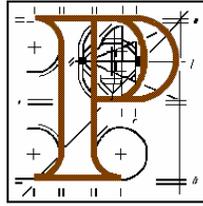


# An Bord Pleanála



## Inspector's Report

Construct 150 apartments and Day Care Centre in Five Blocks between Three and Five-Storeys with 168 Car Parking Spaces. Associated Works Include Redevelopment of Former Church as Communal Facility at High Park, Grace Park Road, Drumcondra, Dublin 9.

## **DETAILS OF APPEAL**

**Development:** Demolition of existing two-storey derelict building at Martanna House and derelict one, two and three-storey buildings to the side and rear of the former Convent at High Park, Grace Park Road, formerly used for institutional residential and ancillary usage, the redevelopment of the existing site entrance at Martanna House and construction of a new separate entrance at Grace Park Road. The development of 150 apartments including three-storey high Block A (seven total Nos. to include 5, two-bedroom apartments and 2, one-bedroom apartments), three-storey high Block B (nine total Nos. to include six, two-bedroom apartments and three, one-bedroom apartments; five-storey high Block C (fifty-five total Nos. to include 20, two-bedroom apartments and 35, one-bedroom apartments); five-storey high Block D (thirty-five total Nos. to include 15, two-bedroom apartments and 20, one-bedroom apartments; and five-storey high Block E (forty-four total Nos. to include 16, two-bedroom apartments and 28, one-bedroom apartments) including balconies and one Day Centre Facility located at top of Block E, glazed atrium to Blocks C & D interconnected at ground level and other ancillary site development works, new stairs and lift at south wing of existing Convent Building (four-storeys high), new single-storey glass conservatory connecting the existing Church and Convent building, basement car parking under Blocks A & B and Blocks C & D to accommodate a total of 168 spaces, cycle parking and bin stores. Redevelopment of the existing former church as a communal facility including the provision of an internal mezzanine structure and site landscaping and parklands, new boundary treatment to Grace Park Road including new railing, walls and gateways and re-routing of existing site infrastructure and drainage.

### **Planning Application:**

Planning Authority:	Dublin City Council
Planning Authority Reg. Ref. No.	4050/09
Applicant:	Respond Housing Association
Type of Application:	Permission
Decision of Planning Authority:	Grant

### **Planning Appeal:**

Appellant:	David Brannigan Marie Cole and Others
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All Hallows Area Residents Association  
Patrick and Anne O'Connell

Type of Appeal:

Third party against grant

**Date of Site Inspection:**

4<sup>th</sup> October 2010

**Inspector:**

Jenny Kelly

**Appendices:**

Maps 1 - 2  
Photos 1 - 26  
Appendices I - V

## **1.0 SITE LOCATION AND DESCRIPTION**

- 1.1 The site is off Grace Park Road in Drumcondra, between Griffith Avenue and Collins Avenue, approximately 4km from the city centre. The general area is primarily residential but with extensive institutional lands. Grace Park Road is relatively narrow and heavily trafficked, with footpaths on either side. The site is on the western side and comprises the former High Park Convent and grounds. Opposite the site, are two-storey, red brick dwellings, set back from the road, dating from the 1930's. Off a shared entrance to the north of the site, are Beech Park Nursing Home and the two residential estates - 'High Park' and 'The Court'. To the northeast, at the junction of Collins Avenue and Swords Road are vacant lands, which are subject of the draft Whitehall Framework Plan. Off the Swords Road to the west, is the Highfield Alzheimer's Hospital, which is currently being extended and southwest, the Skylon Hotel and car park. The hotel entrance also serves Grace Park Manor, a part five / part six-storey apartment complex, also known as the Cosgrave Development, built on the site of St. Mary's Asylum. It adjoins the site on three sides. To the south is 'The Cloisters', a small residential estate of two-storey houses and to its west, Hampton Lodge, comprising two, four-storey apartment buildings. Beech Park Nursing Home and Grace Park Manor are both built on lands that were originally part of High Park.
- 1.2 The site is 2.362ha and irregularly shaped. The main section is roughly rectangular with an L-shaped extension to the south. The entrance is in the southeast corner. The site rises from southeast to northwest. There are three buildings on the site. The former High Park Convent and Reformatory and a disused chapel are in the northeast corner. The main building is U-shaped and three and a half storeys but the projecting, front section is three-storeys. The southern range has been fire damaged. Martanna House is L-shaped and two-storeys and built close to the southern boundary. The former Convent and Reformatory are currently in residential, office and educational use. Martanna House is unoccupied and boarded up. The Church and projecting section of High Park were added to the Record of Protected Structures on the 1<sup>st</sup> February 2010.
- 1.3 There are traffic lights south of the entrance, at the junction of Sion Hill Road and The Cloisters. The site entrance also provides pedestrian and emergency vehicular access to Grace Park Manor. Separate security gates inside the entrance control access to Grace Park Manor and the balance of the site. The grounds are in grassland with mature trees on either side of the avenue and inside the boundary with Grace Park Road. There is a grotto east of the junction of the avenue and a spur road leading to the rear of main building. There are walls on all boundaries but sections of the wall along Grace Park Road have been replaced by hoarding. A section of the eastern site boundary protrudes onto the public footpath

## **2.0 PROPOSAL**

2.1 The proposal is to construct independent living, elderly accommodation and associated communal facilities. The Planning Authority received revised plans on 3<sup>rd</sup> June 2010, which reduced the overall number of units from 150 – 142 and addressed issues raised in relation to overlooking, access to daylight and sunlight, level of on-site parking and traffic hazard. The final proposals omitted a proposed basement car park under Block A and incorporated the car park entrance into the ground floor to provide two apartments. The proposed development is as follows:

- (i) Demolish Martanna House and the fire-damaged extensions to the former convent and retain High Park building in existing uses;
- (ii) Construct 142 apartments in five blocks A – E, comprising 79, one bedroom and 63, two-bedroom units. Blocks A & B are three-storeys and located between The Cloisters and Grace Park Manor. Blocks C & D are five-storeys over basement car park and located north / northeast of Grace Park Manor and east of the church and linked on the ground floor. Block E is five storeys and located behind the Convent and Church, close to the western boundary and has communal facilities on the fifth-storey;
- (iii) Restore and redevelop Church as a communal facility, with mezzanine floors;
- (iv) Construct single storey reception and conservatory area between High Park building and Church, together with a glazed, four-storey lift and stairwell;
- (v) Construct new vehicular entrance, at northeast end of boundary with Grace Park Road, to serve Blocks C, D & E and existing facilities;
- (vi) Construct network of footpaths throughout the site, including a footpath from existing entrance to gate in the northern boundary with Beech Park Nursing Home;
- (vii) Provide 107 parking spaces, (i) 16 surface spaces serving Blocks A & B, 1 disabled (ii) 3 disabled spaces between Blocks C & D and Convent and (iii) 88 basement spaces, with 23 assigned to visitors and 6 disabled;
- (viii) Relocate Grotto to northern boundary;
- (ix) Landscape overall site and retain a number of the mature trees on eastern and southern boundaries; and
- (x) Replace eastern boundary wall/ hoarding with a low wall and railings.

