



An
Bord
Pleanála

Inspector's Report PL06D.247300

Development	49 no. dwellings at site containing Rockville House and Gatelodge both Protected Structures
Location	Rockville House, Glenamuck Road, South, Kilternan, Dublin 18.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D16A/0488
Applicant	Frederick Jackson
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant	Frederick Jackson
Observers	An Taisce
Date of Site Inspection	11/01/17
Inspector	Siobhan Carroll

1.0 Site Location and Description

- 1.1. The appeal site is situated on the southern side of Glenamuck Road in Kiltiernan, Dublin 18. It is within the defined plan area of the Kiltiernan/Glenamuck Local Area Plan 2013-2019. It lies circa 170m from the junction of Enniskerry Road and Glenamuck Road. The Wayside Celtic Football Club have existing pitches to the east and west of the appeal site.
- 1.2. The site has a stated area of 2.02 hectares and contains Rockville House and Gatelodge which are Protected Structures. There is a recessed gated vehicular access off Glenamuck Road. The Gatelodge a single storey granite building is situated to the south-west of the entrance. The grounds of the property are maturely planted with trees and shrubs.
- 1.3. The internal access road splits circa 30m from the entrance with the section to the western side serving Rockville House and the section to the eastern side serving the stables sheds and outbuildings.
- 1.4. Rockville House is a five bay, two-storey over basement house which was built in the eighteenth century. The property has a walled garden which is located to the south-east. The farmyard is located to the east of the walled garden and it includes single storey stone stables, a barn and sheds. There is a paddock area to the east of the access road

2.0 Proposed Development

- 2.1. Permission is sought for the development of 49 no. dwelling units comprising; 37 no. detached, semi-detached and terraced two and three storey houses and 12 no. apartments.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for two reasons.

1. Having regard to the absence of any proposals to improve the Glenamuck Road, and the requirement of Section 10.6 of the 2013 Kiltiernan Glenamuck Local Area Plan which states in relation to the phasing of development on these lands that ‘any proposed developments must include the improvement of Glenamuck Road’, the proposed development would not comply with Section 10.6 of the 2013 Kiltiernan Glenamuck Local Area Plan, would be premature by reference to the existing deficiencies in the capacity of the road network serving the area and would therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the shallow rear garden depths proposed for 18 no. units, it is considered that the proposed development would have an overbearing impact, would result in poor residential amenity for the future occupants, would not comply with the zoning objectives of the site ‘A’ – ‘To protect and/or improve residential amenities’ and Section 8.2.8.4 (ii) Separation Distances of the 2016-2022 Dún Laoghaire-Rathdown County Development Plan, and would therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- It was concluded that the proposed density of the scheme would be acceptable. That the proposed design did not provide an acceptable level of residential amenity for future residents in terms of the depths of rear gardens proposed for a number of dwellings. In relation to the site access and existing road network it was concluded that there are deficiencies in the existing road network and there are no proposals for improvement works and therefore the proposal was not considered acceptable in the absence of improvements to Glenamuck Road.

3.2.2. Other Technical Reports

Transportation Department: Refusal recommended – the development would be premature by reference to the existing deficiencies in the capacity of the road

network serving the area of the proposed development and the period within which this constraint may reasonably be expected to cease.

Conservation Officer: Further information required.

Housing Department: No objection subject to condition.

Parks and Landscape Services: Further information required.

Drainage Planning: Further information required.

3.2.3. External Reports

Irish Water: No objection subject to conditions.

3.3. **Prescribed Bodies**

Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs - No objection subject to condition.

An Taisce – There are two matters of concern in relation to the proposal, the proposed apartment block being higher than the Protected Structure. The apartment block is too close to the house and would dominate it. The site features quite dense tree cover. A number of trees are designated for preservation particularly along the periphery of the site. Many are outside the boundary of the site and it is not clear whether they are within the control of the applicant. Trees 0458, 0439 and 0440 are designated for felling however they are amongst the finest on site and should be retained.

3.4. **Third Party Observations**

The Planning Authority received one third submission/observation. The submission referred to the existing traffic situation on Glenamuck road and stated that no further development should take place until the road network in the area has been upgraded. The lack of adequate public transport is also raised as is the impact on existing school, facilities and infrastructure.

4.0 Planning History

4.1. There is an extensive planning history relating to the site as set out in the Planner's report. The most recent relevant planning history concerns a site on the opposite side of Glenamuck Road.

