



An
Bord
Pleanála

Inspector's Report ABP-307762-20

Development	The conversion of existing residential house into 8 no. studio apartments Conversion of existing ground floor area into 2 no. separate office (commercial) areas. (Lissadell House, A Protected Structure - RPS No 113).
Location	'Lissadell House', 8 Catherine Place, Limerick.
Planning Authority	Limerick City & County Council
Planning Authority Reg. Ref.	191090
Applicant(s)	Kuaile Touzi Ltd.
Type of Application	Permission.
Planning Authority Decision	Grant Permission subject to conditions.
Type of Appeal	Third Party
Appellant(s)	Adrian Greaney & Co Solicitors.
Observer(s)	None.
Date of Site Inspection	21 st October 2020.
Inspector	Bríd Maxwell

1.0 Site Location and Description

- 1.1. This appeal refers to no Lissadell House, 8 Catherine Place located at Newtown Pery, within Limerick's Georgian Quarter. The building is on the Record of Protected Structures RPS Ref No 113 and is located within the South City Centre and Newtown Pery Architectural Conservation Area ACA 1A.
- 1.2. The building comprises an impressive terraced, six bay, four storey over basement red brick townhouse built c1830 when the last streets of Netwown Pery were realised. It was formally semi-detached before the single storey dwelling No 7 to the northeast of the appeal site was demolished and replaced by 4 storey over basement infill residential and office building (Focus House) constructed circa 2009. The site is adjoined to the southeast by corner sited four storey over basement townhouse Bruce Shaw House RPS ref 21517222 (built c1830). To the northwest the site is adjoined by Harstonge Mews comprising 2 storey mews terrace housing.
- 1.3. The main façade of Lissadell House is red brick walls laid in Flemish bond, with limestone coping to parapet wall and painted rendered basement elevation with painted stone plinth courses beneath. Fenestration consists of square headed window openings with red brick flat arches six over six timber sash windows. The first floor level is elegantly detailed with four Adamesque cast iron balconettes with enriched upped horizontal rail. The front door is reached by a flight of limestone steps to limestone flagged front door platform bridging front site basement area. This is flanked by limestone ashlar plinth wall supporting wrought iron railings with spearhead finials and cast-iron post and rail posts with pineapple finials returning to north and south to flank front site basement area. The roof is pitched hidden behind parapet wall with red brick chimneystacks to south party wall and cropped to north external wall.
- 1.4. The building is listed on the NIAH with a regional rating ref no 21517221. Its detailed description and appraisal is as follows:

Description

Semi-detached¹ six-bay four-storey over basement red brick townhouse, built c. 1840, with a segmental-arched door opening to third bay, a three-storey return to rear with later two-storey accretions adjoining original coach house. Pitched roof hidden behind parapet wall with red brick chimneystacks to south party wall and cropped to north external wall. Red brick walls throughout laid in Flemish bond retaining original pointing, with limestone coping to parapet wall, having lead flashing to brick courses beneath. Painted rendered basement elevation with painted stone plinth course delineating ground floor level. Square-headed window openings, red brick flat arches, patent rendered reveals, painted limestone sills; original six-over-six timber sash windows to second floor level, replacement to third floor and basement level, original nine-over-six timber sash windows to first floor level. Four Adamesque cast-iron balconettes to first floor level with enriched upper horizontal rail. All replacement timber casement windows detected on rear elevation. Segmental-arched door opening with red brick arch, patent rendered reveals, and inset doorcase comprising flat-panelled timber uprights with guttae enriched fluted console brackets supporting lintel cornice; original flat-panelled timber door with horizontal central panel; replacement fanlight, c. 1990. Flight of limestone steps to limestone flagged front door platform bridging front site basement area, flanked by limestone ashlar plinth wall supporting wrought-iron railings with spearhead finials, and cast-iron rail posts with pineapple finials, returning to north and south to flank front site basement area. The lofted two-storey squared coursed and snecked limestone coach house survives to the rear and has been converted to residential use.

“Surely one of the longest facades of any Georgian townhouse in Limerick City, this house has immense streetscape presence. The regular and formally treated facades contrasts with the formally treated side elevation on the end of terrace house on Hartstonge Street. The Adamesque cast-iron balconettes adds to the character of the house.”

2.0 Proposed Development

2.1. The application as set out in public notices involves:

¹ The NIAH record 14/07/2005 predated the development on the adjoining site which resulted in the appeal building becoming enclosed within a terrace.

