

Comhairle Chontae Atha Cliath Theas

PR/1273/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0338 **Application Date:** 18-Aug-2022
Submission Type: New Application **Registration Date:** 18-Aug-2022
Correspondence Name and Address: Tom Phillips and Associates 80, Harcourt Street,
Dublin 2
Proposed Development: Construction of an access gate.
Location: Cooldrinagh Lane, Leixlip, Co. Dublin
Applicant Name: Edward Tynan
Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Area

Stated as 0.012 Hectares.

Site Description

The application site is located on the Cooldrinagh Lane directly opposite the Weston Aerodrome and close to the M4 motorway. The site concerned is an agricultural plot in grass and the proposed development is a new entrance way from the Cooldrinagh Lane to facilitate access.

Proposal:

The development for retention consists of:

- Construction of an access gate.

Zoning:

The site is subject to zoning objective 'RU' - 'To protect and improve rural amenity and to provide for the development of agriculture.'

Consultations:

Transport Infrastructure Ireland – Report received.

Irish Water - No objection subject to standard conditions.

Water Services – No objection subject to standard conditions.

Parks – No report received at the time of writing.

Roads – Refuse Permission.

Comhairle Chontae Atha Cliath Theas

PR/1273/22

Record of Executive Business and Chief Executive's Order

SEA Sensitivity Screening

Overlaps with
- Rural Area

Submissions/Observations /Representations

None received.

Relevant Planning History

Subject Property

SD13A/0045 – **Retention Granted** for change of use from stables located in part of existing equine stable block to dog boarding kennels and from existing office structure to dog grooming parlour.

Adjacent sites:

SD08A/0779 – Weston Aerodrome – **Permission Granted on Appeal to ABP (PL06S.232683)** to centrally relocate the existing Runways 07 and 25 to midway between the airport boundaries, incorporating the existing stopway, to include the provision of Precision Approach Path Indicators (PAPIs). This will also include Runway End Safety Areas of 180 Metres. The change in runway layout will retain the present runway category (ICAO Code 2b) and aerodrome licensing requirements on aircraft size. Nothing in this application increase the size or capacity of aircraft to that currently using the airport. The runway distance will be 1199 Metres, the full extent of ICAO Code 2b limitations. This is Necessitated by the landing distance restrictions imposed by the use of Precision Approach Path Indicators (PAPIs). The runway declared operational distances, as published in Aeronautical Information Publication Ireland, will not be increased by this application. This application is made solely in the interest of increased safety standards and the promotion of noise abatement. An EIS has been prepared in relation to this application.

Relevant Enforcement History

S7163 - Lands at Cooldrinagh Lane, Leixlip, Co. Dublin- operation of a dog grooming business without pp – Retention Granted

Pre-Planning Consultation

None recorded.

Relevant Policy in South Dublin County Council Development Plan 2022 - 2028

Chapter 3

3.3.6 Protection of Trees and Hedgerows

Trees contribute greatly to visual amenity by creating a setting for buildings and softening and greening streetscapes in built-up areas and by adding significant visual interest in more rural

Comhairle Chontae Atha Cliath Theas

PR/1273/22

Record of Executive Business and Chief Executive's Order

areas. Hedgerows often mark historic field patterns and townland boundaries and significantly enhance the landscape character of rural areas. Trees and hedgerows also perform a vital role as wildlife habitats, biodiversity corridors and essential green elements in the County's green infrastructure network. They have a further crucial role in carbon sequestration (capturing and storing carbon), contributing to the alleviation of climate change.

NCBH11 Objective 3:

To protect and retain existing trees, hedgerows, and woodlands which are of amenity and / or biodiversity and / or carbon sequestration value and / or contribute to landscape character and ensure that proper provision is made for their protection and management taking into account Living with Trees: South Dublin County Council's Tree Management Policy (2015-2020) or any superseding document and to ensure that where retention is not possible that a high value biodiversity provision is secured as part of the phasing of any development to protect the amenity of the area.

NCBH11 Objective 4:

To protect the hedgerows of the County, acknowledging their role as wildlife habitats, biodiversity corridors, links within the County's green infrastructure network, their visual amenity and landscape character value and their significance as demarcations of historic field patterns and townland boundaries. (Refer also to Chapter 4: Green Infrastructure).

