



An
Bord
Pleanála

Inspector's Report

ABP-310932-21

Development	Provision of 49 car parking spaces.
Location	Gort Muire, Wyckham Avenue, Dundrum, Dublin 16, (Within the curtilage of a protected structure).
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D21A/0016
Applicant(s)	The Carmelite Order
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	The Carmelite Order
Observer(s)	None
Date of Site Inspection	24/06/2022
Inspector	Gillian Kane

1.0 Site Location and Description

- 1.1.1. The subject site comprises the Carmelite Order buildings, located off the Wyckham Way (public road), approx. c. 750m south of Dundrum Town Centre and c. 1km south of Dundrum Village. Access to the site from an existing private road (Wyckham Avenue) that currently provides access to the Carmelite Centre, Wyckham Point and Wyckham Place apartment developments, the Walled Garden apartment development (currently under construction) and 3 no. dwellings.
- 1.1.2. The development site comprises the hard standing car parking to the front of the main Gort Muire House and an existing un-used tennis court to the south of the main House.

2.0 Proposed Development

- 2.1.1. On the 12th January 2021, planning permission was sought for revision to and extension of an existing car park, change of tennis court to car parking (total additional new car parking 49 no. spaces) and the widening of an existing road, all at Gort Muire, Dundrum.
- 2.1.2. The application was accompanied by a Conservation Report and a letter of consent to the making of the application.

3.0 Planning Authority Decision

3.1. Planning Authority Reports

- 3.1.1. **Drainage Planning:** No objection
- 3.1.2. **Conservation Officer:** the replacement of car parking lost due to the sale of land for an SHD should not be achieved by further degradation of the soft landscaping, setting and amenity of the Protected Structure. Permission should be refused as being contrary to development plan policy AR1 and Section 8.2.11.2(iii).
- 3.1.3. **Transportation Planning:** Further information required on three items: revised drawings showing maximum permissible car spaces of 39 plus 7 no. spaces and uses of buildings, priority junction visibility down Wyckham Avenue and drawings showing the connection between the existing pedestrian access on the north side of Wyckham Avenue and the proposed revised pedestrian linkages within the site.
- 3.1.4. **Planning Report:** Significantly more detail is required on how the proposed development would impact on the special character, appearance and setting of the

Protected Structure. Architectural heritage study and photomontages required. Notes the request of the Transportation department for FI. Applicant appears to have incorrectly calculated the maximum permissible car parking required by the development plan. Based on the floor areas provided, the existing development requires a maximum of 39 no. spaces, including the 7 no. outside the site boundary. The proposed development, without a masterplan, does not comply with section 8.2.3.4(xi) of the development plan regarding institutional lands. Recommendation to request Further Information.

3.2. Observations

- 3.2.1. Two observations submitted to the Planning Authority objected to the proposed development on the grounds of impact on the protected structure, traffic and the recently permitted Marmalade Lane SHD.
- 3.2.2. Both parties also responded to the Further Information submitted to the Planning Authority.

3.3. Further Information

- 3.3.1. The Planning Authority requested the application to address the following:
 - 1. The Conservation Officer has raised serious concern that the proposal could result in the degradation of the soft landscaping, setting and amenity of the Protected Structure. Applicants are requested to submit a comprehensive Heritage Impact Study, including Photomontages, detailing the impact the proposed development will have on the special character appearance and setting of the Protected Structure. Mitigation measures can also be included in this regard.
 - 2. Transportation (i) The Applicant is requested to submit revised drawings and details reducing the level of parking to no more than the maximum permissible 39 no. car parking spaces, including the 7 existing spaces outside the site boundary, as set out in Table 8.2.4: Non-Residential Land Use of the Dún Laoghaire Rathdown County Development Plan 2016-2022. The Applicant is also requested to substantiate the uses and quantum of the Gort Muire buildings by the submission of supporting building layouts. (ii) The Applicant is requested to submit revised drawings and details showing the provision of priority junction

visibility to the left down Wyckham Avenue, in order to accord with Section 4.4.5 Visibility Splays of the Design Manual for Urban Roads and Streets (DMURS). This may require the amendment of the existing Gort Muire vehicular entrance pier and wall. (iii) The Applicant is requested to submit revised drawings and details showing proposals to connect the existing pedestrian access on the north side of Wyckham Avenue to the proposed pedestrian linkages / routes within the revised car park and tennis court area.

