

Comhairle Chontae Atha Cliath Theas

PR/0284/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0003 **Application Date:** 06-Jan-2022
Submission Type: New Application **Registration Date:** 06-Jan-2022
Correspondence Name and Address: Wale Kadeba 10, Father McWey Street, Edenderry, Co. Offaly
Proposed Development: The widening of existing pedestrian gate to create a new vehicular entrance onto Wainsfort Road, new front parking area, closing off the rear parking area by modification to the rear boundary wall within the legal boundary and all associated site works
Location: 93, Wainsfort Road, Terenure, Dublin 6W, D6WPW95
Applicant Name: Sharon Browne
Application Type: Permission

(EW)

Description of Site and Surroundings:

Site Area: as stated 0.03 Hectares.

Site Description:

The subject site is a two-storey dwelling house at 93 Wainsfort Road, Terenure, which is close to a signalled junction of Wainsfort Road and Wainsfort Manor Drive. There is pedestrian access to the front and rear of the dwelling only. Vehicular parking associated with the dwelling is to the rear of the dwelling with two designated carparking spaces off a cul-de sac from Wainsfort Manor Drive. i.e. within a College Square residential development.

Apart from this house and its neighbour to the south No.95, the streetscape of Wainsfort Road is characterised by semi-detached two-storey houses of similar character and appearance with front and rear gardens with driveways, with mature street trees set in broad grass margins. There is an on-road cycle lane, and no on-street parking.

Proposal:

- The widening of existing pedestrian gate to create a new vehicular entrance onto Wainsfort Road,
- new front parking area,

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- closing off the rear parking area by modification to the rear boundary wall within the legal boundary and all associated site works

Zoning:

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity'.

Consultations:

Roads –

Refusal: *the additional traffic movements impacting on safety for road users and vulnerable road users.*

Parks –

No report received.

SEA Sensitivity Screening –

No overlap indicated.

Submissions/Observations /Representations

None received.

Relevant Planning History

SD17B/0145 – **Decision Refused** with regard to widening of existing pedestrian gate to create a new vehicular entrance onto Wainsfort Road and all associated site works. The decision was appealed to ABP and **Refused Permission** under ABP-PL.06S.248813.

REASON(S)

1. Having regard to the existing vehicular access layout, parking provision and turning area located to the rear of the subject site to serve the subject dwelling and neighbouring house, which was permitted under the original planning permission for the College Square development to serve the dwelling on the subject site, it is considered the provision of a new vehicular entrance to the front of the dwelling and additional carparking spaces would be an excessive and unnecessary form of development within a suburban area served by a quality public transport system, and would therefore be contrary to the proper planning and sustainable development of the area.
2. Having regard to the close proximity of the proposed entrance to the signalled junction of Wainsfort Road and College Drive, it is considered that traffic movements generated by the proposed development would result in conflicting traffic movements at a location which is heavily trafficked with multiple movements, and it is considered the proposed development would endanger public safety by reason of a traffic hazard.

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SD04A/0242/FEP – further extension of permission granted in January 2013 until January 2016

SD04A/0242/EP – extension of permission granted in February 2010 until January 2013.

SD04A/0242 - Parent permission - The modified development will consist of the construction of a reduced number of 189 residential units comprising: 4 no. 3-storey 5/6 bedroom detached houses; 18 no. 3-storey 5 bedroom detached houses; 12 no. 3-storey 5 bedroom semi-detached houses; 31 no. 4 bedroom and 13 no. 3 bedroom townhouses in 12 no. 2 and 2.5 storey blocks; 2 no. 4 bedroom 2 storey detached houses (formerly semi-detached); 109 no. 1, 2 and 3 bedroom apartments with associated balconies and 263sq.m fitness centre located in 3 no. 4 storey blocks over semi-basement car park; one sheltered housing unit containing 51 1 and 2 bedroom suites and communal facilities in a 4 storey block over semi-basement car park; a reduced 2 storey 200sq.m. crèche; and ancillary works including relocated sub-surface waste and surface water holding tanks; demolition of existing buildings within the site; on lands comprising the former Eircom Training Centre. Vehicular access to the proposed development would be provided from Wainsfort Manor Drive.

Relevant Enforcement History

None recorded for the subject site.

Pre-Planning Consultation

None recorded for the subject site.

Relevant Policy in South Dublin County Council Development Plan 2016 - 2022

Section 6.4.0 Road and Street Network

Section 6.4.3 Road and Street Design

- *It is the policy of Council to ensure that streets and roads within the County are designed to balance the needs of place and movement, to provide a safe traffic-calmed street environment, particularly in sensitive areas and where vulnerable users are present.*

Section 6.4.4 Car Parking

- *To ensure that car parking does not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape.*

Transport and Mobility (TM) Policy 3 Walking and Cycling

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- *It is the policy of the Council to re-balance movement priorities towards more sustainable modes of transportation by prioritising the development of walking and cycling facilities within a safe and traffic calmed street environment.*

TM3 Objective 3:

To ensure that all streets and street networks are designed to prioritise the movement of pedestrians and cyclists within a safe and comfortable environment for a wide range of ages, abilities and journey types.

TM6 Objective 2:

To ensure that all streets and street networks are designed to passively calm traffic through the creation of a self regulating street environment.

TM7 Objective 1:

To carefully consider the number of parking spaces provided to service the needs of new development.

TM7 Objective 2:

To effectively design and manage parking to ensure the efficient turnover of spaces.

TM7 Objective 3:

To ensure that car parking does not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape.

Policy 6 Road and Street Design

It is the policy of Council to ensure that streets and roads within the County are designed to balance the needs of place and movement, to provide a safe traffic-calmed street environment, particularly in sensitive areas and where vulnerable users are present.

