



An
Coimisiún
Pleanála

Inspector's Report

PL-500581-KE-26

Development	Retention of new vehicular entrance and parking space and all ancillary site works.
Location	1a Rowan Terrace, Newbridge, Co. Kildare.
Planning Authority	Kildare County Council.
Planning Authority Reg. Ref.	2561204
Applicant(s)	Aoife Shanley.
Type of Application	Retention.
Planning Authority Decision	Refuse Retention Permission.
Type of Appeal	First Party
Appellant(s)	Aoife Shanley.
Observer(s)	None.
Date of Site Inspection	22/03/26.
Inspector	Anthony Abbott King

1.0 Site Location and Description

- 1.1. No. 1A Rowan Terrace is an end of terrace two-bay two storey infill property in a streetscape of two-storey terraced houses located on the west side of Rowan Terrace along the northern approach road to Newbridge town. The River Liffey defines the eastern side of Rowan Terrace.
- 1.2. A lane located to the immediate south of the gable of the subject house provides access from Rowan Terrace to a mews type arrangement (also identified as Rowan Terrace). The houses on the western side of Rowan Terrace have rear access onto the Lane, as do houses on Saint Dominic Park to the west.
- 1.3. The Lane is narrow (approximately 3m), does not have markings and has a shared surface for vehicular and pedestrian traffic. There is an alternative access to the lane onto College Park Road providing a through route.
- 1.4. The subject house has a front and rear garden. There is an existing unauthorised off-street parking area within the front curtilage with a side vehicular entrance to the main carriageway on Rowan Terrace via the access lane.
- 1.5. The houses on Rowan Terrace including the subject infill house are similar in form and in appearance. The other houses on Rowan Terrace have intact boundary treatment and front gardens.
- 1.6. There is pay display public parking provision available on the western side of Rowan Terrace along the entire run of the streetscape with the exception of part of the immediate area to the front of no. 1A Rowan Terrace.
- 1.7. The site area is given as 0.010 hectares.

2.0 Proposed Development

- 2.1. The retention of new vehicular entrance and in-curtilage parking space.

3.0 Planning Authority Decision

3.1. Decision

Refuse planning permission for the following reason:

3.1.1. (1) *Having regard to the subject development for which retention is sought, the Planning Authority is not satisfied that the new vehicular entrance and parking space does not result in serious conflict with vehicular and pedestrian movements at the boundaries to the site. The development to be retained would therefore endanger public safety by reason of traffic hazard and obstruction of other road users, would interfere with the safety and free flowing nature of traffic and would be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The decision of the CEO of Kildare County Council reflects the recommendation of the planning case officer.
- The planning case officer following consultation with the Roads section recommended a refusal of planning permission, as the loss of the boundary and the consequent vehicular access and parking off-street and on-site could lead to serious conflict with pedestrians and vehicular traffic as vehicles would not be able to leave the site in a forward gear or to manoeuvre within the site so as to leave it in a forward gear. Therefore, the development to be retained would endanger public safety due to vehicular conflict with road users when accessing and exiting the site.
- The development to be retained is contrary to the objectives of Section 15.7.6 of the county development plan and would result in a proliferation of accesses onto the public road where road safety is a concern due to vehicular conflict with road users.

3.2.2. Other Technical Reports

- The Transportation, Mobility and Open Space Department of the planning authority recommend refusal on planning permission. The recommendation of the Report states:

(1) *The transportation department has serious concerns about the conflict of vehicle movements and the safety of pedestrians incurred by the proposed development. The proposed development would endanger public safety by reason of traffic hazard and obstruction of road users.*

It is the policy of the Local authority to discourage the proliferation of access points onto public roads where there is direct conflict with pedestrians.

- The Water Service Department have no objection to the development subject to condition.

3.3. **Prescribed Bodies**

The National Heritage Building Service report with no objection RE: B23-29 & B29-30.

3.4. **Third Party Observations**

No third party submissions on file.

4.0 **Planning History**

4.1. The following planning history is relevant:

- Under reg. ref. 20230 a split decision issued. Planning permission was refused for the following: (1) the removal and replacement of boundary wall adjacent to lane to create new vehicular entrance with sliding gate. The reason for refusal states:

(1) *The proposed development of a boundary wall to the lane with a sliding gate has the potential to cause a serious conflict of vehicular movements and would therefore endanger public safety by reason of traffic hazard and obstruction of road users due to the movement of traffic generated by the development. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.*

Planning permission was granted for the following: (2) Installation of pedestrian swing access gate to the front of the property.