3. Masterplan A masterplan for the overall institutional lands, including the former lands of Gort Muire to the east, as required by Section 8.2.3.4(xi) of the Dún Laoghaire Rathdown County Development Plan has not been submitted. As such, the proposed development fails to address the site's current policy status as institutional lands. Applicants are requested to submit a masterplan to address this issue and to allow a complete assessment be made.

3.3.2. On the 2nd June 2021, the applicant responded to the request for FI, as follows:

- 1 Architectural Heritage Assessment, landscaping details and photomontages.
- 2 Details of the use of the buildings on site. development plan allows for 103 no. spaces, 56 no. proposed is within this guidance. Details of junction visibility splays. Drawings showing pedestrian linkages.
- 3 Site wide masterplan drawings

3.3.3. New public notices advised of the further information.

3.4. Reports on file following submission of FI

3.4.1. **Transportation Planning:** No objection subject to two conditions.

3.4.2. **Planning Report:** The applicants have not demonstrated that the proposed development would not materially detract from the special character, appearance and setting of the protected structure. The proposed development would further erode and negatively impact on the setting of the Protected Structure and that permission cannot be granted in this instance. Planning Authority has concern about the quantum of car parking proposed, and the impact on the protected structure. Recommendation to refuse permission.

3.5. Decision

3.5.1. On the 29th June 2021, the Planning Authority issued a notification of their intention to REFUSE permission for the following reason:

- 1 The provision of an enlarged driveway and additional car parking areas as proposed, in addition to the consequent loss of soft landscaping, would result in a development that further erodes and negatively detracts from the character, appearance and setting of the protected structure. The proposed development would therefore materially contravene Policy AR1: 'Record of Protected Structures' and Section 8.2.11.2 (iii) Development in Proximity to a Protected Structure of the Dún Laoghaire Rathdown County Development Plan 2016 – 2022 and would be contrary to the proper planning and sustainable development of the area

4.0 Planning History

4.1.1. Wider Gort Muire site: **ABP-312170-21**: Planning permission granted for an SHD of 531 no. build-to-rent apartments and creche.

5.0 Policy Context

5.1. Dun Laoghaire Rathdown Development Plan 2022-2028

5.1.1. The 2022 Dun Laoghaire Rathdown development plan came into effect on the 21st April 2022, after the assessment of the subject application by the Planning Authority.

5.1.2. As was the case under the old development plan, in the 2022 plan the site is zoned 'Objective A' which seeks to 'protect and/or improve residential amenity'. The wider Gort Muire site is subject to the specific local objective 'INST' which seeks 'to protect and / or improve Institutional use in open lands', to an objective to provide accommodation for the Travelling Community and to protect and preserve trees and woodlands.

5.1.3. The 'Gort Muire Centre' (RPS No. 1453) is listed in the Record of Protected Structures in Appendix 4 of the Plan and is described as 'water gardens, garden walls and farm building complex, house, ornamental ironwork, conservatory and water tower'. The description refers to the overall Carmelite complex.

5.1.4. Policies of relevance include:

5.1.5. **Policy Objective HER8:** Work to Protected Structures It is a Policy Objective to:

- i. Protect structures included on the RPS from any works that would negatively impact their special character and appearance.
- ii. Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the 'Architectural Heritage Protection Guidelines for Planning Authorities' published by the Department of the Arts, Heritage and the Gaeltacht.
- iii. Ensure that all works are carried out under supervision of a qualified professional with specialised conservation expertise.
- iv. Ensure that any development, modification, alteration, or extension affecting a Protected Structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout, and materials.
- v. Ensure that the form and structural integrity of the Protected Structure is retained in any redevelopment and that the relationship between the Protected Structure and any complex of adjoining buildings, designed landscape features, or views and vistas from within the grounds of the structure are respected.
- vi. Respect the special interest of the interior, including its plan form, hierarchy of spaces, architectural detail, fixtures and fittings and materials.
- vii. Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure.
- viii. Protect the curtilage of protected structures and to refuse planning permission for inappropriate development within the curtilage and attendant grounds that would adversely impact on the special character of the Protected Structure.
- ix. Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.