- The conversion of the existing residential building into 8 no studio apartments (2 no at basement level; 2 no first floor level, 2 no second floor level and 2 no at third floor level)
- Conversion of existing ground floor area into 2 no separate office (commercial areas) areas
- The removal of existing 2 storey flat roofed extension (non-original) at the rear and the construction of new 5 storey steel framed extension at rear including insulated wall panels and proprietary windows and including new entrance at ground level at rear (Hartstonge Mews)
- The removal of existing annex [adjacent to stairwell] at rear at first and second floor levels and replace with new steel framed structure at first and second floor levels and extended to include extension at third floor level at rear. New metal insulated wall panelling to external face of existing stairwell/ annex at rear to include for Stairwell / annex extension at third floor level. New 'A' roof timber with traditional slates to main building to replace existing [non original] slate roof including new parapet gutters to front and rear. New conservation type rainwater pipes.
- Conservation type roof light (roof access) to roof slope fronting Catherine Place and new conservation type roof light (smoke vent) to rear slope.
- Form new entrance in existing window opening to proposed studio apartment at basement level [Catherine Place]
- Conservation repair works to exterior of building including existing 2 no chimney stacks, existing parapets at front and rear.
- Re-pointing of existing brickwork façade to Catherine Place
- Conservation type repairs to existing up and down sash windows [non original] with Slimlite double glazed panes; conservation type repairs to 4 no metal balconies at first floor windows to Catherine Place to metal railings at street level and to entrance steps at front.
- Conversion of existing cellar at basement level (Catherine Place) into services room, including new door to existing cellar opening. The proposal also includes all other ancillary services and drainage works necessary to facilitate the development.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 By order dated 3rd July 2020 Limerick City and County Council issued notification of the decision to grant permission and 28 conditions were attached including the following of particular note.

Condition 2. Development Contribution €319.00 in accordance with the development contribution scheme

Condition 3. Supervision by conservation architect. Certification in accordance with best conservation practice.

Condition 4. Compliance with building regulations/ Methodologies and specifications to be finalised and agreed prior to commencement of development. Any repair works or upgrades shall retain the maximum amount of surviving original / early historic fabric.

Condition 5 Phased programme of conservation restoration and upgrade to be agreed.

Condition 6. Services metres locations to be agreed.

Condition 7. All constructed interventions shall be wholly reversible with minimum damage to historic fabric.

Condition 8. Use of dry lining is not permitted within the original footprint.

Condition 9 Augmented historical survey to be submitted.

Condition 10. Site shall be safeguarded during construction works.

Condition 11. Schedule of site inspections by Council's conservation officer to be agreed.

Condition 14. Prior agreement regarding upgrade of windows to front elevation. These windows shall be of sash Georgian Style. White PVC not permitted.

Condition 18. Refurbishment demolition asbestos survey to be submitted.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.1.1 Planner's initial report considers the principle of demolition of the rear stairwell to be acceptable as it is not significant to the character of the existing building. No changes are proposed to the front elevation and no impact on ACA. As the proposal is for change of use of the existing Georgian Building and protected structure the absence of private open space is acceptable. Further information required regarding matters raised in conservation officers's report including detailed scope of works and method statement for construction works, design statement and visual impact assessment. Nature and extent of rear access from Hartstonge Mews to be clarified and proposals for how this will be managed. It is noted that the studio apartment layouts do not comply with fire safety codes.

Final planning report considers proposal to be welcome and recommends permission subject to conditions.

3.2.2. Other Technical Reports

3.2.2.1 Senior Executive Technician, Operations and Maintenance Services. – No objection subject to conditions.

3.2.2.2 Conservation Officer's report considers the broad outline of proposed changes, other than the proposals to install drylining insulation to be compatible with the fabric and character of the protected structure. Clarification is required regarding a number of issues as follows:

- Conservation Philosophy Statement, justification for the works.
- Full historical study of the building and its location.
- Augmentation of the photographic record of the building.
- Copy of fire safety cert.
- Copy of disability access certificate.
- Accurate drawings setting out the developmental history of the evolved building.
- Colour coded drawings shown all dismantlement's and demolitions

- Detail of structural interventions
- Full detailing of all potential alterations to internal fixtures and features.
- Details of all service upgrades.
- Detailed specifications and methodologies for conservation of the building's features and external finishes of the existing structures.

