



An  
Bord  
Pleanála

## Inspector's Report PL.04.249411

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<b>Development</b>	Construction of 1 no. single storey dwelling for which planning permission has been granted on this site (planning reference 17/05038).
<b>Location</b>	1 & 2 Rochestown Road, Douglas, Cork.
<b>Planning Authority</b>	Cork County Council
<b>Planning Authority Reg. Ref.</b>	17/06040
<b>Applicant(s)</b>	Audrey and Bernard Fitzpatrick
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	As above
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	25 <sup>th</sup> January 2018
<b>Inspector</b>	Kenneth Moloney

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## **1.0 Site Location and Description**

- 1.1. The appeal site is located on the Rochestown Road, Douglas, Co. Cork. The subject site is located at the western end of Rochestown Road adjacent to the Finger Post Roundabout in Douglas.
- 1.2. There is an existing garden centre situated to the immediate north of the appeal site and a green strip of public land is situated to the immediate west of the appeal site. The Finger Post Roundabout is located beyond this green strip of land.
- 1.3. The character of Rochestown Road within the vicinity of the appeal site is suburban. In general, the character consists of detached houses situated on individual sites.
- 1.4. The appeal site is currently a construction site. A house, which was granted planning permission in accordance with L.A. Ref. 17/5038, is currently under construction.
- 1.5. There are mature trees located along the western boundary.

## **2.0 Proposed Development**

- 2.1. The proposed development is for 1 no. single storey dwelling.
- 2.2. The proposed house has a floor area of approximately 57 sq. metres.
- 2.3. The floor plan of the proposed house comprises of one bedroom and living space.
- 2.4. The maximum height of the proposed house is 4.4 metres above ground level.
- 2.5. It is proposed that the vehicular access onto Rochestown Road will be a shared vehicular access with the adjoining permitted house currently under construction.

### 3.0 Planning Authority Decision

Cork County Council decided to **refuse** planning permission for the following reason;

1. The proposed development would endanger public safety by reason of traffic hazard because of the pedestrian and vehicular conflict which it would generate on the adjoining road and the additional traffic generated close to a zebra crossing.

#### 3.1. Planning Authority Reports

- 3.1.1. The main issues raised in the Planner's Report and the A/SEP's reports are as follows;

##### Planner's Report

- The site is located within the development boundaries of Cork City South Environs as set out in the Carrigaline LAP (2017).
- Section 14.3.2 of the County Development Plan is relevant.
- The subject site is located within a development boundary within a residential area.
- The principle of development is considered acceptable having regard to the zoning provisions.
- At the pre-planning meeting for the adjacent house it was indicated that a second application would be submitted for an additional house.
- The site entrance provides for a sightline provision of 49m in either direction to the centreline of the public road at a 2m set back distance.
- The proposed house intends to use this permitted vehicular entrance.
- The existing pedestrian entrance will be maintained.
- The Area Engineer recommends refusal on traffic hazard grounds.

- There is limited private open space provision situated to the rear of the proposed house. The private open space is greater than the minimum standards.
- The eastern elevation has a separation distance of 3.155m.
- The dwelling design is considered acceptable having regard to pattern of development.
- No overlooking or overshadowing issues.
- The site is fully serviced.

#### Senior Executive Planner

- A single dwelling on the site is acceptable from a traffic perspective.
- An additional dwelling would be unacceptable from a traffic viewpoint.
- It is noted that the applicant submitted the argument that there were two houses on the subject site however given the current traffic issues in the vicinity a further intensification of a shared entrance is not acceptable on traffic safety grounds.

The following departments of the Local Authority reported on the proposed development;

3.1.2. Liaison Officer; - No comment.

3.1.3. Area Engineer; - Refusal recommended due to traffic hazard.

#### 3.2. **Third Party Observations**

There were no third-party submissions.

#### 3.3. **Submissions**

There is a submission from Irish Water who have no objections.

## 4.0 Planning History

- L.A. Ref. 17/5038 – Permission **granted** for the demolition of 1 no. single storey dwelling and 1 no. two storey (dormer) dwelling and the construction of 1 no. two storey dwelling.
- L.A. Ref. 82/2199 – Permission **granted** on appeal for alterations and extension to 2 no. dwelling houses for use as a single dwelling with a granny flat.