- x. Ensure historic landscapes and gardens associated with Protected Structures are protected from inappropriate development (consistent with NPO 17 of the NPF and RPO 9.30 of the RSES)

5.1.6. **Section 11.4.1.2** of the development plan notes that the curtilage of a Protected Structure is often an essential part of the structure's special interest. In certain circumstances, the curtilage may comprise a clearly defined garden or grounds, which may have been laid out to complement the design or function. However, the curtilage of a structure can also be expansive. The traditional proportionate relationship in scale between buildings, returns, gardens and mews structures should be retained. A garden size appropriate to that of the structure should be also be retained. Historic landscapes and gardens are also an important amenity and contribute to the setting and character of Protected Structures. These can include both built and natural features such as walled gardens, views/vistas, tree-lined avenues, decorative tree-clumps, woodlands, or plant collections.

5.1.7. Regarding development within the grounds of a Protected Structure, section **12.11.2.3** of the development plan states that any proposal for development within the grounds of a Protected Structure will be assessed in terms of the following:

- The proximity and potential impact in terms of scale, height, massing and alignment on the Protected Structure, impact on existing features and important landscape elements including trees, hedgerows, and boundary treatments. Any development should be sensitive of the relationship between the principal residence and its adjoining lands and should not sever this.
- Where a Protected Structure is part of a larger development then the phasing of the works needs to ensure that those relating to the Protected Structure take place early on, preferably first, or in tandem (as agreed by the Planning Authority), so that the conservation, and use of the Protected Structure is secured at the start of the project.
- Development proposals within historic landscapes and gardens shall include an appraisal of the existing landscape character to include identification and description of the structures, features, planting, and boundaries. This appraisal should be undertaken prior to the initial design of any development,

as it will provide an understanding of the essential character of the site and help to inform the appropriate location for any development.

- Have regard to the development management criteria as set out in Chapter 3 of the Department of Housing, Planning and Local Government, (DHPLG), 'Urban Development and Building Height Guidelines'; and shall indicate how the proposed development responds to its overall natural and built environment, and make a positive contribution to the urban neighbourhood and streetscape; ensure the proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials/building fabric well considered; ensure the proposal positively contributes to the mix of uses, and/ or building/dwelling typologies available in the neighbourhood.
- The retention of an appropriate setting for the Protected Structure to ensure the relationship between the building, associated structures, amenity value, and/or landscape features remain unaffected by the development.
- Impact of associated works including street furniture, car parking, hard landscaping finishes, lighting, and services. These should be designed using appropriate mitigation measures, such as careful choice of palette of materials, and finishes, and use of screen planting

5.1.8. Regarding car parking, Table 12.5 of the plan outlines the maximum permissible car parking based on use and zoning.

5.2. **Natural Heritage Designations**

5.2.1. The subject site is approx. 5km from the South Dublin Bay and River Tolka Estuary SPA (004024) and the South Dublin Bay SAC (000210).

5.3. **EIA Screening**

5.3.1. In regard to the nature and scale of the development in an urban area, 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

6.1.1. An agent for the applicant has appealed the decision of the Planning Authority to refuse permission. The grounds of the appeal can be summarised as follows:

- The zoning of the subject site includes car parking as permitted in principle. This is confirmed by the decision under Planning Authority reg. ref. D07A/1537 for a new car park to the north of Gort Muire house.
- The amount of parking proposed is a reduction of existing parking on site, surrounding the Protected Structure . 77 no. spaces are available at present. The proposed development is for 56 no. spaces made up of the proposed 49 no. spaces and the retention of the existing 7 no. This is significantly less than the development plan permitted quantum of 103 no. spaces.
- The proposed development complies with policy AR1 and section 8.2.11.2(iii) of the development plan. The interventions are minimal, the poorly maintained tennis court will be enhanced, no works to Protected Structure are proposed and there will be no impact on views or any important landscape elements.
- The disposal of lands by the Order is not a planning matter. This should not negatively impact on a planning application.
- The wider area is in transition, with high density development granted permission by the competent authority. The cumulative impact of development has been assessed.
- It is unreasonable to punish the landowners for the decisions of other landowners on adjoining sites. The proposed development is not adding to the cumulative effect of large scale development proposals.
- The proposed development will rationalise car parking to the front of Gort Muire.
- The unused tennis court will be replaced with grasscrete, more sympathetic than tarmac.
- The impact of the car park is minor and will not significantly alter the character and appearance of the existing car park or tennis court or the Protected Structure.

