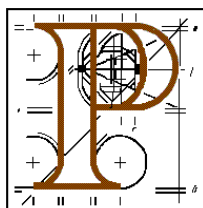


An Bord Pleanála



Inspector's Report

Appeal Reference No: 93.246614

Development: Permission for demolition of house and garage and outline permission for construction of 5no. houses and new access at Cnoc-an-Oir, Farranshoneen, Grantstown, Waterford.

Planning Application

Planning Authority: Waterford City and County Council.

Planning Authority Reg. Ref: 16/134

Applicant: Landbridge Property Investments Ltd.

Planning Authority Decision: To grant permission/outline permission subject to conditions.

Planning Appeal

Appellant(s): Landbridge Property Investments Ltd.

Type of Appeal: First party v. condition.

Observers: None.

Date of Site Inspection: 26 August 2016.

Inspector: B. Wyse

1.0 SITE LOCATION AND DESCRIPTION

1.1 The site is located in a suburban area in the south-east of Waterford City. It has stated area of 0.3959ha and comprises a detached bungalow and garage/outhouses with extensive gardens. It occupies a corner site at the access to the Mount Pleasant housing estate, via Pleasant Drive, and off the Williamstown Road. The main vehicular access is off the latter and close to the corner. There is also a second access off Pleasant Drive.

1.2 The surrounding area is residential in character and includes a mix of house types. The R710, the Waterford Outer Ring Road, is a short distance to the north-west. It intersects with the Williamstown Road by way of a roundabout.

1.3 Maps and photographs enclosed in file pouch.

2.0 PROPOSED DEVELOPMENT

2.1 The proposed development consists of:

- Demolition of house and garage/outhouses – full planning permission sought for this.
- Construction of 5no. houses (1.5 storey construction) – outline permission sought for this.
- New access off Pleasant Drive to service 4no. houses. The existing access off Williamstown Road to be retained to service the 5th house.
- Mains services available.

3.0 PLANNING AUTHORITY DECISION

3.1 Decision

3.1.1 The decision to grant permission/outline permission is subject to 13 conditions, mostly standard.

Condition 6(e), the subject of the appeal, states:

All proposed dwelling houses shall be accessed via the new entrance from the Mount Pleasant entrance road and the existing

vehicular entrance onto the Williamstown Road shall be permanently closed in material to match the existing boundary.

Reason: *In the interest of public and traffic safety and the proper planning and sustainable development of the area.*

3.2 Planning Authority Reports

3.2.1 Planning Report

This report is the basis for the planning authority decision. It includes:

- Indication of concern with the proposal to retain the existing entrance due to close proximity to the junction.
- While no response was received from Roads Section discussions were held and the Planner was satisfied that the development was acceptable subject to certain conditions.
- Appropriate Assessment screening report – concludes Natura Impact Statement not required.

3.2.2 Other Technical Reports

Water Services – further information re. surface water drainage.

Irish Water – further information required, developer to consult with Water Services re. water supply and foul drainage.

3.3 Observations

3.3.1 Mount Pleasant Estate Residents Association

Objection to proposed development. Main issues raised included:

- Site access should be from the Williamstown Road and not from Pleasant Drive on grounds relating to sightlines, traffic and pedestrian safety.
- Without prejudice to above the need for a setback to the Pleasant Drive frontage and a wall finish similar to the existing natural stone along the Williamstown Road. Also setback required at Pleasant Drive/Williamstown Road corner.
- Need for landscaping/tree planting along Pleasant Drive.

- Need for 6 metre setback for houses along the Pleasant Drive frontage.
- Need for further details re. house types/finishes etc.

4.0 PLANNING HISTORY

PA Ref. 08/123

This is a September 2008 permission for 1no. detached house adjacent to the existing house on the site. A condition required vehicular access from Pleasant Drive and indicated that, in the event of the site being developed for further housing, a single entrance should serve the entire.