## 5.0 Policy Context

### 5.1. Development Plan

Cork County Development Plan, 2014 – 2020, is the operational Development Plan.

Objective ZU 3-1 'Existing Built Up Areas' states that '*normally encourage through the LAP's development that supports in general the primary land use of the surrounding existing built up area. Development that does not support, or threatens the vitality or integrity of, the primary use of these existing built up areas will be resisted*'.

### 5.2. Local Area Plan

The operational Local Area Plan is the Carrigaline Electoral Area Local Area Plan, 2017. In accordance with the settlement map for Carrigaline Environs the subject site is located within the settlement boundary.

The site is zoned 'Existing Build-up Area'.

## 6.0 Observations

None

## 7.0 Appeal

The following is a summary of the submitted first-party appeal.

- The purpose of the proposed house is to provide a rental property for the applicant's financial security.
- The provision of a second property on the subject site is consistent with the site's history.
- Objective ZU 3-1 'Existing Built Up Areas' is relevant to the proposed development.
- Residential use on the subject site is permitted in principle.
- The proposed development is also consistent with County Development Plan policy objective HOU 3-1.
- There were two housing sites on the subject site, i.e. no. 1 & no. 2 Rochestown Road, with two independent vehicular entrances.
- The proposed design which will enhance safety proposes to combine the two entrances.
- The revised entrance is located to the east of the site as far away from the Finger Post Roundabout as possible.
- The entrance, permitted under L.A. Ref. 17/05038, was designed in line with the requirements of the Design Manual for Urban Roads and Streets (DMURS).
- The sightlines are within standard and considered acceptable for a minor arm of a T-junction.
- The volume of traffic on the minor arm only impacts the setback distance. A low volume of traffic allows a relaxation from 2.4m to 2.0m.
- In accordance with DMURS the appropriate sightline provision is 49m in either direction.
- The sightline provision permitted under L.A. Ref. 17/05038 complies fully with the requirements of DMURS.

- The design strategy was to locate the vehicular entrance as far west from the Finger Post Roundabout as possible. A constraint to the location of the proposed entrance is the location of the neighbouring gate post to the east.
- This gate post is set forward and its location defines the minimum distance required from the centre of the proposed entrance to the eastern boundary to achieve acceptable sightlines.
- The set back distance of 2.0m is deemed acceptable by DMURS.
- The potential traffic generation from the proposed development is considered low.
- The vehicle speeds along the road are limited to 50kmph however in reality they are lower.
- It is submitted that vehicles approaching the proposed entrance from the west would have just left the Finger Post Roundabout and a pedestrian crossing whereas vehicles approaching the site from the east would be decelerating while approaching the pedestrian crossing and the Finger Post Roundabout.
- There is significant visibility from the proposed vehicular entrance to the pedestrian crossing.
- The centre line of the entrance is 26m from the centreline of the pedestrian crossing.
- The bell-mouth design of the proposed entrance allows for excellent visibility between pedestrians on the footpath and anyone leaving the property.
- The existing entrance at no. 2 Rochestown Road provides for a dish down to the level of the road and stops as it crosses the entrance. The proposal will provide for a continuous footpath.

## 8.0 Assessment

The main issues for consideration are as follows;

- Principle of Development
- Access



- Residential Amenity

### 8.1. **Principle of Development**

- 8.1.1. The appeal site is situated within the settlement boundary of the Carrigaline Electoral Area Local Area Plan, 2017. The site is zoned 'Existing Build-up Area'. Policy objective ZU 3-1 of the County Development Plan states that this zoning objective supports the primary land use of the surrounding existing built up area.
- 8.1.2. The proposed development would be consistent with the recommendations of the Guidelines for Planning Authorities, 'Sustainable Residential Development in Urban Areas', 2009, as these guidelines recommend increasing residential densities in inner suburban / infill sites. The appeal site is a suburban infill site.
- 8.1.3. Therefore, having regard to the location of the proposed development I would consider that the principle of residential development would be acceptable should the proposal have adequate residential amenity, adequately safeguards the residential amenities of the adjoining properties, would not result in a traffic hazard and would be in accordance with the local area plan provisions.