- The Conservation Architects report finds that the proposed development has a minimal to negligible change to the setting, that will not arise in a detriment to the appearance of the house, its gardens or their inter relationship. The loss of amenity of a tennis court in favour of protection of the gardens is not considered especially adverse.
- The Conservation Report on the decision of the Planning Authority finds that the decision is an over-reaction and cannot be sustained. There is no evidence that the grounds of Gort Muire had any landscaping other than the walled garden – now not part of the property. Present landscaping dates from 1944 and therefore not the original C19th character. There are young trees, indicating an ongoing planting policy. The present setting of the Protected Structure is current but wholly consistent with the character of the original house. The grounds are maintained to a high standard. The proposed development will facilitate the ongoing use of the house. This assessment is supported by the letter of support for the proposal from the applicants heritage team who state that the acquired setting of the Protected Structure is not adversely impacted by an intervention that uses a pre-existing but unused feature.
- The Board is required to grant permission.

6.1.2. The appeal is accompanied by the following:

- Historic Building Consultant Report that provides detail of the historical background to and evolution of Gort Muire, the impact of the proposed development on the existing landscaping and a comment on the reason for refusal.
- Photomontage
- Letter of support for the proposed development from Conservation Architects, stating that the acquired setting of the Protected Structure is not adversely impacted by an intervention that uses a pre-existing feature.

6.2. Planning Authority Response

6.2.1. The grounds of the appeal do not raise any new matter which in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

6.3. Observations

6.3.1. An Taisce

- The inclusion of the structure Gort Muire Centre on the RPS includes not only the house but other elements such as the Water Gardens, Conservatory and Water Tower. The gardens are mentioned in 'Architecture in Ireland 1837-1921' and 'To the Mountains and the Sea'. The EIAR for the Marmalade Lane SHD refers to the extensive landscaping works undertaken during the C19th.
- Late C19th garden landscape design does not require regular geometrical planning or layout. The Architectural Heritage report submitted by the applicant at FI stage refers to the gardens as being typical of a Victorian Romantic Era pleasure garden.
- The suggestion that setting of the Protected Structure is due to landscaping works undertaken since 1944 is rejected. It is submitted that the relationship between the House and the Water Gardens is unchanged since the late C19th.
- It is not the provision of additional paving that would affect the setting but the change of use. The tennis court could be absorbed into the landscape. The hedged-in car park would alter the landscape substantially.
- Limited car parking was permitted under Planning Authority reg. ref. D07A/1537.
- Views from the house would be dominated by parked cars.
- No photomontages from the front of the house have been submitted.
- Consideration should be given to providing car parking on the north-western portion of the lands or a partly-underground car park in the sloping grassed area accessed from the existing roadway.

6.3.2. Allen Morgan

- Supports the decision of Dun Laoghaire Rathdown to refuse permission.
- The access road to the subject site and the adjoining Marmalade Lane SHD is not a public road and the combined impact would affect traffic.

- There is an ownership overlap between the subject site and SHD entrance, with no evidence of consent to use the road.
- The proposed two-way access road is more dangerous than the existing circular one-way traffic. This would involve the cutting down of two hardwood trees.
- The proposed development is premature pending final decisions on the surrounding lands.

7.0 **Assessment**

7.1.1. I have examined the file and the planning history, considered all policies and guidance, the submissions of all parties and inspected the site. I have assessed the proposed development and I am satisfied that the issues raised adequately identify the key potential impacts and I will address each in turn as follows:

- Principle of development
- Impact on Architectural Heritage
- Car Parking Quantum
- Appropriate Assessment

7.2. **Principle of Development**

7.2.1. The subject site is located in an area zoned to protect and / or improve residential amenity. The principle of the proposed development is acceptable, subject to other planning considerations.

7.3. **Impact on Architectural Heritage**

7.3.1. The Planning Authority considered the provision of an enlarged driveway and additional car parking areas as proposed, in addition to the consequent loss of soft landscaping, would result in a development that further erodes and negatively detracts from the impact of the proposed development on the character, appearance and setting of the protected structure.

7.3.2. The appellant disagrees, stating that the tennis court is existing, is un-used and would be improved by the proposed landscaping measures. The appellant states

that the setting of the Protected Structure is not original and that landscaping on the wider site is from 1944.

