



An
Bord
Pleanála

Inspector's Report ABP-307562-20

Development

Permission is sought for the change of use from 'church' to 'chapel of ease' to include use as a wedding venue/reception area including the serving of food by outside caterers, community centre and meeting room, to include alterations to existing WC area, installation of fire alarm system, emergency lighting and signage and all associated site works at Carlingford Presbyterian Church which is a Protected Structure.

Location

Newry Street, Carlingford, Co. Louth.

Planning Authority

Louth County Council.

Planning Authority Reg. Ref.

20166.

Applicant

Maureen Johnston.

Type of Application

Planning Permission.

Planning Authority Decision

Grant with conditions.

Type of Appeal

Third Party

Appellant

Frank O'Brien

Observer(s)

None.

Date of Site Inspection

29th day of September, August, 2020.

Inspector

Patricia-Marie Young

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	6
3.0 Planning Authority Decision	6
3.1. Decision	6
3.2. Planning Authority Reports	6
3.3. Prescribed Bodies	7
3.4. Third Party Observations	7
4.0 Planning History.....	7
5.0 Policy & Context	7
5.1. National Policy Provisions.....	7
5.2. Development Plan.....	7
5.3. Natural Heritage Designations	8
6.0 The Appeal	8
6.1. Grounds of Appeal	8
6.2. Applicant Response	9
6.3. Planning Authority Response	10
6.4. References.....	11
7.0 Assessment.....	11
8.0 Recommendation.....	19
9.0 Reasons and Considerations.....	19
10.0 Conditions	20

1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.037ha, is located on the western side of the Newry Road (R173), c155m to the north of Tholsel Street, in the historic heart of Carlingford village, in County Louth. The appeal site contains an attractive historic stone church building known as the 'Carlingford Presbyterian Church', which is a Protected Structure, under the current Louth County Development Plan, 2015 to 2021 (Note: Ref. No. LHS005-057). It is also included in the Buildings of Ireland – National Inventory of Architectural Heritage (Note: NIAH Ref. No. 13825052) under which it is given a 'Regional' rating and its listed categories of special interest are 'Architectural', 'Artistic', 'Historical' and 'Social'. The NIAH describes the building as follows:

“Freestanding single-cell gable-fronted Presbyterian church, built 1869, with four nave elevations. Pitched slate roof, cast-iron ridge cresting, carved stone finials to east, ashlar chimneystack to west, stone verge coping to gables, moulded cast-iron gutters on stone corbels, cast-iron downpipes. Squared-and-snecked dressed limestone walling to east elevation, granite plinth, ashlar limestone and granite diagonal buttresses surmounted by gable pinnacles; roughcast-rendered walling to north, south and west elevations. Lancet windows to nave, splayed ashlar granite surrounds, stained glass leaded lights under site protection screens, tripartite window to east elevation, pointed arch openings, splayed ashlar granite surround; pointed arch loop windows flank entrance, splayed ashlar granite surrounds, stained glass leaded lights. Pointed arch door opening, ashlar granite surround recessed in two orders, granite hood mouldings with block stops, painted timber vertically-sheeted double doors accessed by granite steps. Church set back from street, bounded by random rubble uncoursed and rendered wall, soldier coping, square granite gate piers, pyramidal caps, cast-iron gates”.

- 1.2. It also provides the following appraisal:

“Built in 1869 by Robert Young, this is a fine example of nineteenth-century church design. A pleasing combination of limestone and granite masonry and the balanced disposition of window and door openings create a handsome, ordered east façade, which forms a focal architectural feature within the Newry Street streetscape. Attractive stained glass windows are also of note and add to the architectural interest of the whole, while the handsome entrance gateway is another important survival”.

