



An  
Bord  
Pleanála

## Inspector's Report 306994-20

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<b>Development</b>	60-bedroom extension to St. Pappin's Nursing Home
<b>Location</b>	St. Pappin's Nursing Home, Ballymun Road, Dublin 9.
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	2001/20
<b>Applicant(s)</b>	Silver Stream Healthcare Ltd.
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party v. Decision
<b>Appellant(s)</b>	Silver Stream Healthcare Ltd.
<b>Observer(s)</b>	Bernadette Sheridan; Carmel McDonald; Róisín Shortall TD
<b>Date of Site Inspection</b>	17 <sup>th</sup> August 2020
<b>Inspector</b>	Louise Treacy

## 1.0 Site Location and Description

- 1.1. The subject site has a stated area of 4,577 m<sup>2</sup> and is located on the eastern side of Ballymun Road, Dublin 9. The site is occupied by St. Pappin's Nursing Home, which is accommodated in St. Pappin's Church, a Protected Structure located centrally within the site, and a 2-3 storey rear extension which spans the length of the rear/eastern site boundary. Vehicular access is via Ballymun Road (also referred to as Ballymun Main Street) at the western site boundary.
- 1.2. A scout hall building was previously accommodated on the north-western portion of the site adjacent to Ballymun Road. This structure has since been demolished, with this area of the site being fenced off and inaccessible at the time of the inspection. The remainder of the site is characterised by landscaped spaces, surface car parking, internal circulation areas and bin storage areas.
- 1.3. The site is bounded by the 2-storey dwellings of the Coultrey Drive estate to the north and east. A 5-storey, mixed-use block (the Goulding), which has commercial units at ground floor level and apartments above, adjoins the north-western site boundary fronting onto Ballymun Road. A detached 2-storey Protected Structure, known as "Domville House", adjoins the southern site boundary and is in use as a HSE facility.

## 2.0 Proposed Development

- 2.1. The proposed development consists of the demolition of the existing single-storey garden room (15 m<sup>2</sup>) and the construction of a 60 no. bedroom extension (3,160 m<sup>2</sup>) to the front (west) and side (north) of the existing St. Pappin's Nursing Home, part of which is a Protected Structure.
- 2.2. The proposed extension will be a part single-storey, part 2-storey and part 5-storey building, all flat roof, and will contain 12 no. single bedrooms on each floor level as well as ancillary accommodation comprising living rooms, dining rooms, toilets and stores.
- 2.3. Site works will comprise the redesign of the existing site layout to provide 12 additional car parking spaces; new cycle parking facilities; replacement of boundary fence abutting west boundary wall onto Ballymun Road; landscaping to incorporate

amenity garden space for residents; mains drainage and sustainable drainage systems; and, ancillary site works.

### 3.0 **Planning Authority Decision**

#### 3.1. **Decision**

3.1.1. Notification of the Decision to Refuse Permission issued on 26<sup>th</sup> February 2020 for 2 no. reasons, which can be summarised as follows:

(1) The proposed development would be seriously injurious to the residential amenities of property in the vicinity by reason of excessive overshadowing of external amenity spaces (particularly Nos. 9 and 10 Coultry Drive), the creation of an overbearing impact on adjoining residential properties and an overall detrimental impact on the visual amenities of Coultry Drive estate.

(2) The proposed development, by reason of its height, bulk, massing and distance to the immediately adjacent Protected Structure (St. Pappin's Church, RPS Ref. 482) would seriously injure its architectural character as well as its setting and would give rise to a loss of historic character.

#### 3.2. **Planning Authority Reports**

##### 3.2.1. **Planning Reports**

3.2.2. Basis of Planning Authority's decision.

##### 3.2.3. **Other Technical Reports**

3.2.4. **Conservation Officer:** Recommended that planning permission be refused based on the height, bulk, massing and proximity of the proposed development to the Protected Structure.

3.2.5. **City Archaeologist:** No objection subject to conditions.

3.2.6. **Transportation Planning Division:** Recommended that Further Information be requested in relation to: (1) a revised swept plan analysis which does not rely on the use of vacant car parking spaces; (2) a mobility management plan; (3) allocation of parking bays; and, (4) location of bicycle stores.

