



An
Coimisiún
Pleanála

Inspector's Report

PL-500320-LD-25

Development	The retention of an existing vehicular gated entrance which services existing dwelling house. Retention of an existing gate.
Location	10 Park Drive Longford
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	25/60200
Applicant(s)	Magdalena Podgorna & Artur Podgorny
Type of Application	Retention
Planning Authority Decision	Refuse
Type of Appeal	First
Appellant(s)	Magdalena Podgorna & Artur Podgorny
Observer(s)	None

Date of Site Inspection

17th February 2026

Inspector

Aisling Dineen

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Appendix 1 –EIA Screening

1.0 Site Location and Description

- 1.1. The appeal site located on an arterial access route (Local Road L 3010) to Longford Town. The site contains a mid-terrace house with attendant private open space to the front and rear. There is a defined lay-by providing on-street parking positioned along the front of the appeal site and the adjacent residential properties.
- 1.2. The front boundary of the site includes a wrought iron vehicular access gate, which is the subject of retention. The stated reason for the vehicular access gate is for the ESB charging of a private car. The charging unit at the front of the house was observed at the time of inspection.

2.0 Proposed Development

- 2.1. It is proposed to retain an existing built vehicular access gate at the front boundary of the site, which contains a mid-terrace dwelling house.

3.0 Planning Authority Decision

3.1. Decision

The planning authority made a decision to refuse permission on the 28th October 2025 for the following reason:

The development represents an unacceptable form of access that directly interferes with the functioning of the public road network. The vehicular entrance has been created onto a busy local route (L3010) through a designated public parking layby, resulting in the loss of public parking and the introduction of vehicular movements across a pedestrian zone without adequate sightlines or turning capacity.

Accordingly, the development endangers public safety by reason of traffic hazard and is contrary to Policy DMS 16.92 (Access and Sightlines) and DMS 16.114 (Safe Unobstructed Sight Distances) of the Longford County Development Plan 2021 2027, which require that all vehicular accesses ensure safe ingress and egress and protect the functionality of the road network.

The Chief Executive's decision reflects the planner's report.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The planning authority report considers the following:

The proposal is not in conformity with the adjacent development.

It is not in accordance with the Longford County Development Plan 2021–2027.

Regarding the Roads Design Report, the location and layout of the existing vehicular entrance, and its relationship to the public road network, it is considered that the development would endanger public safety by reason of traffic hazard.

Other Technical Reports

Road Design Report

Alterations made at the entrance to No. 10 Park Drive unacceptable for the following reasons.

- a. Park Road is a busy arterial route for both vehicles and pedestrians.
- b. The proposed access is in close proximity to the Canal Bank junction with the Park Road.
- c. The proposed car parking space will result in cars reversing across the public footpath and reversing out onto the public roadway.
- d. Visibility for a car reversing or driving onto the Park Road will be restricted by the existing on street car parking immediately adjacent to this access
- e. Given the volume of pedestrian and vehicular traffic we consider that this creates potential pedestrian / road safety issues.
- f. The proposed off road car parking space will interfere with the existing roadside car parking spaces.

The applicant shall be required to reinstate the property boundary and the parking bay in front of the property to its original state.

3.3. **Prescribed Bodies**

None

3.4. **Third Party Observations**

None

4.0 **Planning History**

Planning Reg Ref 25/60032: The retention of an existing vehicular gated entrance which services existing dwelling house. The planning authority made a decision to refuse planning permission for development on the subject site for the following reasons and considerations:

1. The development represents an unacceptable pattern of development and which if approved would present significant road safety issues and set an unacceptable precedent for other potential residents in the local area.
2. It is the policy of the Planning Authority, to provide a road network which is safe and efficient for all road users cognisant of the requirements of all traffic, including motorised vehicles, pedestrians and cyclists. The proposed development, if permitted, could result in a traffic hazard to all traffic, including motorised vehicles, pedestrians and cyclists, due to an inability to safely access the proposed development, it would therefore, be hazardous to human health/safety and contrary to the proper planning and development of the area.
3. The development is therefore considered unacceptable and contrary to the sustainable development of the local area and given the reasons specified by the Roads Design Section and the Area Roads Engineer.”

5.0 **Policy Context**

5.1. **Development Plan**

Longford County Development Plan 2021-2027

The appeal site is zoned as ‘Existing Residential’ in the development plan.

Policy DMS 16.91 Access and Sightlines

All applications for planning permission must include (at a minimum scale of 1:500) comprehensive details of the way in which safe access and egress to the site can be achieved.

