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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D18A/0368**

**APPEAL** by Eamonn and Patricia Dowling of 1 Orwell Gardens, Orwell Road, Dublin against the decision made on the 14<sup>th</sup> day of June, 2018 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Ter and Emilie Madigan care of Dublin Planning of Coliemore House, Coliemore Road, Dalkey, County Dublin.

**Proposed Development** Permission for a new vehicular entrance with pavement dish off Orwell Road and associated site works for car parking bay to rear of 12 Orwell Gardens, Churchtown, Dublin.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the vehicular access and parking to the front of the site, it is considered that the provision of an additional access at the rear of the site onto Orwell Road is unnecessary. Furthermore, it has not been demonstrated that the sightlines from the proposed entrance can be achieved without requiring the setting back of property boundaries outside the control of the applicant, as the submitted documentation in this regard does not comply with applicable standards. The proposed development would, therefore, endanger public safety by reason of traffic hazard.

The Board decided not to accept the Inspector's recommendation to grant permission, since there is no discernible need for a new entrance at this location, and since the Board is not satisfied that adequate sightlines onto this heavily trafficked road can be achieved.

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**Stephen Bohan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2018.**