2.2 The buildings are modern in design. Blocks A and B combine flat and pitched roofs and blocks C – E have curved roofs. There is extensive glazing, associated

with winter gardens throughout, with timber louver screens. The external finishes include coloured rendered walls, Trespa finish cladding, timber cladding, toughened glass screens to balconies and moveable timber screens to winter gardens.

2.3 It is proposed to connect into the existing foul and surface water sewers and water mains. The proposed surface water system will incorporate both a rainwater harvesting system to reduce overall discharge and a network of attenuation tanks, together with hydrobrakes, to control the rate of discharge. It is proposed to replace the existing watermain with a larger pipe and to provide a new foul sewer network and discontinue use of the private sewer under Grace Park Manor and divert the sewer serving this development, where it passes under proposed Blocks A & B. Basement drainage will be pumped up and passed through a petrol interceptor prior to discharge.

2.4 The documentation submitted with the application includes:

- (i) Design Statement incorporating site analysis; design objectives, solutions and proposals; photomontages; apartment unit dimensions; photos of site, buildings and church interior; architectural plans and drawings for High Park convent and church; sustainability statement;
- (ii) Letter setting out how application addresses the previous reasons for refusal;
- (iii) Copy of Certificate of Incorporation for Respond;
- (iv) Details of pre-application meetings with Planning Department of Dublin City Council;
- (v) Tree Survey;
- (vi) Architectural Heritage Impact Assessment;
- (vii) Shadow Study
- (viii) Sunlight and Daylight analysis;
- (ix) Copy of correspondence with NRA;
- (x) Engineering Report, which includes details of a 2004 tree survey of trees along the eastern boundary; and
- (xi) Structural Impact Assessment on Dublin Port Tunnel.

2.5 Tree Survey

2.5.1 This includes an assessment of the condition of all the trees from beside the church east. Over half the trees are in poor to bad condition. One beech close to the boundary with Grace Park Manor is rated of good quality and further 28 trees are of moderate quality. The site supports a relatively large Monterey Cypress. Other large trees are Ash, Sycamore, Oak and Beech that require large areas in which to grow. The site is primarily open parkland with little traffic and new development in the proximity of the trees will change this context. The impact of the proposed development is not assessed

## 2.6 Architectural Heritage Impact Assessment

2.6.1 The report includes copies of maps, architectural drawings and plans for the chapel and convent and photos of exteriors and interiors. The earliest map showing a house at High Park is 1805. The 1837 OS map shows a substantial house and associated outbuildings, with a walled garden to the north and a large pond between the dwelling and Grace Park Road. The entrance is in the southeast corner and leads diagonally to the dwelling. Both the 1837 map and an earlier map in 1821 show a second entrance from the Swords Road. The house and 14 acres were first occupied by the Sisters of Our Lady of Charity of the Refuge in 1858. By 1867, St Mary's Asylum was built in the southern section of the site and the avenue relocated to its current location. This map describes High Park as a Nunnery, the bow window on the southern elevation is shown and there is a waterfall on the lake. It is believed that the original two-storey dwelling may have had a third storey added during this period. It is believed that following the passing of the Irish Industrial Schools Act in 1868 that significant works were carried out at the site, between 1878 and 1881, including (i) demolition of the western lateral wing of the dwelling and outbuildings to the north, (ii) construction of St. Mary's Asylum, (iii) remodelling of the original house and extension to large reformatory / industrial school and (iv) construction of Chapel to its immediate south. The chapel was designed and built in 1879 and designed by O'Neill and Byrne. These new buildings are shown on the 1907 map and the dwellings opposite on Grace Park Road, on the 1937 map. These developments also included two burial grounds. There is a well east of the chapel where the grotto is now located. Based on the map evidence it is concluded that the earliest house shown at High Park was demolished and replaced post 1821, by the dwelling shown on the 1837 map. The first known occupant was Major Brownrigg.

2.6.2 Towards the end of the last century, St. Mary's Asylum, a Magdalen Laundry, was sold and demolished and replaced by Grace Park Manor apartments, completed in 2000 and Beech Park Nursing Home, was built north of the convent, on lands comprising the former walled garden and part of the front lawn of the original house. The existing Martanna House may incorporate part of the earlier asylum building. Most of the buildings on the site are in good condition but the southern range of the convent was burnt in 2005 and the ancillary laundry and outbuildings are in a derelict state. In recent years the altar furnishings in the chapel were removed.

2.6.3 No works are proposed to the main convent building and the demolition of the southern range and of Martanna House have to be considered in the context of the overall development and general history of the site, including its use during shameful period of Irish history, the loss of much of the original setting of the house and associated pleasure garden and the impact of the scale and design of Grace Park Manor on its setting. It is argued that the development of the entire complex does not appear to have taken an overall aesthetic view of the groups of building and they are not part of a well planned architectural scheme. The southern range does not create a balance in the overall scheme of the front elevation, which is asymmetric about the original house, is not of architectural merit and its demolition is acceptable. Martanna House is a reminder of the site's grim past and its replacement by apartment blocks will not impact on the setting of High Park.

2.6.4 The Chapel is in the Romanesque revival style and was designed by the architectural practice of O'Neill and Byrne. It is no longer in use and its renovation will make it a significant feature of the site. Several internal fittings have already been removed. The works proposed include the removal of the organ, the extension of the organ loft and insertion of mezzanine floors over the side chapels. The report recommends that the new reception and lobby is set back from the north gable and queries the insertion of two new escape doors on the east and north side of the sanctuary. Overall, it concludes that the increase in density on site will be similar to adjoining sites, the development will open up views of High Park, create a linear park across the eastern boundary, conserve buildings of interest and establish a social use that balances the sad history of the site. Whilst the setting of the buildings will be diminished, the historical context of the site will be enhanced for future generations and the visual impact will be similar to existing new build.

### 3.0 OBJECTIONS

3.1 There were thirty-six objections to the application from residents of Grace Park Manor, The Cloisters, Clonliffe Road, Grace Park Road, High Park, All Hallows Residents Association and a number of TDs and Councillors in the area. The points made are similar to the appeal but also include the following:

- **Social Mix** – 100% affordable housing; ghetto; downgrade neighbourhood; no demand / need; use vacant accommodation; excessive number of apartments; poor housing mix; no family units;
- **Residential Amenity** –inappropriate design for elderly housing; devalue property;
- **Design** – inappropriate design and finishes; lack of symmetry; discordant; dominant; loss of view of Convent and parklands;

- **Noise** – during construction;
- **Landscaping** – loss of mature trees; main group to be removed; relocating grotto;
- **Planning Policy** – contrary to policy re open space on institutional lands; contrary to zoning objectives;

#### 4.0 TECHNICAL REPORTS

4.1 There are eight technical reports, including two each by Planning and Roads & Traffic. The main points made, relevant to the appeal, are summarised as follows:

- **Archaeology** – large site, close to zone of interest for Dublin City; archaeological assessment prior to commencement of works;
- **Water** – 100mm main from public supply required; no objection subject to conditions including agreement of details to use grey water;
- **Roads** – parking required for 143 units is 72 spaces; 30 spaces for existing users; Metro North stop within 1km of site; NRA consent noted; no objection to revised layout subject to conditions;
- **NRA** – no objection subject to condition to submit Design Assessment Certificate to NRA;
- **Planner** – zoned Z1; development acceptable; current views of site limited; similar densities in vicinity; better retains setting of reformatory; modern finishes more honest; Martanna House of no architectural merit; Blocks A & B better than block previously refused; Grace Park Manor 4½ - to 5½ storeys; 18.5 – 21m high; High Park 4-storeys, 18.5m high; blocks A & B 11.5m; Martanna House 8.1m - 9.5m; sufficient separation to houses in Cloisters; Block C over 47m from houses opposite; higher ground but not overbearing; Block C 26m from and forward of building line of apartments; Block D sufficiently distant; Block E close to western boundary; may be some overshadowing of permitted extension (Highfield); trees and hospital roof design also cause overshadowing; Blocks C & D just forward of chapel; grotto relocated; overall no significant impact on adjoining re. daylight / sunlight, or on proposed from existing, or due to use of louvers; units, balconies, storage comply with standards; overlooking addressed; adequate open space; accords generally with Var. 21 and Guidelines;
- **Conservation** – to conserve Chapel; S. 57 declaration prepared; detracts from setting; siting not adequately justified; original planned landscape, including grotto, sheet of water/ waterfall, not properly assessed or incorporated into

design; similar water feature restored at Castletown House; refuse on grounds of scale, location of development; damaged extensions subordinate to house; could restore / replicate; no account taken of historic setting, pleasure grounds; removal / replacement of wall not justified;

- **Drainage** – no objection subject to conditions, including site survey to locate existing drains, separate foul and surface water systems and submission of a flood risk impact assessment prior to commencement;

## 5.0 DECISION

5.1 The planning authority recommends a grant, subject to twenty-four conditions. The following conditions are noted:

- As per plans submitted with application and amended by plans, particulars received 3<sup>rd</sup> June 2010 [1];
- Omit two apartments proposed on ground floor of Block A; make separate application for same [2];
- Provide direct access to balconies from living rooms in apartments 17, 26, 35 & 44 (Block C) and 13, 20, 27 & 34 (Block D) [3a];
- Erect side screens, at least 1.7m high, above FFL to sides of adjoining balconies [3b];
- Fit opaque glazing or louvers in west elevation of glazed stairwell, north of church [3c];
- Treat windows and balconies on southeast elevation, where directly facing church and proposed glazed stairwells, as originally proposed in plans submitted with application [3d];
- No additional development above roof level, except as shown on drawings submitted [5];
- No development to take place until landscaping scheme, prepared by suitable qualified person, has been submitted and agreed in writing with planning authority [6];
- Submit archaeological assessment prior to commencement and during work [11];
- Set up management company to ensure future maintenance [12]’;
- Provide waste storage facilities prior to occupation [15];

## 6.0 PLANNING CONTEXT

6.1 The relevant planning policy is set out in:

- The Dublin City Development Plan 2005 – 2011;
- The Guidelines on Sustainable Residential Development in Urban Areas, 2009;
- The Urban Design Manual, 2009;
- The Guidelines on Architectural Heritage Protection, 2004;

6.2 In the City Plan the site is zoned Z1 to protect and/or improve the amenity of developed residential communities. The relevant policies are Urban Design in s.3.3.1; general Residential in s.4.1.0 and specific policies in s.4.4.0 - 1, 2, 3, 5, 7, 9, 16, 17 and Apartment standards in s.4.5.0; Community Development CD 8; general Transport policies in s.7.1.0 and specific policies T1, 2; Built Heritage in s.10.1.0 and specific policies H1, H2, H3, H4, H6, H12 and redundant places of worship in s.10.4.2; Open Space on institutional lands in s.11.1.2; and Policy RO4; Infrastructure policies U3 & U40, Spatial Strategies in s.14.1.1; Qualitative and Quantitative standards in Chapter 15 particularly sections 15.1 – 15.9.7; Conservation and Protected Structures in s.15.10.1 – 3 and Car Parking in s.15.35.0 – 8 and Tables 15.1 & 2.

## 7.0 HISTORY

7.1 There is one history file attached - **PL.29N. 224812**. The Board upheld a refusal for a mixed residential development on the site, comprising 162 apartments for a mix of private residential, affordable private and housing for the elderly. The proposed development was laid out in twelve blocks along the perimeter of the site. The majority were four-storey but two, east of the former convent, were six-storey [D02-03-P20]. The reasons for refusal were as follows:

1. *The proposed development, by reason of its scale, mass bulk, height and position within the streetscape would be visually obtrusive, out of proportion and overscaled in relation to the existing two-storey dwellings along Grace Park Road and would take from the open landscape aspect at this location. The proposed development would, therefore, seriously injure the visual amenities of the area and or property in the vicinity, would constitute a discordant feature in the streetscape and would be contrary to the proper planning and sustainable development of the area.*

2. *The site of the proposed development is located in an area with a land use zoning objective Z1 'to protect, provide and improve residential amenities' as set out in the Dublin City Development Plan 2005 – 2011. The proposed development, by reason of its height, layout and proximity to site boundaries and adjoining property, would constitute a substandard form of development which would result in overshadowing, overlooking and have an overbearing impact in relation to the residential properties in the vicinity. The proposed development would, therefore, seriously injure the residential amenities of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.*

## **8.0 APPEAL**

8.1 There are four third party appeals by

- (i) David Brannigan, 211 Grace Park Manor;
- (ii) Marie Cole, 140 Grace Park Road and Others;
- (iii) All Hallows Area Residents Association and
- (iv) Patrick and Anne O'Connell, 420, Grace Park Manor.

The grounds of the appeal are grouped under topic headings and summarised as follows:

- **Residential Amenity**

- (i) Martanna House - changes to layout and height do not fully address previous reasons for refusal; loss of amenity due to design / proximity to Grace Park Manor; Block A loss of privacy due to number / size of windows in north elevation, notwithstanding opaque glass; will overlook townhouses if screens removed; previous refusal; Block B inappropriate mass and scale; overlooking from balconies and living room windows; visual obtrusion due to proximity and height; previous inspector considered replacement should be maximum of two-storeys; setting incorrectly described as wooded; two additional apartments materially alter proposal;
- (ii) Blocks C & D - policy in Guidelines that higher buildings sensitive to neighbours; Grace Park Manor relates satisfactorily due to set back; Block C visually obtrusive as forward and higher than Grace Park Manor; too close to Grace Park Manor; previous reasons for refusal not adequately addressed;
- (iii) Block E - 80m long and five-storeys high with balconies facing west; very close to boundary with Highfield Hospital and area of permitted nursing home / mental health facility; overlooking, overshadowing,

visual obstruction will remove required sense of seclusion and quiet;  
compromise use of adjoining property;