- 1.3. The Carlingford Presbyterian Church is set back from Newry Street and it occupies higher ground levels than the public road with the area in between consisting of landscaping and a symmetrically placed pathway that runs from an attractive painted cast iron double gate that is also symmetrically positioned on an attractive stone wall with piers. It forms part of an attractive streetscape scene that includes several historic buildings designated as Protected Structures and is also referred to as the 'Liberties of Carlingford'. Its immediate setting includes but is not limited to Carlingford Courthouse which is on the adjoining site to the north as well as on the adjoining site to the south Saint Michael's Hall. As such it forms part of a larger collection of period buildings with these buildings originally accommodating a variety of functional uses but also including period residential properties many of which still maintaining their original functional use.
- 1.4. As one journey's southwards along Newry Street there is a mixture of uses present. This includes a craft shop, tea rooms, public houses, restaurants, accommodation through to resident premises. Whereas journeying northwards and to the west of the appeal site the urbanscape is predominated by residential land uses. The ground levels also rise in this direction. On the opposite side of Newry Street there are terraces of period dwellings with the two immediate terraces separated by a pedestrian footpath that provides connection towards the shoreline.
- 1.5. Double yellow lines restrict parking along the public roadside edge to the front of the appeal site. These extend in a north and south direction. There are no double yellow lines on the opposite side of Newry Street with the public road accommodating *ad hoc* on street car parking. This section of Newry Street due to its restricted width accommodates traffic journeying in a northerly direction only. It also contains footpaths and street lighting on either side.
- 1.6. Running along the southern boundary of the appeal site is a pedestrian laneway which runs in an east west direction. This provides connection from Newry Street to the restricted in width and predominantly residential Back Lane. The ground levels rise in a westerly direction and there are panoramic views towards Carlingford Mountain SAC. These mountains are one of the features that add to the attractiveness of the sites setting.

1.7. Carlingford village is a popular tourist destination and despite the times we are in at the time this report was prepared it was vibrant and busy.

2.0 Proposed Development

2.1. Planning permission is sought for the change of use from Church to Chapel of Ease to include use as a wedding venue/reception area including the serving of food by outside caterers, community centre and meeting room, to include alterations to existing W.C. area, installation of fire alarm system, emergency lighting and signage together with all associated siteworks.

2.2. The planning application indicates that the existing church has a stated 106.7m² floor area and there is no increase in floor area proposed.

2.3. This application is accompanied by document titled 'Former Presbyterian Church', Newry Street, Carlingford, Co. Louth – Planning Application Conservation Statement', prepared by Fergal McGirl Conservation Architect Grade II.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority decided to **grant** planning permission subject to 3 no. standard conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The **Planning Officer's** report dated the 16th day of June, 2020, considered that the proposed development would ensure the continued use of a Protected Structure, it was consistent with planning provisions and that it would give rise to any undue amenity impact on its setting. A grant of planning permission was therefore recommended.

3.2.2. Other Technical Reports

- **Infrastructure:** No objections.

3.3. Prescribed Bodies

3.3.1. **Irish Water:** No objection subject to safeguards.

3.4. Third Party Observations

3.4.1. During the course of the Planning Authority's determination of this planning application it received a submission from the appellant. The substantive grounds that are raised in this submission correlate with those made in their appeal submission to the Board.

4.0 Planning History

4.1. Relevant Planning History:

4.1.1. None.

5.0 Policy & Context

5.1. National Policy Provisions

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

5.2. Development Plan

5.2.1. The appeal site is located within the settlement boundary of Carlingford Village under the Louth County Development Plan, 2015 to 2021, and is zoned "Village Centre" under which it is an objective: *"to provide, protect and enhance village centre facilities and enable town centre expansion"*.

5.2.2. Carlingford is designated as a 'Level 3' settlement in the County's settlement hierarchy.

5.2.3. The appeal site contains a Protected Structure, Carlingford Protected Structure, that is listed under Table 4.1 of Appendix 2, Volume (a). It is also located within an Architectural Conservation Area (ACA) and Area of Special Archaeological Interest. A series of heritage related objectives and policies are contained within the Development Plan. These are largely set out under Chapter 5.

5.2.4. The Settlement Plan for Carlingford in Appendix 2 of the Development Plan contains a number of policies to protect its historical character and landscape setting, including:

- **CAR 1:** To support Carlingford in its role as a local rural service centre.
- **CAR 4:** To retain and enhance the village setting within its unique scenic backdrop.
- **CAR 5:** To protect and retain the historic integrity and plots of the medieval town.
- **CAR 9:** To ensure that Carlingford develops a sustainable economic base.
- **CAR 11:** To support sustainable tourism development in Carlingford.

5.3. Natural Heritage Designations

5.3.1. There are a number of Natura 2000 sites within a 15km radius of the appeal site. The nearest are:

- The Special Area of Conservation: Carlingford Shore SAC (Site Code: 002306) which is located c58m to the east of the site.
- The Special Protection Areas: Carlingford Lough SPA (Site Code: 004078) which is located c417m to the east of the site.
- The Special Area of Conservation: Carlingford Mountain SAC (Site Code: 000453) which is located c0.6km to the west of the site.