- 7.3.3. I note that the description of the 'Gort Mhuire Centre' on the RPS (no. 1453) is "Water Gardens, Garden Walls and Farm Building Complex, House, Ornamental Ironwork, Conservatory and Water Tower"
- 7.3.4. I note section 13.5.3 of the Architectural Heritage Protection Guidelines which states that "Where a large house or an institutional building has a garden which contributes to the character of the protected structure, subdivision of the garden, particularly by permanent subdividers, may be inappropriate".
- 7.3.5. The existing Gort Mhuire centre retains an important expanse of soft landscaping around the main building. The setting of the structure has been altered by the extent of building to the north and east, but the west and south of the main building retains much of its special character. I share the concerns of the Planning Authority that further erosion of what remains of the landscaped setting around the house would negatively and adversely affect the setting and context of the dwelling. That the tennis court exists is not justification to introduce a widened roadway that would remove some of the existing landscaping and introduce a significant area of hard standing.
- 7.3.6. I note the disagreement between conservation experts about the evolution of the existing setting and I will not attempt to adjudicate the merits of either submission. What is paramount however is that any development to the existing complex must not negatively the existing setting, from a visual or a historical perspective.
- 7.3.7. Section 12.1.2.3 of the 2022 development plan requires that that any proposal for development within the grounds of a Protected Structure will be assessed in terms of, amongst other criteria, its impact important landscape elements including trees, hedgerows, and boundary treatments. The development plan requires that any development should be sensitive of the relationship between the principal residence and its adjoining lands and should not sever this. The retention of an appropriate setting for the Protected Structure to ensure the relationship between the building, associated structures, amenity value, and/or landscape features remain unaffected by the development.

7.3.8. I am not satisfied that it has been comprehensively demonstrated that the proposed development will not negatively impact the special character, setting and context of the Protected Structure. It is considered that the proposed development is contrary to Policy HER8 of the development plan which seeks to protect the curtilage of protected structures and to refuse permission for inappropriate development that would adversely impact on the special interest of a Protected Structure.

7.4. Car Parking Quantum

7.4.1. Regrading current parking provision at Gort Muire, the applicant states that currently there are 37 no. marked parking bays with an additional 40 no. unmarked spaces in an area to the north-east of the existing buildings. This equals a total of 77 no. existing car parking spaces. The spaces to the north-east will, in the future, not be available to the Order, being part of the Marmalade Lane SHD. The proposed development involves 49 no. spaces and the retention of the 7 no. bays in front of the Chapel, providing an overall car parking provision of 56 no. spaces, or a reduction of 21 no. spaces from that available currently.

7.4.2. The need for additional car parking arises from the sale of lands to the north-east of the existing buildings, whereon there are currently 40 no. car spaces available to Gort Muire. The appellant submits that the decision of the Planning Authority to refuse permission based on the sale of lands and / or the change of ownership of lands is unreasonable and or unconstitutional. The appellant submits that it is unreasonable to “punish” the Order for decisions made by subsequent landowners on neighbouring sites. I do not accept this allegation. First, the decision to sell their car park was not a decision by a subsequent landowner, it was a decision of the Order. Secondly, it would be remiss of the Planning Authority or the Board not to take the cumulative impact of all development in the immediate area into account when assessing the application before it. No application for development sits in isolation, it is part of the bigger picture of the emerging pattern of an area. This is particularly the case when it comes to assessing the impact of traffic generation on the receiving environment.

7.4.3. The Transportation department of Dun Laoghaire Rathdown noted an apparent error in the calculation of permissible parking spaces (Table 2 of the Consulting Engineers Report submitted with the application) at 79.31 spaces. The transportation

department calculated the correct allocation to be 39 no. spaces. The Planning report drew attention to this error and further, noted that the Carmelite Order building was outside the red line boundary and that floorplans had not been provide on which to calculate parking requirements.

7.4.4. When requested by way of FI, to provide details of the nature of use of the existing building, the applicants responded and stated that there are 19 no. permanent residents in addition to a number of staff. There are 48 no. bedrooms that provide hospitality to visiting members of the order. The appellants response provides the following calculations for car parking, as per the 2016 County Development Plan:

Building 1: church for 80 occupants	1 space per 5 no. seats	16 spaces
Building 2: Gort Muire 1,065sq.m	1 space per 50sq.m	21 spaces
Building 3: office of 207sq.m.	1 space per 50sq.m.	4 spaces
Building 5: 2,016sq.m. institutional use	1 space per 50sq.m	40 spaces
Building 5: 20 bedrooms	1 space per 4 residents	5 spaces
Building 8: 500sq.m library institutional	1 space per 50sq.m	10 spaces
Building 8 20 no. bedrooms	1 space per 4 residents	7 spaces
		103 no.