- **Traffic and Parking** – inadequate; must cater for occupants and visitors; query reduction from 164 spaces; new entrance undesirable; may need traffic lights; replaces attractive, tree-lined avenue; quality bus corridor on Swords Road but not Grace Park Road; road congested and narrow; no cycle lanes; cannot accommodate turning lanes; opportunity to set back boundary and widen road; main route to Beaumont Hospital; exacerbate flows; unsuitable for Grace Park Manor traffic; public transport inadequate; bus and metro over 500m; no Traffic Impact Assessment; retain pedestrian access to Grace Park Manor; omit Blocks C & D;
- **Density** - excessive for suburban area; must respect established character; poor design relative to Grace Park Manor; no clear statement of use of apartments; no consultation; not within 500m of a bus stop; no railway or metro stop in area; unsustainable development;
- **Protected Structure** – Church and part of Convent on RPS; scale, mass, bulk, height and position unsympathetic, particularly blocks C & D; height, location and scale negate pleasant setting of building; limits views to narrow corridor Conservation Officer report not addressed by Planner; earlier extensions subservient to main building; forward of protected structures, overwhelms setting removes remaining features of pleasure grounds, ignores opportunities to repair/ reuse existing footprint; relevant policy in s.15.10.2 and policy H2 of s.10.4.2; removal of trees removes special character of church;
- **Character of Area** – scale, mass, bulk, height, location of buildings do not overcome previous reasons for refusal; new wall not justified; believed to be famine relief wall; may disturb roots of mature trees; open landscape; significant feature; proximity and height detract from adjoining residential amenity; other lands in vicinity developed; almost sole remaining undeveloped site;
- **Need** – query need in view of economic downturn; premature pending housing stock review by NAMA;
- **Institutional Lands** – policy RO8 protects and ensures accessibility to public, where open space deficient; area deficient; nearest parks are Ellenfield and Marino; include pocket park for locals, future residents (see PL.29N.223196); retain best trees; most to be removed or likely to be damaged during construction;
- **Flooding** – likely to exacerbate;

## 9.0 RESPONSE OF PLANNING AUTHORITY

9.1 There is no response to the appeal from the Planning Authority.

## 10.0 RESPONSE OF APPLICANT

10.1 The applicant's response includes separate responses on (i) issues raised by the appellants, (ii) protected structures and curtilage, (iii) report by Conservation section, and (iv) traffic. The following is a summary of the responses to the issues raised by the appellants. The individual responses are grouped under topic headings as follows:

- **Residential Amenity** – Block A south of Grace Park Manor and Blocks C & D lie north; no impact on sunlight and daylight (see report); scale, proximity to Grace Park Manor expertly assessed; accords with standards; well designed, innovative and responsive solution; reduction in views not excessive; no substantive breach of standards identified; no right of view to proposed garden; different development; inappropriate to apply previous reasons recommended or given for refusal; acceptable to replace car park with two apartments; bus service passes site; Z1 zone; existing cannot sterilise development of adjoining serviced land; mix of uses complementary;
- **Character of Area** - significantly different scale and layout relative to adjoining; semi-formal, permeable, flowing open space; semi-private areas for residents; treat de novo; improves views and setting of High Park house; removes surface parking and replaces with soft landscaping; layout removes blocks in front of house and along Grace Park Road; improve relationship of Blocks A & B to adjoining; Blocks C & D east of church set in generous open space; some trees retained; supplementary planting; Block E forms informal quadrant with Church and Convent; improves spatial coherence; removes service character; achieves transition to adjoining; complies with zoning, standards and policy; appeal gives no weight to positive impact of elegant, modern design and removal of boundary wall; no appeal from An Taisce, historic or amenity body;
- **Protected Structures** – limited views available; opens up new views and vistas; substantially different to previous; no evidence that Conservation Officer's report based on site visit or scrutiny of historic maps; not feasible or appropriate to restore C18<sup>th</sup> landscape, water features; not supported by zoning policy; decision balances positive and negative impacts; central section of Convent protected; protection emphasises specific feature, not overall architectural composition, setting; church faces north; development to side; maintains formal layout of collegiate character with church; important focal point; heavy investment in its conservation, adaptation; no changes to High

Park house; boundary wall not identified as significant; blocks views of historic structure; compromised by tree roots; partially removed;

- **Traffic and Parking** – parking for residents, visitors, employees; reduced at suggestion of planning authority; can increase by condition; specialist housing alters traffic impact; lower level of car usage by over-60s; mostly outside rush hours; regular, low frequency bus service; commuter service not required; will increase demand for higher frequency service; pedestrian route through site to adjoining private lands; acceptable to roads engineers;
- **Institutional Lands** – public park inappropriate in semi-sheltered, elderly housing complex; raises privacy, noise, security concerns;
- **Density** – not in excess of norm;
- **Need** – design and location of much of the oversupply not suited to semi-sheltered, independent living and associated facilities; rapidly ageing population; specialised housing demand increasing; NAMA not embargo on new development; site bought with help of City Council to provide housing for elderly; will release existing houses in area and facilitate younger families moving in;

## 10.2 Heritage

10.2.1 In 18<sup>th</sup> century, site was occupied by country house, grounds and farm but transformed into penitentiary industrial school or reformatory, housing Magdalene women and children in C19<sup>th</sup>. Subsequently, the attendant grounds were subdivided and buildings are now set in remnant of former, landscaped parkland with mature trees along Grace Park Road and between road and building. The trees and high wall screen views of the buildings. The main building is in good repair but some ancillary building are vacant or seriously fire damaged. The development of the site has been piecemeal with much of heritage value removed and has little value as a ‘set piece’ such as Kylemore Abbey as setting and attendant ground aesthetically compromised. The Church is of some architectural significance but setting significantly changed by surface parking and the adjoining six-storey apartment block. General area changed by higher density residential development and nursing homes to north and west. Area is a transitional, edge-of-centre suburb with some institutional sites remaining. The current policy is to increase residential population whilst maintaining residential amenity and protect heritage in the context of a changing and evolving city, using sustainable solutions and innovative approaches to redundant churches. The grotto is on site of an earlier well and appears to be 20<sup>th</sup> century;

10.2.2. The church was designed by O’Neill and Byrne and completed 1880. The design combines Romanesque with perpendicular gothic, with a circular window and round-headed arch at the entrance, facing north and capped with simple belfry structure. The building is cruciform in plan with side chapels. The bays have

paired pointed arch windows emphasized with buttress piers. The interior columns support round arches and materials used include polished Aberdeen granite, stained pitched pine, white Sicilian marble, red marble, encaustic tiling, brickwork, Dalkey granite and red sandstone. The exterior is substantially unchanged but the interior was remodelled post Vatican II, when some stalls were removed, the altar relocated and remodelled and the tabernacle dismantled and reset in wall behind altar. The overall design is standard Gothic Revival and not innovative or exceptional, rather solid, workmanlike, good quality craftsmanship and materials. It represents a significant investment and expression of religious culture. It is the most architecturally significant structure on site and meets the requirements for protection. It is an objective of the City Plan to facilitate appropriate new uses of redundant places of worship.

10.2.3 The Convent building is standard Italianate classical, watered-down baroque style; common to most Irish RC institutional buildings of late C19<sup>th</sup> / early C20<sup>th</sup> with three stories plus dormer. The projecting central bay, with higher floor to ceiling heights appears to coincide with the original house and may include original wall fabric. The main block is 5-bays, symmetrically arranged, standing forward of wings of 6 bays to south and 4-bays with gabled feature to north. The interior is stark, functional, with few features of interest and no indication of former dwelling. The central section is the most important architecturally. The building is typical of its use and period and of local historical value but associations mainly negative. The fire damaged wing is best replaced by modern building.