### 8.2. **Access**

- 8.2.1. The appeal site has permission for a single house, which was under construction at the time of my site inspection. The vehicular entrance to serve this permitted house is located to the south-east corner of the subject site.
- 8.2.2. The documentation on the file indicates that the subject vehicular entrance provides a sightline provision of 49m in either direction at a set back distance of 2m. The appeal submission demonstrates that this sightline provision is consistent with DMURS. I note Section 4.4.4 'Forward Visibility' of DMURS, 2013, sets out Stopping Sight Distances (SSD). The SSD on the road with a design speed of 50kmph is 49 metres.

- 8.2.3. The appellant argues that the traffic generation from the proposed house will be low and as such will have no significant impact on the proposed vehicular access. However, the Area Engineer, in his report dated 11<sup>th</sup> September 2017, concluded that the sightline provision is just within the design standard and was considered acceptable for a single dwelling. The Area Engineer notes that the site is located along a busy section of the Rochestown Road between the Finger Post Roundabout and the rear entrance of the Douglas Shopping Centre. The Area Engineer notes that the local area has a heavy footfall and that the proposed entrance is located close to an existing pedestrian crossing. The Area Engineer concludes that an additional house on the site would raise the level of traffic hazard to an unacceptable level. The Area Engineer also considers that the unacceptable traffic level would have an adverse impact particularly on vulnerable road users.
- 8.2.4. At the time of my site inspection, mid morning weekday, I noted that the Rochestown Road was busy in both directions near the appeal site. I also noted that vehicles exiting the Finger Post Roundabout onto Rochestown Road accelerated relatively quickly towards the proposed vehicular entrance.
- 8.2.5. I would acknowledge the points made by the Area Engineer and I would also be concerned that the proposed development including the provision of a shared vehicular entrance with another residential property would set a precedent for other such development in the local area.
- 8.2.6. Overall I would conclude that given the proximity of the subject entrance to the Finger Post Roundabout that the intensification of the vehicular entrance on the subject site would set an undesirable precedent and would give rise to a traffic hazard.

### 8.3. **Residential Amenity**

- 8.3.1. The subject site has permission for a detached dwelling which at the time of my site inspection was under construction. The current development before the Board involves carving up the site pertaining to the permitted house. The floor area of the proposed house is 57 sq. metres and the living space / habitable rooms have a south and south-east orientation which is favourable. The proposed bedroom has a west facing orientation and overlooks the private garden space.
- 8.3.2. The private amenity space is located to the west of the proposed house and the size of the proposed open space is 53.4 sq. metres. The proposed development includes provision for two car parking spaces to the front of the proposed house. The proposed development also includes garden space located to the front and side of the proposed house. The front and side garden areas are relatively sizeable and would provide an additional amenity for future occupants.
- 8.3.3. The height of the proposed house is 4.4 metres above ground level and having regard to the separation distance from the adjoining house under construction the proposed house is unlikely to cause any undue overshadowing.
- 8.3.4. I would consider that the noise emanating from the adjacent Finger Post Roundabout would be an intrusion to proposed residential amenities however there are established residential amenities in the local area and therefore there is a precedent for residential development near the Finger Post Roundabout.
- 8.3.5. Overall I would consider that the residential amenities for the proposed development are acceptable and the proposed house would not unduly impact on any established residential amenities.

## 9.0 Recommendation

- 9.1. I have read the submissions on the file, visited the site, had due regard to the County Development Plan, the Local Area Plan and all other matters arising. I recommend that planning permission be refused for the reason set out below.

## 10.0 Reasons and Considerations

1. It is considered that the proposed development would endanger public safety by reason of traffic hazard as the site is located alongside a heavily-trafficked regional road and the intensification of a permitted vehicular entrance with limited sightline provision and within close proximity to the Finger Post Roundabout and a pedestrian crossing would give rise to a traffic hazard and would interfere with the safety and free flow of traffic on the public road.

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Kenneth Moloney  
Planning Inspector

23<sup>rd</sup> February 2018