

Deputy Planning Officer

Application No. 2622/10  
Proposal Demolition of the existing unit and sports hall, (A) 7 storey block with 2 no. basement units (file storage), 1 no. 2nd hand charity shop with 4 no. 2 bed apartments with balconies, (B) 5 storey block with 5 no. 2 bed apartments with balconies and roof terrace, (c) 2 storey 2 bed apartment block with balconies adjoining the existing terrace below the proposed car deck with 2 no. landscaped terraces at sub basement level. Provision of two car parking spaces, accessed via the Tyrconnell Road and all associated site works.  
Location 129, Tyrconnell Road, Inchicore, Dublin 8  
Applicant The Frederic Ozanam Trust Incorporated  
Date Lodged 15-Apr-2010  
Zoning  
Application Type Permission

**CS/MA**

**09/06/10**

**Date of Site Inspection:** 13/05/2010

**Site Notice:** in order 13/05/2010

**Zoning**

Z1 – ‘to protect, provide and improve residential amenity’

**Planning History**

There is no recent history in respect of this site.

**Interdepartmental Reports**

*Water-* No objection subject to conditions to be attached.  
*Drainage-* No objection subject to conditions to be attached.  
*Roads/Traffic -* Report received; noted that road is congested and there is a pay and display system in operation so overspill could not be accommodated by way of on-street parking; noted that standard residential units would require one car parking space per unit and elderly persons’ dwellings would require one per two units; noted that only two spaces are provided; noted that church car park could not be used for overspill car parking as there is no agreement between the applicants and the church and the car park is already a busy one; note that no details of how it is proposed to service the retail unit have been given; recommended that additional information be sought.  
*Archaeology-* No report received.  
*Conservation-* No report received.

### **Site Description**

The site consists of an existing 480m<sup>2</sup> area situated on Tyrconnell Road, Inchicore, backing onto the river Camac just northeast of the entrance to Goldenbridge Industrial Estate. Tyrconnell Road is a busy road linking Inchicore village with Naas Road. The site is bounded to the southwest by an existing partly overgrown grassed area adjoining the slip road into the estate. On the other side of the slip road is a recently constructed mixed use development, three storeys in height, consisting of retail units at ground floor level and offices and apartments at the upper levels. To the northeast the site is bounded by a terrace of two-storey over basement houses, with the ground floor and basement levels being situated below street level. The rear of the site faces an existing unit at Goldenbridge Industrial Estate across the river, with an existing apartment development, Rosedale, to the east of this accessed via Tyrconnell Street. The site faces the existing Oblate church, retreat house and school on the opposite side of Tyrconnell Road.

Levels differ on the site, which slopes downwards towards the riverbank. There are two existing buildings on the site. Fronting Tyrconnell Road is an existing youth club building, which is single storey fronting Tyrconnell Road and two-storey to the rear. This building dates from c.1930 and has a stepped gabled façade. There is a single storey sports hall to the rear of the site fronting onto the riverbank, accessed by a stairwell leading down from the youth club building at Tyrconnell Road. The boundary with the grassed area consists of a wall with railing above. There is an existing advertising hoarding at the boundary facing the grassed area.

### **Proposed Development**

Permission is sought for demolition of the existing buildings on the site and construction of a development consisting of three blocks, being two, five and seven storeys in height. The proposed seven-storey block is a corner block comprising two areas, described as file storage areas, at lower and upper basement levels with the lower level unit leading to a landscaped courtyard, together with a street level unit described as a secondhand charity shop and four 73m<sup>2</sup> two-bedroomed apartments, one at each of first to fourth floor levels. To the rear of this the proposed five-storey block consists of five 73m<sup>2</sup> two-bedroomed apartments from lower basement level upwards, with a roof garden overhead, while the proposed two-storey block fronting Tyrconnell Road consists of two 46.6m<sup>2</sup> one-bedroomed apartments. The proposal includes landscaped courtyards to the front and rear of the site at lower basement level and a vehicular entrance off Tyrconnell Road leading to two car parking spaces.

