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MACCABE DURNEY BARNES

PLANNING | ENVIRONMENT | ECONOMICS

DCC PLAN 3907/24
RECEIVED: 26/06/2024

Our Ref: 2268 – Carlingford Road

Planning Department,
Dublin City Council,
Block 4, Floor 3,
Civic Offices, Wood Quay,
Dublin 8.

24 June 2024

Re: Application for planning permission for widening of existing window opening and replacement with new entrance door to coffee shop; and retention permission for change of use of part of ground floor from coffee shop/creperie to chapel of rest with reduced coffee shop area and all associated ancillary internal alterations at 1A Carlingford Rd, Drumcondra, Dublin 9, D09 P768.

Dear Sir/Madam,

This letter has been prepared on behalf of instructed by our client, Martin Tynan of 1A Carlingford Rd, Drumcondra, Dublin 9, in respect of a planning application for planning permission for widening of existing window opening and replacement with new entrance door to coffee shop; and retention permission for change of use of part of ground floor from coffee shop/creperie to chapel of rest with reduced coffee shop area and all associated ancillary internal alterations at 1A Carlingford Road, Drumcondra, Dublin 9

Site Location

The site is located at the eastern end of Carlingford Road in close proximity to the junction with Drumcondra Road Lower and surrounding area is characterised by two-storey red brick terraced houses, which open onto the public footpath.

The site comprises a two-storey detached red brick property with a single storey rear extension. The site is bounded to the north and east by the rear gardens of two large period houses at nos. 114 and 116 Drumcondra Road Lower and to the west by a laneway, a garage and the rear gardens of the two single storey dwellings at nos. 12 and 12a Glenarm Avenue. The premises was previously in use as a coffee shop (creperie) on foot of a planning permission in 2006.

Proposed Development

Planning permission is being sought for:

- Retention of Change the use of part of the ground floor from coffee shop to Chapel of Rest. (34 sq.m.) with entrance hall (16 sq.m.);

- It is proposed to maintain an area of 39 sq.m. in coffee shop use (facing onto Carlingford Road) which can be accessed via a separate entrance lobby. It is anticipated that this area will operate as a stand alone coffee shop.
- It is also proposed to maintain WC's and internal corridor (26 sq.m.) to the side and rear of the Chapel of Rest room.
- Erect new discreet window signage.
- Minor internal alterations.

The new use of part of the coffee shop area is proposed as a Chapel of Rest. As the name implies this facility is purely a quiet place where a deceased person rests on an overnight basis and where the coffin will be put on display for the deceased relatives and friends and family can pay their last respects to him/her.

It is important to note that the cadaver is prepared for this viewing elsewhere. i.e. the embalming and preparation of the deceased is not undertaken in this location.

Viewing generally takes place between the hours of 5pm and 6:30pm. The duration is normally one and a half hours. The cadaver is generally (but not always) remains at the Chapel of Rest overnight and the following morning the hearse will arrive at the chapel and bring the body to the Church, usually leaving at about 10 am.

It should be noted that the proximity to Croke Park/ major games and events taking place will not present an obstacle to the use of the premises as viewings will not take place at these times as it would not be suitable. There would be no funerals after 2pm on Saturday and there are no funerals on Sundays (the cemeteries are closed after 2pm on Saturday and all day on Sunday). The number of viewings that will occur will be between 1 or 2 per week. The hearse will not be parked or stored in this location.

There is no funeral home in Drumcondra. This a considerable gap for this community service in an area with a 2022 Population was 14,755 people (Drumcondra South A, B, C and Botanic B Eds). The nearest are Lanigan's Funeral Home on Beaumont Road, Rom Massey and Sons Funeral Directors on Ballymun Road and Kirwan's Funeral Directors in Fairview.

Zoning and Planning Policy

Under the Dublin City Development Plan 2022-28 the site is zoned Z2: *'To protect and/or improve the amenities of residential'*

The Development Plan states *"The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area. Chapters 11: Built Heritage and Archaeology, and Chapter 15: Development Standards, detail the policies and objectives for residential conservation areas and standards, respectively. Volume 4 of this plan contains the Record of Protected Structures.*

The principal land-use encouraged in residential conservation areas is housing but can include a limited range of other uses. In considering other uses, the guiding principle is to enhance the architectural quality of the streetscape and the area, and to protect the residential character of the area.

'Funeral Home' is open for consideration and that this is an appropriate use having regard to established commercial precedent for a coffee shop granted by An Bord Pleanála.

Planning History

E0456/24 Change of use from creperie shop to funeral parlour without planning permission. Section 152 Warning Letter issued 13th May 2024. On foot of complaints to made to Dublin City Council by residents in area a Warning letter was issued in respect of the proposed change of use. This planning application seeks to regularise the planning status of the Chapel of Rest use.

3681/03 Permission Granted 2nd December 2003 to R. O'Brien for the demolition of an existing single storey extension and construction of a single storey 54 sq.m. extension to the rear of existing ground floor retail unit.

