

DEPUTY PLANNING OFFICER

APPLICATION NO. 3326/18
PROPOSAL Planning Permission is being sought for: 1) Demolition of existing two-storey return and single-storey garage to rear (total area 801 sq.m). 2) Construction of 2 no. three-storey, 2 bedroom townhouses to rear, (areas:73.8 sqm & 73.9 sqm) each with recessed entrance patio off Seville Terrace. Third storey to be set back to provide private terraces. 3) Internal alterations to existing two-storey building to comprise: 1 no. commercial unit (area 43.5 sq.m) at ground floor level with pedestrian entrance off North Strand Road and 1 no. 2 bedroom duplex apartment above (area: 81 sqm) with entrance off Seville Terrace. Proposed third storey to be set back to provide a private terrace. 4) All associated site and development works.

LOCATION 174, North Strand Road, Dublin 1
APPLICANT Robert Morgan 26, Clontarf Road, Clontarf, Dublin 3
DATE LODGED 21-Jun-2018
ZONING ,
APPLICATION TYPE Permission

SD / SD**13 August 2018**

Site Notice: site notice in situ and legible on date of inspection 19/07/2018, as per submitted plans.

Pre Planning Meetings(s): None

Zoning & Policy:

Under the Dublin City Development Plan 2016-2022, the application site is designated Zoning Objective Z5: 'To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity'

Development Plan Policy

Section 14.1: Zoning Principles

Section 14.3: Policy Approach (Land Use Zoning)

Section 14.8.5: Z5 Zoning Objective

Section 16.7: Building Height in a Sustainable City

Section 16.10 Residential Standards

Section 16.24.2 Shopfronts

Site Description:

The site is situated on the corner of North Strand Road and Seville Terrace, and is occupied by a two-storey end-of-terrace building with its main frontage to North Strand Road. The building is one of a row of three which have retail/commercial units at ground floor level. The ground floor unit on the site is currently vacant. The existing building has a flat roof with decorative railed parapet, in a similar style to the other two buildings on the terrace. The site has a stated area of 143m². It is stated that the existing building on the site also has a floor area of 143m². The existing building also has an entrance onto Seville Terrace, which consists of single storey houses and rear garages of houses on Seville Place. On the opposite side of Seville Terrace are two single storey

dwellings facing North Strand Road. There is an existing permission (under Reg. Ref. 2882/15) for the construction of a five-storey building with a total gross floor area of 955m², consisting of a 98m² retail unit on the ground floor and ten one-bedroomed apartments on the upper levels. The site faces a triangular area which adjoins the junction known as the Five Lamps, at the intersection of Seville Place, Portland Row, North Strand Road and Killarney Street. Aldborough Parade is situated to the north of the terrace and beyond that is the four-storey Marino College of Further Education.

Proposed Development:

Planning Permission is being sought for:

- 1) Demolition of existing two-storey return and single-storey garage to rear (total area 801 sq.m).
- 2) Construction of 2 no. three-storey, 2 bedroom townhouses to rear, (areas:73.8 sqm & 73.9 sqm) each with recessed entrance patio off Seville Terrace. Third storey to be set back to provide private terraces.
- 3) Internal alterations to existing two-storey building to comprise: 1 no. commercial unit (area 43.5 sq.m) at ground floor level with pedestrian entrance off North Strand Road and 1 no. 2 bedroom duplex apartment above (area: 81 sqm) with entrance off Seville Terrace. Proposed third storey to be set back to provide a private terrace.
- 4) All associated site and development works.

Planning History:

Reg. Ref. 3850/16: Permission refused for alterations to the existing two-storey building on the site to include provision of an additional storey onto North Strand Road and alterations, described as minor, to the Seville Terrace façade with partial demolition to the rear and construction of a three-storey building with a total gross floor area of 390m², comprising an office unit (35m²) and a one-bedroomed residential unit (54m²) at ground floor level, two one-bedroomed apartments (54m² and 55m²) at first floor level and two (52m² and 53m²) at second floor level. The proposal includes provision of eight bicycle spaces and ancillary plant/storage rooms at ground level with a pedestrian entrance to the office off North Strand Road, access to the residential units and a separate entrance to the refuse store from Seville Terrace with associated works.

