



An
Bord
Pleanála

Inspector's Report

ABP-309765-21

Development	Relocation of existing entrance and associated site works.
Location	No.1 Granby Terrace, Granby Row, Carlow
Planning Authority	Carlow Co. Council
Planning Authority Reg. Ref.	Reg. Ref.: 20478
Applicant(s)	Pat Mulhall
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third-Party
Appellant(s)	Ian Walsh
Observer(s)	None
Date of Site Inspection	21 st May 2021
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The appeal site is located in an established residential street at the southern end of Carlow Town Centre between Kilkenny Road to the north and the junction of Hanover Road, Green Road to the south. The street has a strong uniformity in character – defined by a row of cottages on narrow deep plots on the western side and larger widely spaced semi-detached dwelling on the eastern side. The buildings appear to be almost 100 years old- the cottages appear older. The subject site relates to the first of a row of these semidetached houses on the eastern side at the northern end. The existing house plot is c.18m and includes an entrance gate. However the subject site as delineated in the application excludes this existing entrance and side garden.
- 1.2. The front boundary is defined by a coursed random rubble stone wall with taller rendered and capped gate piers marking the vehicular entrance at the northern end of the house frontage. The house is set from the side boundary by c 9m and is substantially screened by the wall. The adjoining dwelling mirrors the house with its entrance gate at the southern end of the frontage. This pattern is fairly much repeated along the same side of the road. There have been some minor deviations at the southern end of the street. The road alignment is narrow in the vicinity of the site. There is on-street parking provided intermittently along the street and in some place the cars are parked on the footpath – this is notable to the north along Granite Cottages. To the front of the site there is a parking bay.

2.0 Proposed Development

- 2.1. Permission is sought for a new 3m wide vehicular entrance with entrance gates and lowering of the boundary wall to 900mm.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority decided to grant Permission subject to 7 no. conditions. Condition 4 requires the closing up of the existing entrance and clarifies that only one vehicular entrance shall be permitted to serve the existing dwelling houses.

3.2. Planning Authority Reports

- 3.2.1. The report notes that there is a concurrent application for a new dwelling house to be provided in the side garden which appears to be facilitated by the subject proposal.
- 3.2.2. While acknowledging the objections and concerns raised, it is not considered that the proposed development would have an adverse effect and that it can be accommodated subject to conditions. The proposed development is considered to be consistent with the proper planning and sustainable development of the area.
- 3.2.3. Other Technical Reports

Traffic: (26/1/21) proposed works will require some modification to the footpath and kerb line. Applicant to be conditioned to undertake full reconstruction of the entrance in the public footpath subject to the consent of the engineering division. Road opening licence required.

Environment Section: (1/2/21) No objections

3.3. Prescribed Bodies

- 3.3.1. Irish water (16/1/21): No objection

3.4. Third-Party Observations

- 3.4.1. The Planning Authority received 1 submission in relation to the planning application. The issues raised are similar to those set out in the grounds of appeal.
- Loss of on-street parking and increase congestion
 - Unclear if this is a 2nd or only entrance – exact purpose unclear
 - Change in streetscape due to lowering of wall.
 - Inaccurate drawings

4.0 Planning History

4.1. The site

- 4.1.1. PA ref. 21/18. This is a concurrent application for a dwelling house in the side garden. The Planning authority report refers to a number of cases undetermined cases (deemed withdrawn) in respect of a dwelling house and entrance.

5.0 Policy & Context

5.1. Development Plan

- 5.1.1. The Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012-2018 as extended (and which incorporates the Carlow Town Plan 2012-2018) is described as the relevant development plan by the planning authority. In this, the subject site is identified as being in the Residential 1 zone where the objective is 'to protect and enhance the amenity of developed residential communities.'
- 5.1.2. Granby Row is one of 7 designated Architectural Conservation Areas. It includes the terraces of houses to the south of the site and also the terrace of houses on the opposite side of the road. It is stated that, "The Council resolves to protect the terraced streetscape at this location." The site is not included in this delineation.
- 5.1.3. Objectives regarding - Conservation of Unprotected Structures and Areas
- HERP26 Conserve and enhance the built heritage of the Greater Carlow Graiguecullen Urban Area and ensure new development is sensitive to the character of the Area
 - HER P27 Support the conservation of historically significant street patterns, building lines, building scales and plot ratios, and the preservation of public realm features such as granite kerbing, historic drinking fountains, whether or not they benefit from protection in their own right
 - HER P28 Encourage the retention, refurbishment and re-use of historic structures that are not protected structures and are not located within ACAs, where structures make a positive contribution to the streetscape or contribute to the sense of place of a particular locality
 - HER P29 Encourage the retention of historic building fabric such as natural slate roofs, chimneystacks and pots, sliding sash windows, elevational features such as hood mouldings and string courses and rainwater goods

5.2. Natural Heritage Designations

- 5.2.1. The nearest relevant Natura 2000 is the River Nore and River Barrow SAC Site no. 002162.