### **Observations**

*Prescribed Bodies:*

None received.

*Third Parties:*

Nine objections have been received, from residents of Tyrconnell Road and Rosedale (Tyrconnell Street), the Oblate Fathers and local TDs Catherine Byrne and Aengus O'Snodaigh. The main grounds of objection include: height of proposed development would result in overshadowing of adjoining dwellings and loss of amenity to rear gardens which are two storeys below street level; loss of privacy to rear gardens; health and safety impacts of dust and debris during construction; adverse impact on quality of life of existing residents; lack of footfall for retail unit; no set down area or parking for retail unit; vehicular entry and exit in dangerous location with restricted views; only two car parking spaces proposed for eleven apartments; use of church car park for short term parking has not been agreed with Oblate Fathers and this is a busy car park used for church, school and community activities; lack of consultation with local residents and lack of clarity regarding use or tenure of

apartments; existing unoccupied apartment developments in Inchicore are boarded up and attracting vandalism; proposal would contribute nothing to local area either practically or aesthetically; proposal would maximise quantum of development on site but be detrimental to residential amenity; difficulties caused by site characteristics including entry point two storeys above lower basement level and sunken nature of adjoining terrace; blank elevation necessary to west as site adjoins private land; proposed development would dominate low residential terrace to east and attempts to mitigate this are overwhelmed by bulk and scale of main block; main block departs radically from established scale of development in vicinity; proposal would destroy existing skyline and be out of keeping with area; purpose of balconies unclear in Irish climate and on main road; existing structures on site are modest in scale and broken down into two elements with gap to reduce the otherwise tunnel-like impact on No. 127; shared roof garden would immediately adjoin rear garden of No. 127 and be two storeys above it while any screening or parapet wall would further dominate and overshadow this garden; apartments at Rosedale would be overshadowed by full seven storeys and roof terrace would be overlooked and overshadowed; proposal would result in on-street parking and add to traffic congestion and possible hazard in vicinity of church and school; providing river walk on south side of river would impact on residents of Rosedale; proposal would put pressure on existing drainage and water systems; no need for new residential or retail units given empty units in immediate area; proposal does not meet development plan standards in respect of car parking and private open space due to quantum of development proposed; proposal would be unjustified overdevelopment of site; site could accommodate a more modest development; proposed development not suitable for area which already has numerous vacant apartments; existing building was used as a youth club for 80 years but current proposal provides for no community facilities. These objections are noted.

### **Assessment**

The proposal is for demolition of the existing buildings on the site and construction of a new mixed use development consisting of two basement storage areas, a retail unit and eleven apartments, together with two car parking spaces accessed off Tyrconnell Road.

The existing building on the site dates from approximately 1930 and is single storey to the front and two-storey to the rear. The building is partly boarded up but has a stepped gabled façade. The building is not a protected structure and is believed to be of limited architectural merit; however, it is an example of 1930s architecture and a photographic record should be submitted in order to allow the Planning Authority to ascertain any merit it may have.

The site has zoning objective Z1 – ‘to protect, provide and improve residential amenity’. Residential use is normally permissible within this zoning, as are neighbourhood shops. While there is no provision for retail units other than neighbourhood shops, the proposed 64m<sup>2</sup> charity shop could be considered a neighbourhood shop due to its size and the fact that it would be likely to attract a mainly local clientele. The exact use of the areas described as ‘file storage’ and the relationship with the main uses on the site are not stated and are unclear. One of these areas leads to a c.52m<sup>2</sup> outdoor terrace at lower basement level and provides the only access to this area.

The site has a stated area of 480m<sup>2</sup> (0.048ha). The proposal provides for a total of eleven apartments, resulting in a density of 229 dwellings per hectare. While this is considered to be high, it is noted that the site is located in an inner suburban area adjacent to public transport including Blackhorse Luas station. A relatively high density of development could therefore be considered, subject to good design and to a high quality of residential amenity, including the provision of good quality private open space. While noting the existence of vacant units in the vicinity, it is noted that the apartments are intended to be used by the applicants for the specific purpose of providing accommodation for elderly persons.