Reg. Ref. 3366/17: Permission refused for demolition of existing two storey return and single storey garage to rear (total area 80sqm). 2) Construction of a three storey extension to rear (third storey to be set back from existing building lines on all sides) (area 199 sqm) Proposed development to comprise; 1 no. commercial unit (area 34sqm) at ground floor level with pedestrian entrance off North Strand Road and 1 no student residence. 3) Internal alterations to existing building. Student living accommodation to include; new entrance from Seville Terrace, Communal living area (set back from Seville terrace), laundry room, guest toilet, bin store & bicycle store on ground floor, 3 no. en-suite single study bedrooms and 2 no. en-suite twin study bedrooms with shared balcony on first floor, 2 no. en-suite single study bedrooms & private balconies and 1 no. en-suite twin study bedroom with private balcony, and plant area on second floor and 4) all associated site and development works.

Observations:

Third Parties: None

Interdepartmental Reports

Report received from Drainage Division dated July 17th 2018 has no objection subject to conditions.

Consultee's/Interested Parties:

Submission received from Transport Infrastructure Ireland which states that the proposed development falls within an area set out in the Luas Red Line Docklands Extension Section 49 Levy Scheme. If the application is successful and not exempt it is requested that a Section 49 Levy be applied.

Planning Assessment:

Under the current Dublin City Development Plan (2016-2022) the site has zoning objective Z5 – ‘to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity’. Section 14.8.5 of the plan states that the primary purpose of the zoning is ‘to sustain life within the centre of the city through intensive mixed use development’ and ‘to provide a dynamic mix of uses, which interact with each other, help create a sense of community and which sustain the vitality of the inner city both by day and night’. It is stated that, ideally, the mix of uses should occur both vertically through the floors of the building and horizontally along the street frontage. A general mix of uses including residential is desirable; however, retail should be the predominant use at ground floor level on principal shopping streets. The indicative plot ratio for sites with Z5 zoning is between 2.5 and 3.0 while indicative site coverage is 90%. The proposal provides for a plot ratio of 2.15 and site coverage of 100%.

The proposal is for a commercial unit at ground floor level fronting onto North Strand Road with two townhouses to the rear and a duplex apartment at first and second floor level over the commercial unit. The nature of the proposed commercial unit is not stated; however, it would provide for an active use at street level and would be acceptable in principle within the zoning.

It is noted that there is a previous refusal of permission on the site for alterations to the existing building and construction of a three-storey extension to the rear to provide for an office unit and five apartments. The reasons for refusal related to residential amenity concerns for the apartments, visual impact of the proposed extra storey and impact on the development potential of the unit to the north of the site (No. 173). A further previous refusal related to a similar proposal which included the construction of a three storey building to the rear to provide for apartments.

The proposal also provides for a rear extension, which would be two-storey with a setback third storey which would also extend over the main building. The third floor extension would be set back 1m from the rear boundary at top floor level and set back from the southern site boundary to provide for balconies and from the decorative railings to the front by 2.7m. Other than these setback areas the proposal provides 100% site coverage. The proposed finish of the extension (including setback) would be contemporary in appearance, with a metal cladding to the third floor and a mix of glazing and a nap plaster finish along the Seville Terrace elevation behind the existing brick main building. It is considered that the additional setback storey could be considered, subject to an acceptable quality of materials, having regard to the inner city location and the pattern of development in the immediate vicinity. The nap plaster element should be omitted and replaced by a render finish to be self-finish in a suitable colour and should not require painting. This could be dealt with by way of condition. A concern in the previous refusal (reg. ref. 3850/16) related to the impact on the development potential of the unit to the north of the site (No. 173). The scale and massing of the current application is significantly reduced with the set back from the parapet, retention of chimneys and railings and the sloped roof of the third floor extension away from the shared boundary lessens the impact on the property to the north. The existing unit is one of a terrace of three two-storey units which have streetscape value. There is a similar terrace of two units on the opposite side of North Strand Road (No. 6), where an additional storey has been permitted and constructed in the space behind the parapet across the two units. In that case the additional storey is contained within a pitched roof and is not visible above the parapet when viewed from the street below. There is an existing permission (under Reg. Ref. 2882/15, above) for a five-storey development on a larger site on the opposite corner of Seville Terrace and North Strand Road. Having regard to the variety of building heights in the vicinity, the proposed development would not adversely impact the streetscape or on the terrace.

