



**An
Bord
Pleanála**

**Board Direction
BD-016194-24
ABP-316123-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29/04/2024.

The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

Adequate vehicular access arrangements have not been demonstrated and the existing vehicular accesses off Rathmines Road Lower and Fortescue Lane are considered substandard for the scale of development proposed. The traffic generated by the development due to restricted access is likely to result in traffic safety hazard on Rathmines Road Lower by reason of obstruction of pedestrians, cyclists, bus services and other road users. The development is considered contrary to the Dublin City Development Plan, Sections 15.13.4 and 8.5.5 and Appendix 5, Section 2.4 and would endanger public safety by reason of traffic hazard. The development would therefore be contrary to the proper planning and sustainable development of the area and would set an undesirable precedent for similar developments in the area.

In deciding not to accept the Inspector's recommendation to grant permission the Board considered the proposed development would endanger public safety by reason of a traffic hazard. The Board decided that having regard to the location of the site and the proposed access arrangements off Rathmines Road Lower, notwithstanding the information and amendments made at appeal stage, that the applicant had not demonstrated to the satisfaction of the Board that the traffic

generated by the development could be safely accommodated. The Board concluded that the restricted access to the proposed development is likely to result in a traffic safety hazard on Rathmines Road Lower by reason of obstruction of pedestrians, cyclists, bus services and other users. The Board did not agree with the Inspector that this matter could be addressed by condition, the Board therefore concurred with the Planning Authority's assessment and considered that the information submitted at appeal stage did not surmount the traffic safety concerns.

The Board concurred with the inspector's assessment of the design of the apartment scheme but given the traffic hazard concluded that permission be refused.

Board Member


Mary Henchy

Date: 02/05/2024