- Under reg. ref. 07/2099 planning permission was granted for the subdivision of the site and construction of an end of terrace dwelling.

- I note there is an Enforcement Notice pursuant to Section 153 & Section 154 of the Planning & Development Acts 2000 (as amended) on file issued under reg. ref. UD7874. The planning authority require the following unauthorised development to cease, which consists of the following:

The unauthorised removal of a boundary wall to create an access from the public road via a 'public' laneway to facilitate vehicular access to the site.

5.0 Policy Context

5.1. Development Plan

The relevant local planning policy document is the Kildare County Development Plan 2023-2029. Variation No. 2 Newbridge Settlement Plan of the Kildare County Development Plan 2023-2029 (as varied 23rd February, 2026) is relevant.

Zoning

The appeal site is designated Land Use Zoning Objective B: Existing Residential / Infill (Newbridge Settlement Plan Landuse zoning Map February 2026).

Section 11.3 (Land Use Zoning Objectives) Objective B is identified in Table 11.6 as follows:

To protect and enhance the amenity of established residential communities and promote sustainable intensification.

Chapter 7 (Movement & Transportation) of the Newbridge Settlement Plan is relevant.

Section 7.7.2 (Parking Measures), Table 7.4 (Parking Measures & Delivery Time) *inter alia* states:

Measures Not Mapped		
Ref. No. 98	Measure	Delivery Timeframe
	Ensure adherence to the County Development Plan (CDP) parking provisions at all new development sites within Newbridge. Reducing parking provision is a	

	<p>key part of demand management to reduce car trips and encourage the use of sustainable travel. The number of parking spaces provided at new developments is controlled by planning conditions during the planning permission stage.</p> <p>This option proposes that the CDP levels are the maximum parking levels allowed in Newbridge going forward. These standards are:</p> <ul style="list-style-type: none"> • For houses -1 space for each unit up to and including 3 bed units and 1 space +0.5 visitor spaces for units of 4 units or greater. • For apartments – 1.5 spaces per unit + 1 visitor space per 4 apartments. 	
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Chapter 15 (Development Management Standards) of the Kildare County Development Plan 2023-2029 is relevant.

Section 15.7.5 (Stopping Distances & Sightlines)

- *The Sightline requirements are determined by the Council on a case-by-case basis. Factors including the type, speed limit and condition of the road are taken into consideration.*
- *Where sightlines are inadequate and would give rise to a traffic hazard, development will not be permitted.*
- *Where the improvement of sightlines requires the removal of hedgerow, developers must retain as much of the existing hedgerow as possible and must provide a clear justification for the extent of removal of any hedgerow which will be considered by the Planning Authority when assessing planning applications. Planning permission may be refused where the Planning Authority concludes that excessive hedgerow is being removed in order to achieve adequate sightlines. Notwithstanding the above, where any hedgerow is being removed, with the consent of the Planning Authority, the applicant shall submit detailed landscape proposals to minimise the impact.*

- *In cases where an access already exists with inadequate sightlines, it is Council policy to recommend the closing-up of this entrance prior to the use of an alternative access with adequate sightlines.*
- *All applications for planning permission must clearly indicate the sightlines available at the proposed access.*

Section 15.7.6 (Access Requirements) is relevant and *inter alia* states:

- *The Generally, where the capacity, width, alignment, or surface condition of the road are inadequate, development will not be favoured.*
- *Where new development would adversely impact on road drainage, development will not be permitted unless applicants agree proposals with the Council to improve the road.*
- *Generally, it is the policy of the Council to discourage the proliferation of access points onto public roads, particularly in areas where the maximum speed limit applies or where road safety is of concern in accordance with the objectives in Section 5.6. The Council also encourages and promotes shared access points in all circumstances.*
- *Where the removal of hedgerow is required in order to achieve sight lines, the minimum amount of hedgerow shall be removed (see Section 15.2.4 above). Any new boundary should be planted with suitable indigenous species as outlined in section 15.2.4.*
- *The provision of sheep / cattle grids in new developments adjacent to the Curragh will be mandatory.*
- *In accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities, DECLG (2012), the creation of additional access points from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 50kph apply shall be avoided.*

5.2. Relevant National or Regional Policy / Ministerial Guidelines

- The Department of Housing, Local Government and Heritage ‘The Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities’, (15 January, 2024).