3.2.7. **Engineering Department Drainage Division:** No objection subject to conditions.

### 3.3. **Prescribed Bodies**

3.4. **An Taisce:** None received.

3.5. **The Heritage Council:** None received.

3.6. **Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs:** None received.

3.7. **Irish Water:** None received.

3.8. **An Chomhairle Ealaíon:** None received.

3.9. **Fáilte Ireland:** None received.

### 3.10. **Third Party Observations**

3.11. A total of 4 no. third party submissions were received from: (1) Jessica McDonagh, No. 8 Coultry Drive, Dublin 9; (2) Bernadette Sheridan, No. 9 Coultry Drive, Dublin 9; (3) Carmel McDonald, No. 10 Coultry Drive, Dublin 9; and, (4) David Tyson, No. 11 Coultry Drive, Dublin 9.

3.12. The observations which were made can be summarised as follows: (1) loss of sunlight to neighbouring garden spaces; (2) privacy impacts; (3) increased noise; (4) overlooking; (5) excessive building height.

## 4.0 **Planning History**

4.1. **Planning Authority Reg. Ref. 0206/03:** Planning permission granted on 10<sup>th</sup> April 2003 for the retention of a single-storey electrical sub-station with switch room and bin store.

4.2. **Planning Authority Reg. Ref. 0253/02:** Planning permission granted on 6<sup>th</sup> June 2002 for a 2-storey extension to the east and a single-storey extension to the south of the previously approved nursing home.

4.3. **Planning Authority Reg. Ref. 3687/00:** Planning permission granted on 10<sup>th</sup> September 2001 for a 2-storey, 45-bedroom nursing home extension to the rear.

## 5.0 Policy and Context

### 5.1. Dublin City Development Plan 2016-2022

### 5.2. Land Use Zoning

- 5.2.1. The site is subject to land use zoning “Z4” (District Centres) which has the objective “to provide for and improve mixed-services facilities”. Building for the health, safety and welfare of the public, which includes nursing homes, are permissible on Z4 zoned lands.

### 5.3. Protected Structures

- 5.3.1. St. Pappin’s Church is a Protected Structure (RPS Ref. 482). Section 11.1.5.3 of the development plan states that the design, form, scale, height, proportions, siting and materials of new development should relate to and complement the special character of protected structures.

- 5.3.2. **Policy CHC2:** To ensure that the special interest of protected structures is protected. Development will conserve and enhance Protected Structures and their curtilage and will: (a) protect or, where appropriate, restore form, features and fabric which contribute to the special interest (b) incorporate high standards of craftsmanship and relate sensitively to the scale, proportions, design, period and architectural detail of the original building, using traditional materials in most circumstances (c) be highly sensitive to the historic fabric and special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials (d) not cause harm to the curtilage of the structure; therefore, the design, form, scale, height, proportions, siting and materials of new development should relate to and complement the special character of the protected structure (e) protect architectural items of interest from damage or theft while buildings are empty or during course of works (f) have regard to ecological considerations for example, protection of species such as bats.

### 5.4. Strategic Development and Regeneration Area (SDRA)

- 5.4.1. The development plan identifies a number of SDRA’s which can deliver significant quanta of homes and employment for the city, either through the development of greenfield sites or through the regeneration of the existing built city. The lands

located on either side of Ballymun Main Street, including the subject site, are identified as SDRA No. 2.

- 5.4.2. The guiding principles for development in this area include, inter alia, (1) to enhance existing and establish new and appropriate land-uses that support a growing mixed-use community, and seek innovative planning responses for the key sites in the area, that respond to the environmental, social, cultural and economic issues and demands facing the area; and, (2) to provide an appropriate urban main street context with buildings of 4-6 storeys in height along the main street, with potential for limited increases in the vicinity of a public rail station.