3.2.2.3 Second report of conservation officer maintains concerns regarding dry lining proposals. Internal columns and décor are interfered with and condensation is generated between the surfaces. Recommends conditions to apply in the event of a permission including :

Ongoing supervision by a team of Conservation professionals, Works in accordance with best conservation practice. A phased programme of conservation to be agreed. The use of dry lining within the original footprint is not permitted. Detailed schedule of site inspections by Conservation Officer to be agreed. Augmented historical study of the building to be submitted prior to commencement of development.

3.3. Prescribed Bodies

3.3.1 Environmental Health Service HSE West. – No comment.

3.3.2 Department of Culture Heritage and the Gaeltacht, Nature conservation observations
 - The site is c400m from the Lower River Shannon SAC therefore Council should ensure there is no potential impact on water quality as a result of the proposal.

3.4. Third Party Observations

3.4.1 Submission from Adrian Greaney and Co Solicitors who occupy two offices on the ground floor and an office room on the return to the first floor at the area.

Welcome the refurbishment and renovation of the building however concerns arise regarding security issues arising from the linking of ground floor office with office on rear of the return to the first floor. The proposal to amalgamate the office units represents a breach of landlord covenants. Proposals give rise to security issues and will destroy unique and special heritage features. Concerns that the use of

mechanical equipment including a crane could compromise the structure or its foundations. No provision for disability access yet it is envisaged that the building will be primarily residential in use. The residential portion of the premises had been occupied for social housing including provision accommodation for the migrant community. No detail as to how the proposal will contribute if at all to meeting the accommodation needs of vulnerable persons.

3.4.2 Submission from a number of neighbouring residents Tommy Redmond, 1A Hartstonge Place, John Lawless, 4 Hartstonge Mews, and Stephen Uhlemann, 4 Hartstonge Mews raise a number of common concerns, summarised as follows:

- Site notices inadequately displayed.
- Negative impact on protected structure.
- Negative impact of construction works on established residential amenity.
- Insufficient car parking and traffic concerns.
- Overdevelopment.
- Overlooking and loss of privacy to Hartstonge Mews.
- Security issues

4.0 Planning History

00/770196 Preserve all authentic windows and doors where possible and to replace existing PVC windows and other non-authentic windows with timber style original windows. Conditional permission granted 31/08/2000

5.0 Policy Context

5.1.1 Project Ireland 2040 – National Planning Framework

5.1.1.1 The National Planning Framework includes a specific Chapter, No. 6, entitled 'People Homes and Communities'. It includes 12 objectives among which 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. 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. 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.

5.1.2 S28 Ministerial Guidelines.

- Architectural Heritage Protection, Guidelines for Planning Authorities, Department of Environment Heritage and Local Government 2004
- Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) Guidelines for Planning Authorities. Department of Environment, Heritage and Local Government, May 2009.
- Urban Design Manual A best practice Guide. May 2009.
- Design Manual for Urban Roads and Streets, DMURS
- The Planning System and Flood Risk Management (including the associated 'Technical Appendices') Dept. Environment Heritage and Local Government November 2009.
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities – Department of Housing Planning and Local Government March 2018
- Urban Development and Building Height Guidelines, Department of Housing Planning and Local Government, December 2018

5.2 Development Plan

5.2.1 The Limerick City Development Plan 2010-2016 (as extended) refers.

The site is zoned ZO5 Mixed Use Development.

Policy BHA 12 Record of Protected Structures.

Policy BHA 13 Facilitating Development of a Protected Structure and Curtilage

Inner City Residential Neighbourhoods. The site is within ACA1 South City Centre and Newtown Pery ACA.

ACA 1A Statement of Character and Identification of Key Threats.

This ACA constitutes the core heart of Limerick City's Georgian Heritage within the City Centre, Newtown Pery adjoining the green centre of the City – the People's Park. It also represents the core business area of the City with high densities of up to six storey Georgian terraces consisting of a range of uses, including retail, commercial and residential on upper floors. The streets of Newtown Pery represent a unique example of 18th and 19th century planning in Ireland. Its initial division of the areas into rectangular lots did not assume its final shape until the 1820s and 1830s, when the last streets, such as Hartstonge Street, Catherine Place and the Crescent, were built.

