface car parking. If permitted, the proposed development may provide a template for future development of the area.

7.3. Design and Impact on the Character of the Area

- 7.3.1. Much comment is made regarding the established character of the area in the letters of objection to the original application and by the applicant in support of the development. In general the area is characterised by two-storey buildings with the adjacent 'Finglas Village Centre' at five storeys, St. Canice's Church to the south west and the Supervalu on Seamus Ennis Road to the north, providing for higher buildings than the established norm. The provision of a building in excess of two-storeys is acceptable in this key location but any such development has to take account of the visual impact on Main Street and Jamestown Road.
- 7.3.2. In support of the appeal, the applicant has revised the proposed building in an attempt to ensure greater integration with adjoining two-storey units on Main Street and the Jamestown Road. Whilst the bulk of the building is broken up, I am not convinced that the development provides for a suitable integration with the existing streetscape/ two storey form of development here. The adjoining building on Main Street is two storeys but is lower at approximately 8.4 m than its neighbours to the north west which are approximately 10 m in height. The proposed building at four storeys is approximately 14 m in height and will dominate the view along Main Street and Jamestown Road.

- 7.3.3. Concern was raised in a number of the letters of objection regarding the use of dark red/ brown brick. I am not overly concerned about this aspect of the development as in the event that permission was considered, the final finishes can be agreed by way of condition. A mix of brick colours would improve the visual appearance and in support of the applicant, brick is likely to weather better in this location which is dominated by car traffic. The use of inset balconies is generally acceptable from a visual point of view, material finishes are again important to ensure a high quality of development.
- 7.3.4. I would be concerned with a number of aspects of this development in relation to visual amenity. The design through its bulk and height will dominate the adjoining streets. As already outlined, the building will be overbearing on its neighbours. In an attempt to address potential issues of overlooking, the north and west elevations (as per Drawing PL-102) are lacking in windows and thus present a very blank elevation. This would give the appearance of a partially developed scheme when viewed from adjoining sites to the north and west. There is no indication that adjoining sites may be developed in the short to medium term, that would overcome this issue of visual dominance. The development of this site should therefore be considered in the context of a unique development, but which is fully integrated with its surroundings.
- 7.3.5. The use of the ground floor for commercial use is welcomed, however I am concerned that insufficient detailing has been provided in relation to this aspect of the development. Shopfront details are generic in design, and I would question the provision of glazing that appears to extend to pavement level on a public street.
- 7.3.6. I note the 'Reference Projects/ Images' submitted in support of the appeal and they are useful examples. The Reuben Street Apartments provide for a better integration with their neighbours and illustrate a concern in that they are constructed over ten years and the ground floor has not found a suitable use, with a consequent blank elevation to the street. The other example at 55 Percy Place provides for a high-quality mix of materials and a well-considered ground floor elevation.
- 7.3.7. I am concerned that that applicant has not themselves considered the examples they have provided. It may be possible to develop a six storey block on the corner of the subject site, flanked by buildings of three storeys in height, but the development as

proposed does not have adequate regard to impact on its surroundings and a refusal of permission will be recommended.