4.2. Adjacent site on Glenamuck Road

Reg. Ref. D16A/0054 & PL06D.247097: Permission was refused for the demolition of two houses and construction of 139 residential units. Permission was refused by the Board for one reason.

1. Development of the kind proposed on the land would be premature by reference to the existing deficiencies in the road network serving the area of the proposed development and the period within which the constraints involved may reasonably be expected to cease, resulting in significant intensification of vehicular traffic on Glenamuck Road where deficiencies in capacity, width, alignment, and structural condition of the road prevail.

5.0 Policy Context

5.1. Development Plan

The site is governed by the provisions of the Dún Laoghaire – Rathdown County Development Plan 2016-2022.

- The site is zoned Objective 'A' with a stated objective 'to protect and/or improve residential amenity'.
- The land is subject to Specific Local Objective No. 40: "To develop the Kiltiernan/Glenamuck area in accordance with the policies and objectives of the adopted Local Area Plan."
- There is a six year Roads Objective for the Glenamuck District Distributor Road, Glenamuck Local Distributor Road (including Ballycorus Link) and Glenamuck Road South.

- RPS No: 1790 - Rockville House, Glenamuck Road, Carrickmines, Dublin 18, - House and Gate Lodge.

5.2. Kiltiernan/Glenamuck Local Area Plan 2013

The site forms part of a larger parcel of land designated Development Parcel 20a, incorporating an area of 13 hectares. This Parcel is designated for medium density residential development comprising apartments, duplex, terrace/courtyard, providing an average density of 40-45 per hectare.

5.3. Natural Heritage Designations

- 5.3.1. Knocksink Wood SAC is 3.3km to the south of the appeal site.
- 5.3.2. Ballyglen SAC is 4km to the south of the appeal site.
- 5.3.3. Wicklow Mountains SAC and Wicklow Mountains SPA are 4.7km to the south of the appeal site.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal has been lodged by John Spain Associates on behalf of the applicant Mr Frederick Jackson on the 22nd of September 2016. The main issues raised concern the following;

- In relation to the Planning History in the area it is stated that there are extant permissions for circa 292 no. residential units in the Kiltiernan-Glenamuck LAP area. There are two further applications under consideration by the Board.
- The number of permitted and pending residential units in the Kiltiernan-Glenamuck LAP area is substantially below the 700 no. units envisaged as a first phase.
- The Planning Authority recently issued a split decision in relation to Reg. Ref. D16A/0054 where permission was granted for 55 no. units on the opposite side of Glenamuck Road and permission was refused for 84 no. units. The

Transportation Department recommended refusal, however they noted that there was capacity for approximately 50 units on the local road network with the proposed upgrades carried out.

- Under Reg. Ref. D15A/0443 permission was granted for 31 no. residential units at the northern end of Glenamuck Road the final grant was issued on the 1st of June 2016. Under Reg. Ref. D15A/0768 & PL06D.246224 permission was refused for a residential scheme on Enniskerry Road, however the refusal did not relate to deficiencies in the capacity of the local road network or the requirement to upgrade the roads.
- The appeal site is located within the new growth area of Kiltiernan-Glenamuck as identified in the Core Strategy of the County Development Plan. The Kiltiernan-Glenamuck Local Area Plan 2013-2019 provides for up to 3,000 residential units and commercial development. The current proposal is the first phase of development on the applicant's holding which is not dependant on the new road infrastructure or undergrounding of powerlines.
- The indicative route of the Glenamuck Link Distributor Road bisects the lands in the ownership of the applicant. The proposed layout of the residential scheme at Rockville House has been designed to accommodate the route of the Glenamuck Link Distributor Road as it passes the site.
- The development of the lands will help facilitate the delivery of the Glenamuck Link Distributor Road.
- The appeal site has an area of two hectares within the development parcel 20a. As set out in Section 11 of the LAP parcel 20a has an area of 13 hectares and the development will be carried out at a density of 40-45 dwellings per hectare.
- The first reason for refusal refers to deficiencies in the capacity of the road network serving the area and cites the absence of proposal to improve the Glenamuck Road and the phasing of development tied with improvements to Glenamuck Road as a reason why the development would be premature. It is stated in the Planner's Report that the development of the LAP lands is dependent on the Glenamuck Link Distributor Road (GLDR) and the Glenamuck District Distributor Road (GDDR). The Kiltiernan-Glenamuck

Local Area Plan 2013-2019 provides for interim development of circa 700 units to be delivered subject assessment against 13 no. criteria set out in Section 10.6 of the Local Area Plan.