### 5.5. Sustainable Provision and Optimum Use of Social Infrastructure

- 5.5.1. **Policy SN21:** To facilitate the development or expansion of community-based healthcare facilities, respite homes and day care centres in residential areas.
- 5.5.2. **Policy SN22:** To facilitate the provision of hospital, local and other healthcare facilities in accordance with the requirements of the relevant healthcare authorities and to facilitate the consolidation or enhancement of these facilities within the city as an important resource for the city, region and State.
- 5.5.3. **Policy SN30:** To promote sustainable neighbourhoods which cater to the needs of persons in all stages of their lifecycle, i.e. children, people of working age, the elderly, people with disabilities.

### 5.6. Nursing Homes

- 5.6.1. The continuing and growing need for nursing homes is acknowledged in section 16.19 of the development plan. Such facilities should be integrated wherever possible into the established residential areas of the city, where residents can expect reasonable access to local services. In assessing planning applications for nursing homes, the following factors should be considered:

- Compliance with standards as laid down in the Statutory Instrument No. 415 of 2013, Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2013;
- Compliance with the Health Information and Quality Authority (HIQA) National Standards for Residential Care Settings for Older People in Ireland (July 2016), and any successor document;

- The effect on the amenities of adjoining properties;
- Adequacy of off-street parking;
- Suitable private open space;
- Proximity to local services and facilities;
- The size and scale of the facility proposed: the scale must be appropriate to the area.

## 5.7. Ballymun Local Area Plan (LAP) 2017

5.7.1. Section 5.5.2 of the LAP sets out design principles for the local area guided by the development plan. The principles which are relevant to this application include: (1) to complete Main Street with a mix of land uses and taller buildings than its residential hinterland; (2) to provide an appropriate urban Main Street context with parapet heights of c. 18 m.

5.7.2. The LAP identifies 31 no. sites which have redevelopment potential. While the subject site is not identified for such purposes, the LAP includes an extract from an Urban Framework Plan and Guidelines (2010), which identified the potential to accommodate a detached, L-shaped building on the north-western portion of the application site in the location of the former scout hall building.

## 5.8. Natural Heritage Designations

5.8.1. None.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. A first party appeal has been lodged by JNP Architects on behalf of the applicant, the grounds of which can be summarised as follows:

- The key concept and challenge of the proposal was to respect and preserve the significant cultural, religious, historic and architectural heritage of St. Pappin's Church, whilst meeting the applicant's requirements for an innovative and sustainable nursing home extension;

- The scale and form of the development reflects the applicant's brief for the minimum additional bedrooms and space required to make the project economically feasible;
- The proposal has been informed by examples of modern buildings proximate to Protected Structures elsewhere in the Dublin area, including a more invasive extension permitted on the grounds of an ecclesiastical building in Clondalkin, Dublin 22 (ABP Ref. 304708-19 refers);
- St. Pappin's Church was originally built in a rural setting which no longer exists. The proposed extension will reintegrate the church into the modern environment within which it now resides, in a manner which is complementary and appropriate from a heritage, architectural and socio-economic perspective;
- No. 9 Coultry Drive has high-quality amenity space to the front and extended side garden, overlooked from the main front living room and protected from the public realm by a mature hedgerow. The rear amenity space to this dwelling and to No. 10 Coultry Drive is somewhat eroded by the 5-storey Goulding building, including its balconies and windows;
- The existing nursing home must be refurbished and expanded to meet modern standards and compete with more recently completed facilities in the area.

6.1.2. The appeal submission proposes a series of amendments to the development to address the Planning Authority's refusal reasons and reduce its impact on properties in Coultry Drive and on St. Pappin's Church. These include:

- Removal of the 4<sup>th</sup> floor of the building to maximise daylight to Nos. 9 & 10 Coultry Drive and improve the relationship between St. Pappin's Church and the Goulding building;
- Removal of bedroom to the east of the south-facing block to maximise daylight to Nos. 9 & 10 Coultry Drive and increase the separation distance to St. Pappin's Church;
- Removal of staff changing at 1<sup>st</sup> floor level and relocation to the existing building to maximise daylight to Nos. 9 & 10 Coultry Drive; increase the



separation distance to St. Pappin's Church to improve views of the church from Coultry Drive; improve sunlight to the side and front garden of No. 9 Coultry Drive; and, reduce the development's overbearing impact;