6.0 EIA Screening

6.1. The proposed development is not within a class where EIA applies.

7.0 The Appeal

7.1. Grounds of Appeal

The grounds of appeal are summarised below:

- The development to be retained is a single parking bay and an area of hardstanding located in the front curtilage of the house. This statement of fact illustrates that the proposal is not an especially large-scale development and should provide a springboard for the Commission's consideration and determination of the appeal.
- The range of issues which must be considered by the Commission is limited to matters of vehicular and pedestrian safety, as the planning authority has opposed the proposal for just one reason.
- It is claimed by reason of the refusal text that the planning authority did not consider the development inherently unacceptable or that it adversely effects the amenities of adjacent residents or the appearance of the streetscape.
- In the matter of Section 15.7.5 of the development plan, the neighbouring houses comprise a series of low profile features, which it is claimed do not adversely affect safety in terms of lines of visibility (the appellant evidences photograph 1 & 2 of the appeal statement).
- The planning history on site evidenced in the refusal of planning permission (20230) for a vehicular entrance by removing part of the side boundary was not based on any serious conflict of vehicular movement rather the potential to endanger public safety.
- It is claimed that the previous refusal forms a rather poor base for the current planning authority assessment, as previously the planning authority did not identify the basis how public safety would be adversely affected.

- In the matter of the planning authority conclusion, the appellant does not believe that the Roads Department memorandum actually provided a clear basis for the ultimate decision to refuse planning permission.
- The appellant questions the validity of the internal communique, as the document albeit entitled “assessment’ did not assess the impact of the access or otherwise explain in technical terms how pedestrian and vehicular safety would be affected.
- In the matter of development plan policy, the appellant states that most houses in suburban or in edge-of-centre locations accommodate on-site parking bays in accordance with Section 15.7.5 of the development plan, which it is claimed generally seeks to facilitate off-street parking spaces other than where a traffic hazard would arise.
- The appellant claims that a key factor in any safety assessment comprises the degree to which a proposed access might be used given the link between usage on the one hand and the likelihood of collision(s) occurring.
- The Traffic Report (October 2025) submitted with the retention application analyses the nature of this proposal in the context of location. The appellant concurs with the findings of this report that this development would result in a total of one inward and one outward movement per day.
- In the matter of sightlines, although Section 15.7.5 of the development plan states that sightlines will be decided ‘by the Council on a case-by-case basis’, no part of the planning assessment or technical assessment (Roads Department memorandum) actually considered the issue of visibility from the proposed site entrance.
- It is claimed that the safety concerns identified in the reason or refusal did not stem from an analysis as required under Section 15.7.5 given that neither assessment refers to the carriageway or to the adjacent boundary characteristics.
- The appellant cites the submitted Traffic Report (October 2025), which states that the site access is within the 50kph speed limit and would satisfy the relevant Section 4.4.5 of DMURS given the extent of visibility within the site access from Rowan Terrace.

- In the matter of traffic speed, Rowan Terrace by reason of its urban location and route characteristic (which doesn't not link two urban centres rather Rowan Terrace links the outer suburbs to the town core) is predominantly a slow speed carriageway. Furthermore, the appeal site is approximately 150m from the intersection (4-way junction) of Regional Road R445 and R416 where cars need to queue before negotiating the junction slowing movement on Rowan Terrace.
- In the matter of local parking and access arrangements, it is claimed the access laneway onto which the vehicular entrance opens solely leads to a number of domestic garages behind the houses in Rowan Terrace. It is questioned whether development to be retained in terms of vehicular movements would have adverse safety impacts on the receiving domestic traffic environment.
- The appellant supports the argument that the development to be retained would not adversely affect safety by reason of the in-curtilage parking space has been in use for 5 years without incident, there are existing public on-street parking bays on Rowan Terrace and how the safety of the access laneway would be affected is not exactly clear.
- In the matter of exempted development, the applicant in the original planning report submitted by 'Ger Fahy Planning' argued that the proposal is an exempted development, which was rejected by the planning authority because the access was unsafe. The appellant questions the validity of that assessment with reference to case law.

7.2. Planning Authority Response

- The planning authority notes the content of the appeal.
- The planning authority confirms its decision and refers the Commission to the planners report and technical department reports.

7.3. Observations

There are no observations on this appeal.

8.0 Assessment

8.1. I have examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant planning policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Zoning / principle of development
- Planning history
- Development Plan policy requirements for vehicular access / egress

8.2. Zoning / Principle of development

The appeal site is zoned Objective B (Existing Residential / Infill) of the Newbridge Settlement Plan part of the Kildare County Development Plan 2023-2029.