- The site is located in Phase 1A(b) which is allocated 150 no. units as part of the phasing proposals. To date only 15 no. units have been constructed in Phase 1A(b) at Cromlech Close. The Planning Authority granted permission for 55 no. units on a site to the north-west and with 84 no. units being refused. The provision of 49 no. units on the appeal site comes within the 150 no. units indicated as being acceptable within Phase 1A(b).
- Regarding the required improvements to Glenamuck Road the findings of the TTA and the Road Safety and Quality Audit are noted. The TTA demonstrates that the existing road network has capacity to cater for the proposed 49 no. dwellings at the Rockville House site.
- A new vehicular entrance is proposed off Glenamuck Road in the location of the existing agricultural entrance.
- Atkins carried out a traffic survey on Glenamuck Road on Tuesday the 13th of September 2016 and there was no evidence of traffic queuing issues at the Glenamuck Road and Enniskerry Road junction during peak times.
- Atkins have prepared proposals for local road/footpath improvements and traffic management measures on Glenamuck Road. Footpath improvements are proposed along the frontage of Rockville indicated on Drawing no: 5146984/SK/007. Road improvement works are proposed on Glenamuck Road indicated on Drawing no: 1546984/SK/008. The proposed works incorporate the removal of the 'bad bend' on Glenamuck Road and the full upgrade of the footpath along Rockville frontage to 2m.
- It is acknowledged in the Planner's Report that following discussions with the Transportation Department that the widening of the Glenamuck Road to the north will not improve the capacity of the road network and is not required until the Glenamuck Link Distributor Road (GLDR) is delivered.
- The first refusal reason refers to the development being premature due to existing deficiencies in the capacity of the road network serving the area. The

appellants state that the Transportation Department Report does not provide any detailed assessment of how this conclusion is made.

- The results of the TTA indicated that for the year 2018 the addition of development flows from the proposed scheme would result in negligible impact on the delay and MMQ on all arms of the junction at AM and PM peak.
- The results of the TTA indicated that for the year 2023 and 2033 the additional traffic flow from the development would have a minimal impact on the overall junction capacity.
- The TTA demonstrates that the proposed small scale residential development can be adequately catered for on the existing road network.
- The second refusal reason refers to shallow rear garden depths for 18 no. units within the scheme and the overbearing impact which would result poor residential amenity for the future occupants.
- The first party have submitted proposals for a revised site layout plan and house types. House no's 6-11 type B1 & B2 have been revised to be single storey to the rear. The first floor extension has been removed. The proposed rear garden area of the three bedroom houses are in excess of 60sq m.
- House no's 20 to 27 which are type B3, B4, B5 and B6 had been repositioned to provide 11m rear gardens for the two-storey units facing Rockville House open space. The first floor extension to these units has been removed. The rear garden depth of no. 19 has been increased to 11.45m.
- The layout and design of the C type units in the courtyard have been revised to provide minimum rear garden depths of 7 metres.
- The design solution to the Haggard is to utilise it for open space incorporating the existing mature trees.
- In relation to the overall design approach the first party state that 11m rear garden depths have been provided for all the larger houses and 7m rear garden depths are proposed for the mews type dwellings.
- The first party cite a number of examples where permission was granted for housing schemes where rear garden depths of 7m were provided. Under Reg.

D15A/0247 & PL06D.246601 permission was granted for a residential development at Ballyogan Road. The scheme included a house type with a wide frontage and shallow garden. The first floor of the dwelling did not include windows to habitable rooms to the rear and thereby avoid overlooking.