- Setting back of the south-facing façade (coffee area) facing the north façade of the church;
- Reduction of communal areas in compliance with HIQA standards and reorganisation of the internal layout to ensure 60 no. bedrooms are still provided, including 2 no. double bedrooms in place of all single bedrooms;
- Increased distance between the dwellings on Coultry Drive and the northern façade of the building and removal of bay windows facing the rear of dwellings on Coultry Drive;

6.1.3. It is submitted that the amended building height of 4 storeys onto Ballymun Road is an appropriate massing link between the 5-storey Goulding building to the north and the 3.5 storey St. Pappin's Church to the south. The southern façade of the extension will maintain the existing views of the church from Ballymun Road, with the position of the extension framing and reinforcing the position of the church, set back from Ballymun Main Street.

6.1.4. It is submitted that the curved glass façade of the extension overlooking the entrance to the site will enliven the street during the day and evening, which is consistent with the LAP which seeks to have mixed-uses along Main Street. It is also submitted that the elevations have been designed to have a contemporary aesthetic, suitable to its form and massing, without competing with St. Pappin's Church.

6.1.5. The appeal submission is accompanied by revised planning drawings illustrating the proposed design amendments; an updated daylight / sunlight report and shadow studies; and, a Civil and Structural Engineer's Response to the reports of the Drainage and Transportation Planning Division's of Dublin City Council.

## **6.2. Planning Authority Response**

6.2.1. None received.

### 6.3. Observations

- 6.3.1. A total of 3 no. observations have been received from: (1) Bernadette Sheridan, No. 9 Coultry Drive, Ballymun, Dublin 9; (2) Carmel McDonald, No. 10 Coultry Drive, Ballymun, Dublin 9; and, (3) Róisín Shortall TD, Leinster House, Kildare Street, Dublin 2.
- 6.3.2. No new issues have been raised. No comments have been made on the applicant's amended design proposals.

### 7.0 Assessment

- 7.1. The proposed development has been amended by way of the applicant's appeal submission as summarised in section 6.1.2 of this report. In my opinion, the changes which are proposed to the development are material and would be more appropriately addressed by way of a revised planning application. Notwithstanding the foregoing, my assessment considers the original application proposal and the amended proposal as submitted to the Board.
- 7.2. I am satisfied that the main issues for consideration in this case include:
- Impact on Residential Dwellings at Coultry Drive
  - Impact on Protected Structure
  - On-Site Parking and Circulation Arrangements
  - Appropriate Assessment

7.3. Each of these issues is addressed in turn below.

#### 7.4. Impact on Residential Dwellings at Coultry Drive

- 7.4.1. The proposed extension is arranged across the northern boundary of the application site, adjacent to the 2-storey dwellings within the neighbouring Coultry Drive estate. The extension ranges from 5-storeys (14.975 m) in height in the north-western corner fronting onto Ballymun Road, stepping down to 2-storeys (5.8 m) in the central area and reducing further to 1-storey (2.925 m) in height at the north-eastern site corner, where it is proposed to link into the existing nursing home building.

- 7.4.2. The proposed extension abuts the shared boundary with the Coultry Drive estate, with the gable elevations of Nos. 8 and 9 Coultry Drive fronting onto the shared northern boundary of the application site. The occupants of Nos. 8, 9, 10 and 11 Coultry Drive have objected to the scale of the proposed development and have raised concerns of the potential for overlooking and overshadowing impacts to arise.
- 7.4.3. In my opinion, the proposed development has the potential to have the greatest impact on the residential amenities of Nos. 9 and 10 Coultry Drive, given their proximity to the 5-storey extension, with a reduced impact arising to No. 11 Coultry Drive. No. 8 Coultry Drive is adjacent to the existing 2/3 storey extension to the rear of the site and the proposed single-storey link corridor. As such, I consider that this dwelling is unlikely to be unduly impacted by the proposed development having regard to the height of the existing and proposed development on the north-eastern portion of the site.
- 7.4.4. The 5-storey extension extends around the side and rear boundaries of No. 9 Coultry Drive, with separation distances of 2.95 m - 6.8 m arising to the shared side boundary, 6.2 m to the shared rear boundary and 12.32 m to the rear façade of this dwelling. At its closest point, separation distances of 13.6 m and 16.7 m would arise between the 5-storey extension and the rear façades of Nos. 10 and 11 Coultry Drive respectively.
- 7.4.5. A Daylight and Sunlight Report is included in Appendix 1 of the Design Report. The assessment includes shadow diagrams to illustrate the impact of the development on neighbouring properties at 8am, 10 am, 12 pm, 2 pm, 4 pm and 6pm on 21<sup>st</sup> March, June (summer solstice) and September (Autumnal equinox). I note that no quantitative analysis is included to support the conclusions of the report.
- 7.4.6. The report identifies that the houses most immediately affected by the proposed development are Nos. 9 and 10 Coultry Drive. In assessing daylight, the report concludes that predicted impacts to these properties will be substantially compliant with daylight recommendations, while sunlight on façades would be compliant with the relevant recommendations.
- 7.4.7. In assessing sunlight impacts on open spaces, the report notes that the front gardens of both properties will have good exposure to sunshine. The rear gardens are noted to be already affected by the proximity of the 5-storey Goulding building to

