



An
Bord
Pleanála

Inspector's Report ABP 307159-20.

Development	Demolition of two storey house and erection of a three and four storey over basement boutique hotel.
Location	Rear St James Church, James Street, Dublin 8. (Protected Structure).
Planning Authority	Dublin City Council
P. A. Reg. Ref.	2098/20
Applicant	Brendan Trears.
Type of Application	Permission.
Decision	Refuse Permission
Type of Appeal	First Party x Refusal
Appellant	Brendan Trears.
Date of Site Inspection	1st August, 2020.
Inspector	Jane Dennehy

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1.0 Site Location and Description

- 1.1. The site has a stated area of 166 square metres and is formed from a narrow strip of land within the historic curtilage of St. James Roman Catholic Church and Parochial House. It is on the west side of Echlin Street and there is a derelict two-storey house semi concealed by dense overgrown vegetation facing onto the southern frontage onto Grand Canal Street. St James Roman Catholic Church which has frontage onto James Street and the Parochial House, a three storey over basement level house are located to the east and north east. At the time of inspection, hoarding had been erected around the frontage of the site while the adjoining front boundary wall for the Parochial House was intact.
- 1.2. The area along James Street, James Walk and Grand Canal Street and Echlin Street characterised by several buildings included on the record of protected structures. The Grand Canal Harbour is to the south Grand Canal Street and St James Walk opposite the site, On the frontage of the Grand Canal Harbour directly opposite the site is a curvilinear building which is subject of a grant of permission for a mixed-use development under P. A. Reg. Ref. 3209/19 which includes provision for its renovation and for extensions. The Guinness Brewery and Guinness Storehouse are further to the east and south east.

2.0 Proposed Development

- 2.1. The application lodged with the planning authority indicates proposals for the demolition and removal of the existing two storey house on the site and to construct a three storey and four storey over basement boutique hotel building on the site. The accommodation within it comprises eleven bedrooms and includes a dining area at ground floor level and kitchens and ancillary space at the basement level. The total stated floor area is 353.75 square metres and the stated plot ratio and site coverage area 1:2 and 65 percent, respectively.
- 2.2. The application includes a conservation method statement prepared by the applicant's architect and agent.

3.0 Planning Authority Decision

3.1. Decision

By order dated, 16th March 2020 the planning authority decided to refuse permission based on the following reason:

“Having regard to the Z5 zoning objective as set out in the Dublin City Development Plan, 2016-2022 for the area, it is considered the design of the proposed development does not respond positively to the existing urban context and would adversely affect the setting of protected structures in the immediate vicinity and would appear visually incongruous in this respect. The proposed development is contrary 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. The report of the Transportation Department indicates a recommendation for an additional information request in respect of access arrangements, waste storage and cycle parking facilities.
- 3.2.2. The report of the Asst City Archaeologist indicates a recommendation for an archaeological monitoring condition owing to possible surviving subsurface remains, the site being located at the edge of a zone of archaeological constraint of recorded monument DU018-020 and a Zone of Archaeological Interest.
- 3.2.3. The report of the conservation officer was not issued but it is stated that the planning officer and conservation officer discussed the proposed development.

4.0 Planning History

P. A. Reg. Ref. 3738/18: Permission was refused for demolition of the two storey house and construction of a five storey over basement apartment building on grounds of substandard development, potential precedent adverse impact on the content and pattern of surrounding built environment and protected structures and

contravention of sections 16.2.1.1 and 16.2.2.2. of the CDP and an excessive plot ratio having regard to sections 16.5 and 16.6 of the CDP.

5.0 Policy Context

5.1. Development Plan

The operative development plan is the Dublin City Development Plan, 2016-2022 according to which the site is within an area subject to the zoning objective Z5: *to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.* Policy Objective CEE12 provides for the promotion of tourism development within the city as a tourism destination.

The site comes within the curtilage of St James Catholic Church which is included on the record of protected structures and on the border of a zone of archaeological constraint of recorded monument DU018-020 and a Zone of Archaeological Interest.

The location is in Area 1 of Map J and according Table 16.1 of the development plan outlines a maximum standard of one space for four rooms.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. An appeal was received from James Briscoe on behalf of the applicant on 5th May 2020. Mr Briscoe refers to three prior successful applications which he submits are relevant to the current proposal:

P. A. Reg. Ref. 0329/00: 48-50 St James Street for demolition of buildings and construction of a four-storey building with penthouse at fifth level
Archaeological requirements were imposed by condition. According to the appeal, this grant of permission is indicative of acceptance of a brick faced terraced residential building in future development on Echlin Street and the urban context.