5.4. EIA Screening

5.4.1. Having regard to the nature and extent of the proposed development; the serviced nature of the site and its setting, it is considered that 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.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of appeal can be summarised as follows:

- The change of use is substantially different to its original use.

- The proposed development would give rise to amplified music for prolonged periods late into the night, therefore significantly impacting on established residential amenities of properties in its vicinity.
- The predominant land use in the vicinity of the site is residential.
- The current and historical use of this building was a Presbyterian Church which facilitated weekly/monthly church service with the occasional choir service.
- A wedding reception would normally commence in the afternoon/evening with the celebrations on-going until midnight or later. The vast majority incorporate amplified music. Concern is raised that noise will escape from the building.
- There are no details on the duration or hours of operation of the venue.
- The proposed development is a substantial change of use.
- The applicant has provided insufficient information for the proposed development to be properly assessed.
- No mitigation conditions have been included to safeguard residential amenity.
- The Board is requested to refuse permission.

6.2. Applicant Response

6.2.1. The applicant's response can be summarised as follows.

- It is proposed that the building would be available for weddings and wedding receptions. There will be no food preparation areas within the building and food would be provided by outside caterers. It is anticipated that the wedding speeches and meal would be completed by early evening and evening entertainment as well as overnight accommodation for wedding guests will be provided at 'Jordan's Bar' which the applicant has a vested interest in.
- This building would not be used as a permanent restaurant/bar facility.
- There are many existing pubs, restaurants, hostels, and late-night venues located in this village.

- The use of the building as a wedding venue, community centre/meeting room is not dissimilar to its use as a church as it will have groups of people attending for a set period of time.
- This development is compliant with local planning provisions.
- Carlingford is a renowned tourist town.
- This application is on foot of the Planning Authority advice that serving food even if not prepared on the premises would require planning permission.
- The community centre use is to make this project commercially viable.
- In 1991 the Holy Trinity Church in Carlingford was permitted planning permission for a change of use from a church to a heritage centre and chapel of ease.
- The appellant contends that given the age of the church building that the acoustic barriers or noise mitigation measures would be limited. This is not necessarily the case as many buildings of this age due to their construction methodologies would be considered to have good sound reduction values. In this regard it is noted that the church walls are masonry in construction in excess of 700mm and given this mass they would have excellent resistance to airborne sound and would also absorb vibrations. This building has a low window area relative to wall which also reduces sound transmission and there is an internal lobby behind the front door.
- The frequency of weddings cannot be established at this point.
- This proposal would not give rise to adverse impacts on surrounding properties.
- The works to this Protected Structure would be carried out in accordance with best conservation practice to protect the long-term use and fabric of this building.
- The Board is requested to uphold the decision of the Planning Authority.

Note to Board: This submission is accompanied by a Site Plan which shows the location of the subject premises relative to Jordan's Bar, Restaurant and B&B Accommodation, i.e. c40m as the bird would fly.

6.3. Planning Authority Response

6.3.1. The Planning Authority's response can be summarised as follows:

- The proposed development will not result in any unacceptable noise levels given its small scale and its context within the centre of Carlingford.
- The proposed use would not be substantially different to its established use.
- The proposed use would be low frequency and would not have a higher frequency in terms of its use when compared to its original function as a church.
- Weddings are by enlarge concentrated around weekends and summer months. As such it is unlikely that the proposed development would result in a 7 day a week throughout the year use.
- The Council would be amenable to the imposition of a condition restricting the hours of use if that were deemed to be appropriate by the Board.
- The description of the development includes the potential use as a community centre. The small scale of this facility and the location of the site would not result in such use causing any undue adverse amenity issues.
- This development does not conflict with local planning provisions.
- The proposed development will ensure the continuous use of this historic building into the future and it will not interfere with its main features of note.

6.4. References

- 6.4.1. This appeal was referred to The Heritage Council, An Taisce – The National Trust of Ireland, the Development Applications Unit of the Department of Culture, Heritage and the Gaeltacht, An Chomhairle Ealaíon and Failte Ireland. No responses were received.

