



An
Bord
Pleanála

Inspector's Report ABP-309357-21

Development	Demolition of stair case and partial demolition of roof. Partial change of use of ground floor from Pub to residential/ apartment use, to accommodate 6 apartment units.
Location	The Lough Inn Pub Building, Loughlintown Shopping Centre, Loughlintown, Co Dublin.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D20A/0829
Applicant	Winshop Ltd.
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant	Winshop Ltd.
Observer	None

Date of Site Inspection

7th May 2021

Inspector

Emer Doyle

1.0 Site Location and Description

- 1.1. The subject site has an area of 0.368 hectares and is located within a neighbourhood centre at Loughlinstown, Co. Dublin. The existing building comprises of 'The Lough Inn' pub and adjoining development in the shopping centre comprises of various shops including a bakery, take-away, supermarket, hairdressers etc.
- 1.2. Adjoining the site to the north is Loughlinstown Health Centre including a building used by the charity Barnardos, and the site is adjoined to the south by a recreational complex.
- 1.3. The topography in the immediate vicinity of the site is subject to a gradient and the site is at an elevated position relative to the public footpath and the Health Centre. A Dublin Bus turning area is located to the front of the shopping centre at this location. A large open car park area is located to the front of the pub and shopping centre.

2.0 Proposed Development

- 2.1. The proposed development comprises:
 - Demolition of existing staircase access on rear elevation.
 - Raising of roof level by c. 1.7m and construction of 4 No. apartments at second floor level.
 - Change of use of ground floor of existing public house and construction of ground floor extension to rear to accommodate 2 No. apartments.
 - Construction of new staircase and lift core to rear.
 - Provision of balcony for existing apartment No. 4.
 - Internal alterations to existing 'manager's apartment'.
 - Provision of cycle parking and refuse storage to rear.
 - Site service connections and all associated works.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Permission refused by the Planning Authority for one reason as follows:

Policy UD1: 'Urban Design Principles' of the Dun Laoghaire Rathdown County Development Plan 2016-2022 states inter alia that it is policy to ensure that all development is of high quality design that assists in promoting a 'sense of space', and seeks to ensure that development proposals are cognisant of the need for the proper consideration of inter alia context, variety, layout, public realm, amenity and detailed design. The proposed development, by reason of the design and massing of the stair/lift core element of the development, absence of direct and legible access to the proposed apartment units from Loughlinstown Drive, and boundary treatment detail along the subject site boundary with same, would result in a poor interface with the adjoining public realm at this location. The proposal would be visually incongruous within the receiving environment, thereby detracting from the visual amenities of the area, and if permitted, would be contrary to Policy UD1 of the Dun Laoghaire Rathdown County Development Plan 2016-2022 and to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Concerns were expressed in relation to the massing and design of the lift core to the rear of the development together with the access arrangements proposed for the apartments.

3.2.2. Other Technical Reports

Transportation Department: Further Information Required.

Drainage Department: No objection subject to condition.

Environmental Health Officer: Further Information Required.

3.3. **Prescribed Bodies**

3.3.1. No reports.

3.4. **Third Party Observations**

3.4.1. None submitted.

4.0 **Planning History**

4.1.1. Relevant planning history includes the following:

PA 06/0387

Permission granted for minor amendments to development granted under PA Reg. Ref. D05A/1106 and currently under construction to include (1) Reduction of the cill level of 1 No. first floor rear window, (2) Replacement of 2 No. rear first floor windows with 2 No. doors, (3) Removal of existing lean-to roof over ground floor store and provision of 17 sq. m. private terrace at first floor level. All the above together with ancillary site works to the rear.

D05A/1106

Permission granted for conversion of existing first floor function room and roof space to 4 No. apartments.

D05A/0330

Permission refused for permission consequent on grant of outline permission reg. ref. No. D03A/0013 for 4 No. reasons relating to substandard drawings, inadequate site notices, and material differences between proposed development and outline permission granted on the site.

D03A/0013

Outline permission granted for conversion of existing first floor function room and roof space to 6 No. 1 bedroom apartments.

5.0 Policy Context

5.1. Development Plan

- Site is zoned as 'NC' which seeks to 'protect, provide for and/or improve mixed-use neighbourhood centre facilities.'
- Section 8.1 Urban Design
- Section 8.2 Development Management

5.2. Relevant National Policy

- Guidelines for Planning Authorities on Urban Development and Building Heights (2018)
- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018)
- The National Planning Framework (2018)
- Design Manual for Urban Roads and Streets (2013)
- Urban Design Manual - a Best Practice Guide (2009)
- Sustainable Residential Development in Urban Areas - Cities, Towns and Villages (2009)

5.3. Natural Heritage Designations

5.3.1. None relevant.

5.4. EIA Screening

5.4.1. Having regard to the nature and scale of the proposed development and the nature of the receiving environment there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- We fail to understand or agree with the reason for refusal.
- The proposed lift core is lower than the existing roof ridge height and is proposed to be clad in brickwork.
- The property is located approximately 16m from the nearest property to the north east and over 40m to the nearest residential dwelling.