6.0 Environmental Impact Assessment - Preliminary Examination

- 6.1.1. Having regard to the limited nature and scale of the proposed development there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1. A third party appeal has been lodged by Ian Walsh who is a local resident. He makes the following case in support of a refusal of permission:

- Insufficient details on drawings relating to impact on off-street car parking. Also misleading as not provide details of closure of existing entrance, referring to the side garden as an adjoining site, there are no dimension of the height of the stone wall.
- The on-street spaces are critical for the local public , owners and visitors on a street which has a lack of safe parking. The residents of Granite Cottages are forced to park on the partly on the footpath. The development increase traffic risks. The development is in conflict with the objective to protect residential amenities.
- New development should not create a traffic hazard. The manoeuvring in and out of an additional entrance would be a traffic hazard on this narrow street.
- This is an application for 2nd entrance and not a relocated entrance in the context of the application for a dwelling house.
- The decoupling of the application from the proposed house results in un-informed decisions.

7.2. Applicant's Response

None

7.3. Planning Authority Response

- 7.3.1. The planning authority has no further comments.

8.0 Assessment

8.1. Issues

- 8.1.1. It is proposed to provide a new entrance in the front boundary. The key issues relate, parking, streetscape and residential amenity.
- 8.1.2. In the first instance I note that there is an acknowledgment of an application for a house to the side but this is not detailed in the drawings. The drawings however show the existing entrance excluded from the site and forming part of intended separate site. The planning authority however in its decision requires the blocking up the existing entrance but this outside the site as outlined in red. It is I consider a 2nd entrance in the plot presently serving the house.

8.2. Parking

- 8.2.1. The location of the new entrance is positioned where there is presently an on-street parking bay which provides for car parking for the terraces of houses along the street which have no alternative form of parking and which are also governed by the objective to protect amenities of residential communities. In order to provide sight lines and turning the location of the entrance by itself and also taken in conjunction with the existing entrance is likely to significantly reduce the parking available on street. There is evidence of parking on the footpaths in front of the adjacent Granite Cottages north of the site which indicates that there is a shortage of car parks spaces at times. This I noted during my site inspection and is further supported by the submissions on file, I consider a reduction in car parking for residents is likely to generate haphazard parking and obstruction to road users. This constitutes a traffic hazard and would be prejudicial to public safety.

8.3. Streetscape

- 8.3.1. The house is one of a row of houses which have an ordered symmetry in terms of façade, spacing and boundary treatment. The urban character of the streetscape is strongly defined by the continuous stretch of high stone walls punctuated with taller elegant gate piers and railed gates at opposing ends of each pair. This has been substantially retained (I note an exception at the southern end) . The introduction of a second entrance or even the repositioning of the entrance in a more centred

location in the plot would, together with the lowering of the wall to 900mm would be incongruous to order of the streetscape and would serve to fragment and weaken the strong boundary. As there are a number of similar houses this would set an undesirable precedent.

8.3.2. This proposed developemtn would contribute to pattern of developmental that would seriously alter the character of this historic streetscape which includes an Architectural Conservation Area - ' Granby Row' . Not only would the boundary alterations as proposed be unacceptable for the streetscape generally, it would directly conflict with the development policies to protect built heritage in the town. I refer to:

- HERP26 Conserve and enhance the built heritage of the Greater Carlow Graiguecullen Urban Area and ensure new development is sensitive to the character of the Area.
- HER P27 Support the conservation of historically significant street patterns, building lines, building scales and plot ratios, and the preservation of public realm features such as granite kerbing, historic drinking fountains, whether or not they benefit from protection in their own right.

8.4. **Residential amenity**

8.4.1. I consider the provision of private entrance which would result in a loss of on-street car parking would constitute an unwarranted loss of a public facility for the residents. Furthermore the fragmentation of the streetscape would detract from the visual amenities of the area . Accoridngly, I consider that the proposal would seriously injure the residential amenities of properties in the vicinity of the site.

8.4.2. In view of the forgoing I consider the proposed development would be contrary too the proper planning development of the area.

8.5. **Appropriate Assessment**

8.5.1. Having regard to the nature and scale of the proposed development, a modest infill residential development on serviced land within an established urban area, and the distance to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Recommendation

I recommend that planning permission for the proposed development be refused based on the following reasons and considerations.

10.0 Reasons and Considerations

1. It is considered that the proposed development by reason of loss of on-street parking is likely to generate haphazard parking and cause obstruction to pedestrians and road users and would therefore constitute a traffic hazard. The proposed development would, therefore, be prejudicial to public safety.
2. Having regard to the location and extent of boundary removal and the existing streetscape character, part of which is an Architectural Conservation Area, it is considered that the proposed development would fragment the streetscape in a disorderly manner and would therefore be detrimental to the visual amenities of the streetscape and detract from its character. It is considered that the proposed development fails to accord with the provisions of the Joint Spatial Plan for the Greater Carlow Graiguecullen Urban Area 2012-2018, as extended, in respect of protection of the built heritage as expressed in objectives HER26 and HER27. Furthermore, the proposed development would set an undesirable precedent for future development in the area. It is considered that the proposed development would seriously injure visual and residential amenities in the area and would, therefore, be contrary to the proper planning and sustainable of the area.
3. The proposed development would result in a loss of on-street parking which would reduce the supply available to residents on the street and in the wider areas and as such would be contrary the development plan objective for the area 'to protect and enhance the amenity of developed residential communities.' The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Suzanne Kehely
Senior Planning Inspector
28th May 2021