7.0 Assessment

7.1. Introduction

- 7.1.1. Having inspected the site and its setting, reviewed the file documents and relevant planning provisions, I consider that the issues raised by this appeal can be assessed under the following broad headings:

- Principle of the Proposed Development

- Built Heritage Impact
- Residential Amenity Impact
- Traffic Issues
- Services – New Issue

7.1.2. In addition, the matter of ‘Appropriate Assessment’ also requires examination.

7.2. Principle of the Proposed Development

7.2.1. The proposed development, as set out in Section 2 of this report above, essentially seeks planning permission to change an established church building to a chapel of ease alongside seeks to use this building as a wedding venue with the potential of providing for wedding reception area with food indicated to be provided by outside caterers, a community centre and meeting room together with associated works.

7.2.2. Having regard to the location of this building within the historic heart of Carlingford and having regards to local planning policy provisions, in particular Policy SS 9 of the County Development Plan which seeks to: *“promote and facilitate limited development within Level 3 Settlements that is commensurate with the nature and extent of the existing settlement, to support their role as local service centres and to implement the policies and objectives relative to each settlement as provided for in Appendix 2, Volume 2 (a)”*; Policy CAR 9 which seeks to ensure that Carlingford develops a sustainable economic base by seeking to provide a range of employment opportunities locally; and Policy CAR 11 which seeks to support sustainable tourism development. Alongside having regard to Section 7.3 of the Architectural Heritage Guidelines which indicates that it is generally recognised that the best method of conserving a historic building is to keep it in active use.

7.2.3. I consider that the proposed development accords with both local through to national planning provisions and subject to safeguards in relation to the following:

- This buildings sensitivity to change as a designated Protected Structure.
- This buildings contribution to its Architectural Conservation Area streetscape setting which includes other designated Protected Structures in its immediate vicinity including but not limited to those on the adjoining plots to the north and south of the appeal site.

- There are several residential properties within the immediate vicinity of the appeal site with these being sensitive and vulnerable to change.

7.2.4. These matters I have examined in the following sections of my assessment below and notwithstanding these matters I consider that the general principle of the proposed development is acceptable.

7.3. **Built Heritage Impact**

7.3.1. As noted previously in this report, it is generally accepted that buildings of historic merit like Carlingford Presbyterian Church should be kept in active use and preferably their original use. It is apparent that the use of this building has dwindled over the years and its use as a church has by now ceased with the Presbyterian Church consolidating their worship to another location. Thus, in a number of documents relating to it, this historic building is also referred to as the former Carlingford Presbyterian Church. In these circumstances the Architectural Heritage Guidelines indicate that permitted changes of use should aim to minimise the impact on the character of the structure.

7.3.2. The use proposed under this planning application in my view requires minimal disruption to this buildings intrinsic character thus allowing its interiors, exteriors and its curtilage to still be appreciated by many with the documentation provided clearly demonstrating that the special interest of this structure will not be significantly adversely impacted.

7.3.3. Indeed, the applicant engaged appropriately skilled and experienced professionals in the preparation of this application which resulted in the alterations that are proposed, i.e. the amendments to the WC area, the installation of fire system, the installation of lighting, the attachment of signage and the like are carried out in a manner that is in accordance with best accepted conservation practices and that they have a sufficient lightness of touch as well as reversibility should that be required going forward into the future.

7.3.4. It is my view that this change of use proposed is one that requires minimal physical change to this building; it includes a use, i.e. wedding ceremonies that has a tangible link with past religious celebrations that have occurred in this historic building; it allows the main interior space of this building to be appreciated and the building to be appreciated as a historic building in the round by those working through to attending it as a venue. In so doing its presentation as appreciated from the public domain with

its current appearance showing signs of its lack of recent upkeep. Thus, diminishing what is nonetheless an attractive and unique building within its streetscape scene. A scene that is afforded protection in part way of its designation as an Architectural Conservation Area under the Development Plan and a scene that contains an architectural array of historic buildings from different periods and designed for different functional uses. This Protected Structure enriches this particular Architectural Conservation Area and it forms part of the architectural and archaeological richness of the settlement of Carlingford that underpins part of its economy as an attractive tourist destination.

