



An  
Bord  
Pleanála

## Inspector's Report ABP-301671-18

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<b>Development</b>	CONSTRUCTION OF A REAR ACCESS GATE TO EXISTING DWELLING'S SIDE BOUNDARY WALL AND ALL ASSOCIATED SITE WORKS
<b>Location</b>	NO.24 GLENSHANNON, BIRR ROAD BANAGHER CO OFFALY
<b>Planning Authority</b>	Offaly County Council
<b>Planning Authority Reg. Ref.</b>	18104
<b>Applicant(s)</b>	James Mannion.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	James Mannion
<b>Date of Site Inspection</b>	9 <sup>th</sup> of October 2018.
<b>Inspector</b>	Caryn Coogan

## 1.0 Site Location and Description

- 1.1. No. 24 Glenshannon, Birr Road, is a semidetached single storey dwelling. It is located within a short cul de sac of 28No. dwellings (only 4 are accessible from the access serving the subject site). The property has the largest curtilage in the estate because it is an end house with a 23metre long roadside boundary. There are two small sheds to the rear. The roadside boundary is a capped stone facing wall, 1.2metres in height.

## 2.0 Proposed Development

- 2.1. To open a vehicular entrance to the rear of his house at 24 Glen Shannon.

## 3.0 Planning Authority Decision

### 3.1. Decision

Offlay Co. Co. Refused the proposed entrance for one reason:

*It is considered that the creation of an entrance from the rear garden through the existing boundary wall onto the L-7024-1 would seriously endanger public safety by reason of a traffic hazard due to the lack of appropriate sightlines in either direction, as the line of the wall is not set back sufficiently from the edge of the public road. Accordingly, the propose development would be contrary to the proper planning and sustainable development of the area.*

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The applicant has an existing means of access to his dwelling house from the front, and he has a side gate to his rear garden area. There is inadequate sightlines and a refusal is recommended.

#### 3.2.2. Other Technical Reports

**Environment:** No objections subject to conditions.

**Road Design:** The section was not satisfied with the proposal has per the report dated 11<sup>th</sup> of April 2018. It stated the sightlines are unobtainable due to the setback of the wall, and that the proposal would set an undesirable precedent.

**Area Engineer:** Further information required regarding sightlines, dropped kerb, bellmouth entrance and hinged gate.

### 3.3. **Third Party Observations**

There were no third-party submissions to the planning application.

## 4.0 **Planning History**

There is no relevant planning history.

## 5.0 **Policy Context**

### 5.1. **Development Plan**

Offaly County Development Plan 2014-2020

Chapter 8 Development Management Standards

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

A summary of the appeal is as follows:

- There is no access to the rear of the dwelling except through a side gate entrance which measures 1500mm, and this is below wheelchair accessibility.
- The side gable end footpath is 900mm which is below wheelchair measurements
- He proposes to concrete around his house.
- The entrance is to provide access to the rear to store his solid fuel i.e. turf. It is not for fulltime use

- Following a severe accident in 2010, he has a permanent injury and is currently on a disability pension.
- The sightlines are adequate
- A gate with cladding will be hung across the entrance.

## 6.2. Planning Authority Response

The Board is asked to uphold the planning authority's decision.

## 7.0 Assessment

- 7.1. The subject site is a semi-detached bungalow within a small estate, with a front and rear private open space area. The house is located alongside the Birr Road, and it consists of a considerable roadside boundary, 34metres, along the north eastern site boundary. The boundary treatment is 1.2metres stone capped wall with a public footpath on the road side. The wall is capped and offers a quality finish to the housing estate where the dwelling is located.
- 7.2. The applicant applied for a vehicular opening in the wall to access the rear garden area for deliveries of solid fuel, and to make his house more accessible due to his disability. The proposed gate with cladding will be hung across the full width of the access and will open slide. Presently the house is and the rear garden area, are accessed from the front of the house with side gate.
- 7.3. There is no recess proposed at the proposed entrance given the relationship of the proposed entrance to the gable wall of the dwelling. The rear garden area is limited in space to provide a setback or splayed entrance.
- 7.4. Given the close proximity of the proposed entrance to the estate entrance, 30metres, and orientation and close proximity of No. 24 to the main road, I believe traffic turning movements into and out of the proposed entrance could cause confusion to motorists exiting Glenshannon estate, or along the public road.
- 7.5. The sightlines exiting from the proposed access are inadequate. Cars exiting the entrance with no setback could endanger pedestrian safety along the footpath and traffic safety along the road. Given

7.6. The boundary wall is a quality stone clad, capped wall, with adds to the visual amenity of the area. The proposed gate would create a discordant feature along the road side boundary.

7.7. Appropriate Assessment

Having regard to the small scale and nature of the proposed development along the roadside boundary of an existing dwelling in an urban area, there is no physical or connectivity between the proposal and a European site, there are no Appropriate Assessment issues arising and it is not considered that the proposed development would be likely to have a significant effect on a European site.

8.0 **Recommendation**

8.1. I recommend the planning authority's decision to refuse planning permission for the additional entrance be upheld.

9.0 **Reasons and Considerations**

It is considered the proposed development would endanger public safety by reason of a traffic hazard due to lack of setback from the edge of the footpath and public road and inadequate sightlines, and having regard to the close proximity to the existing access serving four dwellings with Glennshannon estate, it would lead to conflict between road users, in terms of vehicular traffic, pedestrians and cyclists.

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Caryn Coogan  
Planning Inspector

17<sup>th</sup> of October 2018