- Under Reg. D13A/0285 & PL06D.243193 permission was granted for a residential scheme at Lands off Brighton Road, Foxrock. A number of rear garden depths in that scheme were 5.5m with a separation distance of 20m between opposing first floor windows.
- Under Reg. D13A/0689 & PL06D.243799 permission was granted for a residential scheme at Knockrabo, Mount Anville Road, Goatstown. A number of rear garden depths in that scheme were 6m, but which included private open space exceeding 60sq m.
- The submitted Site Section demonstrates how the proposed house types will not result in an overbearing impact on other properties with the scheme. The proposed scheme as originally submitted or revised in the plans and particulars submitted with the appeal for the Board's consideration will result in a high quality residential development.
- The first party addressed a number of matters raised in the Planner's report and the internal reports. It was stated in the Planner's report that the proposed apartment block is located less than 4m from the site boundary. The Framework Plan indicates the lands to the south of the application site as forming an area of open space the siting of the apartment block overlooking the open space is considered an appropriate urban design response.
- The report of the Transportation Department advised that permission be refused. The report also stated that should the Planning Authority consider it appropriate to grant permission further information should be sought. Atkins Consulting Engineers have provided a detailed response.
- The Conservation Officer's report raised concerns in relation to the proposed boundary treatment to the Protected Structures, the retention of the outbuilding to the rear of Rockville House and a visual assessment of the impact of unit no's 9-11 on the Protected Structures. A revised boundary treatment has been proposed which has regard for the recommendations of

the Conservation Officer. A new curtilage around Rockville House and the Gatelodge is proposed comprising a low granite wall surmounted by railings and planting behind.

- It is the preference of the Conservation Officer that the outbuildings be retained. If the Board consider it is appropriate to retain the outbuildings revised proposals have been provided to retain the majority of the outbuildings to the rear of Rockville House.
- In relation to the visual impact of the proposed units no's 9-11 on the Protected Structures it is the preference of the Conservation Officer that this area of the site remain as open space. The first party state that there is no visual or formal link between Rockville House and the Gatelodge and that the proposed scheme has been carefully designed.
- The proposed design includes new generously sized curtilages for Rockville House and the Gatelodge and the formal relationship between Rockville House and the walled garden has been maintained.
- The report from the Park Department refers to the loss of trees and how it could alter the character of the site. The Conservation Assessment Report prepared by Rob Goodbody's states that Rockville House could not be considered a demesne landscape and the trees are not formally planted. The final site layout has regard to the important trees and groups of trees on site. It is proposed to retain trees along the boundary with Glenamuck Road along the south western boundary and north-western boundary.
- The report of the Water Services Section refers to elements of the surface water proposals being located outside the red line boundary of the site. The lands are within the blue line boundary and are in the ownership of the applicant and the Jackson family.

6.2. Planning Authority Response

A response to the first party appeal was received from Dún Laoghaire-Rathdown County Council on the 20th of October 2016.

- The Board was advised to refer to the content of the Planner's report and specifically the following;
- "My concern is regarding the overbearing impact of the dwellings on the adjoining dwellings, due to the shallow rear gardens depths, and not overlooking. I do not consider this acceptable." This was stated a number of times in the planner's report. In this regard please consider the cumulative impact of the proposed height and the shallow rear garden depths.
- A pre-planning consultation was held on the 12th of May 2016, it was not stated that the quantitative standards may be relaxed as this is an exceptionally well-designed scheme. The comment made in relation to this matter in the appeal is misleading.

6.3. Observations

An observation to the appeal was received from An Taisce on the 10th of October 2016. The submission reiterated the issues raised in their original submission to the Planning Authority.

- There are two matters of concern in relation to the proposal, the proposed apartment block being higher than the Protected Structure. The apartment block is too close to the house and would dominate it.
- The site features quite dense tree cover. A number of trees are designated for preservation particularly along the periphery of the site. Many are outside the boundary of the site and it is not clear whether they are within the control of the applicant. Trees 0458, 0439 and 0440 are designated for felling however they are amongst the finest on site and should be retained.

7.0 Assessment

Having regard to the above, and having inspected the site and reviewed all documents on file, the following is my assessment of this case. Issues to be considered in the assessment of this case are as follows:

- History of Rockville House and Local Area Plan policy
- Design and layout
- Access and Traffic
- Appropriate Assessment
- Other issues