- 7.3.5. The proposed development would ensure that its intrinsic character would be appreciated by the many as opposed to the few as it will facilitate access to its interiors by way of its proposed use as a wedding venue, reception, community through to meeting facility with such uses requiring minimal intervention to its which highly intact built fabric.
- 7.3.6. Crucially the proposed development seeks to secure a viable economic use that will maintain this building going forward alongside reversing the decade that has occurred over recent decades.
- 7.3.7. The documentation submitted with this application, with this being accompanied by highly detailed conservation planning statement, indicates that the change of use proposed requires minimal structural interventions and that the overall works would not adversely impact on this highly intact Protected Structure. Moreover, there are minimal works that would be legibly from the public domain or indeed from within the curtilage of Protected Structure itself. As this historic building is highly legible and though has a building line that is setback from the adjoining Protected Structure to the south, its overall built form, its raised ground level when compared to the public road together with the pattern of development including the topography of the surrounding setting which includes rising ground levels to the north and west, the lack of significant works or changes to this building other than conservation works will ensure it positively contributes to its Architectural Conservation Area setting and the visual curtilage of the Protected Structures it forms part of.
- 7.3.8. I am therefore satisfied that the proposed development in terms of built heritage is generally acceptable but any grant of permission should include a appropriate

conditions that ensure that the special interest of this structure and its setting are not adversely compromised and that the works are supervised by a suitable professional that is an expert in the field of architectural conservation as a precaution.

7.4. Residential Amenity Impact

- 7.4.1. The appellant in this appeal cases raises concerns that the proposed development, if permitted, would result in a serious diminishment of the established residential amenity of his property and properties in the immediate vicinity. The concerns raised include the intensification of use, the type of use proposed, the lack of mitigation measures for minimising adverse impact on neighbouring properties.
- 7.4.2. Whilst I agree with the appellant that the proposed development would result in an intensification of use of this historic building due to its evident minimal use over recent decades it is nonetheless located within the village of Carlingford on one of its principal streets. The mixture of wedding venue, reception area through to community centre and meeting room uses would add to the variety of different land uses already present and as previously discussed are uses that are consistent with local planning provisions. As also discussed, it is generally accepted that historic buildings of merit like this need building appropriate viable new uses where original uses have ceased. As this is key to conserving and maintaining them for the appreciation of future generations. Notwithstanding, I did observe within the immediate setting of the site that there are several established residential properties. As such I consider it is reasonable that any change of use to this historic building does not result in any serious injury or diminishment to the established amenities of these properties over and above their existing situation.
- 7.4.3. I generally concur with the applicant in their response to the grounds of this appeal that this historic building is one of robust masonry construction with limited voids within its external wall envelope. This would somewhat abate noise and vibration disamenity that could arise as part of the new uses proposed particularly where amplified music and the like occur.
- 7.4.4. This application does not include any noise and/or vibration impact assessment. Despite this, I am satisfied that the potential noise and vibration impacts could be reasonably dealt with by way of an appropriate condition should the Board be minded to grant permission. I consider such a condition appropriate and reasonable given the

type of change of use proposed together with the proximity of this historic building to residential properties.

- 7.4.5. While I accept that there is potential synergy between the proposed change of use and the applicants other commercial enterprise (Jordan's Bar) it may not always be the case that future customers may wish to have their reception in two separate venues. It is also unclear the frequency of use of this building or indeed hours of operation. This is understandable given that this appears to be a new commercial venture by the applicant and as pointed out by the Planning Authority's Planning Officer on the matter of weddings that these by and large occur at weekends and can be seasonal in nature. This I am cognisant does not rule out the possibility of such uses to occur outside of weekends and outside of normal wedding season months of the summer. Outside of these days and season the frequency of use as a wedding venue/reception will be less and having the potential to offer community centre through to meeting centre should in theory provide a more sound business offer going forward which in turn would maintain this historic building in use.
- 7.4.6. Moreover, it is also possible that wedding receptions may wish to continue within this premises for the entirety of the event. With this being the case, it is probable like is the case with most weddings that a wedding reception could continue into late evening and night-time hours. In such circumstances even where the noise is suitably attenuated inside the building the general activity of people leaving and potentially congregating within the curtilage of the venue and its immediate vicinity has the potential to result in noise dis-amenity for residential properties in its vicinity.
- 7.4.7. In order to provide some measure of protection for the established residential amenities of properties in its immediate setting I do not consider it unreasonable that any grant of permission for the development proposed include a number of conditions that would abate potential nuisances including those discussed above.
- 7.4.8. I am satisfied that the proposed development, subject to safeguards, would not give rise to any undue diminishment of residential amenities in the vicinity.