6.2. Planning Authority Response

The response submitted by the Planning Authority can be summarised as follows:

- The plans submitted with the appeal are unchanged from those submitted with the application.
- The Planning Authority considers that the comprehensive planning report deals fully with all the issues raised and justifies its decision.

6.3. Observations

- None.

7.0 Assessment

7.1. Having regard to the above, and having inspected the site and reviewed all documents on file, the following is my assessment of this case. Issues to be considered in the assessment of this case are as follows:

- Impact on Residential Amenity
- Visual Impact
- Appropriate Assessment

7.2. Impact on Residential Amenity

- 7.2.1. I am satisfied that the principal of development is acceptable at this location and the change of use of part of the ground floor of an existing public house together with the addition of a second floor is acceptable. I note that permission was previously granted for the change of the first floor of this public house to apartments.
- 7.2.2. In terms of the impact on future occupants, I note that the proposed apartments are poorly designed in terms of access arrangements. It is proposed to provide access to apartment No. 1 and No. 2 from the side of the existing pub.
- 7.2.3. Access to the existing manager's apartment, and the 4 No. proposed second floor apartments is proposed from a lift core and stairs to the rear. This is problematic as the storage room and backyard for the pub are located to the rear and there could be conflict between these two uses in my view including noise and unnecessary disruption. In addition, there are level differences between the footpath and the laneway to the rear which reduces to 1.3m at its narrowest point. I also note that the proposed access route would be adjacent to a proposed bin storage area.
- 7.2.4. I am of the view that there are other access options at this location and the scheme could be redesigned to improve the amenities of the future occupants at this location.
- 7.2.5. In addition, I note that no bedroom window has been included in the ground floor plan for apartment No. 1. This would lead to a poor form of residential amenity for the intended occupant.
- 7.2.6. In my view, the design of the scheme does not reflect a quality living environment for the intended occupants and the residential amenity of future occupants has been compromised.

7.3. Visual Impact

- 7.3.1. In my view, this is an underutilised, suburban site where both higher density and increased building height are welcomed. The proposed increase in building height is c. 1.7m and I am of the view that the height proposed is appropriate for the area.
- 7.3.2. I note that the site is very exposed and open and that a Dublin Bus turning area is located to the front of the shopping centre. The topography in the immediate vicinity of the site is subject to a gradient falling from south to north with the site located at

an elevated position relative to the adjoining health centre. There is little in the way of landscaping in the immediate vicinity of the site. There is a children's play area and open space area adjacent to the site to the north which appears to be associated with the health centre.

- 7.3.3. As such, I consider that the location of the site is unforgiving and that both the side and rear elevation will be very visible from public views on Loughlinstown Drive. Policy UD1 of the development plan states that 'It is Council policy to ensure that all development is of high quality that assists in promoting a 'sense of place.'
- 7.3.4. I consider that the lift core and stairs to the rear of the building would visually dominate the streetscape at this location. I recognise that it is a functional element of the building and that the lift core is lower than the overall ridge height of the building, but nevertheless, I consider that it would represent a visually discordant feature that would be detrimental to the architectural character of this area. I refer the Board to both the south-east (side) elevation and the north-east (rear) elevation and consider that the design, scale and bulk of these elevations would be overly prominent and visually obtrusive and detract from the character of the area.
- 7.3.5. Based on the above considerations, I consider that this is an open, exposed, and elevated site, and the proposed development would overwhelm the approach to the site from Loughlinstown Drive. As such, I consider that the proposed development by reason of its mass, bulk, scale, and design would visually dominate the streetscape at this location. Accordingly, I consider that the design is of poor quality and would be contrary to Policy UD1 and Section 8.2.3.4 of the Development Plan.

7.4. Appropriate Assessment

- 7.4.1. Having regard to the nature and scale of the proposed development, the redevelopment of an existing site in a serviced urban area, and its distance to the nearest European site, 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.

8.0 Recommendation

8.1. Having regard to the foregoing, I recommend refusal of permission as follows:

9.0 Reasons and Considerations

1. The proposed development, by reason of its scale, bulk, design, and massing would be contrary to the policies of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 in relation to infill development and urban design which are considered reasonable. It is considered that the proposed development would represent a visually discordant feature that would be detrimental to the architectural character of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the provisions of the current Dún Laoghaire-Rathdown County Development Plan, and the design and layout of the proposed development, it is considered that the proposed development would result in a substandard form of development for future residents by reason of the proposed access for a number of the apartments to the rear of the site in close proximity to a service yard for a public house and the absence of a bedroom window in Apartment No. 1. The proposed development would be contrary to Section 8.2.3.4 of the current Dún Laoghaire-Rathdown County Development Plan in relation to additional accommodation in built-up areas, would seriously injure residential amenity, and would set an undesirable precedent for similar such development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Emer Doyle
Planning Inspector

11th May 2021