Pery Square, which was never fully realised, was laid out in the 1830s, by which time the era of Georgian building which created the Newtown was coming to an end. The streets leading to The Crescent and Pery Square conform to eighteenth century town planning, defining the streetscape by their adherence to fixed proportions and ordered harmonious symmetry. They combine to form an architectural heritage of great urbanity and considerable beauty. The irregularity which emerged in relation to the treatment of heights, facades, type of buildings combined with the rigid street pattern gives Georgian Limerick a distinct sense of place.

Most of the original street furniture and external features of the buildings still exist in Newtown Pery, although the original character of the interior has all too often been compromised. A mews was at that time an integral part of the townhouse being used for stabling horses, storing carriages, located at the rear of the terrace in a laneway. Most of them still exist but they have often been converted into workshops or garages. The most distinguishing features of the mews building was the arched entrances and the hayloft above.

An interesting feature of the Georgian buildings within this ACA is the ironwork, found on balconies (mainly on the first floor) and railings, which still survive in good condition. Excellent Victorian and Georgian style railings and gates may be seen on O'Connell Street, the Crescent, Mallow Street and Pery Square and examples of boot scrapers may be seen throughout the City Centre. However, the main focus of attention in a terrace is the door, which is always set to one side of the house. The typical Georgian doorway has a semi-circular, decorative fanlight over the entrance and Classical style wooden or stone columns framing the door. All of these features contribute to the strong character of ACA 1A and create a defined 'sense of place' within this part of the City Centre.

Key threats include

Dereliction, abandonment and lack of maintenance of Georgian Buildings due to vacancy.

Insensitive/Inappropriate redevelopment and or additions/extensions impacting the

original form, fabric and appreciation of buildings or streetscape when viewed from a public place.

Repair and refurbishment to the external fabric of buildings (including repainting, removal of original fascia, soffit, gutters, downpipes & bargeboards) affecting the character of the building/area. Retrofitting to remove uPVC gutters and downpipes previously installed shall be required where planning applications are made to restore character to the building and area.

Removal of original front walls and railings, often to achieve off street car-parking. Removal and replacement of original timber sliding sash windows shall be strongly discouraged and repair and restoration of original windows is preferred.

Replacement with uPVC/aluminium windows shall not be permitted, and retrofitting to remove uPVC/aluminium windows previously installed shall be required where planning applications are made to restore character to the building and area.

Fenestration detailing and iron-mongery/fastenings has a large impact on retention of Architectural Heritage Values in ACA Areas.

Installation of street network utilities and infrastructure incompatible with established character.

Removal/destruction of mature and established trees and gardens.

Inappropriate signage and advertising relating to commercial premises.

Policy BHA.18 ACA 1A South City Centre & Newtown Pery

It is the policy of Limerick City Council to protect and enhance the special heritage values, unique characteristics and distinctive features of ACA 1A (South City Centre, Newtown Pery & People's Park) as shown on Map 5.1A of the Development Plan, from inappropriate development affecting the external materials and features defined in the 'Statement of Character' and 'Key Threats to Character'.

5.3 Natural Heritage Designations

The site is not within a designated area. The River Shannon and River Fergus Estuaries SPA (Site Code 004077) and Lower River Shannon SAC (Site Code 002165) lie approximately 400m to the west of the site.

5.4 EIA Screening

On the issue of Environmental Impact Assessment screening having regard to the limited nature and scale of the development, nature of the receiving environment no likelihood of significant effects on the environment arises from the development. The need for environmental impact assessment can, therefore, be excluded.

6 The Appeal

6.1 Grounds of Appeal

6.1.1 The appeal is submitted by Brendan McGrath and Associates on behalf of Adrian Greaney and Co Solicitors occupying ground floor office space within the building. Grounds of appeal are summarised as follows:

- In principle support the renovation of the historic house however opposed to the treatment of the office space (commercial office 2). The office presently consists of two rooms a reception room and consulting office on ground floor and storeroom on first floor accessed via commercial stairway. Proposal for a single reception room with lobby on ground floor and consulting room accessed by internal stairway and will result in one of the two ground floor windows being blocked off to form a lobby resulting in 50% diminution of daylight to ground floor office. Proposal will make it difficult if not impossible to run a professional practice from this unit.
- Lobby, which is not necessary, together with internal stairway involves a reduction in size of usable ground floor office space.
- Concerns arise regarding the viability of the project, security, working conditions, social distancing. Proposed unit at first floor level will be too small to function as a consulting room. Accessibility issues.
- Standard of residential accommodation falls far short of the requisite standards. Whilst discretion is provided for within the guidelines the overall quality is contrary to proper planning and sustainable development.
- Description of the scheme is incorrect. Studio apartment is defined in the guidelines as a small unit with a combined living/sleeping area, generally provide for a single person. Only two of the units fit this description. The remaining units are one-bedroom apartments for two people not studio apartments.
- Apartment units are too small. Seven are below minimum standard and half substantially below the standard. The small single aspect apartment in the basement is less than a third of the minimum standard size and has no

access to direct sunlight. Its two windows are 2m from a blank wall and just over 1 metre from metal access stairway.

