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Planning Application for planning permission and for retention permission for development consisting of (1.) Planning application for the construction of an extension to the side of existing building comprising a new two storey (plus partial basement) flat roof extension with new side entrance & stairs to access existing first floor & rear garden area with new WC at first floor. (2.) Retention of minor amendments to layout of basement apartment from previously permitted layout ref. SD20A/0231 for amended bathroom location, (3.) Retention & completion of internal alterations and change of use of ground floor from retail to restaurant use, to include alterations to layout from previously permitted layout ref. SD20A/0231 inc. removal of modern stairs and partitions & forming new WC facilities and servery area, (4.) Retention & completion of internal alterations and change of use of first floor from ancillary accommodation to office/shared work space use, to include alterations to layout from previously permitted layout ref. SD20A/0231 inc. removal of walls & modern WC. Works also inc. retention & completion of all associated ancillary landscaping & boundary wall works to front area, all located at No. 1 The Mall, Main street, Lucan, Co. Dublin, K78 ET20 a (protected structure).

PLANNING APPLICATION REPORT

NO. 1 THE MALL, MAIN STREET, LUCAN

FOR

FEATHERTON LTD.

1.0 INTRODUCTION:

Following instruction from Featherton Ltd., Patrick M. Kerr Architecture are submitting a planning application for an extension to and retention of minor works and change of use to the existing building at No. 1 The Mall, Main Street Lucan.

The report sets out the rationale for the proposed development, and demonstrates how the development complies with national and local policies, is in accordance with the requirements of the County Development Plan, and represents a sustainable, appropriate and proper development. It is to be read in conjunction with the **Architectural Heritage Impact Assessment** and accompanying drawings etc.

2.0 SITE LOCATION & DESCRIPTION:

As outlined in the public notices, the proposal is for development consisting of a number of elements including a new built extension, and alterations, change of use and retention of works as follows:

- Planning application for the construction of an extension to the side of existing building comprising a new two storey (plus partial basement) flat roof extension with new side entrance & stairs to access existing first floor & rear garden area with new WC at first floor.
- Retention of minor amendments to layout of basement apartment from previously permitted layout ref. SD20A/0231 for amended bathroom location
- Retention & completion of internal alterations and change of use of ground floor from retail to restaurant use, to include alterations to layout from previously permitted layout ref. SD20A/0231 inc. removal of modern stairs and partitions & forming new WC facilities and servery area
- Retention & completion of internal alterations and change of use of first floor from ancillary accommodation to office/shared work space use, to include alterations to layout from previously permitted layout ref. SD20A/0231 inc. removal of walls & modern WC.
- Works also inc. retention & completion of all associated ancillary landscaping & boundary wall works to front area

The works are all located at No. 1 The Mall, Main street, Lucan, Co. Dublin, K78 ET2, a protected structure, and are as indicated on the accompanying drawings included with this planning application.

2.0 Site Location:

The site is located in the Main Street, Lucan Village, and is centrally located, close to all amenities and services, and comprises a two storey over basement 4 bay Protected Structure RPS No. 038. The property has a generous front courtyard style front open space with side access, and a lower rear private amenity space with vehicular access by way of the adjoining property. A formal right of way agreement is in place for this access. Refer to the Ordnance Survey Map included with the application.

3.0 Description:

The property is a two storey four bay over basement end of terrace building with an attractive presence onto the Main Street, forming an integral party of the overall terrace. The property has a formally presented facade onto the public realm with a generous front external area enclosed with a low wall, with side access. The site slopes away from the Main Street quite significantly providing for a full basement level to the rear. As a result the rear facade presents as a larger more monolithic full three storey elevation to the rear of the building. The rear facade addresses a private rear amenity space with a terrace for the apartment and car parking for the overall development. Access to this is by way of the adjoining vehicular access via an existing arched entrance beside the adjoining property no. 2 The Mall. A formal right of way exists for the benefit of No. 1 The Mall over No. 2, copy attached at Appendix 1.

The overall building is a solid substantial random rubble masonry structure with limited fenestration openings, finished externally with smooth rendered walls with later raised quoins, finished with a simple pitched slate roof with rendered brick chimneys to each end, one centred on the end gable and the other centred on the party wall adjoining No. 2 The Mall. Prior to the recent development, the majority of the fenestration comprised late C.20th uPVC double glazed windows, with a C.20th modern timber front door with round headed radial fan light over, and a C.20th 2no. modern timber glazed shop fronts with later applied quoin stop and start surrounds.

