



An
Bord
Pleanála

Inspector's Report ABP 312908-22

Development	Relocation of vehicular entrance and associated works.
Location	Blackrock Hospital, Rock Road, Blackrock, Co. Dublin.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D21A/0627
Applicant	Blackrock Hospital and Clinic
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	1 st Party v. refusal
Appellant	Blackrock Hospital and Clinic
Observer(s)	None
Date of Site Inspection	26/10/22
Inspector	Pauline Fitzpatrick

1.0 Site Location and Description

- 1.1. The Blackrock Hospital and Clinic is to the south of the R118 - Rock Road in Blackrock. The site is currently served by an access onto Rock Road with a pedestrian crossing set back from the junction. It allows for both left and right turn exit movements. There is a staggered, signalised junction on Rock Road serving the existing entrance and Emmett Square to the north. There is no dedicated right turn lane into the campus. Currently right turns are prohibited between 16:00 and 19:00 weekdays to allow for free flow on the regional road. There is a left hand turn filter lane into the campus.
- 1.2. Rock Road has a vehicular lane in addition to a bus lane in each direction. The 50 km/hr speed limit applies. The road is well trafficked. Footpaths on both sides of the road vary in width. There is a bus stop on the northern side of the road.
- 1.3. The boundary of the campus onto the road is largely delineated by a stone wall backed with planting with a mesh fence in the vicinity of where the relocated entrance is proposed.
- 1.4. The vicinity of the campus is characterised by a mix of residential, commercial and institutional uses including Blackrock College, Willow Park and Sion Hill schools to the west and Sion Hill apartment complex to the east.

2.0 Proposed Development

- 2.1. The application was lodged with the planning authority on the **05/07/21** with further plans and details and revised notices submitted **11/01/22** following a further information request dated 26/08/21.
- 2.2. As amended, the proposal entails:
 - Close the existing entrance and provide a new vehicular entrance 60 metres further south along Rock Road through the existing construction access point located at the former entrance to the Texaco petrol station. It is to provide for two outbounds lanes (left and right turning). A footpath will be constructed at the former entrance to connect with the existing footpath to either side.

- Relocation of existing signalised junction on Rock Road to provide for a four arm signalised junction with R118, Phoenix Terrace and the proposed relocated entrance. This will require road improvement works including widening of Rock Road to provide for a right turn lane at the new entrance.
- Reconfigured car parking layout within the campus. No additional parking spaces are proposed.
- Relocation of 3 no. signs to the new entrance.

2.3. The application is accompanied by:

- Drainage Services – Planning Report
- Arboricultural Impact Statement
- Tree Survey Report Sheet
- Infrastructure Design Report
- Road Quality Audit (by way of F.I.)
- Transportation Report (by way of F.I.)
- Outline Construction Management Plan (by way of F.I.)

3.0 **Planning Authority Decision**

3.1. **Decision**

Refuse permission for the above described development which can be summarised as follows:

The development fails to comply with DMURS by reason of the excessive width of the proposed pedestrian crossing. In addition, the need for a 2nd outbound traffic lane has not been satisfactorily established. It would adversely impact on the flow of traffic at this location. The proposal would adversely affect the use of the road by traffic and would endanger public safety.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The **1st Planner's** report dated **26/08/21** notes:-

- Transportation Planning report noted.
- The existing and proposed dimensions of footpaths are not detailed.
- There is a high level of pedestrian movements arising from the schools to the west and south.
- Further information required on tree removal and replacement planting.
- No objection to the relocation of the signage.
- Provision of an upgraded roadway, footpaths, pedestrian crossing and cycle lanes are considered to be a positive contribution to the area.

A request for further information recommended.

The **2nd Planner's** report dated **04/02/22** notes the Transportation Planning Section report.

- The applicant has not demonstrated any reason for increased traffic volumes exiting the development.
- The principle of a 2nd lane is not acceptable to the planning authority at this time.
- There are concerns about the number of trees to be removed and number proposed to be planted. This can be addressed by way of condition.

A refusal of permission for 1 reason recommended.