7.4. Impact on Residential Amenity

- 7.4.1. The revised development submitted in the appeal, provides for adequate room sizes in accordance with the apartment guidelines and adequate storage provision is available to future occupants. The revisions include the provision of two, three-bedroom apartments and I consider the mix of apartments to be acceptable and appropriate in this established urban location.
- 7.4.2. Access to the apartments is by way of two separate lobby areas that provide access to a lift and stair core. The northern lobby serves 11 apartment and the southern serves the remaining 21 apartments. The revisions have also resulted in the northern lobby providing access to a communal open space of 75 sq m and the southern lobby to an area of 152 sq m. No public open space is provided. I am satisfied that adequate communal open space is to be provided and all units have access by way of stairs/ lift. I note Fig. 10 – ‘Concept Ideas for Revised Entrance/ Lobby’ of the appeal and I accept that a suitable lobby/ access can be provided to serve these apartments. As with the communal open space, the true quality of the lobby area can only be determined on completion of the development.
- 7.4.3. All units are provided with private amenity space in the form of balconies, though the revisions in the floor plans have resulted in units 25, 26 and 31 been provided with large terraced areas, though in the case of unit 25, I am not certain as to how this space is accessed. The applicant has provided for 53% of units to be dual aspect. I note that no north facing apartments are to be provided, however a number of north west facing units are proposed and which may suffer from a lack of sunlight due to the issue of height and orientation.
- 7.4.4. The original application included a ‘Daylight and Sunlight Assessments of Proposed Mixed Use Development at Main Street, Finglas, Dublin 11’, prepared by Digital Dimensions. The submitted details are noted. These only give a brief overview as the ‘Average Daylight Factor’ and ‘Vertical Sky Component’ assessments only looked one apartment on the eastern elevation and none on the western side. I would be interested to see the results of a similar assessment for apartments 6, 14, 22, 28 and 32. The Shadow Diagrams are also limited and for example the cut-off at

18.00 GMT on the 21st of June seems early when sunset is at approximately 22.00 and the shadow cast over that four hour period may be significant.

- 7.4.5. The revisions to the floor plans in support of the appeal have improved the storage provision for each of the apartments. The use of combi-boilers removes the need for hot presses and this space can be reallocated to the apartments for storage use. Adequate bicycle storage/ parking is available in the basement with direct access to these spaces from the stair/ lift core serving the relevant apartments.
- 7.4.6. In general, I do not foresee any impact from overlooking leading to a loss of privacy as the existing block of buildings is primarily in commercial use.

7.5. **Density**

- 7.5.1. The original density at 411 units per hectare is reduced to 356 units per hectare by the omission of five units. The site density is somewhat exaggerated as the site is very small at 0.09 hectares and the provision of four or five units on this site would easily meet minimum expected density.
- 7.5.2. I am not therefore overly concerned about the somewhat high density of development proposed for this site. The provision of adequate amenity for future residents and protection of the existing amenity are much more critical considerations.

7.6. **Traffic and Access**

- 7.6.1. As proposed, there are no issues of concern regarding access and traffic for the simple reason that no car parking and hence no access issues, are proposed. I have considered the submitted application, appeal and the Planning Authority reports. I agree that a reduction in car parking provision is desirable and especially in a location that is well served by public transport.
- 7.6.2. I dismiss at this stage the proposed Luas to Finglas as no preferred route has been issued at this stage, let alone a commitment to construct this extension to the Green Line. The Bus Connects project has not been finalised either. Reference was made in the letters of objection, that no bus route to Broombridge interchange is in operation at present.

- 7.6.3. As I have already reported, there are a number of bus routes serving this area, a number of which are of a high frequency of at least every 10 minutes. As the subject site is just over 5 km from the city centre, I would consider that the bus would be the primary form of transport into the city centre. However, considering the current routing of buses, where Finglas village is mid route rather than at the terminus and the development of lands along these bus routes, I would be concerned that capacity may be limited from Finglas village into the city centre and areas to the east/ west of the site served by the 17A bus. No bus routes are provided from Finglas to Dublin Airport, a key employment hub for the north of Dublin City and which is a similar distance away as the city centre. I note that the submitted Mobility Management Plan references 24 buses an hour serving the site, which is correct, however 19 serve the City Centre and again I would question what capacity was available on those coming from further out such as Tyrrelstown and Toberburr on arrival into Finglas.
- 7.6.4. I note that a number of the letters of objection mentioned that bus services through Finglas Village were at capacity from 7.15 am. From my site visit, it was evident that cycle provision was not of a suitably high quality in the area to encourage its use. Considering the size of development, which is not insignificant at 32 units and includes family orientated three-bedroom units, I would consider that some car parking provision should be provided in the absence of detailed evidence that such was not required. Certainly, consideration should be given to parking for the three bedroom units and the large two-bedroom units.
- 7.6.5. It would appear that the applicant is trying to force modal shift onto future residents by providing for zero car parking and I am not convinced by the submitted documentation that this is correct. No car sharing or similar scheme is proposed to be facilitated by this development and no proposal for off-site parking has been provided. The reference to similar developments in the appeal document is noted, however, these sites are within easy walking distance of the city centre and I would expect zero car parking provision in these cases. At over 5 km from the city centre, this site is not within easy walking distance.
- 7.6.6. I therefore consider that the zero provision of car parking is not appropriate, that demand for car use would give rise to on-street/ off-site car parking which in turn

would give rise to traffic hazard through the development of unregulated parking in the surrounding area.