8.3. The urban zoning objective provides for existing residential development and infill development. I consider that the Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities are relevant to the appeal site.

8.4. The proposed application is for the retention of an in-curtilage residential car parking space accommodated within the front garden of an existing dwelling house.

8.5. The appellant states that most houses in suburban or in edge-of-centre locations accommodate on-site parking bays in accordance with Section 15.7.5 (Stopping Distances and Sightlines) of the Kildare County Development Plan 2023-2029, which it is claimed generally seeks to facilitate off-street parking spaces other than where a traffic hazard would arise.

8.6. I do not consider that the development to be retained is in a suburban or edge of centre location. I consider that the appeal site is highly accessible location immediate to town centre services and public transport networks, including rail services.

8.7. The traffic report prepared by TPS Moran & Associates, dated October 2025, was submitted with the planning application recognises that the dwelling is centrally located within Newbridge Town Centre and is highly accessible to high quality pedestrian and public transport links in the area.

- 8.8. The Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities Guidelines *inter alia* supports the elimination of car parking within city centres and urban neighbourhoods in accessible / intermediate locations.
- 8.9. I note that there is an existing pay and display parking provision on Rowan Terrace comprising of parallel parking to the terrace from Monday to Saturday 09.30-17.30 (maximum stay 2 hours).
- 8.10. Finally, I note the planning history on site, which granted planning permission for the subject infill house without dedicated car parking given the infill character of the development and its central location.
- 8.11. I consider that there would be a strong presumption against in-curtilage car parking at this centrally located site with access to on-street parking.
- 8.12. Planning History
- 8.13. The existing dwelling house on site is an end of terrace infill property granted planning permission under reg. ref. 07/2099. Condition 22 applied a development contribution in lieu of car parking provision (1.5 spaces) for the additional residential unit, as of-street parking was not provided.
- 8.14. Subsequently, under reg. ref. 20230 a split decision issued (13/10/2020). Planning permission was refused for the following: (1) the removal and replacement of boundary wall adjacent to lane to create new vehicular entrance with sliding gate.
- 8.15. The reason for refusal states that proposed development of a boundary wall to the lane with a sliding gate has the potential to cause a serious conflict of vehicular movements and would therefore endanger public safety by reason of traffic hazard and obstruction of road users due to the movement of traffic generated by the development.
- 8.16. The appellant claims the refusal was not based on any serious conflict of vehicular movement rather the potential to endanger public safety. Therefore, the previous refusal forms a rather poor base for the current planning authority assessment, as previously the planning authority did not identify the basis how public safety would be adversely affected.
- 8.17. I note that the applicant did not appeal the refusal element of the proposal subsequent to the planning authority decision (13/10/2020).

- 8.18. Notwithstanding that this is a decided planning application, I have reviewed the planning report under reg. ref. 20230 in the context of the current development under appeal.
- 8.19. The planning report in part comprises the assessment of a vehicular entrance in the side boundary onto the adjoining laneway to the south of no. 1A Rowan Terrace.
- 8.20. I note that the application was refused following the review of a further information submission (22/09/2020) including a track path analysis outlining cars entering and exiting the proposed side access in-curtilage parking space.
- 8.21. The planning case officer recommended refusal of permission due to traffic movement generated by the development. I note that the car turning radius is given as 6m. The hard surface area proposed has a maximum width of 4436mm.
- 8.22. A car cannot turn within the site. Therefore moveability into / out of the site would be within the public laneway, which is confirmed by the track path analysis.
- 8.23. The development under appeal to be retained is a similar development to that previously refused by the planning authority (the previously proposed side vehicular entrance was given as 6500mm and incorporated a sliding gate where the access to be retained is given as 6000mm).
- 8.24. I consider that the case officer reason for recommending a refusal of planning permission (20230) for the vehicular entrance and in-curtilage car parking space on the grounds of public safety is clear and transparent.
- 8.25. I consider that history of refusal on site is relevant to the current application for retention permission given the similarity of the development proposal refused with the subject retention development under appeal.
- 8.26. Development plan policy requirements for new vehicular access / egress
- 8.27. Section 15.7.6 of the Kildare Development Plan states *inter alia* that in general it is the policy of the Council to discourage the proliferation of access points onto public roads.
- 8.28. The appellant claims the access laneway onto which the vehicular entrance opens solely leads to a number of domestic garages behind the houses in Rowan Terrace. It is questioned whether the development to be retained in terms of vehicular movements would have adverse safety impacts on the receiving domestic traffic environment.