- Room dimensions are substandard.
- Inadequate communal space.
- Inadequate bin store space and inadequate cycle space.
- Proposal would constitute overdevelopment and result in substandard housing.

6.2 First Party Response

6.2.1 Response by Declan Gilleece on behalf of the first party is summarised as follows:

- The house was last used as bedsits with commercial offices on ground floor. In 1966 permission was granted for conversion of this house into a guest house.
- In 2012 following inspection by the Fire Officer the previous owners were informed that the building required upgrading to comply with TGD Part B Fire. This work was not completed and the tenants left the premises. The building has been empty since 2012 with the exception of the 2 no commercial offices at ground floor level and one commercial tenant left in 2019.
- Premises purchased by current owners in 2018.
- Proposed office layout is flexible. The fire lobby will block off one window from the office area however a glazed door screen to waiting room reception will provide for minor diminution of daylight. Proposed office area is 1.4% less than the combined area of the existing office and storeroom.
- Fire Authority indicated requirement for lobbies to all occupancies served by the common stairs.
- Proposal for ground floor commercial office includes for proposed storeroom at rear of office accessed via 3 no risers which is more secure and practical than the current arrangement.

- Regarding the description of the scheme the studio apartment layouts were revised in response to the request for additional information. Separate bedroom area was converted into study to comply with TGD Part B Fire and door omitted for studio apartment 3 and 4, 5 & 5 and 7 and 8. Revised plans indicate 8 no studio apartments in total.
- Schedule of compliance with sustainable urban housing design standards for new apartments 2018, shows that 7 studio apartments exceed minimum floor area requirement. Studio apartment 2 at basement level is the only unit deficient in area 5.8%. Relaxation should apply.
- All combined living dining bed space in studio apartments comply with minimum room width as per guidelines.
- Regarding the absence of communal space, the building is landlocked and has no yard area. 5 storey extension to the rear of the building replaces the existing 2 storey extension. At lower ground level to rear 2 no wash room laundry area 3.7m² and 4.2 m² and bin store and bicycle store with total area of 9.7m²
- 3 no existing cellar storage areas accessed from basement open area are designated as tenants storage area if required each 17.53m² giving total storage at front basement 52.59m². Total Communal space is 70.09m².
- Limerick City and County Council Development Plan Policy BHA 13 to facilitate the development of protected structures and curtilage.
- Proposal seeks to deliver a good successful restoration and adaption of works to the valuable asset which is the Georgian townhouse and in doing so enhance the provision of good quality accommodation in Limerick City Centre.
- Proposal will ensure the property's residential use and longevity and increase density in accordance with development plan
- The interior of the building has already been heavily altered in recent years. The proposed internal modifications will not impact any historic fabric or finish and will not damage historic character.

- New proposals are limited in scope and seek to refine the existing fabric in order to update the quality and character of the property.
- In planning the internal layouts and design consideration is given to future reversibility of partitions and low impact of works.
- Request the Board to uphold permission

6.3 Further Responses

6.3.1 Response by Brendan McGrath and Associates on behalf of the third-party appellant to the first party response to the appeal is summarised as follows:

- Pertinent to note that the agent for the applicant was commissioned to design a scheme for 8 apartments and 2 commercial offices rather than to design a mixed-use scheme. This limited the scope of the architect to prepare an appropriate design that took account of both conservation status of the building and the statutory guidelines regarding standards for apartment developments.
- Description of the scheme is wrong. There is a significant functional difference between a studio apartment and a one bed apartment.
- In the layouts submitted as response to further information request the descriptions of rooms of apartments on second third and fourth floors are changed from bedrooms to studies. The double bed graphic is replaced by a single bed graphic and door to study/bedroom is omitted. These are largely cosmetic to meet the description of studio apartment as set out in 2018 Guidelines and to comply with TGD Part B Fire Regulations.
- It can be reasonable inferred from the 2018 Guidance that studio apartments are only acceptable as part of the mix of a scheme of 50 or more units.
- As single bed apartments, all the upper floor units fall short of the minimum floor area standard of 45m². There is strong likelihood that most of the units will function as 2 or 2+ person dwelling units and will be below the minimums standard. Proposal could set an undesirable precedent.