10.2.4 Curtilage generally means the lands that visually relate to building but attendant grounds may include lands separated physically or by ownership from principle structure. At High Park these would include lands to north, west and south. There are no extant features on these lands. Historically the site was secluded and church further secluded by mature landscaped area. Main view is from front of convent. The setting has been adversely affected by modern development and subdivision of landholding. Over-restrictive application of heritage objectives would be counterproductive, unless warranted by high level of architectural significance. An appropriate balance is required as very little of the curtilage remains. The protection should apply solely to the buildings. Recommend the church is put on the RPS and a plaque erected on the projecting section of the convent;

### **10.3 Conservation Section Report – David Kelly, author of Architectural Heritage Impact Assessment**

10.3.1 Mr. Kelly disputes the report by Robert Mandal, prepared for the Planning Authority, which states that the original house was C18<sup>th</sup> century and argues that the 1816 map by John Taylor was widely discredited at the time and it is most likely that the house was constructed 1817 – 1818 by Thomas Ball. He also states that the order of ownership listed in the Mandal report is incorrect and that the house and lands were bought by the religious in 1858. The original house was

two-storey and High Park and its landscaping were not as important as Castletown House and therefore, references to Louisa Connolly are not relevant. The original house was completely integrated into the Convent. Whilst the Church should be protected, works to facilitate reuse should be reversible. He considers that it is most likely that the boundary wall was built at the same time as the dwelling and there is no evidence that it is a famine wall. The current proposal will continue a community use on site.

#### **10.4 Traffic**

10.4.1 It is the experience of Respond that the car ownership rates of occupants of elderly housing are low and most residents are not employed and do not contribute to peak hour flows. The projected peak hour car movements are 20 – 30 per hour or 1 car per 4 – 6 mins. Traffic lights are not warranted and design meets current codes of practice and safety regulation. New entrance will provide safe visibility for cars and pedestrians but is not required to meet additional traffic volumes. It was requested by the Planners to create views of High Park. The existing wayleave into Grace Park Manor is used up to 10 times / week.

#### **11.0 OBSERVER**

11.1 There are two observers – **Colin Maguire** and **Cllr. Naoise O Muiri**. There is also a letter of support from – **Sean Haughey TD**. The main points made are summarised as follows:

- **Colin Maguire, 317 Grace Park Manor** – Visual Obtrusion – scale and height of Blocks A & B inappropriate and visually obtrusive to adjoining residents of Grace Park Manor and townhouses; Overdevelopment – small site; remote from main development; requires separate assessment; very high density when site taken on its own; inappropriate, inadequate parking re location of disabled spaces; no visitor parking; contrary to use zoning.
- **Cllr. Naoise O Muiri** – Visual Amenity – height of Blocks C & D will negatively impact on visual amenities of Grace Park Road and Blocks A & B will have similar impact on The Cloisters; Traffic – impact not properly assessed.

#### **12.0 REVIEW AND EVALUATION OF THE ISSUES**

12.1 The area of the site is zoned Z1 in the Dublin City Development Plan 2005 – 2011. The proposed elderly residential housing units and associated communal facilities are acceptable in principle under the zoning objectives for the area and I consider the principal issues, raised by this appeal and the application in its own

right, are those of Density, Apartment Size and Mix, Residential Amenity, Visual Amenity, Protected Structures, Traffic and Parking and Drainage.

## **12.2 Density**

12.2.1 The site is some 4km from the city centre and on the northern edge of the inner suburb of Drumcondra. It is national policy to encourage more sustainable development through the avoidance of excessive suburbanisation and through the promotion of higher densities in appropriate locations [Guidelines on Sustainable Residential Development, 2009]. Chapter 5 sets out guidance on densities appropriate to different areas within cities and larger towns. They recommend:

- Minimum densities of 50 dwellings / hectare within 500m walking distance of a bus stop or 1km of a light rail stop or rail station, subject to adequate capacity.
- Unspecified higher densities on infill, inner suburban sites, where a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill; and
- Average net densities of at least 35 – 50 dwellings per hectare on institutional lands in suburban locations, however as such lands are often characterised by large buildings set in substantial open lands, they recommend that where there is no Local Area Plan, a masterplan is prepared, in order to concentrate units at higher densities of up to 70 dwellings/hectare in selected parts, to protect the open character of the site and / or provide open space for the wider community.

12.2.2 These national policies are reflected in the City Plan in Policies Res 1 – 3 and s.15.3.0 which promote higher densities within the walking catchment of public transport to optimise use of urban land. Densities in excess of 50 units / hectare subject to qualitative standards in outer city locations are recommended but the final density will be dependent on the scheme design and location, and all designs must address the scale and character of the receiving environment. In particular, the Plan states that where schemes adjoin protected structures, lower densities may be appropriate in order preserve the special characteristics of the area.

12.2.3 The revised plans submitted are for 142, one and two-bedroom apartments for the elderly, on an overall site area of 2.36ha, which is a proposed density of 60 units/ha. This is gross density for the site. However, the former convent currently provides offices and education facilities operated by the applicant as well as hostel accommodation for 42 residents and these uses will continue in the future. I estimate that the area occupied by this building is some 3,750m<sup>2</sup> and, if excluded, gives a net density of 71 units/ha. The adjoining, permitted development at Grace Park Manor [PL.29N.120721] comprises 136 apartments

and 4 townhouses on 2.6ha, a density of 52.3 units/ha, whilst the older two-storey, semi-detached dwellings in the wider area are typically at much lower densities.

12.2.4 There are no indicative densities, plot ratios or site coverage for Z1 zones in the City Plan. The site is on the edge of the inner suburban area of Drumcondra and was formerly institutional lands. The limited bus services on Grace Park Road no longer appears to be operational as the poles no longer support Dublin Bus signs and there is no service given on their website. Bus services are available on Collins Avenue, Swords Road and Griffith Avenue and Swords Road is a Quality Bus Corridor linking the city centre to the suburbs. The western boundary of the site is just over 200m from the Swords Road but there is no direct route and the walking distance from the proposed new entrance to the Swords Road is c.700m whilst Collins Avenue is c.360m and Griffith Avenue c.500m.

12.2.5 Taking into account the size of the site, its former institutional use and the higher density developments constructed on adjoining sites to the south, I consider that higher density development is acceptable in principle on the site under national and local policies but have reservations that the density proposed for the site may be unduly high in view of the distance to public bus services, particularly the Swords Road, together with the lower densities permitted on adjoining sites, the low-density character of the wider area, the fact that the front section of the former convent and the disused church on site were added to the Record of Protected Structures in February 2010 and a significant section of the original landholding has been developed and lastly, the fact that the site is former institutional lands, where large buildings are located on open lands.

### **12.3 Apartment Size and Mix**

12.3.1 The proposed development is for a mix of one and two bedroom apartments providing housing for the elderly. The new s.15.9.2 of the City Plan sets out ratios for apartment mix in housing schemes but states that these do not necessarily apply to particular housing developments, such as ones for older people. It is an aim of the housing strategy to provide suitable accommodation to meet the housing needs for the elderly and to work in partnership with statutory and other organisations to meet the needs of this group [Appendix 2, s.2.4.15]. The revised proposals are for 79, 1-bed apartments and 63, 2-bed apartments, together with day facilities on the 5<sup>th</sup> floor of Block E and communal facilities in the chapel. In view of the nature of the proposed development, I consider that the proposed apartment mix is acceptable.