The existing building has, at lower basement level, a 2 bedroom apartment, with its own separate access via the rear private courtyard area, and comprises a single aspect orientation to the rear North with no elevation to the front South. The apartment unit was recently refurbished under the previous planning permission SD20A/0231 and had before this been in use as an older apartment, albeit in need of significant improvement works.

At ground level there was a Pharmacy/Retail unit in a single space with single aspect, with a modern stairs to the end gable to the east. It is now proposed to remove this non original stairs and provide new toilet

accommodation for the proposed restaurant use.

At first floor level, previously the space was connected to the adjoining building and used for ancillary storage with C.20th partitions (for the most part) and it is now proposed to retain this as a single, open dual aspect space for Office use.

3.0 PROPOSED DEVELOPMENT:

Side Extension:

As outlined above, and as a result of design development of the original concept, it is now proposed to construct a new side extension to the building to provide a new access and fire escape stairs to the first floor. In the original development as anticipated by the design as permitted under SD20A/0231, it was proposed that the ground floor would be a retail unit with ancillary accommodation (originally intended to include storage, office and the like), located at first floor level and accessed by way of a new modest modern stairs located within the foot print of the existing ground floor envelope.

However, on detailed examination, it was found that the preferred use for the ground floor was a restaurant use, and not retail, and with the first floor comprising of open plan office accommodation, with an emphasis on short term use for local community groups, start up businesses and the like (namely based on the more sustainable and affordable desk rental/we work model, there being nothing of that kind available in the locality).

In order to facilitate this type of use, and in particularity to comply with the requirements of both Part B of the Building Regulations (Fire) and Part M of the Building Regulations (Universal Accessibility), especially arising from the need to completely separate the differing floors, it was found that the most appropriate way to do same was by way of a newly built independent stairs accessing the top floor.

This in turn allows for a separate access to all three floors of the building, with the basement apartment having its own access directly to the rear, the ground floor having an independent access from the main front facade and with the new stairs providing a new separate access to first floor. In addition, the provision of the new stairs will allow for the implementation of a new stairs designed to be ambulant disabled accessible, which is not possible within the context of the existing building.

Basement:

In addition to the side extension it is proposed to retain some minor amendments to the two bedroom apartment basement floor plan as previously permitted, namely comprising of the revised location of the bathroom, which is now located slightly off centre to that originally indicated, mostly out of an error in the original survey drawing due to assumptions made arising from difficult in accessing all areas of the building at that time.

Ground floor:

It is also proposed to retain alterations to the as permitted ground floor plan and for change of use from retail to restaurant use, and the removal of modern stairs & associated partitions and the insertion of new toilet facilities and kitchen servery facilities. It is also proposed to replace the existing two modern late C.20th window shop fronts to the ground floor with new hardwood painted shopfronts with a more appropriate design and division. The previously permitted two awnings and canopies are also being retained as originally intended. In terms of internal alterations, the overall floor plan, for the most part, is unchanged as a single space with an open servery, similar to that previously permitted with some small toilet accommodation to the side.

First Floor:

It is also proposed to retain alterations to the as permitted first floor plan and for change of use from ancillary accommodation to Office use, comprising open plan office accommodation, with an emphasis on short term letting type use for local community groups, start up businesses and the like (namely based on the more sustainable and affordable desk rental/"we work" model, there being nothing of that kind available in the locality). The works to the interior are similar to that previously approved in the original permission, but with the removal of modern stairs and WC accommodation, retaining a simple single space.

It is proposed to form a new door opening in the existing original gable wall to provide access to the new stairs. It is noted that this opening is to the side of the existing chimney breast, and is located in what appears to be an older original opening window in the gable wall. It is also noted that the previously permitted development had permitted a similar opening in an identical location albeit at ground floor level.

4.0 PLANNING CONTEXT:

4.1 Previous Planning:

The building has the benefit of previous planning permission SD20A/0231 granted in December 2020 subject to 9 conditions. Certain works as permitted under same permission were subsequently undertaken, in particular the refurbishment works to the existing building fabric, including the restoration of the roof, the main building walls, removal and replacement of inappropriate uPVC windows with more historically appropriate hardwood sliding sash windows (with the retention and refurbishment of original windows where appropriate). Other works included the refurbishment of the basement apartment, and upgrading of the existing floors to the required fire rating.