- The agent has not addressed the context within which studio apartments may be appropriate according to statutory guidance. Both the 2015 and 2017 guidelines state that studio units are only appropriate in very limited situations as part of build to let managed accommodation above a scale threshold of 50 or more units and subject to dwelling mix restrictions.
- No schedule of accommodation provided as required by Guidelines and requested as part of further information.
- None of the bedrooms (relabelled as studies) meet the minimum space standard for a bedroom in a one bed apartment.
- Absence of external space and reliance on cellars to meet essential storage requirements makes the small size of the dwelling units all the more problematic in terms of living standards.
- Disagree that the proposed design makes optimum use of existing building stock. While the application pays careful attention to the conservation of the building fabric and the design provides for future reversibility of partitions the proposed accommodation is substandard.
- Proposal will set an undesirable precedent for the rehabilitation of Newtown Pery.
- Letter from Adrian Greaney & Co Solicitors notes that the issue of fire lobby was first raised in February 2020 following request for additional information. Significant concern in terms of the reduction in ground floor space in terms of operational capacity, social distancing and accessibility. Provision of a separate store room more practical and secure. Note recent break in as evidenced by letter from Garda Victim Unit, Henry Street.
- Paragraph 14.5.2(a) of BS5588 Part 1
 - (a) In buildings with not more than 4 storeys above ground level or access level, stairs may serve both dwellings and non-residential occupancies provided they are separated from each occupancy by protected lobbies at all levels”.

Para 14.6(b) “if a stair in a mixed user building serves both dwellings and non-residential accommodation, then a protected lobby should be provided between each occupancy and the stairway at all levels.”

There is no legal requirement to instal a lobby at ground floor level with the consequential diminution in natural daylight from the eastern direction being the only source of daylight to the reception area to ground floor.

7 Assessment

7.1 Having examined the file, considered the prevailing local and national policies, inspected the site I consider that the main issues can be assessed under the following broad headings:

- Principle of Development
- Design and impact on the protected structure
- Residential amenity of the proposed units and impact on established residential and other amenities.
- Appropriate Assessment

7.2 Principle of Development

7.2.1 The proposed development provides for the repair, refurbishment and reinstatement of Lissadell House to provide 8 apartments and 3 no commercial offices areas at ground floor level. I note the photographic survey of the building and historic building record, which sets out that Lissadell House has been extensively altered over recent years with removal of some original features however the building retains a number of significant features of heritage interest. I note that the proposed changes are generally limited in scope and it is outlined that it is intended that such alterations are legible and reversible.

7.2.2. The application details that the proposal provides for the retention and reinstatement of the original house and its principal surviving historic features. The requirement for renovation and the repair of Lissadell House is acknowledged by all parties to the appeal to be a welcome and positive proposal and I consider therefore that the principle of the proposed development is welcome.

- 7.2.3 I note that the Architectural Heritage Guidelines for Planning Authorities stress that the best way to prolong the life of a protected structure is to keep it in active use and that it will often be necessary to permit appropriate extensions to protected structures in order to make them fit for modern living and keep them in viable economic use. As regards demolitions I note that the removal of the flat roofed non original extension to the rear is appropriate and has been justified.
- 7.2.4 As regards zoning the site is within an area subject to the zoning objective Z05 Mixed Use Development where the relevant objective is “ *To promote the development of mixed uses to ensure the creation of a vibrant urban area, working in tandem with the principles of sustainable development, transportation and self-sufficiency.* This zoning objective facilitates the development of a dynamic mix of uses which will interact with each other creating a vibrant residential and employment area. A vertical and horizontal mix of uses should occur where feasible, including active ground floor uses and a vibrant street frontage on principle streets. The range of permissible uses within this zone includes residential, general offices, conference centre, third level education, hospital, hotel, commercial leisure, cultural, residential, public institutions, childcare services, business and technology/research uses (including software development, commercial research and development, publishing, information technology, telemarketing, data processing and media activities) and in addition, local convenience stores/corner shops and community/civic uses. Clearly the provision of modern standard of residential and office accommodation on the site is in accordance with the general policy desirability to increase densities within serviced urban areas in the interest of efficient land use resources and economies of scale. I also note that the site is within the designated area to which the Limerick City Initiative aimed at regeneration of a core part of the city centre applies.
- 7.2.5 I am of the opinion that given its zoning, the delivery of a mixed use commercial residential development on this prime site is generally consistent with the policies of the Development Plan the NPF and Rebuilding Ireland – The Government’s Action Plan on Housing and Homelessness in this regard. On this basis I consider that the principle of development as proposed is therefore acceptable in principle subject to detailed considerations of design, servicing, and amenity. The impact of the proposal