P. A. Reg. Ref. 2022/18 at 5 Echlin Street for demolition of a two-storey workshop and construction of a five-storey block with retail at ground level and apartments overhead. Changes to fenestration were imposed by condition. According to the appeal, the current proposal would be limited to a continuation of the four-storey height at street face with an additional setback floor. The grant of permission also allowed for new development to be seen above the height of the curvilinear building, a protected structure in views from Echlin Street.

P. A. Reg. Ref. 3209/19 is a grant of permission for the existing curvilinear building including retention renovation refurbishment and extension of the protected structure and construction of six blocks ranging from three to thirteen storeys of mixed development. According to the appeal, the form and mass articulate the fenestration on the elevation of other development on Echlin Street, and this allows for the acceptance of the height of the curvilinear building as viewed from Echlin Street and the parapet height and finishes of the protected structures. The parapet heights along Echlin Street are not exceeded.

- The design takes cognisance of the height and external finishes of St James Church and the Parochial House as well as the curvilinear building. External finishes are muted.
- The development is in line with zoning objective, tourism development objectives and archaeological requirements. Other issues such as those relating to archaeological requirements and access can be addressed by compliance with a condition.

6.2. Planning Authority Response

6.2.1. There is no submission from the planning authority on file.

7.0 Assessment

- 7.1. The site location is very sensitive from an architectural heritage conservation perspective in several respects and particularly industrial heritage and high profile given the prominent corner site location and its primacy as a tourism destination due to the proximity of the Guinness Storehouse.
- 7.2. Form and mass and articulation of the elevation which may have been intended to represent the grain stores and the brewing heritage of the area. It is stated on the drawings that the external finishes are intended to compliment brick faced buildings on the opposite site at the northern end of Echlin Street. However, it is considered that the selection of materials finishes and features are not of sufficient quality for the sensitive site location and surrounding structures. Furthermore, while the case made as to consistency with extant parapet lines is accepted, the overall massing and bulk of the proposed double height and double roofed building would dominate and seriously detract from the existing adjoining structures within the St James Church curtilage, seriously detracting from their historic context and setting. It is considered that there is scope for a modest scale of development in high quality design and materials at this site location whereby the significance of the Parochial House and St James Church within the immediate environs is complimented acknowledged.
- 7.3. The nature of the proposed use would be consistent, in principle, with the zoning and associated policies and objectives within the CDP but the current proposal is unacceptable on grounds relating to scale, mass, design and finishes and consequent adverse impact on the visual amenities of the area and the context and integrity of the protected structures within the historic curtilage from which the site is formed and the surrounding built heritage.
- 7.4. In the event that permission is granted, outstanding matters raised in the report of the Transportation Division regarding access arrangements waste and cycle parking arrangements would need to be resolved. It is also noted that demolition proposals for the existing two storey house which includes removal of the wall boundary along the street frontage which does not appear to have been surveyed.
- 7.5. In view of the foregoing, it is recommended that the planning authority decision be upheld and, that permission be refused.

7.6. **Environmental Impact Assessment Screening.**

Having regard to the nature of the proposed development and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Appropriate Assessment Screening.

- 7.7. Having regard to the nature of the proposed development and, to the serviced inner urban location, no Appropriate Assessment issues proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

Given the foregoing, it is recommended that the decision of the planning authority to refuse permission be upheld. Draft Reasons and Considerations follow:

9.0 **Reasons and Considerations**

The site of the proposed development is at a prominent location in the area and within the historic curtilage of St. James Church and adjacent Parochial House which are included on the record of protected structures along with several other structures in the vicinity including the curvilinear building at Grand Canal Harbour opposite the site location. It is considered the massing, height, design, features and external finishes for the proposed building would be visually obtrusive and would dominate and detract from the established historic character and setting of the protected structures and would fail to compliment and contribute positively the surrounding historic urban context. As a result, the proposed development would seriously injure the integrity and character of the protected structures and the visual amenities and historic architectural character of the surrounding built environment.

The proposed development is therefore contrary to the proper planning and sustainable development of the area

Jane Dennehy
Senior Planning Inspector
4th August, 2020.