Condition no. 2 required that certain details, information, schedule of works etc. be submitted to the Planning Authority for the purposes of compliance. Details of these are being submitted to the Planning Authority under separate cover. It is contended that this submission will demonstrate comprehensively that the building has been and will continue to be conserved and restored to the highest of standards to protect the Architectural Heritage of the protected structure.

4.2 South Dublin County Development Plan 2016-2022

The site is located within an area defined as 'VC' in the South Dublin County Development Plan 2016 -2022 with the specific zoning objection:

"To protect, improve and provide for the future development of Village Centres"

Within this zoning the basement use of **residential** development is "Permitted in Principle", as is ground floor use of **Restaurant**, and as is the first floor use of **Office - less than 100m²** (the actual nett area of office accommodation to be provided is 65.2m²). Therefore, in principle, the various elements of the development are considered acceptable in terms of zoning subject to the other planning considerations being met. It is further contended that the development complies with the Objectives of the South Dublin County Development Plan 2016 -2022 with particular regard to the following:

UC3 Objective 1:

To protect and conserve the special character of the historic core of the traditional villages and ensure that a full understanding of the archaeological, architectural, urban design and landscape heritage of the villages informs the design approach to new development and renewal, in particular in Architectural Conservation Areas (ACAs).

UC3 Objective 6:

To encourage and facilitate the re-use and regeneration of derelict land and buildings for appropriate centre uses and encourage the full use of buildings, and in particular the use of upper floors and backlands, with due cognisance to the retail sequential approach, quality of urban design, integration and linkages.

UC3 Objective 7:

To reinforce village centres as a priority location for new mixed use development and to promote and support new development that consolidates the existing urban character with quality of design, integration and linkage as important considerations.

The development will conserve the special character of the historic core by regenerating an existing protected structure which has fallen into disuse. Furthermore, the development will provide for the regeneration of existing building and particularly the upper floors in the village centre and will provide a much needed mixed use building, thereby consolidating existing urban fabric and promoting varied uses at varied times ensuring a sustainable, active and lively village centre.

4.3 Pre Planning Discussions:

Significant and detailed pre planning discussions & submissions have been held with both the Area Planner Ms. Kathy McCarty and also the Conservation Officer Ms. Irenie McLoughlin and the resultant proposal now applied for is a conclusion of same discussions and, it is contended represent a successful conclusion of same dialogue. Pre planning PP018/22 refers.

During same discussions the main considerations related to the impact of the proposed development on the Protected Structure, and this is dealt with in greater detail within the accompanying AHIA included with this planning application. A number of other relatively minor matters were also raised which are included below, including the following:

- Nature of office use at First Floor Level:
- Car parking standards
- Bike parking standards
- Opening Hours (Restaurant)
- Water & Drainage Details
- Flood Risk

4.4 Nature of office use at First Floor Level:

The planning application is seeking permission for Office use at first floor level. We confirm that this will comprise an open plan office layout for circa 10 to 12 people. The intention is that this office use will be available for short term shared office use for Community Based Activities. The applicant is a long time member of the local community and a native of the Village of Lucan and is acutely aware of the unavailability of smaller office accommodation for single users, and small start up or community based activities and any cost, let alone a reasonable cost basis.

The proposal now is to provide flexible and/or short term office space, available on a desk by desk basis, as shared office environment for younger, newer start up organisations and/or individuals, or indeed local community organisations, with the Applicant managing the over all premises. This model, similar to a shared working or "we work" model will provide a much needed, and community based facility not currently available, at a low cost.

4.5 Car parking standards:

The property will have 3 separate uses, with a residence at Basement Level, a restaurant at Ground floor and as indicated in 4.3 above, shared office accommodation at first floor. The property also has 4 existing car parking spaces to the rear accessed by way of a formal right of way from the neighbouring property as indicated on the drawings and as evidenced by the Right of Way at Appendix A.

The SDCDP at Section 11.4.2 and Tables 11.23 and 11.24 sets out the required parking standards, and being located within a Village Centre, the aim is to restrict the quantity of car parking required. On review of the standards per the SDCDP the following would apply in respect of the development:

- Basement Apartment: 1 space ref: Table 11.24 for Zone 2
- GF Restaurant (65m²) 3 spaces based on 1/20m¹ GFA per Table 11.23 for Zone 2
- FF Office (65m²) 1 space based on 1/75m² GFA per Table 11.23 for Zone 2

Maximum Total Spaces to be provided therefore will be 5. The development proposes 4 spaces which taking into account the mixed use, differing demands of peak uses at different times, availability of on street public parking, central location and availability to public transport, it is considered that this is acceptable and sustainable and in compliance with the requirements of the SDCDP.