The drawings show a new painted timber shopfront and signage; however, these are not mentioned in the description of development or in the public notices. In the event that permission is granted a condition relating to the type of materials to be used should be attached requiring signage to be painted on to the fascia or pin mounted to a depth not exceeding 400mm.

Section 16.10 of the development plan sets out the planning authority’s policy on new residential development. It is stated that in the case of refurbishment schemes the standards may be relaxed in circumstances including the development of historic buildings, living over the shop projects, tight urban infill developments and in the city regeneration area designated under the Living City initiative. In these cases standards may be relaxed subject to the provision of good quality accommodation and where the proposal secures the effective usage of underutilised accommodation. In these cases it must be satisfactorily demonstrated that the internal design and

layout are closely aligned to the specific needs of the intended occupiers. The Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities for minimum floor area apply.

The application proposes;

2 No. 2 bed own door townhouse fronting Seville Terrace – 74sqm

1 No. 2 bed apartment – 81sqm

Minimum Floor Areas

All floor areas are above the minimum floors areas sets for 2 bed apartments set in Section 3.0 of the Sustainable Urban Housing: Design Standards for New Apartments, March 2018(i.e. sq.m. for 2 bed units).

Dual Aspect Ratio

The amount of sunlight reaching an apartment significantly affects the amenity of the occupants. It is acknowledged in urban schemes it is not always possible to achieve dual aspect orientation of the majority of apartments. The proposed townhouses are single aspect although the aspect is southerly which is considered acceptable. The apartment unit would have a dual aspect with living areas facing west at first floor level and the bedrooms having a south and westerly aspect.

Private Open Space

Private open space shall be provided in the form of patios/terraces for ground floor units and balconies at upper levels. At ground floor level it is required that the private amenity space shall incorporate boundary treatment appropriate to ensure privacy and security.

In this proposal the ground floor of the townhouse face onto Seville Terrace with a patio area which is recessed which has a dual function to provide for bin enclosure area and also to act as a buffer from the lane for the bedrooms at this level. The patio areas are 1.5-2m in depth and are screened.

At the second floor set back level balconies are provided off the bedrooms of the units. In general, all balconies are above the minimum standards and are considered acceptable in terms of depth and overall area. Ideally in new build schemes balconies should be situated off living spaces rather than bedrooms. However, in this regard to provide terraces off the living spaces would compromise the overall layout of the units and it is considered that the proposed arrangement provides for an acceptable level of amenity for future occupiers.

Floor to Ceiling Heights

Minimum floor to ceiling height must accord with the Building Regulations Requirement of 2.4m and the proposed units would have a floor to ceiling height of 2.4m.

Storage

The minimum storage requirements for new apartments as specified by in Appendix 1 of the 2018 Design Standards for New 2 bedroom Apartments is 6m². Internal to the townhouses including the entrance patio area a total of approx 7m² of storage space would be provided for each unit. The two bedroom apartment unit would have approx 6m² of storage space.

In general, the three units would provide a good level of residential amenity for future residents and meet the quantitative and qualitative standards set out. Each unit has dedicated space to accommodate a bicycle.

Appropriate Assessment:

None submitted. Having regard to the nature and scale of the proposed development and the proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

Recommendation:

Having regard to the zoning provisions of the current Development Plan, it is considered that the proposed development would not injure the amenity of property in the vicinity, and subject to compliance with the conditions set out below it is considered that the proposed development

accords with both the City Development Plan and the proper planning and sustainable development of the area.

It is recommended that Planning Permission be **GRANTED** subject to the conditions set out below

1. Insofar as the Planning & Development Act 2000 (as amended) and the Regulations made thereunder are concerned, the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2. The developer shall pay the sum of €7,776.00 to the Planning Authority as a contribution towards expenditure that was and/ or is proposed to be incurred by the Planning Authority in respect of public infrastructure and facilities benefitting development in the administrative area of the Authority as provided for in the approved Section 48 (Planning and Development Act 2000 as amended) Contribution scheme for Dublin City Council.