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Section 4.2.2 Sustainable Water Management

Policy GI3: Sustainable Water Management

Protect and enhance the natural, historical, amenity and biodiversity value of the County's watercourses. Require the long-term management and protection of these watercourses as significant elements of the County's and Region's Green Infrastructure Network and liaise with

Comhairle Chontae Atha Cliath Theas

PR/1273/22

Record of Executive Business and Chief Executive's Order

relevant Prescribed Bodies where appropriate. Accommodate flood waters as far as possible during extreme flooding events and enhance biodiversity and amenity through the designation of riparian corridors and the application of appropriate restrictions to development within these corridors.

Chapter 7 Sustainable Movement

SM5 Objective 4:

To prioritise safety on rural roads and junctions, while considering the protection of biodiversity, green infrastructure and rural character present in roadside trees, hedgerows and banks, and so on.

Chapter 9 Economic Development and Employment (EDE)

EDE1 Objective 4:

To support the implementation of the RSES Economic Strategy to create economic opportunity to diversify local and rural economies and create quality jobs, to achieve a sustainable, competitive, inclusive, and resilient region, through the promotion of:

- Smart Specialisation for industry, enterprise agencies, Higher Institutes of Education, communities, and stakeholders;*
- Clustering: Create, maintain, or upgrade economic strongholds in a favourable business ecosystem;*
- Orderly Growth reflecting the identified strategic employment locations within the County; - A broad, resilient, economic base.*

Policy EDE18: Rural Economy

Support sustainable rural enterprises whilst protecting the rural character of the countryside and minimising environmental impacts

EDE18 Objective 3:

To protect agriculture and traditional rural enterprises from unplanned and / or incompatible urban development.

Chapter 11 Infrastructure and Environmental Services (IE)

Policy IE10: Weston Airport

Safeguard, having regard to the requirements of the Irish Aviation Authority (IAA), the current and future operational, safety and technical requirements of Weston Airport and prevent encroachment of development around the airport which may interfere with its safe operation, in the context of the proper planning and sustainable development of the area and the protection of surrounding amenities.

Comhairle Chontae Atha Cliath Theas

PR/1273/22

Record of Executive Business and Chief Executive's Order

IE10 Objective 2: To maintain the airspace around the airport free from obstacles so as to facilitate aircraft operations to be conducted safely, including restricting development in the environs of the aerodrome, as identified by the Obstacle Limitation surfaces shown on the Development Plan Index map and Map 12 and as outlined in Chapter 12: Implementation and Monitoring.

IE10 Objective 4: To ensure a balanced approach to any further lengthening of the permitted runway or over-run areas having regard to the need for environmental and other assessments including noise and assessment of the impact on local communities.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Chapter 12 Implementation and Monitoring

Section 12.3 Natural, Cultural and Built Heritage

Section 12.3.1 Appropriate Assessment

Section 12.3.3 Environmental Impact Assessment

Relevant Government Guidelines

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

Regional Spatial and Economic Strategy, Eastern & Midland Regional Assembly, 2019.

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020, Department of Transport, (2009).

Assessment

The main issues for assessment are

- Zoning and Council Policy
- Planning Note
- Local Amenity
- Transport Infrastructure Ireland

Comhairle Chontae Atha Cliath Theas

PR/1273/22

Record of Executive Business and Chief Executive's Order

- Drainage
- Parks
- Roads
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is located on land designated as zoning objective 'RU' - To protect and improve rural amenity and to provide for the development of agriculture. A new entrance into an existing agricultural field would be permissible in principle and is therefore acceptable subject to the policies and provisions of the South Dublin County Development Plan 2022 – 2028.

Planning Note

The proposed development is a new vehicular entrance to an agricultural field. The applicant highlights that the land is in the process of being acquired by the operators of Weston Airport. The applicant has further proposed the development will allow for easy access to the area for off runway lighting for a proposed new runway at Weston Airport. The site is currently in agricultural use and the potential future use of the site cannot be considered when determining the outcome of this planning application and therefore is disregarded.

Notwithstanding this, the planning authority is not determining that a potential new vehicular access as part of a revised planning application to include upgrades and amendments to the Weston Airport, would not be feasible subject to the policies and provisions of the County Development Plan and subject to pedestrian and other road users' safety.