DMS 16.114 (Safe Unobstructed Sight Distances).

Safe unobstructed sight distances should be provided and maintained.

(a) In general, only the minimum interference with existing roadside boundaries and hedges shall be permitted.

(b) Third Party consent letters and accompanying Land Registry Maps for the provision of adequate Sight Distance Triangles should be submitted, if applicable.

5.2. **Natural Heritage Designations**

The site is not located within or proximate to a European site. The closest European sites are as follows:

Brown Bog SAC (Site Code SAC 002346) located c. 3.8km northwest of the site.

Mount Jessop Bog SAC (Site Code SAC 002202) located 4.4 km south of the site.

Ballykenny-Fisherstown Bog SPA (Site Code 004101) located c. 5 northwest of the site.

Lough Forbes Complex SAC (Site Code 001818) located c. 5.km northwest of the site.

6.0 **EIA Screening**

The development is not of a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of this report.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

- Full planning permission was previously granted for a similar entrance to serve an existing entrance some 200 metres from the subject site.
- The relevant permission is planning register number 21/303. Details of the grant of permission are appended.

- It is acknowledged that the proposed retention would establish a precedent but it is argued that the precedent has already been set by the above stated permission.
- It should be noted that there is a similar type of development to the North at numbers 1 – 8 but they would not be able to park cars within the confines of their own sites as their front gardens are not deep enough.
- The dwellings in the same block could be served by a similar entrance gate as there is an ESB meter box and an ESB pole to the front of these dwellings.
- The purpose of the development is to allow for the charging of the applicant's electric car.

7.2. **Planning Authority Response**

None

7.3. **Observations**

None

7.4. **Further Responses**

None

8.0 **Assessment**

8.1. Having examined all the application and appeal documentation on file and having regard to the relevant local and national policy and guidance, I consider that the main issues in this appeal are those raised in the grounds of appeal and the planning authorities' reasons for refusal and I am satisfied that no other substantive issues arise. AA also needs to be considered. The main issues, therefore, are as follows:

- Development Plan
- Traffic Safety
- Planning Precedent
- Layout & Design

Development Plan

- 8.2. The Longford County Council Development Plan sets out clear standards in relation to site safe ingress and egress to existing and proposed developments which also aim to protect the functionality of the road network. The provisions included in the plan are considered to be reasonable and necessary.
- 8.3. It is noted that Policy 16.91 of the plan requires that all applications for planning permission must include (at a minimum scale of 1:500) comprehensive details of the way in which safe access and egress to the site can be achieved. There is no layout drawing with clear sight distances indicated thereon and likewise no permissions, if so required, are submitted, which would allow transverse of adjacent properties. Therefore, the proposal has not addressed the stated requirements of the development plan in relation such 'comprehensive details'. Therefore, the proposal contravenes the provisions of Policy Objective 16.91 of the Longford Development Plan 2021 - 2027.
- 8.4. Under DMS 16.114, the plan requires that 'Safe unobstructed sight distances should be provided and maintained thereafter from vehicular entrances onto the road network'. Having reviewed the context of the site access, in particular the presence of a layby with designated public parking spaces thereon, directly in front of and either side of the site along the public road, it is considered that it is not possible for this access point, to provide safe unobstructed sight distances. The presence of parked cars in this designated on-street public parking space would obstruct sight distances. Therefore, I concur with the planning authority and I consider that permission should be refused on the basis that it contravenes the plan and would be prejudicial to public safety by means of pedestrian and traffic hazard.
- 8.5. It is noted that policy DMS 16.92 was cited in the refusal reason. It is considered that this reference was a typographical error and this should have read DMS 16.91, which pertains to access and sightlines.
- 8.6. Traffic Safety
- 8.7. The site is located on an exit route from Longford Town, route L3010. The planners report notes this is a busy access route to the town, and in reference to my inspection, I would concur with this assertion. It is also important to note that the railway line overpass, which creates a bump on the road and associated sight

visibility impairment, is at a point only 97 metres northwest of the site. Therefore, the location of the proposed additional vehicular access point is vulnerable in this regard, albeit is within the speed limits for the town.