the west and the existing 2 m boundary wall along the rear garden of No. 9 Coultry Drive. The report notes that there will be some diminution of sunshine in the rear garden areas, but that the “Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice” (2011) does not envisage full compliance in all circumstances, including in urban contexts.

7.4.8. The shadowing diagrams confirm varying degrees of overshadowing impacts to neighbouring properties as follows:

- (1) to the side/front/rear garden of No. 9 Coultry Drive and to the rear garden of No. 10 Coultry Drive at 12 pm and 2 pm in March;
- (2) to the rear gardens of Nos. 9 – 12 Coultry Drive and to the front gardens of Nos. 9 & 10 Coultry Drive at 4 pm in March;
- (3) to the rear garden of No. 10 Coultry Drive at 6 pm in March;
- (4) to the side/front garden of No. 9 Coultry Drive at 12 pm in June;
- (5) to the side/front/rear garden of No. 9 Coultry Drive and the rear garden of No. 10 Coultry Drive at 2 pm and 4pm in June;
- (6) to the side/front garden of No. 9 Coultry Drive at 6 pm in June;
- (7) to the side/front/rear garden of No. 9 Coultry Drive at 10 am and 12 pm in September and the rear garden of No. 10 Coultry Drive at 12 pm in September;
- (8) to the front and rear gardens of Nos. 9 & 10 Coultry Drive and the rear garden of No. 11 Coultry Drive at 2 pm in September; and,
- (9) to the rear gardens of Nos. 10 & 11 Coultry Drive at 4pm in September.

7.4.9. In considering the foregoing, I agree with the Planning Authority’s assessment that the proposed 5-storey extension would result in unacceptable overshadowing impacts to neighbouring properties, in particular Nos. 9 and 10 Coultry Drive. While I acknowledge that the mixed-use, Goulding building to the west is 5-storeys in height, I note the larger separation distances of 16.2 m – 17.2 m which arise to the rear property boundaries. In this instance, I consider that the scale of the proposed 5-storey extension is excessive, given its location to the south/south-west of the neighbouring residential dwellings. The 5-storey extension has an overall height of 14.975 m and is set back by 12.321 m from the rear façade of No. 9 Coultry Drive

and by 13.6 m from No. 10 Coultury Drive. In my opinion, this arrangement would result in unacceptable overbearing and overshadowing impacts on these properties, and that planning permission should be refused on this basis.