The proposal provides for eleven residential units, of which nine would be two-bedroomed and two one-bedroomed. The covering letter states that the residential units would be used by the St. Vincent de Paul Society as accommodation for the elderly. It is also stated that it is intended to comply with Part V of the Planning and Development Act (2000) in relation to social and affordable housing. It is unclear whether the applicants would continue to own and manage the remaining units.

The units do not meet development plan standards in respect of floor area. The two-bedroomed units all have a floor area of 73m<sup>2</sup> and the one-bedroomed units 46.6m<sup>2</sup>. These are below the minimum of 80m<sup>2</sup> for two-bedroomed units and 55m<sup>2</sup> for one-bedroomed units (as per variation 21). Variation 21 requires 80% of apartments in a development to have a floor area in excess of 80m<sup>2</sup> in order to meet the needs of families with children. In order to permit apartments which do not meet this requirement clarification would be necessary regarding the intended occupancy and long term future of the units and how it would be ensured that they would not be let or sold on the open market.

The proposed one-bedroomed apartments are single aspect and southeast facing. Each has a 7m<sup>2</sup> southeast facing balcony. The two-bedroomed apartments in the rear block face east and southeast, with no windows in the southwest elevation as this comprises the boundary with the adjoining lands. These units have 7m<sup>2</sup> balconies facing east and southeast. The proposed corner units have windows facing in three directions with southwest gable elevations being blank and balconies being 7.5m<sup>2</sup> and northwest/west facing. All apartments have reasonable internal layouts and provide for internal storage.

Private open space provision is by way of the proposed balconies (total area 79m<sup>2</sup>), lower ground floor terrace (c.52m<sup>2</sup>) and landscaped rear courtyard at lower ground floor level (c.109m<sup>2</sup>), together with a roof terrace (73m<sup>2</sup>) at third floor level above the five-storey block. The total private open space provision therefore amounts to 313m<sup>2</sup> or 7.8m<sup>2</sup> per bedspace. This is below the minimum required in a suburban location although it meets the requirements for an inner city area or prime urban centre. Although the site is not in a prime urban centre, the area could be considered to be a transitional location between the inner city and the suburbs and a provision of 10m<sup>2</sup> per bedspace would be considered acceptable. The proposal does not meet this; additionally, it is unclear who would have access to the proposed 52m<sup>2</sup> lower basement level terrace and whether this could be counted as usable private open space. This area would be located below street level and would thus benefit from little in the way of either sunlight or daylight, while the sole means of access would be through the lower basement level file storage room. The proposed rear courtyard at lower basement level would also be below street level. This would face the river and would be southeast facing, thus benefitting from some sunlight during the day although less so in the evening. A number of the balconies would also be below street level but these would also be south facing. It is noted that the rear courtyard, which appears to be shared, extends to the bedroom windows of the lower basement level apartment in the five-storey block. The areas directly in front of these windows should be privatised in order to protect the privacy of residents.

The proposal provides for no public open space. There is no setback from the street and the development is inward looking, with the main pedestrian entrance to the apartments being internally located. The retail unit would be accessed directly off Tyrconnell Road but otherwise the proposed development makes little contribution to the streetscape or to the public realm. The proposal provides for a shared vehicular and pedestrian access leading off Tyrconnell Road to two surface car parking spaces and to the pedestrian entrance to the apartments. A 3.3m high boundary, described as a colonnade, is located at the frontage of the site with steel or aluminium railings or gates in it. There is concern regarding the shared

nature of the vehicular and pedestrian entrance and the lack of interface between the pedestrian entrance and the street; it is considered that a separate pedestrian entrance from the street would be required.