3.2.2. Other Technical Reports

The **1st report** from **Transportation Planning Section** dated **20/08/21** notes:

- The footpath in front of the development is substandard in width. The proposal has the potential to provide an opportunity to improve pedestrian access. A 2 metre footpath should be provided along the entire extent of Rock Road from Castledawson Avenue to existing entrance at Sion Hill apartments. Red line boundary to be amended to include same.
- Width of proposed pedestrian crossing to be reduced and junction tightened by omission of 2nd outbound traffic lane.

- Stage 2 Road Safety Audit and Quality Audit of redesigned car park required.
- Revised drawings showing consideration of DMURS.
- Construction Management Plan required.

A request for further information recommended.

The **2nd report** from **Transportation Planning Section** dated **01/02/22** following further information considers that the applicant has not demonstrated that the 2nd outbound traffic lane is required. A refusal of permission recommended.

Drainage Planning has no objection subject to conditions.

3.3. **Prescribed Bodies**

National Transport Authority in a submission dated 09/08/21 notes that the proposal would not prejudice BusConnects proposals.

Irish Water in a letter dated 28/07/21 has no objection subject to conditions.

3.4. **Third Party Observations**

An observation received by the planning authority is on file for the Board's information. The issues raised relate to pedestrian safety.

4.0 **Planning History**

There is an extensive history pertaining to the campus, details of which are given in the planning authority's planner's report on file.

ABP 313509-22 – current application before the Board for BusConnects Belfield/Blackrock to City Centre Core Bus Corridor Scheme of which Rock Road forms part.

5.0 Policy Context

5.1. Development Plan

Since the lodgement of the application and the planning authority's notification of decision the Dun Laoghaire Rathdown County Development Plan 2022 came into force.

The site is within an area zoned SNI the objective for which is to protect, improve and encourage the provision of sustainable neighbourhood infrastructure.

Specific Objective 128 - to support the retention of the existing medical/hospital uses at the Blackrock Clinic and facilitate its future development including the provision of supporting facilities.

Policy Objective PHP9: Health Care Facilities - Support the Health Service Executive and other statutory and voluntary agencies in the provision and/or improvement of appropriate healthcare facilities - including the system of hospital care and the provision of community-based primary care facilities, mental health and wellbeing facilities.

Encourage the integration of appropriate healthcare facilities within new and existing communities.

Rock Road is delineated as part of a Core Bus Corridor.

Section 12.4 addresses Development Management requirements for transport.

Section 12.4.1 - the road layout of new residential, commercial, and/or mixed-use developments shall be designed in accordance with DMURS which seeks to create self-enforcing 30km/hr zones.

To ensure that the needs of all road users are considered, a Quality Audit may be required for major developments that impact on the road network and for all new road and traffic schemes. This should be carried out in accordance with DMURS and best UK practice.

5.2. Natural Heritage Designations

None in the vicinity

6.0 The Appeal

6.1. Grounds of Appeal

The submission by McGill Planning on behalf of the 1st party which is accompanied by supporting detail, can be summarised as follows:

- The application was made in order to have the appropriate infrastructure in place to serve the future development access needs of the Blackrock Clinic, in addition to aligning with BusConnects proposals for the R118 Rock Road.
- The proposal is fully in accordance with the provisions of the current development plan. It will also enable the delivery and support of the development of the health care service within the community and will also enable the future expansion of the services at the site.
- It will improve the width of pedestrian footpaths the entire length of the site with new signalised pedestrian crossing points and new cycle facilities.
- NTA in a submission on the application has no objection to the proposal.
- The proposal is in full agreement with the guidance and recommendations set out in DMURS and the National Cycle Manual.
- Local residents welcome the relocation of the pedestrian crossing and widening of the footpath.
- The proposal is generally acceptable to the planning authority. The only item of contention is the width of the 2 no. lane exit.
- A two lane exit will enable a better flow of traffic out of the site and will ensure a safe environment for all road users. There is no policy that prohibits a two lane exit.
- Neither the development plan nor DMURS have any policies regarding maximum entrance widths nor does it have maximum pedestrian crossing distances. The corner radii have been designed in line with DMURS.
- The controlled pedestrian crossing with a distance of 15.7 metres is an improvement on the existing, uncontrolled pedestrian crossing entrance of c.19 metres. It will also introduce safe and direct routes between the

footpaths on either side of the approach into the site and to bus stops and other points of interest in the local surrounding environment.