in terms of its design and residential amenity and other detailed considerations are explored further below.

7.3 Design and impact on the protected structure.

- 7.3.1 Lissadell House protected structure RPS113 is noted to be one of the longest Georgian townhouses in Limerick City, bestowing it with immense streetscape presence. Whilst the first party submissions has demonstrated that the building has been extensively altered internally it retains a number of significant features of architectural character. The proposal provides for internal alterations and repair and renovations to provide for conversion of existing units to a modern standard of accommodation. I note the response to the request for additional information the design statement for the proposed works asserts that the overall design approach sets out to remove and amend inappropriate intervention taken place over time. It is proposed to structurally stabilise the building, re-establish the architectural character of the exterior (front elevation Catherine Place) and provide occupancy thereby preventing any further deterioration of the building. Notably the extension design comprises steel framed architectural insulated wall panels to be fabricated off site and the steel framed structure will be extended to tie in the original front/rear walls and floor structure thereby stabilising the original building and the new extension to the rear.
- 7.3.2 In terms of visual impact assessment it is asserted that the proposed repairs and refurbishment works do not impact on the historic fabric setting or significance of Lissadell House. The proposed works to the rear of the building will assist in securing the building for future generations. The proposed extension to rear is dominated by rendered block wall of the adjacent five storey building and plays a subordinate role to the protected structure as a result of scale mass form siting and materials. I am satisfied that the proposed extension is justified in terms of scale and design. I note that the City Council's conservation officer expressed concern with regard to the proposal to dry line internal walls on the basis that it impacts negatively on internal walls and volumes and results in the generation of condensation between the surfaces. I note that on this basis condition 8 of the decision of Limerick City and County Council prohibits the use of dry lining within the original footprint. I note that the first party has not appealed this condition.

7.3.3 I consider that subject to a full conservation method statement the overall historic character and architectural significance will not be diminished by the proposed works. I am satisfied that the proposal has the potential to facilitate an appropriate sustainable use of this protected structure and in my view the interventions as outlined have been justified in terms of impact on architectural heritage.

7.4 Residential amenity of the proposed units and impact on established residential and other amenities.

7.4.1 This is a key issue raised within the grounds of the third-party appeal. I note a number key provisions and Specific Planning Policy Requirements of the Sustainable Urban Housing Design Standard for New Apartments, Guidelines for Planning Authorities by the Department of Housing, Planning and Local Government March 2018.

Specific Planning Policy Requirement 1

Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms.

Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).

Specific Planning Policy Requirement 2

For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha:

Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix provided no more than 50% of the development (i.e., up to 4 units) comprises studio-type units;”

7.4.2 I note that the guidelines at 3.2 – 3.4 state

3.2“*Studio type apartments (i.e. a small unit with a combined living /sleeping area, generally provided for a single person) were introduced in the 2015 apartment*

guidelines update, but in very limited, specific circumstances, i.e. as part of new build to let managed accommodation above a scale threshold of 50 or more units and subject to dwelling mix restrictions.

3.3 The provisions with regard to studio accommodation have been updated in these guidelines to reflect the potential that this type of dwelling has, to contribute to both meeting housing need and to the viability of apartment schemes. The minimum size of studio apartments has also been adjusted slightly to enable modular developments and a 'mix and match' approach between studios and the minimum size of two-bedroom apartments.

