



An
Bord
Pleanála

Board Order

ABP-319070-24

Planning and Development Acts 2000 to 2022

Planning Authority: Cork City Council

Planning Register Reference Number: 23/42365

Appeal by Jim and Catherine Ryan care of OSL Butler Consulting Engineers of Unit 38, Eastgate Drive, Little Island, Cork against the decision made on the 24th day of January, 2024 by Cork City Council to refuse permission.

Proposed Development: New vehicular entrance, including new entrance gates and part demolition of existing front boundary, and all associated site works and services, all at 10 McCurtain Villas, College Road, Cork.

Decision

REFUSE permission for the above proposed development for the reasons and considerations set out below.

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 Villas and would establish an undesirable precedent for future similar development in the area. The proposed development would endanger public safety by reason of traffic hazard and would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to agree with the Inspector's recommendation to grant permission, the Board noted Section 36(2)(g) of the Road Traffic (Traffic and Parking) Regulations, 1997 which 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.



Liam Bergin

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

Dated this 20th day of August 2024.