

An  
Bord  
Pleanála

**Board Direction**  
**BD-017264-24**  
**ABP-319070-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/08/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

#### **Reasons and Considerations**

Having regard to the geometric dimensions of the local road network, it is considered that the proposed development, would result in unacceptable traffic conflict and consequent traffic hazard on McCurtain Villa s and would establish an undesirable precedent for future similar development in the area. The proposed development, therefore, would endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area.


In not agreeing with the Inspector, the Board noted Section 36(2)(g) of the Road Traffic (Traffic and Parking) Regulations clearly state that:

"a vehicle shall not be parked in any place, position or manner that will result in the vehicle obstructing an entrance or an exit for vehicles to or from a premises, **save with the consent of the occupier of such premises**"

Therefore the occupier of the premises opposite the proposed development could park their own car on the street and thereby legally obstruct the use of the proposed development which would give rise to the traffic hazard identified in the reasons and considerations above.

**Board Member**

**Date:** 19/08/2024

  
Liam Bergin