### **12.4 Residential Amenity**

12.4.1 The development raises issues of both existing and proposed amenity.

#### **12.4.2 Proposed Residential Amenity**

12.4.2.1 The Guidelines on Sustainable Urban Housing: Design Standards for New Apartments, 2007 set out standards for the design and layout of new apartments,

including minimum floor areas, room sizes and room widths, storage requirements, balcony sizes as well as refuse storage, shared circulation areas, drying facilities, parking, communal and private open space, access to daylight and sunlight, accessibility and safety and security. They recommend that a significant number of apartments in a scheme should exceed the minimum. Variation 21 of the City Plan is based on the Guidelines but recommends higher minimum floor areas, a minimum floor to ceiling height of 2.7m and sets ratios for the mix of apartment sizes.

- 12.4.2.2 All the proposed apartments, except for the single beds in Blocks A and B are dual aspect. Most of the apartments have a ceiling height of 2.7m but the apartments in Blocks A and B have 3m. The apartments, rooms and balconies all meet or exceed the minimum standards required by the planning authority and generally meet the minimum storage requirements. In Blocks A and B, all the living rooms and most of the bedrooms face south. In Blocks C and E most living rooms face east and bedrooms face west and in Block D most bedrooms face east and most living rooms face west. Blocks A and B are three storey and one lift and stairwell serve the three apartments on each floor. Blocks C and D are five storeys with glazed atriums on their facing sides, through which corridors provide access to each apartment as well as a small meeting zone on each level. On each level, five bedrooms in Block C and four in Block D overlook the atrium. Block C has two lifts serving the nine apartments on each level and Block D has one lift and two stairwells serving the seven apartments on each level. Block E is also five-storeys but with Day Centre facilities on the fifth storey. There are eleven apartments on each floor. Four of the five lift / stairwells provide access to two apartments and the fifth serves three.
- 12.4.2.3 Most of the apartments have a single area of private open space, in the form of either a winter garden or balcony/terrace, accessed from the living / dining room. In Block E, most apartments have a second balcony off the west facing, bedrooms, overlooking Highfield Hospital. I consider these secondary balconies are not necessary and recommend that they are omitted in view of their proximity to the site boundary. In four apartments in both Blocks C and D, the balcony is only accessible from a bedroom, although it abuts the living room.
- 12.4.2.4 Overall, the proposed apartments comply with the recommended standards of the Guidelines and Variation 21 of the City Plan. My principal concerns with regards to proposed residential amenity are:
- (i) The inadequate light penetration to the north facing bedrooms on the ground floor of Block 'A', particularly in Unit 1, due to its proximity to the boundary wall with Grace Park Manor. The separation distance is stated as 1.42m [D02/03/P26] and the top of the wall as 2.3 – 2.5m above ground level [D02/03/003 – site survey];

- (ii) The loss of aspect due to the use of opaque glazing in the north facing bedroom windows in Block 'A', which is required to prevent overlooking, from / to the apartments in Grace Park Manor;
- (iii) Loss of privacy due to overlooking of a significant number of bedroom windows (45) from the access corridors (decks) in Blocks 'C' and 'D', most of which are within 1 – 1.5m of the access way;
- (iv) The inadequate number of lifts and stairwells to serve the apartments on the upper floors of Blocks 'C' and 'D'. I note that the planning authority recommends a target of two apartments per lift / stairs core and limited use of deck access and consider the substandard provision is particularly inappropriate in an elderly housing scheme;
- (v) Overlooking between the living rooms of proposed units in Block E and existing, west facing, residential accommodation in the southern section of the existing building. The separation distance to the proposed balconies is stated as 12.6m and the separation distance to living rooms will be 14.1m. Overlooking between existing, south-facing residential accommodation is addressed by the use of high level bedroom windows in the northern elevation of Block E.

### 12.4.3 Existing Residential Amenity

12.4.3.1 I consider there is adequate separation between the apartments in Block 'C' and the facing dwellings on Grace Park Road (c.49 – 50m) and with the apartments in Grace Park Manor, as well as between the apartments in Block 'B' and the facing dwellings in The Cloisters (c.43 – 49m) to ensure no loss of residential amenity as result of overlooking or overshadowing. I consider that issues of overlooking from the balconies in Block 'A' of private open space attached to the townhouses in Grace Park Manor is addressed by the insertion of adequately sized, side screens in the revised plans received on the 3<sup>rd</sup> of June.

12.4.3.2 Existing residents of the convent building currently have access to extensive open space, which will be restricted by the proposed development and I would be concerned that Block E both restricts the development of appropriately sized, open space to cater for existing occupants and the overlap between the buildings will result in overshadowing and loss of daylight and sunlight to existing occupants. I would recommend that the two northern sections are omitted.

## 12.5 **Visual Amenity**

12.5.1 The majority of development off Grace Park Road is two-storeys. Grace Park Manor is part five and a half and part four and half-storeys. The external finishes combine red brown and yellow brick with painted render. The gables facing the public road are between 16m and 22m high but are some 44m from the edge of the public footpath and 66.5m from the opposing dwellings. The

separation distance, together with the high boundary wall and planting on the site, ameliorates the scale and mass of the building.

- 12.5.2 The ridge height of Block C will be 16.8m and at its nearest point, the building will be 27m from the edge of the footpath and 48m from the opposing dwellings. The design of the proposed apartments uses extensive glazing together with painted rendered walls, Trespa cladding and timber screens and louvers which, together with the stepped building line and the recessed stairwells, will ameliorate the mass and scale of the building. The proposed wall and railings will open up views of both developments, but views will be softened by the retention of existing trees and additional planting. Whilst Block C is significantly lower than Grace Park Manor, its apparent height will increase due to its proximity to the road but, as the mass of the building is broken by the recessed entrances and the building curves away from the road to the north, I consider the level of visual impact will be similar to Grace Park Manor.
- 12.5.3 Blocks A & B are south facing and will replace the two-storey, L-shaped Martanna House. The main ridge of Martanna House is 9.5m high and drops to 8.24m on the rear section, where there are a number of first floor windows facing south. The lands within the site are higher than the adjoining development at The Cloisters and the first floor and roof of Martanna House are visible above the 2m boundary wall. The building is somewhat higher than the adjoining dwellings and townhouse. Blocks A and B are staggered with Block A close to the northwest boundary and Block B to the southeast. Both have south facing balconies overlooking The Cloisters. The main wall of Block B varies from 3.5m to 5m from the boundary and the balconies will be 3m. Both blocks have a ridge height of 11.2m. Block B will be closer to the boundary wall and significantly higher than Martanna House. I consider it will be unduly visually dominant and overbearing, as viewed from The Cloisters, due to its proximity, design and height and recommend that the third storey is omitted from both blocks. I noted the four-storey apartments at The Hamptons, west of The Cloisters, but found that these are not visually overbearing due to their location, set back and orientation.