7.1. History of Rockville House and Local Area Plan policy

- 7.1.1. Rockville House a Protected Structure a five-bay, two-storey over basement dwelling was constructed in the mid-eighteenth century the property of a large farmholder. The dwelling is served by a gate lodge which was constructed in the early twentieth century. To the west of Rockville House within its immediate vicinity are a number of outbuildings. There is a large walled garden to the south of the house which featured the kitchen garden and grassed and planted areas for recreational use. The farmyard is situated to the east of the walled garden. This contains shed and stables. Rockville House along with the walled garden and gatelodge are the most significant components within the site.
- 7.1.2. The site lies within the boundary of the Kiltiernan/Glenamuck Local Area Plan 2013-2019. The site is zoned Objective 'A' "To protect and/or improve residential amenity". Chapter 11 of the Local Area Plan sets out planning guidelines for Development Land Parcels. The appeal site forms part of development parcel 20a
- 7.1.3. As set out in the guidance medium density residential development is required, i.e. detached, terraced, duplex, and courtyard-type housing. A density of 40-45 dwelling units per hectare is permissible. The height of the housing is limited to 2-4 storeys and any four-storey element is to be concentrated along road frontages or adjacent to the neighbourhood centre. It is also required that the development have regard for the protected structure 'Rockville' and its associated curtilage.
- 7.1.4. Chapter 10 of the Local Area Plan refers to phasing and monitoring. It is specifically emphasised in the plan that future development is heavily dependent on the construction of the GDDR (Glenamuck District Distributor Road) Scheme. It is further stated in the LAP that new roads and upgrading some of existing roads are required

to facilitate the scale of development envisaged within the LAP area. Guidance is provided in relation to phasing of development. The Plan provides for some interim development in the absence of the provision of the new roads and upgrading of existing roads. As set out in chapter 10, it is considered that up to 700 dwelling units could be accommodated on an upgraded existing road network within Phase 1. The site is located within an area designated as Phase 1(b). Development within Phase 1 will be considered more favourably when a number of criteria are satisfied including demonstration of a high level of architectural quality and urban design, achievement of local road / footpath improvement and traffic management measures.

- 7.1.5. I shall examine the appropriateness of the proposed scheme in terms of the design and layout and also in relation to traffic considerations having regard to the requirements of the Local Area Plan in the subsequent sections of the report.

7.2. Design and Layout

- 7.2.1. The site has an area of 2.02 hectares and a net site area of 1.23 hectares when the proposed access road, swale and Protected Structures are excluded. The proposal provides for the construction of 49 no. dwelling units with Rockville House, gatelodge and walled garden remaining within the overall scheme. Which comprise 37 no. detached, semi-detached and terrace dwellings of two/three storeys. A four storey apartment block containing In regards to density the proposal has a net density of 40 units per hectare. This is in accordance with the medium density requirement of the Local Area Plan.
- 7.2.2. The proposed layout provides an internal access road with a number cul-de-sacs. A new vehicular entrance circa 35m to the east of the existing entrance. The proposed layout provides for good pedestrian/bicycle permeability within the scheme with a number of paths providing shorter routes than along the access road.
- 7.2.3. In relation to public open space there is generally good provision throughout the scheme including the walled garden which would provide a high quality amenity space. Overall four main area of public open space are proposed which are a central grassed area to the east of Rockville House, the walled garden and an area to the west of the walled garden and an area to the west of the entrance. The total area of public open space proposed is 3,275sq m. This represents 16% of the site

area and is well in excess of the minimum requirement of 10% as set out in the Development Plan. Having regard to the locations within the scheme, the quality and overall amount proposed, I consider the public open space provision is acceptable.

7.2.4. Regarding private open space within the scheme a mix of rear garden lengths and areas are proposed. The second refusal reason issued by the Planning Authority refers to the shallow rear garden depths proposed for 18 no. units within the scheme and that it was considered it would have an overbearing impact and would result in poor residential amenity for future occupants. Section 8.2.8.4(i) of the Development Plan refers to private open space standards for new residential developments. It is required that for 1 or 2 bedroom houses a minimum of 48sq m be provided. For 3 bedroom houses a minimum of 60sq m is required and for 4 bedroom or larger houses a minimum of 75sq m is required. In relation to rear garden depths minimum standard of 22 metres separation between directly opposing rear first floor windows is generally required therefore resulting in a minimum rear garden depth of 11 metres. However, the Plan does allow for some flexibility where there is sufficient alternative private open space available to the side and a rear garden depth of 7 metres maybe considered for single storey dwellings with the proviso that privacy and protection of adjoining residential amenities is maintained.