4.6 Bike parking standards:

The property will be provided with off street bike parking located for short stay in the front area and for long stay in the rear car park. To comply with Table 11.22 of the SDCDP, it is proposed to provide bike parking in the rear car park by way of Sheffield Bike Stands for the First floor office use and for the Basement Apartment. The Apartment shall be allocated one Sheffield Stand to accommodate two bikes with a second stand for the Office use, notwithstanding that the SDCDP only requires one space per 200m² GFA. The two Sheffield Stands will be located adjacent to the rear exit from the new stairs at the lower courtyard level.

Additional Sheffield Stands shall be provided to the front area to provide minimum of 3 bike parking spaces on a short stay basis for the restaurant at a rate of 1 per 10 spaces (there are 30 spaces provided) in accordance with Table 11.23. The exact location of these stands will be determined on site, but shall be located behind the front boundary wall within the curtilage of the front courtyard entrance area.

4.7 Opening Hours:

It is proposed that the Restaurant will be open to the public during normal or typical restaurant hours and shall provide initial a lunch and evening meal offer, typically commencing at 12.30pm and closing at 11.30pm. This may be extended to include a breakfast and/or tea/coffee offering if it is found to be required, commencing at 8.00am

The Offices shall be open from 7.00am to close typically around 6pm but may remain open later if necessary to typically 8pm or 9pm, again depending on need of the occupants.

4.8 Water & Drainage Details:

Details of the water and drainage is indicated on the drawing no. **2102_COM_D01** as enclosed with the planning application.

4.9 Flood Risk:

From a review of the OPW Flood Maps Website the maps show no flood activity on the application site. In particular the OPW/RPS map reference **No. E09LUC_EXFCD_F0_04** shows no flooding on the application site. Details of the above map with the application site marked thereon is attached at Appendix B. Furthermore the Applicants have confirmed that they are not aware of any flooding incidents affecting the property.

4.10 Other considerations Refuse storage:

The rear accessible yard will provide storage for bins for segregated refusal disposal, for all users of the building, and access is available for refuse collection by way of the existing right of way, notwithstanding that the existing side passage way will be removed as a result of the side extension.

5.0 SUMMARY:

In conclusion we would advise that the development as proposed complies with the requirements of the County Development Plan for the area and also with the requirements and complies with and is supported by the relevant National, Regional and Local Policies and Guidelines.

The development has, as stated, been designed to a high standard in all respects, will contribute significantly to the positive appearance of the area and surrounding urban context, respects the Protected Structure and is appropriate and sensitive in terms of the interventions to same. The development quite clearly has been demonstrated to be in accordance with the proper planning and sustainable development of the area and we urge the Planning Authority to grant permission accordingly.

We trust that the above is in order and that a successful application will be forthcoming in the near future. In the meantime however if you have any queries or require any further information please do not hesitate to contact us.

Yours faithfully,



Patrick M. Kerr Dip.Con.Law B.Arch.Sc. MCI Arb Fellow RIAI
Patrick M. Kerr Architecture

Appendix 1:

Right of way over adjoining property to rear



86/88 Tyrconnell Road
Inchicore
Dublin 8
DX 1038

Cullen & Co.

Solicitors

Phone: 01 453 6114
01 453 6119
01 454 2652
Fax: 01 453 5498

e-mail: enquiries@cullencosolicitors.com
website: www.cullencosolicitors.com

To Whom It May Concern

Our Ref: MC/MC-B

Your Ref:

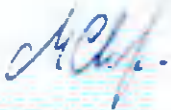
Date: 25th February 2021

Re: Property at: 1 The Mall, Main Street, Lucan, Co. Dublin
Our Client: Featherton Limited

We write to confirm that our client Featherton Limited acquired the property at 1 The Mall, Lucan Co. Dublin together with a benefit of a right of way as evidenced on the map attached hereto on the 23rd of March 2020.