Local Amenity

The proposed gateway would require the removal of a five meter portion of indigenous hedgerow, which the Planning Authority would raise concerns in relation to. The report of the Roads Section is also noted which requires sight lines of 70m in each direction from the proposed access, at a set-back distance of 4.5m from the road edge. It is considered very likely that this would result in the removal of a significantly larger portion of hedgerow.

In particular, it is noted that the application site presently forms part of a larger land holding and already has an existing access point, which is considered sufficient for the current agricultural use. The creation of a new access point on a rural road would create an undue increase in traffic hazard and increase the risk of endangerment to pedestrian and other road users' safety.

Comhairle Chontae Atha Cliath Theas

PR/1273/22

Record of Executive Business and Chief Executive's Order

As set out in the report above, the principle of the creation of a new access, at a safe location that minimises the loss of native hedgerows could be considered favourably by the planning authority. However, this should be assessed in association with the wider use of the adjoining lands thereby enabling the planning authority to suitably control the use of such an entrance (by condition) to ensure the mitigation of any negative impact. Pre- Planning discussions in this regard would be beneficial.

Transport Infrastructure Ireland

TII had no objection on the proposed development but submitted the following for transparency:

In the case of this planning application, the Authority will rely on the planning authority to abide by official policy in relation to development on/ affecting national roads, as outlined in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012). In particular, the Planning Authority should ensure the following:

- *protect the substantial investment being made by Government in upgrading national roads,*
- *maintain the intended transport function, traffic carrying capacity and efficiency of the network of national roads,*
- *ensure that traffic hazards for road users are not created and thereby maintain the safety of the network of national roads,*
- *extend the service life of the national road network, thereby deferring to the longer term the need to reinvest in further road improvements and the construction of new roads which would have implications for landowners, local communities, the environment and public expenditure,*
- *protect the routes of future roads, including road upgrades, from development.*

The Authority reserves the right to appeal to An Bord Pleanála any decision made by the planning authority to approve planning permission, which is at variance with the above criteria. Please acknowledge receipt of this submission in accordance with the provisions of the Planning and Development Regulations, 2001 as amended.

The above report from Transport Infrastructure Ireland is noted and it is considered that the proposed development would create traffic hazards for road users and therefore should be **refused**.

Drainage

The reports from Irish Water and Water Services indicate no objection to the development for retention and the **standard conditions** should be attached in the event of a grant of permission.

Comhairle Chontae Atha Cliath Theas

PR/1273/22

Record of Executive Business and Chief Executive's Order

Parks

No report was received from the Parks Department at the time of writing. Notwithstanding this, a substantial amount of existing indigenous hedgerows would be removed as result of this development and a **refusal of permission** is recommended.

Roads

The Roads Department recommend a **refusal of permission** and the following report was received:

Access:

The proposed new entrance gate will be located on the inside edge of the footpath which is to be ditched. SDCC Roads Department has concerns that agricultural/maintenance vehicles accessing the site via this proposed new entrance will have to stop on the road to open the gate and cause a traffic obstruction as a result. The entrance gate should be stepped back from the road edge to allow agricultural/maintenance vehicles to be accommodated clear of the public road.

Visibility:

The applicant should provide a site layout drawing showing a sight line of 70m in each direction from a set-back distance of 4.5m from the road edge.

Accordingly, the roads section has recommended a **refusal of permission** for the following traffic related reason.

1. SDCC Roads Department considers the proposed new entrance onto a rural road network to be unnecessary addition which would endanger public safety due to generation of additional traffic movements.

Green Infrastructure

The subject application provides for a vehicular access on to agricultural lands. The site is located between Primary GI Corridors 4 and 6 as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028).

Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required.

Comhairle Chontae Atha Cliath Theas

PR/1273/22

Record of Executive Business and Chief Executive's Order

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development comprises of a vehicular entrance to an agricultural site.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Environmental Impact Assessment (EIAR)

Having regard to the modest nature of the 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.

Conclusion

Permission for the proposed development **should be refused** on the basis of creating hazardous road conditions which would not be in accordance with the South Dublin County Development Plan 2022 – 2028, or 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 new entrance onto a rural road network would generate an unnecessary volume of additional road traffic movements which would endanger public safety and is therefore contrary to the proper planning and sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/1273/22

Record of Executive Business and Chief Executive's Order


REG. REF. SD22A/0338

LOCATION: Cooldrinagh Lane, Leixlip, Co. Dublin


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: 12/10/22


Gormla O'Corrain, Senior Planner