The amount due is payable on commencement of development. Phased payment of the contribution will be considered only with the agreement of Dublin City Council Planning Department. Applicants are advised that any phasing agreement must be finalised and signed prior to the commencement of development.

Reason: It is considered reasonable that the payment of a development contribution should be made in respect of the public infrastructure and facilities benefitting development in the administrative area of the Local Authority.

3. The developer shall pay the sum of €6,000.00 to the Planning Authority in respect of the LUAS C1 Line Scheme. This contribution shall be paid prior to the commencement of development or in such a manner as may otherwise be agreed in writing with the Planning Authority.

The amount due is payable on commencement of development. Phased payment of the contribution will be considered only with the agreement of Dublin City Council Planning Department. Applicants are advised that any phasing agreement must be finalised and signed prior to the commencement of development.

Reason: It is considered reasonable that the payment of a development contribution in respect of the public infrastructure and facilities benefitting development in the Luas C1 line area as provided for on the Supplementary Development Contribution Scheme made for the area of the proposed under Section 49 of the Planning & Development Act 2000 (as amended).

4. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit or a bond of an insurance company/bank .

(a) to secure the satisfactory maintenance, completion and any reinstatement of services/infrastructure currently in the charge of Dublin City Council, including roads, open spaces, car parking spaces, public lighting, sewers and drains.

or

(b) to secure the satisfactory completion of services until taking in charge by a Management Company or by the Local Authority of roads, footpaths, open spaces , street lighting, sewers and drains to the standard required by Dublin City Council.

The form and amount of the security shall be as agreed between the planning authority and the developer, coupled with an agreement empowering the planning authority to apply such security or part thereof.

In the event that land to be used as open space is taken in charge, the title of any such land must be transferred to Dublin City Council at the time of taking in charge.

Reason: To achieve a satisfactory completion of the development.

5. This commercial unit permission shall relate to uses which fall under Class 1 or Class 2 Part 4 of the Second Schedule to the Planning and Development Regulations 2001 (as amended).

Reason: In the interest of clarity.

6. The proposed signage for the commercial unit shall comprise of individually pin mounted lettering or be hand painted onto the timber fascia to a depth to not exceed 400mm. Prior to the commencement of development, details of the signage, shall be submitted to and agreed in writing by the Planning Authority.

Reason: In the interests of visual amenity.

7. Notwithstanding the provisions of the Planning & Development Regulations 2001 (as amended), no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting element shall be displayed or erected on the building or within the curtilage, or attached to the glazing without the prior grant of planning permission.

Reason: In the interests of visual amenity.

8. The nap plaster finish to the Seville Terrace elevation shall be omitted and replaced with a render finish to be self-finish in a suitable colour and shall not require painting. Prior to the commencement of development, details of the materials, colours and textures of all external finishes including samples, shall be submitted to and agreed in writing by the Planning Authority.

Reason: In the interests of orderly development and the visual amenities of the area.

9. The following requirements of Dublin City Council's Drainage Division shall be fully complied with:

(a) The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads).

(b) Dublin City Council's drainage records are indicative and must be verified on site.

(c) The drainage for the proposed development shall be designed on a completely separate system with a combined final connection discharging into the public combined sewer system.

(d) The development shall incorporate Sustainable Drainage Systems in the management of stormwater.

(e) The outfall manholes from this development must be constructed in accordance with the Code of Practice for Development Works – Drainage.

(f) All private drain fittings such as, downpipes, gullies, manholes, Armstrong Junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve.

Reason: To ensure a satisfactory standard of development.

10. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Roads Streets & Traffic Department and the Noise & Air Pollution Section.

Reason: To ensure a satisfactory standard of development.

11. (a) The site and building works required to implement the development shall only be carried out between the hours of:

Mondays to Fridays - 7.00a.m. to 6.00p.m.

Saturday - 8.00a.m. to 2.00p.m.

Sundays and Public Holidays - No activity on site.

(b) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

12. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

13. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 'Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.'

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity.

14. In relation to individual houses the naming and numbering of dwelling units shall be in accordance with a naming and numbering scheme submitted to, and agreed in writing, by the Planning Authority, prior to the occupation of the dwelling(s).

Reason: In the interest of orderly street numbering.