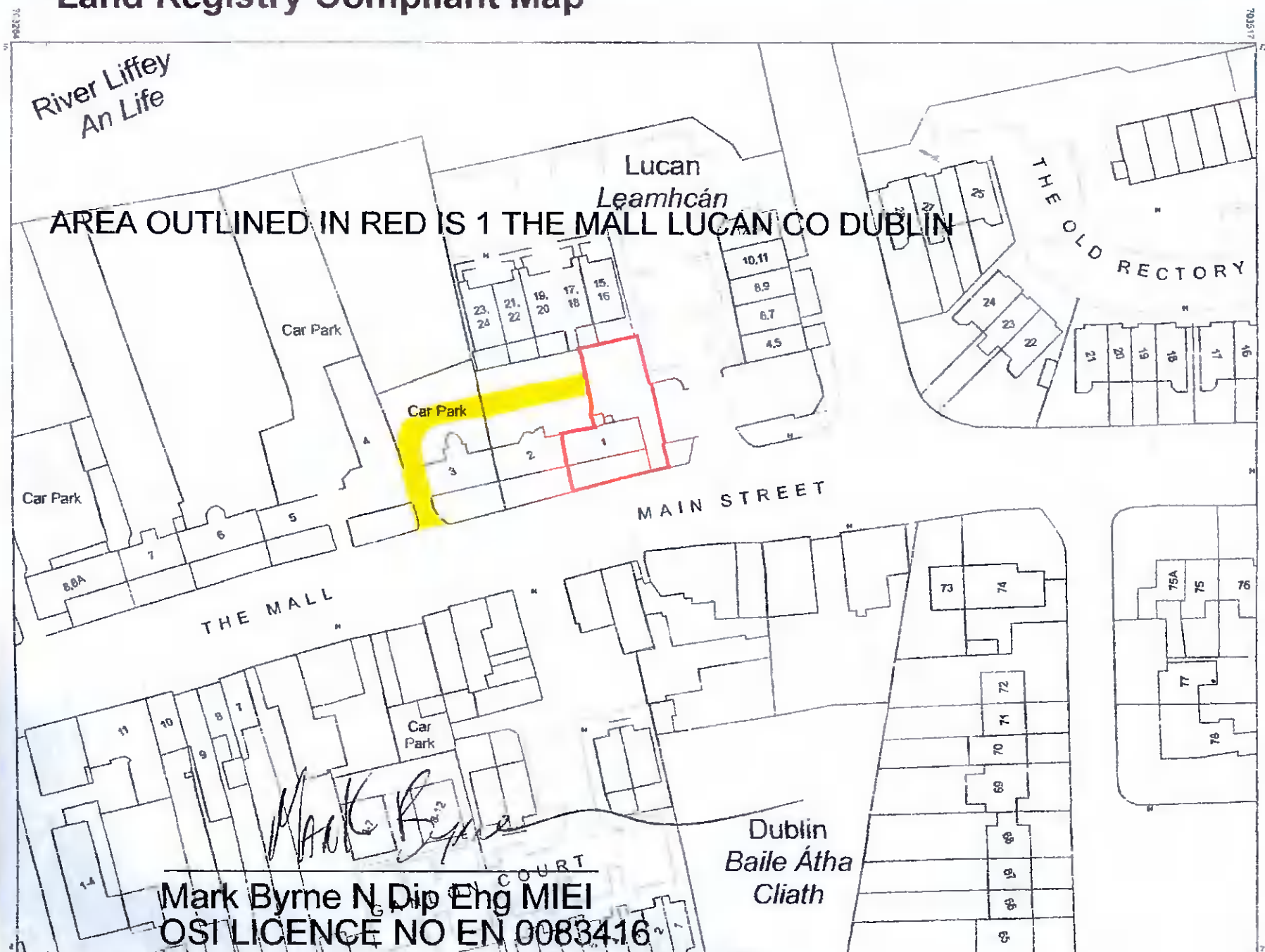
If you require any further clarification on the matter please do not hesitate to contact us.

Yours faithfully,



Monika Chaberska - Blaszczyk
CULLEN & CO.
monika@cullencosolicitors.com

Land Registry Compliant Map



AREA OUTLINED IN RED IS 1 THE MALL LUCAN CO DUBLIN

CENTRE COORDINATES:
ITM 703401 735430

PUBLISHED: 20/11/2018 **ORDER NO.:** 50034845_1

MAP SERIES: 1.1.000 **MAP SHEETS:** 3194-25

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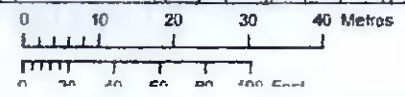
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OUTPUT SCALE: 1:1,000

CAPTURE RESOLUTION:
The map objects are only accurate to the
resolution at which they were captured.
Output scale is not indicative of data capture scale.
Further information is available at



LEGEND:
<http://www.osi.ie>

Appendix 2:

Flood Map