- 7.6.7. As already reported, adequate bicycle parking is proposed to serve this development. The applicant is proposing to build on the existing footprint of the existing building; although not specifically reported on, there is no indication that setting back the building line in order to increase the footpath width to the front of the building was ever considered. Whilst the retention of building lines is desirable, the provision of widened footpaths for accessibility reasons has had greater consideration in recent times. In addition, limited outdoor dining can be facilitated where the footpath allows for this.

7.7. Other Issues

- 7.7.1. I am satisfied that both foul and surface water drainage can be provided to serve this site, in addition to water supply. I do not foresee any increased issues of flooding associated with the redevelopment of this site.
- 7.7.2. Very little detail has been provided in relation to the commercial aspect of this development in terms of opening hours, numbers of staff etc. and as noted very little detail has been provided in relation to refuse/ deliveries etc.
- 7.7.3. I do not foresee any impact on archaeology in the area arising from the redevelopment of this site. Although I recommend that permission be refused, I have no objection to the demolition of this building subject to a new application etc. and whilst I note the proximity of the site to an area of archaeological potential, suitable site monitoring should be sufficient to address any matters that may arise.
- 7.7.4. Concern was raised about the lack of services in the Finglas area. I am not aware of any shortfall in such social service provision and the Planning Authority have not raised this as an issue of concern in their report. There is no requirement for childcare provision for a development of this scale.

7.8. Appropriate Assessment Screening

- 7.8.1. The applicant has engaged the services of Openfield Ecological Services to carry out an Appropriate Assessment Screening report. In summary, it is reported that the site is not within or adjacent to any Natura 2000 site (SAC or SPA). The development will incorporate SuDS in accordance with the Greater Dublin Strategic Drainage Study and

foul drainage will be treated in the wastewater plant in Ringsend. There is no direct hydrological connection from the site to Dublin Bay and indirect pathways via stormwater and foul sewers to Ringsend would see water (foul and surface) significantly diluted before reaching Ringsend and subsequently discharged into the inner Liffey Estuary and the Tolka Estuary. In conclusion, the report finds 'that significant effects are not likely to arise, either alone or in combination with other plans or projects to any Natura 2000 site'.

- 7.8.2. Having regard to the nature and scale of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on an European site.

8.0 Recommendation

- 8.1. I recommend that permission be refused for the development for the following reasons and considerations as set out below.

9.0 Reasons and Considerations

1. Having regard to the location of the site on the junction of Main Street and Jamestown Road, a key site in the centre of Finglas Village and to the existing established character of two-storey, terraced buildings, it is considered that the proposed development, consisting of a six/ four storey mixed use development of ground floor commercial use with apartments over, would be incongruous in terms of design, would be out of character with the streetscape and would set an undesirable precedent for future development in this area. The design is not considered to be of a suitably high quality to justify the demolition of the existing structures on the site. The proposed development would seriously injure the visual amenities of the area, would be contrary to the stated policy of the planning authority, as set out in the current Dublin City Development Plan, in relation to urban development and urban renewal and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the lack of provision of any car parking for the proposed development and no loading/unloading areas for the commercial element of the development, would be seriously deficient and would be inadequate to cater for the likely parking demand generated by the proposed development, thereby leading to conditions which would be prejudicial to public safety by reason of traffic hazard on the public roads in the vicinity and which would tend to create serious traffic congestion.

Paul O'Brien
Planning Inspector

18th June 2020