- Amended Proposal

- 7.4.10. The amendments which are proposed to the development include, inter alia, reducing the height of the proposed 5-storey extension to 4-storeys (12.05 m); removing the eastern-most bedroom at each remaining floor level; and, reducing the height of the proposed 2-storey extension to 1-storey. The appellant's agent submits that these amendments will reduce the impact of the development on the properties in Coultury Drive and on St. Pappin's Church.
- 7.4.11. A revised Daylight / Sunlight Report and shadow diagrams accompany the appeal. The report identifies 3 no. zones of interest for the purposes of analysis, comprising: (a) Zone 1: Nos. 9 - 12 Coultury Drive; (b) Zone 2: the public road within Coultury Drive to the north of the site; (c) Zone 3: Nos. 5 - 8 Coultury Drive. In my opinion, the results for Zone 1 are the key consideration in this instance.
- 7.4.12. The shadow diagrams confirm that varying overshadowing impacts would continue to arise as follows: (1) to the side/front/rear garden of No. 9 Coultury Drive at 12 pm on March 21<sup>st</sup>; (2) to the side/front/rear garden of No. 9 Coultury Drive and the rear gardens of Nos. 10 and 11 Coultury Drive at 3 pm on March 21<sup>st</sup>; (3) to the rear/side garden of No. 9 Coultury Drive and to the rear garden of No. 10 Coultury Drive at 4pm on 21<sup>st</sup> June; and, (4) to the side/front/rear garden of No. 9 Coultury Drive at 12 pm and 3 pm on 21<sup>st</sup> September and the rear gardens of Nos. 10 & 11 Coultury Drive at 3 pm on 21<sup>st</sup> September.
- 7.4.13. In my opinion, the revised shadow diagrams indicate that the amended development would continue to have unacceptable overshadowing impacts on Nos. 9 and 10 Coultury Drive. While the overall building height has been reduced from 14.975 m to 12.05 m, I note that the set-back from the 2-storey dwellings in Coultury Drive appears to remain as originally proposed.
- 7.4.14. In this regard I note an inconsistency between the appeal documentation and revised planning drawings. Item no. 7 of the mitigation measures which are identified on page 12 of the Addendum Design Report is listed as "increased distance between dwellings on Coultury Drive and the north façade". Both the Proposed Site Plan

(Drawing No. 3414-P-003) and the revised Proposed Site Plan (Drawing No. 3414-P-003 Rev A) annotate the same separation distances between the northern façade of the extension and Nos. 9, 10 and 11 Coultry Drive. However, the separation distances which are annotated on the “Ground Floor Plan In Context” submitted with the appeal (Drawing No. 3414-P-004 Rev A), are larger than those identified on the revised site plan, based on my review of the relevant drawings. In my opinion, this matter is not for the adjudication of the Board and requires clarification, given that the impact of the proposed development on these neighbouring dwellings is one of the key considerations in this case.

7.4.15. As such, in my opinion, the amended proposals do not address the overshadowing and overbearing impacts which would arise to Nos. 9 and 10 Coultry Drive and I consider that planning permission should be refused on this basis.

#### **7.5. Impact on Protected Structure**

7.5.1. Dublin City Council’s Conservation Officer recommended that planning permission be refused for the proposed development. It was considered that the height, bulk, massing and distance of the development relative to St. Pappin’s Church, would seriously injure the architectural character and setting of the Protected Structure, and would give rise to a loss of historic character.

7.5.2. In reviewing the Conservation Officer’s Report, I note that the height of the development was considered excessive relative to St. Pappin’s Church and that rather, it should be subservient or equal to the eaves’ height of this structure. It was also considered that the development would overwhelm the Protected Structure by reason of its proximity, and that the proposal was not of sufficient architectural quality to improve its setting. The Conservation Officer also noted a preference for the block plan layout shown in the Ballymun LAP 2017, with new development on this part of the site being detached and set back from the front of the Protected Structure.

7.5.3. In considering these issues, I note that the regenerated Ballymun Main Street is characterised by a variety of modern buildings of varying architectural styles and design. In my opinion, the proposed development would constitute a reasonable new insertion into the streetscape, which would be appropriately sympathetic to the existing built context.

7.5.4. While the Conservation Officer expressed a preference for an L-shaped building footprint, set back from the façade of the Protected Structure, the appellant's agent submits that the proposed extension must be entered from the existing nursing home, to ensure compliance with HIQA standards for safety and security. I consider this rationale for the layout of the proposed extension to be acceptable.

7.5.5. However, notwithstanding the foregoing, I agree that the scale of development at the front of the site is excessive and that the 5-storey element would dominate the setting of St. Pappin's Church in street level views of the site, by reason of its scale and height in excess of the roof level of the Protected Structure as illustrated in the 3D views and the contextual elevation and section drawings (Drawing Nos. 3414-P-007 and 3414-P-008 refer). As such, I consider that planning permission should be refused on this basis.