- The introduction of a new signalised junction will reduce speeds along Rock Road.
- The Quality Audit undertaken did not raise any concerns regarding the pedestrian crossing distance of the Blackrock Clinic Arm. The said audit was accepted by the Transport Planning Department.
- A single lane exit would result in queuing within the Blackrock Clinic and Hospital site potentially obstructing emergency services, require the increase in the amount of green time to facilitate the traffic demand exiting the site and increased wait times for pedestrians crossing the road contrary to DMURS guidance to optimise pedestrian movements.
- An alternative arrangement is submitted with the appeal providing for a refuge island within the relocated entrance. It would enable the provision of a two lane exit accommodating both the current and future needs of the site, enabling better pedestrian and vehicle flows from the site and past the site. It would overcome the concerns of the pedestrian crossing distance without resorting to a single lane traffic which would result in negative knock on consequences.

6.2. **Planning Authority Response**

None

6.3. **Observations**

None.

7.0 Assessment

- 7.1. The existing access serving the Blackrock Hospital and Clinic Campus is located at the northern end of the site frontage onto Rock Road and is governed by a four arm signalised junction with Emmett Square to the north which is an enclave of approx. 36 no. residential units. There is no dedicated right turning lane into the campus so vehicles turning right block one lane of the south-eastern bound traffic. Currently, right turns are prohibited between 16:00 and 19:00 weekdays to allow for free flow on the regional road. Whilst markings on the internal campus road indicate left and right turning vehicles exiting the site the width of the carriageway largely precludes such an arrangement. As noted on day of inspection Rock Road was heavily trafficked with frequent vehicular movements in and out of the campus. Details provided with the application demonstrate that the existing arrangement has traffic capacity issues. The existing pedestrian crossing and footpath at the access is set in from Rock Road and does not follow the intuitive straight pedestrian desire line resulting in informal pedestrian crossings at the junction which is approx. 19 metres in distance.
- 7.2. The proposal entails the relocation of the access to a point c. 60 metres to the south. A two lane exit arrangement is proposed with cycle facilities resulting in a width of c. 16 metres. Rearrangement of on-site parking is proposed to allow for the access. No change in car parking space numbers is proposed. Alterations are also proposed to Rock Road, including its widening, by setting back part of the roadside boundary to accommodate a right hand turning lane. This will allow for unimpeded flow on the Rock Road. The new junction would be controlled by a four arm signalised junction with Phoenix Terrace. A two metre wide footpath is to be provided along the site frontage. The proposal aligns with BusConnects proposals for the R118 Rock Road with a letter from the National Transport Authority dated 09/08/21 on file noting that the proposal would not prejudice the infrastructure project. It has no objection to the application.
- 7.3. Whilst the planning authority has no objection in principle to the relocation of the access the substantive concern appears to be the justification for the two lane exit arrangement and the consequent pedestrian crossing length.

- 7.4. As per the details on file the application was made in order to have the appropriate infrastructure in place to serve the future development access needs of the Blackrock Clinic with a future extension of in the region of 17,000 – 19,000 sq.m. anticipated. As yet a planning application for the said works has not been lodged. I note that it is a specific objective of the current development plan to support the retention of the existing medical/hospital uses at the Blackrock Clinic and facilitate its future development including the provision of supporting facilities. Thus, it is reasonable to conclude that any potential future extension would be considered to be acceptable in principle.
- 7.5. I consider that the proposed arrangement, of itself, will not bring about an increase in vehicular movements but would allow for the more efficient operation of the junction. Indeed, the vehicular movements from Phoenix Terrace (6no. dwellings) to the north of Rock Road to be controlled by the signalised junction, would be less than that currently generated by the larger enclave of Emmett Square. Impacts arising from any future development in terms of traffic and operation of the junction would be subject to assessment as part of the relevant planning application and I submit that the relocation and improvements to the access providing for two exit lanes at this juncture would not, of itself, be sufficient basis on which to consider whether such a future development is acceptable or not.
- 7.6. The length of the pedestrian crossing would be in the region of 16 metres and to be signal controlled. I note that the crossing at the existing entrance is set back from the junction with the footpath diverted into the site on both sides. At this point it is in the region of 8 metres. However this does not represent the most direct route for pedestrians across the junction which, at its widest, is in the region of 19 metres.
- 7.7. The proposed length at the relocated access is considered unacceptable to the planning authority. I am somewhat unclear as to why this is the case. There are no maximum or minimum standards for pedestrian crossings set out in the current County Development Plan. The plan states that the road layout of new commercial, and/or mixed-use developments should be designed in accordance with DMURS and that a Quality Audit may be required. Such a quality audit was submitted by way of further information.