## **12.6 Protected Structures**

- 12.6.1 Since the application was lodged and prior to the decision of the planning authority, the church and projecting section of the 'convent' have been included on the Record of Protected Structures. The report by the Conservation Officer on the application draws on the Additions Report prepared by Robert Mandal, a Conservation Architect, for the planning authority (received by Board 12<sup>th</sup> Nov. extant buildings on site include late C19th additions, the chapel, laundry buildings, two-storey farm building (not within appeal site) and remnants of the historic landscape. The report states that the site is of historic interest but the open aspect has been damaged by recent residential development and recommends the inclusion of the chapel on the RPS and the exterior only of the original house. It recommends that the three-storey buildings to the north and

the farm building are included within the curtilage, which is defined as the lands immediately surrounding the protected structures (p.7, report).

- 12.6.2 In his report, the Conservation Officer recommends that the development is refused for the following reasons
- (i) Building across original C18th block not justified particularly as fire damaged section were arranged in a subservient fashion to central block;
  - (ii) Scale and position of development overwhelms setting of core building. C19th century institutional uses preserved landscape by providing compact but subservient development in the context of the core buildings; extensions placed to the rear of main façade and chapel placed adjacent;
  - (iii) Setting not fully assessed; original setting of C18th house shows pleasure ground with grotto (well), sheet of water and waterfall and carefully placed trees to enhance approach; likely that landscape scheme influenced by similar water feature at Castletown House, introduced by Lady Louisa Connolly;
  - (iv) Substantial development undertaken on landholding to either side of core building, at expense of buildings and landscape features; substantial new build forward of main structure contrary to best practice and removes remnant of late C18th / early C19th landscape;
  - (v) Need to replace boundary wall not demonstrated.
- 12.6.3 Both the architectural assessment submitted with the application and the response to the appeal, by the same author, conclude that the original dwelling purchased by The Sister of Our Lady of Charity of the Refuge is C19th. The initial report concluded that the dwelling was built after 1821 and replaced an earlier house, further west on the landholding but the response concludes that the house was likely built by Thomas Ball c.1817 – 1818. An overlay of the current buildings and the dwelling shown on the 1837 OS map indicates that the dwelling was retained and incorporated into the Convent and all new building, including the southern and northern ranges, were built to the rear of the original house. The chapel is in line with the original dwelling but the side chapel lies forward.
- 12.6.4 The walled garden to the north of the dwelling and the lake east / northeast of the dwelling are features of the grounds in the immediate vicinity of the dwelling in the 1837 and 1867 map, but are no longer extant by 1907. All the maps from 1837 – 1937, show extensive landscaping in the vicinity of the dwelling and the new chapel but by 1907, St. Mary's Asylum is a significant feature, absorbing most of the southern half of the original grounds. Landscaping in the vicinity of the grotto is a feature of maps from 1937 forward. It is not clear from the maps or reports, when the boundary wall to Grace Park Road was constructed but I noted on inspection that much of it has

been removed and replaced by unsightly hoarding. St. Mary's Asylum was replaced by Grace Park Manor apartments in 2000 and Beech Park Nursing Home built on the walled garden and part of the front lawn attached to the original house.

12.6.5 The site now comprises the convent building, which is believed to incorporate the earlier dwelling and chapel, the modified avenue and part of the original landscaped grounds east of the buildings. There are a large number of mature trees on both sides of the avenue, east of the chapel and along the eastern boundary. The majority of trees on the site are described as of low or poor quality in the Tree Survey. A lot of the trees on site are evergreen but there are several, good quality deciduous trees, in particular two close to the boundary with Grace Park Manor and one on the eastern boundary. The construction of Blocks C & D requires the removal of the majority of the trees but the two mature trees are to be retained between Block D and Grace Park Manor as well as trees along the Grace Park Road, a number of which are low quality trees. I would have reservations that their retention will be successful, due to proximity to proposed works, including the car park entrance, new street entrance and new boundary wall,.

12.6.5 The policy of the Planning Authority on development within the curtilage and setting of protected structures is set out in s.15.10.2 of the City Plan and requires that an assessment of an application, gives consideration to:

- The protected status of the structure and the need to protect its special character;
- The various elements of the structure which gives the protected structure its special character and how these would be impacted on by the proposed development;
- Proximity of any new development to the main protected structure and any other buildings of heritage value, and
- The design of the new development, which should relate to and complement the special character of the protected structure.

12.6.6 It further states that quality design will be critical with particular emphasis on siting, building lines, proportions, scale, massing, height, roof treatment and materials. Contemporary buildings are not precluded but materials should be appropriate to the locality and sympathetic to the existing buildings. Proposals should include an appraisal of the wider context of the site or structure and examine the impact of the design on the proposal including the grain of the historic context, sensitivity to scale and context and views and complement the setting of the protected structure.

- 12.6.7 The convent building has a strong vertical emphasis with rendered walls with quoins and details to windows, doors and parapets the west facing elevation, together with northern range is brick built with decorative yellow brick quoin surrounds to openings. The southern range and the northern section of the north range are later. The walls of the chapel are faced with Dalkey granite in a rusticated style with cut stone work of red sandstone. The main views of the convent are from the east, whilst the chapel is largely screened by existing vegetation and is only partially visible from the front of the main building. The brick work to the rear of the convent building is attractive in views from the west but is marred by the extensive derelict buildings.
- 12.6.8 The main ridge of the convent building is 47.95m long and the ridge height at the northern end is c.17.8m. The projecting section is 18m wide and the ridge height is c.15.5m high. The recessed, fire damaged section on the southern side, extends the front elevation by a further 12m. The northern range is the same height as the main building and some 47m long. The southern range is 29.9m long and would have had a similar or slightly lower, ridge height. The church is 29.6m long and the central section is 24.4m wide. The main ridge is 13.94m high.
- 12.6.9 Blocks C and D are located east of the church and the southern wing of the main building. It is proposed to remove all trees and vegetation except for the two trees close to Grace Park Manor. Both blocks are five-storey with a maximum ridge height of 16.58m. The design is modern with extensive glazing. The entrance road to the basement car park will separate Block D from the protected structures. At its nearest point, Block D will be 16.5m from the church and 20m from the projecting section of the convent and 29m from the northern site boundary and 26m from Grace Park Manor. Block E is of a similar height and design and located to the rear of both buildings and will be a minimum of 12.6m from the convent and 17.02m from the chapel.
- 12.6.10 The new entrance road will be located close to the northern boundary, directly opposite the projecting, protected structure and will curve northwards on its approach to the buildings. There is a narrow green strip to its north and hard landscaping to its south, in front of the buildings. The entrance will open up direct views of the protected structure/main building but most views from the public road will be of Grace Park Manor and Block C. The design and layout of the development is based on the concept sketch 1 in s.3.2 of the Design Statement submitted with the application, which states that the design aims to be respectful of the context and history of the site, to maintain the discrete and tree-screened character of the site and develop an architectural form and mass that relates to the existing buildings. It also states that the self effacing design will be a positive addition to the varied styles of residential and institutional buildings in the area, and will allow the existing buildings on site to dominate.
- 12.6.11 The proposed layout absorbs a significant amount of the current open space east and west of the protected structures and the level of building is significantly

larger than the area indicated in the sketch. Whilst the removal of vegetation and the southern range will open up views of the chapel, I consider the overall scale and height of development in relation to the protected structures will overwhelm their setting and the high density and urban character of the build together with their proximity to the protected structures will be visually intrusive and detract from their special character, as viewed from both the east and west. Whilst I acknowledge that the original grounds have been substantially modified over the years, with extensive new build on over half of the original site and much of the original landscaping removed, I consider the extent of additional development, now proposed, is excessive and substantially removes any parkland setting. I consider the loss of openness is not appropriate and find no evidence that the overall layout and design has been designed to complement the special character of the protected structures, their curtilage and setting and consider that there is little evidence of architectural conservation expertise in formulating the proposals and assessing their impact.