7.4.5. The Board will note that in calculating permissible car parking in the first Engineering report (Dec 2020), only 207sq.m office, 15 no. bedrooms in one building, 28 no. bedrooms in another building and a church of 120 no. occupants were assessed. In the second report (March 2021), submitted in response to the FI request, the same engineering company calculated 5 no. buildings arriving at a permissible parking of 103 no. spaces. As noted by the Planning Authority, all of the buildings are outside of the red line boundary, so the inclusion of additional buildings in the second engineering report is not explained. Further, the reduction of the church from 120 occupants to 80 no. occupants is also not explained. The lack of clarity is regrettable and does not aid robust decision making.

7.4.6. In the newly adopted 2022 development plan, the subject site is on the boundary of parking zones 2 and 3, as per Map T2. Parking zone 2 areas are described in

section 12.4.5.1 of the development plan as being within 10 minutes walk of a dart or Luas station, being an area that has access to a good level of existing or planned public transport services, a good level of service accessibility and the capacity to accommodate a higher density of development. Within parking zone 2 maximum standards shall apply for all uses except for residential where the standard is required. Parking zone 3 areas are the remainder of the county excluding rural areas. Within parking zone 3 maximum standards shall apply to uses other than residential where the parking standard shall apply. In zone 3 additional parking shall be provided for visitors in residential schemes at a rate of 1 per 10.

7.4.7. Section 12.4.5.2 of the plan states that in relation to the maximum standards, any proposals exceeding these standards will be permissible only in exceptional circumstances; such as where the Planning Authority consider that there is a specific requirement for a higher number of spaces. An example of this would be in instances where there are demonstrable benefits for the wider area through regeneration or similar urban and civic improvement initiatives.

7.4.8. Using Table 12.5 of the 2022 development plan, the following calculations for parking apply:

	Zone 2	Zone 3
Building 1: church for 80 occupants	1 per 20= 4	1 per 10 = 8
Building 2: office 1,065sq.m	1 per 150= 7	1 per 100=10
Building 3: office of 207sq.m.	1 per 150= 1.5	1 per 100 = 2
Building 5: 2016sq.m. community facility	1 per 100= 20	1 per 50 = 40
Building 5: 20 bedrooms	1 per 2 = 10	1 per 2 =10
Building 8: 500sq.mcommunity facility	1 per 100 = 5	1 per 50=10
Building 8: 20 no. bedrooms	1 per 2=10	1 per 2=10
Total	57.5	90

If one is to accept the floor areas of the first engineering report however then between 20 no. and 35.5 spaces is the maximum permissible.

	Zone 2	Zone 3
Offices 207sq.m	1 per 150= 1.5	1 per 100 = 2
Refectory / meeting rooms 15 no. bedrooms	1 per 2 = 7.5	1 per 2=7.5
Library 28 no. rooms	1 per 2=14	1 per 2=14
Church 120 occupants	1 per 20= 6	1 per 10 = 12
Total	20	35.5

7.4.13. Given the above possible scenarios, under the new development plan, is somewhere between 20 and 90 no. spaces are permissible. It is considered that there is too great a lack of detail on which to accurately and robustly make an assessment. Should the Board not accept the substantive reasoning for reusing permission set out in section 7.3 above, they may wish to request the applicant to address this ambiguity.

7.4.14. On balance, however, it is considered that the existing 37 no. spaces in front of the main building is sufficient to provide for the needs of the existing uses on site. I note that the applicant acknowledges that the existing parking provision of 77 no. spaces is not utilised fully and that staff and visitors to the site are encouraged to use sustainable modes of transport to commute to the site. I am not satisfied that a case for additional car parking, with the resultant impact on the soft landscaping and setting of the Protected Structure has been presented.

7.5. **Appropriate Assessment**

7.5.1. Having regard to the nature and scale of the proposed development proposed in a fully serviced built-up urban area, no appropriate assessment issues arise, and it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects, on a European site.

8.0 Recommendation

8.1. I recommend permission be REFUSED for the following reason:

- 1 The proposed development for additional car parking, for which a comprehensive justification has not been made, and a new roadway, would result in a loss of existing soft landscaping that forms an important part of the special character and setting of the Protected Structure at Gort Mhuire Centre, would result in a development that further erodes and negatively detracts from the character, appearance and setting of the protected structure. The proposed development therefore contravenes the Architectural Heritage Protection Guidelines for Planning Authorities 2011 and policy HER8 of the Dun Laoghaire Rathdown County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area

Gillian Kane
Senior Planning Inspector

27 June 2022