The proposal provides for two surface car parking spaces. The report received from Roads and Traffic Planning Division states that standard residential units would require one car parking space per unit while elderly persons' dwellings would require one per two units.. The report notes that the main road is congested and there is a pay and display system in operation, so that overspill could not be accommodated by way of on-street parking. It is also noted that no details of how it is proposed to service the retail unit have been given. While the initial covering letter stated that the church car park opposite the site could be used for visitor parking, a subsequent submission received as unsolicited additional information states that this is no longer the intention as the Oblate Fathers, who own the car park, have not agreed to it. There is therefore inadequate provision for car parking while no information has been given regarding the servicing of the retail unit; Roads and Traffic Planning Division therefore recommend seeking additional information.

The Dublin City Development Plan and the Inchicore Framework Plan (2004) recommend that, in cases where development sites abut a riverbank, provision be made for a riverside walkway which would be publicly accessible and which would eventually link into a wider network of public open spaces. In this case no provision has been made for a walkway; however, a note on the drawings states that the walkway would be better located on the opposite side of the river as the subject site abuts private rear gardens which extend to the riverbank. The ownership of the grassed area between the rear of the site and the public road is unclear, but it is believed to be private land which forms part of the Goldenbridge Industrial Estate; if this is the case, public access could not be provided through it to the site and opening up the riverbank would therefore be of limited value. The ownership of this area would therefore need to be clarified.

The proposed development is designed in three blocks which are linked at upper and lower basement levels. The proposed two-storey block is closest to the existing house at No. 127 Tyrconnell Road and is within the front and rear building lines set by this terrace. The seven-storey block is set forward of this, on the footprint of the existing building on the site which is single storey when viewed from street level. The proposed five-storey block is to the rear of this, with a roof garden above. The rear courtyard behind the two-storey block would be at lower basement level, at approximately the same level as the adjoining rear gardens. A 2m high wall is shown at the boundary between the two gardens.

The proposed five-storey block would be located beyond the rear courtyard, with a separation of c.8.5m from the rear garden of No. 127 Tyrconnell Road. Windows in this block are shown as angled to face away from the rear garden of No. 127 and adjoining rear gardens. A roof terrace, with a similar separation, is also shown on the floor plans at third floor level. In the elevational drawings, this terrace is described as a 'possible roof terrace' although it is shown on the plans. In respect of the seven-storey corner block, the front door of this block is shown as being in the side elevation, accessed via the vehicular entrance from Tyrconnell Road. In addition to concerns regarding the lack of interaction with the existing street, there is concern that the front door faces into the rear garden of No. 127 Tyrconnell Road and could overlook this garden.

Although the windows of the rear block have been angled to avoid facing directly into the rear gardens of No. 127 and the adjoining dwelling, it is considered that the proposed development, in particular the proposed five-storey rear block, by reason of its scale, bulk and height, would have a significant impact on these dwellings and their rear gardens in respect of loss of aspect, daylight and sunlight. The proposed block would be situated to the

southwest of the existing dwellings and their rear gardens, thus being likely to result in some loss of evening sunlight. The front elevations of the dwellings, which face northwest, already have limited access to sunlight due to their location below street level. The windows in the rear block would also face towards the adjacent apartment block at Rosedale; however, the proposed separation distances would appear to be adequate to prevent any loss of privacy.

Existing heights in the vicinity range from single storey (including two-storey with the lower level being below street level) to four-to five-storey in the case of recent infill developments in Inchicore village. There is one existing nine-storey building adjacent to the Luas line on the opposite side of Blackhorse Bridge. While in principle the proposed five-storey height above street level would not be considered excessive, in this instance the proposed block could be unduly prominent due to its setting forward of the adjoining terrace, and could appear as visually incongruous. This block, which has a total height of seven storeys, is on a similar footprint to the existing block on the site but that block is single storey onto Tyrconnell Road while the proposed new block appears as five-storey and would be out of scale and proportion with the existing streetscape. No attempt has been made to reduce the visual impact, for example by setting back the top storey. The proposed building is intended to mirror the church and retreat house opposite the site in respect of height, but is on a much smaller site and adjacent to two-storey houses. In this context, the proposed stepping up in height from one storey above street level to five storeys is too abrupt particularly given the setting forward of the terrace at Nos. 121-127 Tyrconnell Road and the sunken nature of this terrace.