7.5. **Traffic Issues**

- 7.5.1. Both the local planning provisions and national guidance, in particular the Architectural Heritage Guidelines, recognise the importance of ensuring that historic buildings like Carlingford Presbyterian Church is kept in active use and as discussed above the

change of use proposed under this planning application is one that maintains a high degree of this buildings built integrity and requires minimal interventions to it thus avoiding loss and/or damage to its integrity and to surviving historic built fabric.

- 7.5.2. While I acknowledge the deficiency in public car parking along Newry Street and that there are no on-site car parking spaces proposed under this application there is within easy walking distance available public car parking options for future users of the proposed development.
- 7.5.3. There is also merit in the Planning Authority's Planning Officers argument that it may be the case that those attending the wedding venue/reception may decide to avail of accommodation within this settlement which may have on-site car parking facilities. I observed that there is a plethora of different types of accommodation on offer within walking distance of the subject building with the settlement itself being of a modest size and condensed in terms of its urban structure. Some of these do include car parking facilities.
- 7.5.4. Further, the building itself is also modest in floor area. With the application form giving its gross floor space as 106.7m². There is no increase in floor area proposed. This is a modest floor area and this in itself will limit the capacity of the proposed wedding venue/reception area, the community centre and meeting rooms proposed under this application when operational.
- 7.5.5. Moreover, the applicant appears to be offering the ability to synergise the proposed change of use with their other commercial vested interest, i.e. Jordan's Bar, which also contains a large restaurant area through to bed and breakfast accommodation. It is therefore quite possible that for larger in weddings that the reception could not be facilitated easily within the limited space available within this historic building.
- 7.5.6. In addition, the proposed development does not include the installation of any food preparation area nor does this historic building have the benefit of a drinks licence.
- 7.5.7. I also consider that by reason of the limited width of the historic gate and entrance piers on the roadside boundary addressing Newry Road together with the fact that the setback area in between it and the principal façade of the Carlingford Presbyterian Church appears to maintain its original layout that it would diminish the setting of this Protected Structure to make any amendments to facilitate off-street car parking within its curtilage or indeed to provide a drop-off area along the public road.

7.5.8. I am therefore of the view that the proposed change of use would not result in any significant additional car parking demands when compared with its former use as a church when at full capacity or would it give rise to any serious road safety and traffic hazard issues.

7.6. **Services – New Issue**

7.6.1. While I am cognisant that the appeal site is located within a serviced settlement limited details have been provided in terms of potable water supply and foul drainage. The documentation does however indicate that there would be a daily demand of 2,500 litre when operational the proposed development is operational.

7.6.2. Of further concern, the planning application form indicates that surface water drainage would be via a soak pit, yet this infrastructure is not indicated in the submitted drawings.

7.6.3. There appears to be no significant capacity issue in terms of public mains water and drainage. Notwithstanding this, I consider that any grant of permission should include a condition that requires the details relating to such matters to be agreed in writing with the Planning Authority despite them not raising any concern on these particular matters. I also consider it reasonable that this should include assurance that any works that are required in the provision of the necessary services for the proposed development sought under this application does not result in any undue loss or damage to historic built fabric as well as would be carried out in accordance with accepted best conservation practices.

7.7. **Appropriate Assessment**

7.7.1. Having regard to the nature and scale of the proposed development, the proposed location of the site within a serviced village centre outside of any Natura 2000 sites, I am satisfied that 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.

7.8. **Other Matters Arising**

7.8.1. **Sundry Matters:** Should the Board be minded to grant permission for the proposed development it would be appropriate and reasonable in my view that appropriate conditions limiting signage, external lighting, the storage of waste and the like be

imposed. In the interest of ensuring the protection of the Protected Structure, the residential and visual amenities of the area.

8.0 Recommendation

8.1. I recommend that planning permission be **granted**.

9.0 Reasons and Considerations

Having regard to the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities, 2004 and the Louth County Development Plan, 2015 to 2021, with regards to the protection of architectural heritage, the proposed development within the curtilage of the former Carlingford Presbyterian Church, a Protected Structure, the proposed modest scope of works to this modest in floor area historic building, the location of the site within the Level 3 settlement of Carlingford for which Policy SS 9 of the County Development Plan applies. With this policy seeking to promote and facilitate limited development that is commensurate with the nature and extent of the existing settlement. Having regards to the proposed development potential to add to the vitality and vibrancy of offer within this Level 3 settlement by enhancing employment opportunities and expanding the land uses that are on offer. Alongside the proposed uses being synergistic with other existing uses within this settlement, it is considered that subject to compliance with the conditions set out below, that the proposed development would not detract from the intrinsic character, the setting or the special interest of this Protected Structure, other Protected Structures within its immediate setting or would it visually diminish its Architectural Conservation Area streetscape scene. It is further considered that the proposed development would be acceptable in terms of traffic safety as well as convenience and it would not give rise to any serious injure to the amenities of properties in the vicinity. 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 on the 10th day of March, 2020, 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. Prior to commencement of works, the developer shall make a record of the existing protected structure. This record shall include:
 - (a) a full set of survey drawings to a scale of not less than [1:50] to include elevations, plans and sections of the structure, and
 - (b) a detailed, labelled photographic survey of all internal rooms (including all important fixtures and fittings), the exterior and the curtilage of the building.