- 12.6.12 Part of the proposals is to renovate the chapel and convert it to communal uses. I consider the reuse of the chapel for communal purposes is welcome and in keeping with the conservation principle of keeping a building in use. It is proposed to extend the small organ loft on the first floor over part of the main nave and insert floors over the side chapels, but set back from the side windows. It is proposed to provide a coffee shop and associated kitchens, office, multipurpose room, conference room and meeting room(s) and WCs on the ground floor and offices, meeting room and further WCs on the upper level, with a lift in the entrance hall and two new stairwells on either side of the sanctuary.
- 12.6.13 There are a number of discrepancies between the existing floor plans and elevations submitted and the proposed floor plans do not clearly distinguish between existing built fabric and proposed works and no elevations of the proposed changes are included. From my examination of the plans and elevations, I consider the proposals include a number of new openings in the main walls of the chapel, two off the sanctuary and a further two, west of the sanctuary. One of these will utilise an existing window. Further west, in the single-storey section, a new window will replace an existing door. It is also proposed to replace a door with a window in the northern elevation and to replace the double doors at the entrance with a single door. In the west elevation, three windows are shown serving the WCs but, whilst no windows are shown at this location in the floor plan, the existing west elevation shows a pair of windows. It is also proposed to erect a single-storey, glazed reception and sitting area, together with a four-storey stairwell and lift shaft in the area of the southern range. The reception area will link the main building to the chapel, whilst the stairs and lift shaft will provide an additional means of access to the upper floors of this building.
- 12.6.14 I have reservations about the extent of the interventions proposed in the external walls and to what extent they are necessary. I also consider clarity is required

as to the exact works proposed, particularly the fenestration for the ground floor toilets. There is also no written statement as to how the works will be carried out, what restoration works will be undertaken, what materials will be used or how the works will be supervised or any evidence that the design has been prepared in accordance with best conservation practice. Lastly, I would be concerned about the visual impact of the reception area and proposed four-storey stairwell/lift. I consider the latter will take away from the setting of the chapel and could be provided elsewhere and locating the reception area in front of the main elevation of the chapel will detract from the protected structure and consider these could be located on the south facing gable wall of the main building, with a covered walkway linking to the chapel.

## **12.7 Traffic and Parking**

- 12.7.1 The site is within Area 3 for purposes of calculating parking requirements. The planning authority requires a maximum of 1 parking space per 2 dwellings for elderly person dwellings/ warden supervised dwellings / sheltered housing within this zone and, that at least 4% of the spaces are for the disabled. There are currently 35 surface spaces in front of the main building.
- 12.7.2 The current entrance to the site is located in the southeast corner of the site, close to the controlled junction serving The Cloisters / Sion Hill Road. It is proposed to restrict use of this entrance solely to vehicular traffic generated by Blocks A & B, as well as the existing restricted use for emergency vehicles entering Grace Park Manor and to create a new vehicular entrance at the northern end of road frontage, directly facing the main building, to cater for traffic generated by Blocks C, D & E and use of the existing building. Pedestrian traffic will use both entrances. The proposed Blocks A & B contain a total of 18 apartments and it is proposed to provide 16 surface parking spaces, of which one is restricted to the disabled. This exceeds the requirement for a total of 9 spaces. It is also proposed to relocate the vehicular access to the northern end of the existing entrance.
- 12.7.3 On the balance of the site it is proposed to provide 88 spaces in a basement car park underneath Blocks C & D, of which 6 are for the disabled and a further 3 disabled spaces in front of the main building. This is a total of 91 spaces to cater for the existing building and 124 apartments, based on a requirement of 62 spaces for the apartments and 29 spaces for existing. I consider the parking proposed has not taken into account the additional staff requirements which will arise from use of the chapel building and the communal facilities in Block E and the lack of public transport on Grace Park Road. The level of basement parking on site was reduced at the request of the planning authority. I consider the level of parking can be increased and can be addressed by condition.
- 12.7.4 The new entrance is located approximately halfway between the controlled junctions serving The Cloisters/ Sion Hill Road to the south and High Park/ Grace Park Heights to the north. Grace Park Road is a two lane road that is a

feeder route between the city centre and Beaumont Hospital and can be extremely congested during rush hours but outside these hours, I observed that traffic flows are reasonable. The proposed development is significantly different to the previous proposal, as it is an elderly housing scheme and the increase in rush hour traffic will be relatively small. I note that there is no objection to the proposal from the Roads and Traffic division and all their concerns were addressed satisfactorily in the revised plans submitted.

## **12.8 Drainage**

- 12.8.1 I note that the Drainage section of the City Council have no objection to this development, subject to a number of conditions, including that all internal basement drainage must be pumped to a maximum depth of 1.5m below ground level before being discharge by gravity and that drainage is to be on a completely separate public foul and surface water system and incorporate a sustainable drainage system, with all surface water attenuated to two litres per second per hectare. The developer must carry out a floor risk assessment to be submitted and agreed with the City Council prior to commencement of works on site. I consider that these conditions along with other associated conditions will adequately address any drainage concerns within the site or on adjoining lands as a result of the proposed development.

## **13.0 CONCLUSION**

- 13.1 Based on my assessment of the issues raised by this appeal, I consider that the development as proposed is unacceptable in terms of existing and proposed residential amenity, particularly with respects to elements of the design of Blocks C, D, and E. I also find that the layout and scale of Blocks C, D and E and their proximity to the protected structures will be visually obtrusive and detract from the setting and special character of these buildings and substantially remove any curtilage or setting for the buildings. I do not consider that the issues of scale, layout and design in relation to the protected structures or the inadequacies in the layout and design of Blocks C and D with respect to residential amenity can be resolved by condition.

## **14.0 RECOMMENDATION**

- 14.1 I recommend a refusal for the following reasons and considerations.

## REASONS AND CONSIDERATIONS

1. Having regard to the protected status of two buildings on the site and the scale, height and footprint of the proposed development to the east and west of these buildings, it is considered that the proposed development would materially and adversely affect the character and setting of the protected structures and set an undesirable precedent for similar high density development elsewhere. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to Variation 21 of the current Dublin City Development Plan, adopted on the 3<sup>rd</sup> day of December, 2007, and the Sustainable Housing: Design Standards for New Apartments Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in September, 2007, it is considered that the proposed development would constitute a substandard form of development due to the substandard level of access to a large number of the apartments.
3. Having regard to Variation 21 of the current Dublin City Development Plan, adopted on the 3<sup>rd</sup> day of December, 2007, and the Sustainable Housing: Design Standards for New Apartments Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in September, 2007, it is considered that the proposed development would result in an unacceptable level of residential amenity of future occupants, by reason of the overlooking from communal access ways and by reasons of overlooking between proposed and existing residential accommodation due to inadequate separation distances.

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Jenny Kelly  
Planning Inspector  
18<sup>th</sup> November 2010