- Amended Proposal

7.5.6. A number of alterations are proposed to the scheme to address its impact on St. Pappin's Church. These include: the omission of the 4<sup>th</sup> floor of the proposed 5-storey extension; the removal of staff accommodation at 1<sup>st</sup> floor level of the proposed 2-storey extension; and, the setting back/regularisation of the ground floor, south-facing façade of the extension to increase the separation distance to the northern façade of the church.

7.5.7. In my opinion, the reduced building height improves the relationship of the proposed development to St. Pappin's Church, with the proposed extension reading as subservient to the Protected Structure in street level views. I further consider that the reduced building height would be an appropriate transition in scale from the neighbouring 5-storey Goulding Building on Ballymun Road.

7.5.8. The realigned southern elevation at ground floor level will increase the separation distance from the northern façade of the church. However, as discussed in section 7.4.14 of this report above, I note an inconsistency in the revised planning drawings which accompany the appeal. The Proposed Site Plan (Drawing No. 3414-P-003 Rev. A) indicates a separation distance of 5.369 m arising at the closest point between the southern façade of the proposed extension and the northern façade of the church. While the same dimension is annotated on the Ground Floor Plan in Context (Drawing No. 3414-P-004 Rev. A), I note a scaled dimension of 6.8 m from

my own review of this drawing. This inconsistency is not for the adjudication of An Bord Pleanála and as such, I consider that the amended proposals do not address the impacts of the proposed development on the character and setting of the Protected Structure and that planning permission should be refused on this basis.

## **7.6. On-Site Parking and Circulation Arrangements**

- 7.6.1. The Transportation Planning Division of Dublin City Council recommended that Further Information be requested in relation to: (1) a revised swept plan analysis which does not rely on the use of vacant car parking spaces; (2) a mobility management plan; (3) the allocation of parking bays; and, (4) bicycle store locations.
- 7.6.2. A response to the request for Further Information has been prepared by Downes Associates as included with the appeal. A revised swept path analysis has been prepared which no longer relies on the use of empty parking spaces as illustrated in Drawing No. 5000-P-03.
- 7.6.3. A mobility management plan has not been provided, but in the event planning permission is granted, it is noted that one can be provided prior to the commencement of development. The allocation of parking bays and location of bicycle stores are also not addressed. However, in my opinion, these matters could reasonably be addressed by way of condition in the event An Bord Pleanála decides to grant planning permission in this instance.

## **7.7. Appropriate Assessment**

- 7.7.1. Having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect, either individually or in combination with other plans or projects, on a European site.

## **7.8. Conclusion**

- 7.8.1. The development potential of the site to accommodate an extension to the existing nursing home facility, and the development plan support for such proposals as set out in policies SN21 and SN22, is acknowledged. However, on balance, it is considered that the development as proposed in this instance, would have an unacceptable overbearing and overshadowing impact on Nos. 9 and 10 Coultrey



Drive and would have a detrimental impact on the setting of a Protected Structure, St. Pappin's Church. As such, I recommend that planning permission be refused for the proposed development.

## 8.0 Recommendation

8.1. I recommend that planning permission be refused in this instance.

## 9.0 Reasons and Considerations

9.1. The proposed development, by reason of its height, scale and configuration relative to the northern and north-western site boundaries, would be seriously injurious to the residential amenities of property in the vicinity, by reason of overbearing and overshadowing impacts on Nos. 9 and 10 Coultry Drive, and accordingly, would be contrary to the proper planning and sustainable development of the area.

9.2. Having regard to the existing character and the pattern of development within the site, and the presence of a structure of architectural interest which is listed as a Protected Structure in the current Development Plan for the area, it is considered that the proposed development, by reason of its, scale, height and massing, would seriously detract from the architectural character and setting of St. Pappin's Church, (Protected Structure Ref. 482). The proposed development would, therefore, materially and adversely affect the character of this Protected Structure and would be contrary to policy CHC2 of the Dublin City Development Plan 2016-2022. As such, the proposed development would be contrary to the proper planning and sustainable development of the area.

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Louise Treacy  
Planning Inspector

17<sup>th</sup> September 2020