3.4 Accordingly, the updated minimum studio apartment floor area standard is now approximately half that of the current minimum two-bedroom apartment floor area standard. It is also of note that the unchanged minimum one-bedroom apartment standard is already half that of the current three-bedroom apartment:

Specific Planning Policy Requirement 3

Minimum Apartment Floor Areas:

Studio apartment (1 person) 37 sq.m

1-bedroom apartment (2 persons) 45 sq.m

2-bedroom apartment (4 persons) 73 sq.m

3-bedroom apartment (5 persons) 90 sq.m

7.4.3 It is evident therefore from review of the Guidelines that studio apartments are envisaged for limited specific circumstances as part of a new build-to-let managed type accommodation above a scale threshold of fifty units or more and based on the recognition of the potential for this type of dwelling to contribute to both meeting housing needs and to the viability of apartment schemes. I would concur with the third-party appellant that exclusive reliance on the studio apartment type model for a refurbishment scheme within a protected structure of this nature would be entirely inappropriate and would be contrary to good practice and to the guidance. As regards the accuracy of the description of the units as 'studio apartments', I am inclined to concur that the description is inappropriate on the basis of the layout. The apartments above ground level are clearly for practical purposes more accurately

described as one bed apartments and for the purposes of the qualitative assessment should be appraised as such.

7.4.4 In considering the issue of the residential amenity of the proposed residential units, I note that the floor areas of the proposed units are as follows:

Description	Size	Recommended Minimum Standard
Unit 1 Basement	35.3sq.m	37sq.m
Unit 2 Basement	28.25sq.m	37sq.m
Unit 3 First Floor	37.84sq.m	45sq.m
Unit 4 First Floor	34.10sq.m	45sq.m
Unit 5 Second Floor	37.8sq.m	45sq.m
Unit 6 Second Floor	34.6sq.m	45sq.m
Unit 7 Third Floor	43.18sq.m	45sq.m
Unit 8 Third Floor	35sq.m	45sq.m

I consider that whilst a degree of flexibility and a relaxation of standards would be reasonable in the context of the character of the building as a protected structure, the desire to encourage its restoration, the goal to provide residential uses in vacant inner city buildings, and based on the site's location within the regeneration area to which the living city initiative applies, however the consistent deficiency and the extent of the shortfall is significant and in my view the proposal would give rise to a poor standard of residential amenity for future occupants. As regards internal space standards I note that whilst the revised layouts designate the second room within each apartment unit 3, 4, 5, 6, 7 and 8 as a study, these rooms would be unlikely to be retained as such and in the event of conversion to bedroom use would fall well below the required room dimensions. Based on the foregoing I consider that the proposal would give rise to a substandard level of residential amenity.

7.4.5 The proposed layout provides no private open space or communal open space and the proposed reliance on the cellar area for tenants storage and the limited area

provided for wash room, and bicycle store in my view fails to achieve an appropriate standard of residential amenity. Furthermore, the single aspect character and outlook of the proposed units at basement level achieve a poor standard of residential amenity. On this basis I consider that a revised approach to design and layout is required. In this regard I consider that a more innovative architectural approach to the extension and conversion of the existing building having regard to the unique character and circumstances of the site is warranted. A high level of residential amenity could and should be achieved in my view.

7.4.6 As regards impact on established residential amenity, I note the relationship of the proposal to dwellings at Hartstonge Mews. In light of the existing build up character of the area I do not consider that significant impact on established residential amenity arises from the proposed extension of the building.

7.4.7 As regards issues raised with regard to the treatment of the existing commercial office space I have noted the concerns raised with regard to the revisions to office area and storage space and the practical implications in terms usability of this space in terms of social distancing, security and accessibility. However, I consider that the amendments are acceptable in planning terms and the matter of suitability of this space to meet the functional needs of the tenant is not a planning issue.

7.5 Appropriate Assessment

7.5.1 As regards Appropriate assessment having regard to the nature of the proposed development and fully serviced location within the built-up area and separation distance from Natura 2000 sites, significant effects are not likely to arise alone or in

combination with other plans or projects that would result in significant effects to the integrity of the Natura 2000 network.

8.0 Recommendation

8.1 I recommend that planning permission be refused for the following reasons.

Reasons and Considerations

Having regard to the Sustainable Urban Housing: Design Standards for New Apartments Guidelines, as published in 2018 by the Department of Housing Planning and Local Government, it is considered that the stated proportion of studio apartment units would significantly exceed the cap of 20-25% on this specification of apartment set out in these Guidelines which together with the inadequate size and configuration of the proposed units and lack of private or communal amenity space would fail to provide a satisfactory standard of amenity for future residents. The proposed development would set an undesirable precedent for similar such development and would be contrary to the proper planning and sustainable development of the area.

Bríd Maxwell
Planning Inspector

4th November 2020