7.2.5. I would share the concerns of the Planning Authority in relation to the shallow depths of rear gardens as originally proposed. House type B1 and B2 are two-storey to the front and dormer to the rear with three small rooflights to rear roof plane. Rear gardens with a depth of 7m are proposed to serve those units. House type B3 and B4 are two-storey with two small rooflights to the rear elevation and one first floor rear window. The revised plans submitted with the appeal indicate obscure glazing to the bathroom window. The use of high level rooflights and location of bedroom windows to the front of the dwellings would reduce potential overlooking. The applicant has submitted a revised layout with the rear garden depths of the two-storey dwellings facing home zone 3 at 11m. The rear garden depths of House type B5 the opposing dwellings is 7m. House type B5 is two-storey to the front and dormer to the rear. Three rooflights to the rear roof plane are proposed to serve the bathroom, landing and en-suite bathroom. The separation distance between these properties would be 18m, however due the proposed design there would be no

directly opposing first floor windows. The rear garden areas of the dwellings are all in excess of the minimum development plan standards. House type C are two-storey and three bedroom units. The rear garden depths as indicated on the revised site plan submitted with the appeal are 7m and all garden areas are in excess of 60sq m.

- 7.2.6. Having reviewed the revised plans submitted with the appeal, I am satisfied that the rear garden lengths and areas have been provided in accordance with the required standards set out in Section 8.2.8.4(i) of the Development Plan.
- 7.2.7. The proposed layout indicates that Rockville House along with a limited area of its curtilage will be retained. The walled garden to the south of the dwelling will be retained and used as public open space. The gatelodge to the south of the existing entrance will also be retained with much of the mature trees along the northern boundary. In relation to the setting of the Protected Structures within the overall scheme and I note the point made by the first party that there is no visual or formal link between Rockville House and the gatelodge. The gatelodge was built at the beginning of the twentieth century while the house was constructed in the mid-eighteenth century. While the buildings are set 55m apart there is no existing strong linkage between them. The area between the buildings is heavily planted. The contextual elevations indicated that a satisfactory separation is provided between the new housing and the Protected Structures. A four-storey apartment block is proposed 21m to the west of Rockville House and adjoining the site boundary. This provides a reasonable separation between the structures. As the slope of the site rises to the west the finished floor level of Rockville House is circa 3.68m below that of the ground floor of the apartment block. The block is flat roofed with a height of 12m to the eastern side closest to Rockville House and a height of 13.5m adjoining the site boundary. A decked area is proposed to the eastern side. The block is located close to the walled garden and other public open space including the communal area to specifically serve the block. Having regard to the siting and design of apartment building, I am satisfied that it would not unduly impact upon the character and setting of Rockville House.

7.3. Access and Traffic

- 7.3.1. The first refusal reason issued by the Planning Authority refers to the proposed development being premature due to deficiencies in the capacity of the existing road network and in absence of proposals to improve the Glenamuck Road in accordance with Section 10.6 of the 2013 Kiltiernan Glenamuck Local Area Plan that it would not comply with the provisions of the Local Area Plan.
- 7.3.2. Chapter 10 of Local Area Plan refers to Phasing and Monitoring and Section 10.6 refers to interim proposals. The Plan provides for the development of up to 700 dwelling units in Phase 1 provided that the existing road network would be upgraded. The report of the Transportation Planning Section stated that *“the applicant does not propose any interim works that would facilitate the future construction of the full Glenamuck Road widening scheme at their roadside site boundary. The omission by the Applicant to carry out improvements to the existing road network as part of the planning application would contravene an objective (5.3.3) of the LAP.”*
- 7.3.3. Section 5.3.3 of the Local Area Plan refers to Glenamuck Road and states that irrespective of the new roads network which are required for the development of the area it is necessary that Glenamuck Road is upgraded in terms of footpath improvements and/or installation, re-surfacing and, most importantly, improvements to address the pinchpoint which restricts traffic movements at a location at the western end of Glenamuck Road, adjacent to Cromlech Close.
- 7.3.4. Under Reg. Ref. D16A/0054 & PL06D.247097 the Board refused permission the construction of 139 residential units. Permission was refused by the Board for one reason which refers to the development being premature due to the existing deficiencies in the road network serving the area specifically on Glenamuck Road where deficiencies in capacity, width, alignment, and structural condition of the road prevail. That scheme was for a larger amount of residential units i.e. 90 more than the current proposal. The Planning Authority issued a split decision and granted permission for 55 no. residential units. However, the Senior Inspector in his assessment of the case consider the granting of permission for 55 no. units was a piecemeal approach. In relation to the issue of traffic generation by the overall scheme the Senior Inspector considered that it would result a most serious traffic hazard arising from congestion on a remaining deficient road network.