- 8.29. It is further claimed by the appellant that the safety concerns identified in the reason for refusal did not stem from an analysis as required under Section 15.7.5 (Stopping Distances and Sight Lines) given that neither assessment refers to the main carriageway or to the adjacent boundary characteristics.
- 8.30. The appellant evidences photograph 1 & 2 of the appeal statement. I note the existing sightlines from the access laneway onto the main carriageway at Rowan Terrace.
- 8.31. I would agree with the appellant that safety concerns do not solely stem from stopping distances and sight lines onto Rowan Terrace from the access lane.
- 8.32. I also note in Appendix 2 of the traffic report prepared by TPS Moran & Associates, dated October 2025, that the 'Swept Path assessments' indicate that egressing the space requires reversing movement into the laneway and onto the main carriageway on Rowan Terrace traversing the public footpath on the west side of Rowan Terrace.
- 8.33. The appellant claims that Rowan Terrace links the outer suburbs to the town core and is predominantly a slow speed carriageway. Furthermore, the appeal site is approximately 150m from the intersection (4-way junction) of Regional Road R445 and R416 where cars need to queue before negotiating the junction slowing movement on Rowan Terrace.
- 8.34. I note on the day of my site visit that the cars leaving the 4-way junction (Regional Road R445 and R416) to the south of the appeal site in a northerly are moving rapidly by the time they reach the appeal site at the southern extremity of Rowan Terrace.
- 8.35. I do not agree with the appellant that Rowan Terrace is a slow moving carriageway especially in a northerly direction.
- 8.36. I consider that the development to be retained constitutes a traffic hazard to other road users on Rowan terrace given the requirement to egress the in-curtilage car parking space by reversing movement into the laneway and onto the main carriageway on Rowan Terrace traversing the public footpath on the west side of Rowan Terrace.
- TPS Moran & Associates Traffic report*
- 8.37. The traffic report prepared by TPS Moran & Associates, dated October 2025, was submitted with the planning application. The Report concludes that the development generates very limited daily or peak hour trips. It is claimed that the development to be

retained has no material traffic impact on the adjacent road network (road links or junctions) and does not give rise to a traffic hazard.

- 8.38. Furthermore, the traffic report claims that the provision of a vehicular access in this location would be similar to the plethora of existing vehicular access points located along the length of Rowan Terrace.
- 8.39. On the day of my site visit I note that there are in excess of 20 terraced properties on the Rowan Terrace streetscape adjoining the appeal site. All of these properties have intact boundary treatment, comprising front railings with pedestrian gates. There are no vehicular access points pre-existing.
- 8.40. The Rowan Terrace streetscape comprises front gardens in the setback between the public footpath and the elevation of the terrace with the exception of the appeal property, which has hard surfaced the front garden area.
- 8.41. The appellant claims that the development to be retained would not adversely affect safety by reason of the in-curtilage parking space, which has been in use for 5 years without incident.

Planning Authority Roads Report

- 8.42. The appellant does not believe that the Roads Department memorandum actually provided a clear basis for the ultimate decision to refuse planning permission.
- 8.43. It is asked by the appellant how the safety of the access laneway from the main carriageway on Rowan Terrace to the rear of the properties on Rowan Terrace (and Saint Dominic Park) would be affected. This matter is not exactly clear to the appellant.
- 8.44. The roads report recommends refusal of planning permission and states that transportation department has serious concerns about the conflict of vehicle movements and the safety of pedestrians incurred by the proposed development. The proposed development would endanger public safety by reason of traffic hazard and obstruction of road users.
- 8.45. Furthermore, the roads report states that it is the policy of the local authority to discourage the proliferation of access points onto public roads where there is direct conflict with pedestrians.

- 8.46. The TPS Moran & Associates Report claims that the proposed development has been identified as generating very limited daily peak hour trips. Therefore, it is claimed the development is considered to have no material traffic on the adjacent road network.
- 8.47. I note the limited number of movements generated by the single car parking space. However, I do not consider that this is the substantive material consideration in the assessment of the development to be retained.
- 8.48. I concur with the planning case officer that the vehicular access and off-street parking on-site could lead to serious conflict with pedestrians and vehicular traffic as vehicles are not able to leave the site in a forward gear or to manoeuvre within the site so as to leave it in a forward gear.
- 8.49. The requirement to egress the in-curtilage car parking space by reversing movement into the laneway and onto the main carriageway on Rowan Terrace traversing the public footpath on the west side of Rowan Terrace represents a serious conflict with other road users both within the public lane and on Rowan Terrace.