The proposal provides for a contemporary elevational treatment with a partly blank elevation to Tyrconnell Road, with a finish of granite cladding to match the church and retreat house opposite. The proposed street elevation, which includes the shopfront and the single storey element incorporating the vehicular and pedestrian entrance, is described as a 'colonnade' which is intended to match that within the church grounds opposite. There is concern that the proposed colonnade, although single storey, could be out of scale with the existing streetscape given the sunken nature of the adjoining terrace. Balcony finishes would consist of ceramic sheet panels in place of railings, with aluminium louvred panels to one side.

### Conclusion

While, in principle, there is no objection to the redevelopment of the site, there are a number of concerns regarding the proposed development. The proposed apartments do not meet development plan standards and, given the applicants' contention that they would be used as sheltered accommodation for elderly persons, further details would be required regarding the ownership and management of the apartments and how it is proposed to ensure that they would not be let or sold on the open market. There are also concerns regarding the private open space provision while the role and function of the proposed front courtyard at lower basement level in particular needs to be clarified. The purpose of the proposed file storage areas and how they relate to the main uses on the site also need to be clarified.

There is also concern regarding the impact of the proposed rear block on the residential amenities of No. 127 Tyrconnell Road and the rear gardens of Nos. 121-127. It is considered that the height of this block may need to be reduced, while the front block is considered to be visually incongruous in the context of the adjoining streetscape and would need to be redesigned and reduced in height. There is also concern regarding the pedestrian access to the apartments, which could overlook adjoining rear gardens and has no relationship with the existing street, while the general design and relationship to the street and the riverbank are also considered to be unsatisfactory.

There is also concern that there are only two car parking spaces; Roads and Traffic Planning Division are also concerned regarding the lack of car parking and seek revisions to

the proposal to provide for sufficient car parking space to meet the needs of the development.

It is therefore considered that additional information should be sought.

### **Recommendation**

The application for permission has been examined. I recommend that additional information be sought as follows:

1. The applicants shall submit full details regarding the intended use of the proposed apartments, to include details of the intended occupancy and tenure type and how it is proposed to manage the apartments. The applicants shall note that the apartments do not meet the standards set down in the current Dublin City Development Plan (as per variation 21) in relation to unit size and mix. The applicants are required to justify this deviation from the standards and how it proposed to ensure that the apartments would not be let or sold on the open market.

2. The applicants shall submit an architect's report on the existing buildings on the site, which are believed to date from the early 1930s, to include photographs and details of the history of the buildings and any features of note.

3. The applicants shall clarify the intended use of the areas described as 'file storage' and shall indicate whether they are intended to be ancillary to the main uses on the site.

4. The applicants shall submit details of the role and function of the proposed lower basement level courtyard to the front of the site, to include details of whether this courtyard is intended as private open space and if so who would have access to it.

5. a) Roads and Traffic Planning Division is seriously concerned regarding the under-provision of car parking proposed as part of the development. The subject site is located on a busy road with limited on street parking available in the vicinity and no capacity to accommodate overspill generated by the proposed development. It is considered necessary that sufficient car parking be provided to serve the development within the curtilage of the site. In this regard, the applicants are advised that one space per two units is required to serve accommodation for the elderly or one space per unit in normal circumstances. The applicants are requested to revise the proposal to provide for sufficient car parking to meet the needs of the development.

b) The applicants are requested to clarify how it is intended to service the retail unit.

6. There is concern regarding the design of the proposed development, in particular regarding the impact of the proposed rear block on the residential amenities of No. 127 Tyrconnell Road and adjoining rear gardens, the visual impact of the proposal when viewed in the context of the existing streetscape at Tyrconnell Road, the provision and quality of the private open space, the interface with the public street and the riverbank and the design of the entrance area. The applicants are advised that in order to address these issues a comprehensive redesign of the proposed development would be necessary. In this regard the applicants are advised to contact Claire Sheehan, Senior Executive Planner, prior to the submission of revised plans.