- 7.8. DMURS, whilst setting out minimum widths, does not set out maximum distances for pedestrian crossings. It places emphasis on the location of the pedestrian crossings which should align with pedestrian desire lines with the corner radii of the junction minimised so that the crossing points are located close to the corners on the pedestrian desire line. It goes on to state that reducing corner radii will significantly improve pedestrian and cyclist safety at junctions by lowering the speed at which vehicles can turn corners and by increasing inter-visibility between users.
- 7.9. I consider that the corner radii has been reduced as far as practicable in accordance with the DMURS guidance and provides for a material improvement over the pedestrian environment at the existing access where pedestrians informally cross the distance of c.19 metres.
- 7.10. I note that the Quality Audit submitted by way of further information did not identify the crossing distance to be problematic. I consider that the distance is not unusual in such a suburban context with examples given in the documentation accompanying the appeal submission. The two lane vehicular exit arrangement would also allow for a shorter traffic light sequence which would have a favourable impact on pedestrian wait times. To alleviate concerns in terms of the distance the appeal submission puts forward the option of a central refuge island for pedestrians. I do not consider such a provision to be required in this instance and submit that it would not accord with the optimum arrangement as advocated in section 4.3.2 of DMURS. A central refuge may be considered on wide streets (i.e. with four or more lanes and a median) on the grounds of safety and traffic flow. The guidelines state that safety concerns regarding pedestrian crossings should also be viewed in the context of pedestrian behaviour. Research has found that pedestrians are less likely to comply with the detour/delay created by staggered crossings, leading to unsafe crossing behaviour. It is generally more desirable, from a safety point of view, to provide a direct single, phase crossing.

Development Contribution

- 7.11. Having regard to the nature of the proposal which seeks to relocate and improve an access into an existing facility with no increase in floor area or car parking within the campus I do not consider that the adopted section 48 development contribution scheme is applicable.

Landscaping

- 7.12. A Tree Impact Plan indicating the trees to be removed to facilitate the development was submitted by way of further information. The majority of the trees on site are to be retained. A landscaping plan was also submitted by way of further information detailing the replacement trees and boundary treatment in addition to the relocation of existing signage. The proposals are considered acceptable.

Appropriate Assessment

- 7.13. Having regard to the location of the site and the nature and scale of the proposed development it is concluded that no appropriate assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

Having regard to the foregoing I recommend that permission for the above described development be granted for the following reasons and considerations subject to conditions.

9.0 Reasons and Considerations

Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022 and specific objective 128 for the Blackrock Hospital and Clinic, the design, nature and extent of the proposed development and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in terms of traffic safety and convenience and would provide for an improved pedestrian and cyclist environment. The proposed development would, therefore, be in accordance with the proper planning and sustainable 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 as amended by further plans and particulars submitted on the 11th day of January 2022 and by the further plans and particulars received by An Bord Pleanála on the 2nd day of March 2022, 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 development 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.
 - a. The proposed entrance including footpaths and kerbs shall comply with the details standards of the planning authority for such road works.
 - b. Footpaths shall be dished at the road junction in accordance with the requirements of the planning authority
 - c. The proposed pedestrian island delineated on drawing no. 21010-PLA-003 Rev. P6 received by An Bord Pleanála on the 2nd day of March 2022, shall be omitted

Reason: In the interest of amenity and of traffic and pedestrian safety.

3. The existing vehicular entrance shall cease to be used on commissioning of the new entrance and the works to the site boundary and footpaths shall be completed to the written satisfaction of the planning authority within 3 months of the date of the commissioning of the relocated entrance.

Reason: In the interest of traffic and pedestrian safety.

4. The landscaping scheme shown on drawing no. 21010-PLA-007 Rev. P3 received by planning authority on the 11th day of January, 2022, shall be carried out within the first planting season following substantial completion of construction works.

All planting works shall be adequately protected from damage until established. Any plants which dies, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 hours Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sunday and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

Pauline Fitzpatrick
Senior Planning Inspector

November, 2022