



An
Bord
Pleanála

Inspector's Report PL15.247903

Development	Construct parking space/access.
Location	17 North Road, Drogheda, County Louth.
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	16/798
Applicant(s)	Edward Townsend
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant(s)	Edward Townsend
Observer(s)	None
Date of Site Inspection	
Inspector	Hugh Mannion

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1.0 Site Location and Description

1.1. North Road Links Drogheda town centre to the M1 motorway. There is a junction with Windmill Road about 120m to the south of the application site. The application site, 17 North Road, comprises one of a terrace of 6 houses (numbers 16 to 21) that face onto North Road. Numbers 18, 19 and 21 in this terrace have front garden parking. Adjoining to the northwest is another terrace (numbers 22 to 27). Numbers 23, 24, 25 and 26 in this terrace have front garden parking. A detached house (number 15) to the south has front garden parking. On the opposite side of North Road and slightly northeast of the application site there is a terrace of two storey houses numbers 1 to 8; of these numbers 1, 2, 7 and 8 have front garden parking. Directly opposite the site is the terrace numbers 9 to 14 North Road; of these numbers 9, 10, 11 and 14 have front garden parking. Opposite the site and slightly to the south east is the terrace numbers 15 to 22 of which numbers 15 and 20 have front garden parking. There is a light controlled pedestrian crossing between 16 North Road and 12 North Road. There are double yellow lines on both sides of North Road from its junction with Windmill Road to number 22 (application side) and number 8 (opposite side).

2.0 Proposed Development

2.1. The proposed development comprises the construction of two parking spaces in the front garden of a two storey terraced house and alterations to the footpath to provide vehicular access at 17 North Road Drogheda, County Louth.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused because;

(1) the entrance is close to a pedestrian crossing and would give rise to conflict between pedestrian and vehicular movements, and (2) The proposal would contravene Objective TR3 on the Borough Development Plan which is to improve pedestrian and cycling routes to schools.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

3.2.2. The planner's report recommended refusal for the reasons set out in the Manager's order.

3.2.3. Other Technical Reports

3.2.4. The **Infrastructure Directorate** engineering report recommended refusal because the proposal would give rise to cars reversing out on a the R132 Regional Route, creating conflict between cars and pedestrians and thereby giving rise to traffic hazard.

3.3. **Prescribed Bodies**

3.3.1. There are no submissions from prescribed bodies.

3.4. **Third Party Observations**

3.5. There are no third party observations.

4.0 **Planning History**

4.1. There is no relevant planning history.

5.0 **Policy Context**

5.1. **Development Plan**

The site is zoned 'existing residential' in the Drogheda Borough Council Development Plan 2011 to 2017.

Objective TR3 in the plan seeks to "implement the key strategies and actions identified in the Drogheda Transportation Study, 2006".

Objective TR10 in the plan seeks to "improve accessibility and mobility within the town centre through the implementation of traffic management plans, Urban Traffic Control systems and improved cycle and pedestrian facilities".

5.2. **Natural Heritage Designations**

There are no natural heritage designated areas in the vicinity.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The grounds of appeal may be summarised as;

- The North Road was previously part of the N1 but this has been amended to a regional route since the construction of the M1. The minimum speed limit now applies to this road.
- The pedestrian crossing located close to the site is not related to any particular use such as school/shopping centre and is not frequently used.
- The local authority has recently painted double yellow lines on the road in front of the applicant's house which means the applicant now parks illegally.
- The proposed parking space would facilitate the applicant's elderly mother who uses a wheelchair.
- The majority of adjoining houses have parking spaces.
- There is no cycle route on North Road.

6.2. **Planning Authority Response**

The planning authority stated that it has no comment on the appeal.

6.3. **Observations**

There are no observations on file.

6.4. **Further Responses**

There are no further responses.

7.0 Assessment

- 7.1. The planning authority makes the case that this application is on a protected regional route (R132) route, that the application would require reversing of vehicles out into traffic, that there are double yellow lines on the road in the vicinity of the site and that there is a pedestrian crossing close to the site. The applicant makes the counter argument that the majority of neighbouring houses have front garden parking, that the recently provided double yellow lines makes parking outside the house illegal, that the applicant's elderly mother requires wheelchair assistance to access her house.
- 7.2. The R132 links the M1 to Drogheda town centre and the site is within a 50kph speed zone. On the terrace of houses of which the application forms part 3 out of 6 houses have front garden parking, 4 of the 6 houses in the adjoining terrace to the northwest have front garden parking. 50% of the houses opposite the application have front garden parking. A car will be able to access a car parking space without impacting on the nearby pedestrian crossing. While the planning authority's concern for road safety is reasonable having regard to the pattern of parking in front gardens accessing the public road in the area and, in particular, the application of the minimum speed limit in the vicinity of the site I do not consider that a single parking would give rise to traffic hazard.
- 7.3. On the other hand, I do not agree that the front garden can safely accommodate two parking spaces; at a minimum this would make accessing the front door difficult and unreasonably exacerbate difficulty manoeuvring a second vehicle in/out of the space.
- 7.4. The footpath will have to be dished and I recommend attaching a condition allowing the planning authority to recoup the costs of this work.

8.0 Recommendation

- 8.1. Having regard to the forgoing I recommend a grant of permission for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the pattern of front garden car parking in the area, to the minimum speed limit which applies on the public road in the vicinity of the site and subject to compliance with the conditions set out below it is considered that the proposed development would not endanger public safety by reason of traffic hazard and would otherwise accord with the proper planning and unsustainable development of the area.

10.0 Conditions

1.

The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development the developer shall submit plans and particulars for the written agreement of the planning authority providing for the following;

(a) One car parking space only (which shall not be less than 2.4m wide by 4.8m deep) shall be provided in the front garden.

(b) A pedestrian access path from the public footpath to the front door.

(c) Boundary treatment along the public footpath.

Reason: In the interests of traffic and pedestrian safety.

3. The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of works to the footpath outside the

application site necessitated by the proposed development. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board for determination. The contribution shall be paid prior to the commencement of the development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

Hugh Mannion
Planning Inspector
30th March 2017