Note: Road widening/new frontage works along the Williamstown Road frontage in progress at the time of this application.

PA Ref. 07/111, ABP Ref. 31.225150

This is a February 2008 grant of outline permission for 2no. houses on the site (in addition to the existing house). Condition 4 stipulated that only one vehicular access should serve the existing and proposed houses and that it should be from Pleasant Drive. Existing Williamstown Road entrance to be closed unless prior written agreement received from the planning authority.

5.0 POLICY CONTEXT

5.1 Waterford City Development Plan 2013-2019

Zoning: Residential

Section 13.1: Development Management – Residential Development

5.2 Natural Heritage Designations

The nearest site is the Lower River Suir SAC (Site Code 002137) approx. 1km to the north at the nearest point.

6.0 THE APPEAL

6.1 Grounds of Appeal

6.1.1 The appeal is a first party appeal seeking the removal of Condition 6(e) of the planning authority decision.

Main grounds include:

- The current entrance has been upgraded along with many other entrances to single dwelling properties along the Williamstown Road as part of the overall road upgrade works which took place in the last 5 years or so. Newly constructed wing walls with a revised set back to satisfy sightline specifications formed part of these works.
- There will be no increase in usage of the entrance from the proposal as it will still be serving a single dwelling.
- No pre-planning concerns were raised to the continued use of the entrance and none were expressed by the Roads Department.

6.2 Planning Authority Response

Includes:

- Concerns were raised at pre-planning stage in relation to the closure of the entrance on traffic safety grounds and also in the interests of achieving an overall coherence to the development.
- Discussions between Planning and Roads Design indicated that closure of the entrance would achieve enhanced safety at this location.

6.3 Observations

None received.

7.0 ASSESSMENT

7.1 Having regard to the circumstances of this case, as outlined above, and to the nature of the condition under appeal I am satisfied that the determination by the Board of the application as if it had been made to it in the first instance would not be warranted. I consider, therefore, that the appeal should be dealt with in accordance with Section 139, Planning and Development Act 2000 (as amended). The issue of appropriate assessment is also addressed.

- 7.2 As set out at parag. 3.1.1 above the condition under appeal requires the closure of the existing entrance from the Williamstown Road and the accessing of the new development solely from a single entrance off Pleasant Drive. The stated reason refers to traffic safety and the proper planning and sustainable development of the area.
- 7.3 I concur with the planning authority that in the context of the development of a new scheme of 5no. houses on the site a single vehicular access is the preferred solution and that this should be the access off Pleasant Drive as proposed.
- 7.4 The relatively recent upgrade to the existing access off Williamstown Road, in association with the road upgrade works, was to improve an existing situation where there was an established access in a sub-optimal location very close to a road junction. The proposed redevelopment of the site changes the context fundamentally and it is not unreasonable, in my view, that the opportunity is taken to further improve access arrangements in the interest of enhancing traffic safety in the vicinity.
- 7.5 In addition I would also endorse the view expressed in the planning authority's response to the appeal in relation to the coherence of the proposed development. This would be much easier to achieve in a layout employing a single access with all 5 houses orientated towards the central access/service road thus benefitting the scheme itself and protecting/enhancing the residential amenities of the area.
- 7.6 Given the nature of the appeal and the condition in question I am satisfied that no **appropriate assessment** issues arise.

8.0 RECOMMENDATION

I recommend, pursuant to section 139 (1), Planning and Development Act 2000, as amended, that the Board should direct the planning authority to attach Condition 6(e) for the following reasons and considerations.

REASONS AND CONSIDERATIONS

Having regard to the nature of the proposed development, namely the redevelopment of the site for a scheme of 5no. houses, it is considered that a single vehicular access is appropriate in the interests of traffic safety and in order to achieve coherence in the design and layout of the development.

The Board, therefore, considers that the said condition is necessary and justified in this case.

Brendan Wyse

Assistant Director of Planning

13 September 2016