This record shall be submitted to the Planning Authority prior to commencement of development and one copy of this record and a full set of drawings of the proposed works to the protected structure shall be submitted to the Irish Architectural Archive.

Reason: In order to establish a record of this protected structure.

3. The developer shall facilitate the preservation, recording and protection of built fabric of merit and interest of this Protected Structure and within its curtilage. In this regard, the developer shall:
 - (a) notify the Planning Authority in writing at least four weeks prior to the commencement of any on site works relating to the proposed development,
 - (b) employ a qualified professional with specialised conservation expertise who shall monitor all site works,

(c) comply with the following requirements in relation to the restoration, conservation and preservation of the protected structure, which shall be carried out in accordance with the document: “Architectural Heritage Protection – Guidelines for Planning Authorities” (Department of Arts, Heritage and the Gaeltacht, 2011), and,

(d) provide arrangements, acceptable to the Planning Authority, for the recording and for the removal of any historic built fabric which the Planning Authority considers appropriate to remove as part of the proposed development.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: To ensure that the proposed works are carried out in accordance with best conservation practice and in order to ensure an appropriate standard of works for this Protected Structure.

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. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

6. (i) Details of all associated signage shall be submitted to the Planning Authority and be subject to their written prior to commencement of development. Any changes to the particulars agreed shall be authorised by a further grant of planning permission.

(ii) No other signage, advertising structures/advertisements, security shutters, projecting elements, including flagpoles, or lighting fixtures shall be erected to the exterior of this Protected Structure or within its curtilage unless authorised by way of a further grant of planning permission.

(iii) No additional development shall take place above roof parapet level, including air handling equipment, ducts or other external plant, telecommunication aerials, antennas, or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the intrinsic character of the Protected Structure, to protect the residential and visual amenities of the area.

7. The area of open space shown on the lodged plans around the Protected Structure, in particular the area between the roadside boundary with Newry Road and the principal façade of the Protected Structure shall be reserved for such use and shall be landscaped in accordance with the detailed requirements of the Planning Authority. All landscaping works and associated works to pathways as well as other hard surfaces within the curtilage of this Protected Structure shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of any works on site. These works shall be respectful of the historic building to space relationship between the Protected Structure and the public domain. It shall ensure that all historic features of merit that add to this Protected Structures special interest and character are safeguarded.

Reason: In order to ensure the satisfactory development of the open space areas within the curtilage of the Protected Structure and their continued use for this purpose.

8. (a) Amplified music or other specific entertainment noise emissions from the premises shall not exceed the background noise level by more than 3 dB(A) during the period 0800 to 2200 hours and by more than 1 dB(A) at any other time, when measured at any external position adjoining an occupied dwelling in the vicinity. The background noise level shall be taken as L90 and the specific noise shall be measured at LAeqT.
- (b) The octave band centre frequencies of noise emissions at 63 Hz and at 125 Hz shall be subject to the same locational and decibel exceedance criteria in relation to background noise levels as set out in (a) above. The background noise levels shall be measured at LAeqT.

(c) The background noise levels shall be measured in the absence of the specific noise, on days and at times when the specific noise source would normally be operating; either

- (i) during a temporary shutdown of the specific noise source, or
- (ii) during a period immediately before or after the specific noise source operates.

(d) When measuring the specific noise, the time (T) shall be any five-minute period during which the sound emission from the premises is at its maximum level.

(e) Any measuring instrument shall be precision grade.

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

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

9. A plan containing details for the management of waste of the proposed development, including the provision of adequate facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing management of these facilities shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

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

10. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 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.

11. The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity

Patricia-Marie Young
Planning Inspector

5th day of October, 2020.