An Bord Pleanala PL29N.214762 Dublin City Council 4351/05 Permission granted 9th March 2006 by An Bord Pleanala to R. O'Brien for the change of use from existing ground floor retail unit to coffee shop, minor internal alterations, incorporation of emergency side door access onto existing laneway, awning onto front elevation and associated site work.

We have reviewed the Board's decision from 2006. It is notable that some Third Parties brought complaints to the Board on the same grounds that residents are commenting on the current proposal. This included:

- Proposal will exacerbate parking problems along Carlingford Road with a corresponding impact on the residential amenities of the area.
- Proposed coffee shop would be detrimental to residential amenity.
- Purely residential road with no commercial premises, which are located in the nearby Drumcondra village.

An Bord Pleanála considered the residents' complaints and decided to uphold Dublin City Council's decision to Grant Permission on the following basis:

Having regard to the "Z2" zoning objective for the site as set out in the current development plan for the area which is considered reasonable, the scale and location of the proposed coffee shop away from the main residential section of Carlingford Road and the established commercial use of the existing premises, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential or visual amenities of the area and would not give rise to a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The proposed development seeks to maintain the established commercial use of the premises. Consistent with the Board's precedent, it is submitted that no impacts will arise that would seriously injure the residential or visual amenities of the area and would not give rise to a traffic hazard.

Precedent

We refer to a recent decision in the Dun Laoghaire Rathdown County area. Under Ref. D24A/0062, Permission was granted on 2nd May 2024 at the Ground floor Paddy Power Unit, The Goat Public House Goatstown, Dublin 14, D14X348 for *'Change of use of the existing ground floor Paddy Power Betting Unit to a Funeral Home, to include revised internal fit out, New external wall and window signage'*.

DLR's planning report noted the proposal would not give rise to any visual impact and the sustainable re-use of a building was welcome.

Residential amenity.

The proposed development which is located within a predominantly residential area in close proximity to the junction of Carlingford Road and Drumcondra Road Lower, a main arterial route into the city centre. Although the main commercial areas are located to the north and south along Drumcondra Road Lower. The ground floor was in use as a coffee shop for nearly 20 years and as a shop and offices previously. The commercial use of the ground floor unit is therefore well established. The premises fronts onto a section of Carlingford Road where there are no dwelling houses on the opposite side of the road.

The chapel of rest is bounded to the side/west by a 2.5m wide laneway, two single storey garages with the rear elevations of two dormer houses with a separation distance of approximately 15m. The laneway will be kept free of obstruction.

Consistent with the planning authority's previous decision on the site, having regard to the scale and location of the proposed chapel of rest shop away from the main residential section of Carlingford Road, and the established commercial use of the premises, the proposed development would not seriously injure the residential amenities of the area to any significant extent.

Car parking

Table 2 of Appendix 5 of the Development Plan has a maximum standard of 4 off street parking spaces for a Funeral Home for zones 1, 2 and 3.

Section 4.1 of Appendix 5 refers to On Street Parking. It states *'Public on-street parking is a necessary facility for shoppers and business premises and is necessary for the day-to-day functioning of the city. Dublin City Council will preserve available on-street parking, where appropriate. However, the space currently occupied by on-street parking may be needed in the future for strategic transportation projects or active travel infrastructure.'*

There will be a presumption against the removal of on-street parking spaces to facilitate the provision of vehicular entrances to single dwellings in predominantly residential areas where residents are largely reliant on on-street car-parking spaces or where there is a demand for public parking serving other uses in the area'.

The proposed Chapel of Rest has a floor area of 34sq.m. A loading bay, on-street car parking and cycle parking is established on the road in front of the premises. The Chapel of Rest is a low intensity use predominantly at off-peak times. No car parking spaces area required.

We enclose in the Appendix for the planning authority's convenience a series of images from Google Street View of Carlingford Road. There is one view for 2023 (most recent), 3 views for 2022, and one view for 2021 and 2019. All images show that the street is very quiet with capacity for parking.

It is also noted that the area is well served by high-capacity public transport corridors. The service is not therefore restricted to car access, but is within walking distance of a large urban population as well by public transport.

Refuse storage

An external yard is provided for Refuse management to the site of the premises, with separate access onto Carlingford Road. The Change of Use from coffee shop to Chapel of Rest entails less deliveries and servicing to the premises.

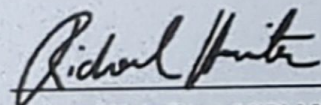
Conclusions

Overall, it is submitted that the proposed development seeks to maintain the established commercial use of the premises and provides an important service for Drumcondra that is currently not available for the local population.

It is consistent with Dublin City Council's and An Bord Pleanála's precedent for commercial use at the site. It is submitted that no impacts will arise that would seriously injure the residential or visual amenities of the area and would not give rise to parking or traffic hazard.

We trust the foregoing will be taken into account by DCC in its planning assessment.

Yours sincerely



Richard Hamilton MIPI MRTPI
Director
MACCABE DURNEY BARNES