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Table 6.4 Six Year Cycle Network Programme

Section 11.4.0 Transport and Mobility

Section 11.4.2 Car Parking Standards

Section 11.4.4 Car Parking Design and Layout

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.6.1 (i) Flood Risk Assessment

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy,
- Proposed Vehicular Access and Road Safety
- Proposed Design and Visual Impact
- Residential Amenity
- Services and Drainage.

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Zoning and Council Policy

The site is located in an area which is zoned 'RES' 'to protect and/or improve residential amenity.' the widening of vehicular access would be consistent in principle with zoning objective 'RES', subject to compliance with the provisions of the South Dublin County County Development Plan (2016-2022),

Proposed Vehicular Access and Road Safety.

The proposed development would seek permission for the removal of 3.5m of the boundary wall to create a vehicular access exiting onto Wainsfort Road. It is noted from the submitted plans that the proposed entrance is in close proximity to the signalised junction of the main R817 Wainsfort Road (north/south) Wainsfort Manor Drive (south-west) and College Road (east).

The subject dwelling currently benefits from a well designed and safe vehicular access arrangement to the rear of the site, via Wainsfort Manor Drive. The proposal to build a new boundary wall and omit parking access from the rear of the property and create a new primary vehicular entrance and parking area, via Wainsfort Road, is deemed unnecessary.

It is noted that a pedestrian footpath and cycle route run along Wainsfort Road, which would be impacted by the proposed development. In this regard Policy TM7 Objective 3 of the South Dublin County Council Development Plan 2016 – 2022 seeks 'To ensure that car parking does not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape'.

It is considered that the current proposal would create additional inconvenience for people using the footpath and cycle path on Wainsfort Road, due to additional movement of vehicular traffic across the existing pedestrian and cycle routes, which would result in an increase in the potential for a traffic hazard. Wainsfort Road is part of Secondary Route 9C on the NTA's South Dublin Strategic Cycle Network, which is an important and highly trafficked route thereby increasing the potential traffic hazard at this location.

The Planning Authority's Roads Department has reviewed the subject application and has recommended the Refusal of the current application, as a result of the additional traffic movements impacting the safety of road users, including vulnerable road users. The Roads Section has highlighted that the proposed entrance is in close proximity to the signalised junction of Wainsfort Road and College Drive. It is considered that vehicles accessing and egressing the proposed driveway would result in conflicting traffic movements at this busy junction and would result in a traffic hazard occurring, thereby resulting in an unacceptable impact on public safety.

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Having regard to the above requirements of the Roads Department, the vehicular entrance for Permission is not acceptable and therefore a Refusal of Permission is recommended.

Visual Impact

The current application would seek to increase the width of the existing pedestrian gate to create a new vehicular entrance onto Wainsfort Road, which would have a width of approx. 3.5 meters and would include a new sliding metal gate. Alterations to the front curtilage area are also proposed to facilitate the provision of a new front parking area.

No.93 and No.95 have pedestrian gate access only to Wainsfort Road, with parking access to the rear (west) of both dwellings within the College Square development. The front garden in question is enclosed by a brick wall with mature hedging behind it, giving it an enclosed character. The corner aspect of this road and the subject site is in contrast in architectural style and form to the rest of the road north and east of the site.

It is noted that the proposed entrance width is generally in keeping with prevailing vehicular entrances in the area. Accordingly, no objections are raised in relation to the potential visual impact.

Residential Amenity

It is not considered that the proposal would adversely impact the residential amenity of adjacent dwellings.

Drainage and Services

Limited information has been submitted in relation to drainage and the handling of rainwater runoff from the proposed parking area. Had the application been considered otherwise acceptable, this information could have been secured via condition.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, connection to public services and the distance from Natura sites, it is considered that 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.

Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, 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.

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Development Contributions

Permission: Widened Vehicular access.

Assessable area: NIL.

SEA Monitoring

Building Use Type Proposed: Residential extension.

Permission: Widened Vehicular access

Land Type: Brownfield/Urban Consolidation

Site Area: 0.03 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, it is considered that the proposed vehicular entrance would, both in itself and by virtue of the precedent created, increase inconvenience to people using the cycle path (part of Route 9C a secondary route on the National Transport Authority's Strategic Cycle Network) and the footpath, due to traffic movements across their path, including reversing movements. Due to the existing provision of parking spaces to the rear of the house, this would not appear to be justified.

Furthermore, the proposed development would result in a traffic hazard and would impact upon public safety, and therefore conflict with the objectives of the County Development Plan and would be contrary to the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

SCHEDULE

REASON(S)

1. The proposed vehicular entrance, which is in close proximity to the signalised junction of Wainsfort Road and College Drive, would by reason of vehicles accessing and egressing the proposed driveway, result in the creation of an unacceptable traffic hazard to vehicles, cyclists and pedestrians in the circumstances at this location. Furthermore the proposal would contravene TM7 Objective 3 of the South Dublin County Council Development Plan 2016 – 2022: 'To ensure that car parking does not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape' and would be contrary to the proper planning and sustainable development of the area.

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REG. REF. SD22B/0003

LOCATION: 93, Wainsfort Road, Terenure, Dublin 6W, D6WPW95

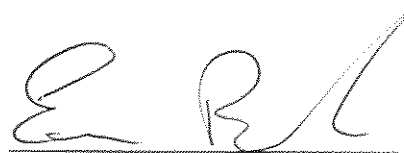
Colm Harte

**Colm Harte,
Senior Executive Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission for the above proposal for the reasons set out above is hereby made.

Date:

2/3/22



Eoin Burke, Senior Planner