

An
Bord
Pleanála

Board Order
ABP-321712-25

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2373/24

APPEAL by Alex Martin and Sylvia O'Keefe of 14A Garville Road, Rathgar, Dublin against the decision made on the 16th day of December, 2024 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Permission consisting of works to the existing boundary wall to create a new vehicular driveway 3.5 metres wide, all associated alterations, site works and ancillary works at 14A Garville Road, Rathgar, Dublin.

Decision

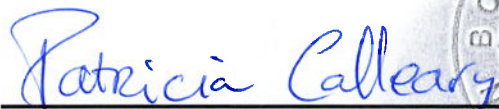
REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

Having regard to the restricted width of the laneway and the location of the existing walls and piers and the location of the intended point of access, immediately adjacent to the laneway and immediately adjacent to the junction between the laneway and the public road (Garville Road), the Board is not satisfied that the proposed development, comprising primarily a vehicular entrance and its use, would not endanger public safety by reason of a traffic and road safety hazard and obstruction for pedestrians due to inadequate manoeuvrability, reduced sightlines and poor visibility for drivers exiting the property across a public footpath. The Board considered the autotrack drawings received at appeal stage, and on examination noted that the turning movements presented were highly constrained and do not take into account potential conflicts with other road users or pedestrians along the laneway or entering and existing onto Garville Road. The proposed development would be contrary to standards set out in Section 4.3.1 of Appendix 5 of the Dublin City Development Plan 2022-2028 with respect to the requirement that vehicular entrances shall be designed to avoid the creation of a traffic hazard for passing traffic and conflict with pedestrians and that such proposals shall not be considered acceptable where safe access and egress from the proposed parking space cannot be provided. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not share the view of the Inspector that the proposed vehicular driveway can be provided without giving rise to a traffic hazard. The Board was not satisfied that the use of the vehicular entrance would not endanger public safety by reason of a traffic and road safety hazard and obstruction for pedestrians due to inadequate manoeuvrability, reduced sightlines and poor visibility for drivers exiting the property across a public footpath.

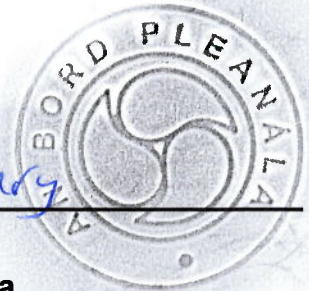
The Board also noted the Inspector's reference to policy support to move to electric cars and that one of the motivations for the application is to provide for charging an electric vehicle. The Board agreed that the proposed development would readily allow for car charging more easily than using the rear access point from the laneway into the appellant's rear garden. However, while it would be desirable and more convenient to have charging available at the front garden space (new driveway), access is also available to the rear garden nonetheless, and while accepting this rear garden is less convenient, the Board noted it would be possible to provide car charging at this location. The Board concluded that the traffic and road safety considerations outweighed the convenience that would be associated with in curtilage electric vehicle charging to the front of the dwelling in this instance.



Patricia Calleary

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 30 day of April 2025.