- 7.3.5. The first party in the appeal submission have stated that the development of 49 no. residential units on the subject site comes within the 150 no. units indicated as being acceptable within Phase 1A(b) in the Local Area Plan. A Traffic and Transport Assessment was produced by WS Atkins Ireland Ltd. This accompanied the application. It is stated in Section 6 of the report which refers to Traffic Impact that the traffic generated by the proposed development would be significantly below 10% of the existing traffic flow on the adjoining road and that it would have a negligible impact at the local junction.
- 7.3.6. The Planning Authority, however consider that any development at this location should include proposals to upgrade Glenamuck Road in accordance with Section 10.6 of the Local Area Plan. In response to this the applicant has submitted revised proposals prepared by WS Atkins Ireland Ltd. Drawing no: 5146984/SK/007 indicates footpath improvements along the frontage of Rockville. Drawing no: 1546984/SK/008 also submitted with the appeal response indicates road improvement works on Glenamuck Road which would include the removal of the 'bad bend' however these lands are outside the control of the applicant and would have relied upon the development of the scheme which was refused by the Board under Reg. Ref. D16A/0054 & PL06D.247097. The proposed works which can be achieved by the applicant on Glenamcuk Rock entail the provision of a 2m wide footpath along the extent of Rockville frontage.
- 7.3.7. Having regard to the recent planning history in respect of residential development at this location where the Board have refused permission for 139 no. dwelling units and where the Planning Authority refused permission for the current proposal of 49 no. dwelling units on the basis that it would be premature pending improvements and upgrading of Glenamuck Road, I do not consider that the provision of the footpath adequately addresses the concerns of the Planning Authority in respect of proposals to improve/upgrade Glenamuck Road to facilitate the additional traffic movements which would be generated.
- 7.3.8. As outlined in Section 5.3.3 of the Local Area Plan the Glenamuck Road requires to be upgraded irrespective of the provision of the new road network including the Glenamuck Link Distributor Road (GLDR) and the Glenamuck District Distributor Road (GDDR). It is emphasised in Section 5.3.3 that improvements to address the pinchpoint adjacent to Cromlech Close are necessary to as traffic movements are

restricted at that location along with footpath improvements and re-surfacing. While, I note the applicant does not have control over lands at that location to carry out such improvements, I do not consider that it would be appropriate for a residential development of this scale to be permitted in the absence proposals to address the overall deficiencies in the existing road network in terms of capacity, width, alignment, and structural condition.

7.4. Appropriate Assessment

7.4.1. The appeal site is situated circa 3.3km from Knocksink Wood the closest European site. Ballyglen SAC is 4km to the south of the appeal site. Wicklow Mountains SAC and Wicklow Mountains SPA are located 4.7km to the south of the appeal site. Having regard to the separation distance to the nearest European sites and the fact that they are located within different river catchment areas it is considered that no appropriate assessment issues arise.

7.4.2. It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on Knocksink Wood SAC, Ballyglen SAC, Wicklow Mountains SAC and Wicklow Mountains SPA or any other European sites, in view of the sites Conservation Objectives, and a Stage 2 Appropriate Assessment is not therefore required.

7.5. Other Issues

7.5.1. Section 49 Supplementary Development Contribution Scheme

In relation to the Section 49 Supplementary Development Contribution Scheme Glenamuck District Distributor Road Scheme and surface Water Attenuation Ponds, it is noted that the subject site is located within the delineated catchment area of the scheme and is therefore liable for a contribution in respect of the scheme should the Board decide to grant permission.

8.0 Recommendation

- 8.1. I have read the submissions on file, visited the site, and had due regard to the provisions of the Development Plan and all other matters arising. In the light of this and the assessment above, I recommend that permission be refused for the reasons and considerations set out below.

9.0 Reasons and Considerations

1. Development of the kind proposed on the land would be premature by reference to the existing deficiencies in the road network serving the area of the proposed development and the period within which the constraints involved may reasonably be expected to cease, resulting in significant intensification of vehicular traffic on Glenamuck Road where deficiencies in capacity, width, alignment, and structural condition of the road prevail.

Siobhan Carroll
Planning Inspector

20th January 2017