



An
Bord
Pleanála

Inspector's Report ABP317196-23

Development	New vehicular entrance.
Location	Roseville, 1 Hyde Park, Terenure, Dublin 6.
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD23B/0087
Applicant(s)	Robert Conway
Type of Application	Permission
Planning Authority Decision	Refuse.
Type of Appeal	Applicant v Refusal.
Appellant(s)	Robert Conway
Observer(s)	None.
Date of Site Inspection	29 th July 2023.
Inspector	Hugh Mannion

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1.0 Site Location and Description

1.1.

2.0 Proposed Development

2.1. The proposed development comprises the provision of an new vehicular entrance, disking of the footpath, and associated works at 'Roseville', 1 Hyde Park, Terenure, Dublin 6W.

3.0 Planning Authority Decision

3.1. Permission refused.

3.2. The proposed development would give rise to traffic hazard because;

- There is not adequate space for access/egress.
- Cars would have to reverse at an angle thereby creating hazard for pedestrian on the footpath.
- Sightlines may not be adequate.
- The site already has a vehicular entrance.
- The proposed access is located too close to the junction of Hyde Park and Fortfield Road.

3.3. Planning Authority Reports

3.3.1. Planning Reports

The planner's report recommended refusal on grounds of traffic hazard.

3.3.2. Other Technical Reports

Irish Water reported no objection.

Water Services reported no objection.

TII Reported no observations.

Roads Department recommended refusal because –

1. There is not adequate space for access/egress.
2. Cars would have to reverse at an angle thereby creating hazard for pedestrian on the footpath.
3. Sightlines may not be adequate.
4. The site already has a vehicular entrance.
5. The proposed access is located too close to the junction of Hyde Park and Fortfield Road.

4.0 Planning History

None relevant

5.0 Policy and Context

5.1. Development Plan

The site is located in an area zoned RES - To protect and or improve residential amenity in the South Dublin County Development Plan 2022 – 2028.

5.2. Natural Heritage Designations

Not relevant

5.3. EIA Screening

- 5.4. The proposed development is not one to which Schedule 5 of the Planning and Development Regulations, 2001, as amended, applies and therefore, the requirement for submission of an EIAR and carrying out of an EIA may be set aside at a preliminary stage.

6.0 The Appeal

6.1. Grounds of Appeal

- The application seeks to provide for access to a car within the curtilage of the application site. There is already a neighbouring access immediately beside the proposed access.
- The footpath is about 4m wide at this point. There is a sightline of 66m southeast along Fortfield Road towards Templeogue Road and 54m northwest along Fortfield Road towards the next junction (Fortfield Drive).
- There is no alternative vehicular access to the site. Some of the previously available space was incorporated into a GP surgery, the remaining area is used as private open space for the residential use on site.
- The proposed access is only 3m closer to the junction of Hyde Park/Fortfield Road than the neighbouring access at 185 Fortfield Road.

6.2. Planning Authority Response

- None

6.3. Observations

- None

6.4. Further Responses

- None

7.0 Assessment

- 7.1. The proposed development comprises a new vehicular entrance to an existing residential use at 1 Hyde Park, Terenure, Dublin 6. The 3.5m wide vehicular access would be onto Fortfield Road. The new entrance would be about 60m from the

junction of Fortfield Road and Templeogue Road to the southeast and Fortfield Drive with Fortfield Road to the north. Additionally, there is a rear access to Terenure College from Fortfield Road opposite the junction with Fortfield Drive. The speed limit on Fortfield Road is 50kms/h.

- 7.2. The appeal makes several points; that it is safer for family members to access a car within the site, that there is no other access to the site, that the footpath is 4m wide and safe to traverse and that the proposed access is only 3m closer to the Hyde Park/Fortfield Road junction than the existing vehicular access to 185 Fortfield Road.
- 7.3. There are double yellow lines on Fortfield Road and Hyde Park along the site frontage and therefore it is likely that applicant must park some distance from the application site. Nonetheless there are a number of domestic accesses and school uses onto the local road network and several road junctions in the vicinity of the application site. Fortfield Road itself functions as a distributor road in the area. The planning authority is correct that a motor car would have to drive into the proposed parking space over a footpath and reverse out at an angle and this would increase the danger to pedestrians using the footpath. In addition, the access would be very close to the junction of Hyde Park and Fortfield Road and this again contributes to traffic hazard.
- 7.4. Overall, I conclude that the proposed development would give rise to traffic hazard and I recommend refusal.
- 7.5. **Appropriate Assessment Screening**
- 7.6. Having regard to the nature and scale of the proposed development and to the absence of emissions therefrom, it is possible to screen out the requirement for the submission of an NIS and carrying out of an AA at an initial stage.

8.0 Recommendation

- 8.1. I recommend refusal.

9.0 Reasons and Considerations

- 9.1. Fortfield Road is a heavily trafficked local distributor road with a multiplicity of residential and educational entrances off it and a series of road junctions in the vicinity of the site. The proposed new access would require that a car would access the parking space over a public footpath and reverse out over the footpath into vehicular traffic at an angle. Therefore, proposed development would endanger pedestrian safety on the footpath and traffic safety on the public road and be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Hugh Mannion
Senior Planning Inspector

31st July 2023