- 8.8. The Road Design Engineers report on the planning file notes that the proposed access is in close proximity to the Canal Bank junction with Park Road and it raises concern regarding the potential for reversing across the public footpath and reversing out onto the public roadway. It also notes the potential visibility for a car reversing or driving onto Park Road would be restricted by the existing on street car parking immediately adjacent to, (in front of) this access. I would concur with all of the points raised under this report.
- 8.9. It was noted at the time of inspection, that there is a dedicated public footpath in addition to dedicated public parking layby, flanking the front of the site. It is considered that pedestrians using the footpath at this location would be particularly vulnerable to additional vehicular turning/traffic manoeuvres. Accordingly, I am of the viewpoint that the proposal would be prejudicial to public health by way of traffic hazard.
- 8.10. Planning Precedent
- 8.11. The main thrust of the appeal submission is the argument that planning permission was granted for a vehicular entrance on a site, on Park Road, c 200 metres from the subject site. It is therefore considered that precedent has already been set by the grant of planning permission; Planning Register Reference No 21/303. Copies of the grant of planning permission and the associated site location map are submitted with the appeal documentation. The appellant also submits that the properties to the north do not have the capacity to insert additional vehicular access ways as the areas to their site frontages are restricted. Therefore, it alleges that further precedent is not of concern.
- 8.12. Having considered the stated precedent (Planning Reg 21/303) in detail including an assessment of the particular site on the date of site inspection, I am of the viewpoint that this is not a like with like comparison. There are material differences insofar as the site mentioned is 130 metres further removed from the railway line overpass and hill at Canal Road (see para 8.5 above), which naturally allowed for better visibility. The stated precedent cited is also different, insofar as it has no dedicated public

parking layby/parking spaces along its front boundary. The Roads Design report also makes the point that the proposed vehicular access takes away from established on-street parking at the location of the subject site. This was not a material factor when the planning authority assessed the planning precedent raised under Planning Register Reference No 21/303. Therefore, having reviewed the planning precedent raised, I do not consider that the material context of the site is entirely similar to the subject site, in that it has niche site specific considerations, and I don't accept that it is an appropriate precedent to justify a grant of retention permission in this instance, where public health by way of pedestrian and traffic safety, is a legitimate concern.

8.13. Layout & Design

8.14. The planners report draws attention to the lack of uniformity in design created by the access gate and the incongruous nature of same. I concur with this position and note that the adjacent properties are serviced by narrow pedestrian access gates. While I concur that the subject vehicular access gates appear as erratic or out of place, in the context of immediately adjacent development, I am of the viewpoint that the issues regarding traffic and pedestrian safety and lack of conformity with the policy in the development plan are substantial and have already been raised by the planning authority in the refusal reason. Therefore, I would conclude that An Coimisiún uphold the decision of the planning authority and refuse permission for the retention of the development.

9.0 **AA Screening**

I have considered ABP PL-500320-LD-25 in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located c. 3.8km northwest Brown Bog SAC (Site Code SAC 002346), c. 3.8km northwest of Mount Jessop Bog SAC (Site Code SAC 002202), c. 4.4 km south of Ballykenny - Fisherstown Bog SPA (Site Code 004101), and, c. 5 northwest of Lough Forbes Complex SAC (Site Code 001818).

The proposed development comprises retention of a residential vehicular access.

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- Minimal nature of works in an established urban context.
- Location-distance from nearest European site and lack of connections.

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

10.1. The subject site is located in an urban area on an exit route from Longford Town.

The proposed development comprises the retention of a vehicular access point.

No water deterioration concerns were raised in the planning appeal.

I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

Minor nature of proposed works and urban pattern of development in the area.

I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a

temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend that permission for retention be refused for the reasons and considerations set out below.

12.0 Reasons and Considerations

The development represents an unacceptable form of access that directly interferes with the functioning of the public road network. The vehicular entrance has been created onto a busy local route (L3010) through a designated public parking layby, resulting in the loss of public parking and the introduction of vehicular movements across a pedestrian zone without adequate sightlines or turning capacity.

Accordingly, the development endangers public safety by reason of traffic hazard and is contrary to Policy DMS 16.91 (Access and Sightlines) and DMS 16.114 (Safe Unobstructed Sight Distances) of the Longford County Development Plan 2021 2027, which require that all vehicular accesses ensure safe ingress and egress and protect the functionality of the road network.

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.

Aisling Dineen
Planning Inspector
23rd February 2026

Appendix 1 - Form 1 EIA Pre-Screening

Case Reference	PL-500320-LD-25
Proposed Development Summary	Retention of existing access
Development Address	10 Park Drive Longford
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1 . EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a	

<p>prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	

Inspector: _____

Date: _____