Access laneway turning movements

- 8.50. I have reviewed the submitted drawings. The in-curtilage parking area comprises a parallel parking space within the curtilage of the dwelling house aligned east-west with the side vehicular entrance. A car must manoeuvre into this parallel parking position.
- 8.51. The access lane is narrow (given as 2900mm tapering to 2830mm directly in front of the vehicular entrance to be retained) without markings or footpath.
- 8.52. The access lane links Rowan Terrace with College Park Road providing a through route and giving access to the rear of properties on Rowan Terrace and Saint Dominic Park. There were cars parked in the interior of the lane on the day of my site visit.
- 8.53. The vehicular entrance to be retained is defined at either end of the 6000mm opening by low pillars. There is effectively no boundary differentiation between the hard surfaced car parking area to the front of no. 1A Rowan Terrace and the eastern section (at the junction with the footpath to the carriageway on Rowan Terrace) of the access lane given the extensive width of the opening (6000mm without enclosure).
- 8.54. I note that the TPS Moran & Associates Report does not directly address vehicular and pedestrian conflicts at the entrance to the access lane other than stating in Paragraph

3.12 that from 'site visits' turning movements in the lane had no impact on existing vehicular or non-car users within this laneway.

- 8.55. The car moveability area effectively encompass the public lane for the purpose of access / egress into / out of the in-curtilage parking space, as confirmed by 'Swept Path Assessments' provided in Appendix 2 of the submitted Traffic Report prepared by TPS Moran & Associates (Drawing Number 125-A03-SP01).
- 8.56. Notwithstanding the low traffic speeds at this location, I consider that the use of the access laneway at the Rowan Terrace entrance to the laneway constitutes a traffic hazard for other users of the laneway given that the laneway accommodates two-direction movement and remembering that the laneway is not a cul-de-sac rather a potential through route linking Rowan Terrace with College Park Road.
- 8.57. Finally, I note that the Development Management Guidelines for Planning Authorities (2007) provide guidance in the matter of development to be retained that such development must be considered as with any other application. The application under appeal must therefore be assessed on the same basis as if the entire development is proposed.
- 8.58. I conclude that the vehicular entrance (6000mm) located in the side boundary, onto a narrow access lane (less than 3000mm in width), at the interface of the access lane and the public footpath to the main carriageway on Rowan Terrace, and associated in-curtilage parking constitutes a traffic hazard to other road users, both in the laneway and on Rowan Terrace, inconsistent with Section 15.7.6 (Access Requirements) of the Kildare County Development plan 2023-2029, which discourages the proliferation of access points onto public roads *inter alia* particularly in instances where road safety is of concern.

9.0 AA Screening

I have considered the proposed development in-light of the requirements S177U of the Planning and Development Act 2000 (as amended).

The subject site is located within an established urban area and is connected to piped services and is not immediate to a European Site The proposed development

comprises the retention of a vehicular entrance access and the hard surfacing of a front garden to accommodate in-curtilage car parking to an existing building on site.

No significant 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 it could not have any effect on a European Site given the small-scale nature of the development.

I conclude 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 (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

10.1. The site is located in Newbridge town Centre. The site is immediate to a visible watercourse (River Liffey).

The proposed development comprises retention of a vehicular access entrance and the hard surfacing of a front garden to accommodate in-curtilage car parking.

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 the small scale and nature of the development.

I conclude based on objective information, the proposed development will not result in a risk of deterioration of 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 a refusal of planning permission for the reasons and considerations outlined below:

12.0 Reasons and Considerations

Having regard to the central location within Newbridge town centre of the appeal site and the accessibility of public transport networks, there is a strong presumption against in-curtilage car parking at this accessible location, which also has access to on-street parking.

Furthermore, the vehicular entrance (6000mm) to be retained located in the side boundary, onto a narrow access lane (less than 3000mm in width), at the interface of the access lane and the public footpath to the main carriageway on Rowan Terrace, and associated in-curtilage parking would result in a serious conflict with vehicular and pedestrian movements at the boundaries to the site, both in the access laneway and on Rowan Terrace given the requirement for reversing movement to egress the subject car parking space, inconsistent with Section 15.7.6 (Access Requirements) of the Kildare County Development plan 2023-2029, which discourages the proliferation of access points onto public roads. Therefore, the development to be retained would endanger public safety by reason of traffic hazard and obstruction of other road users inconsistent with 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Anthony Abbott King
Planning Inspector

24 March 2024

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500581-KE-26
Proposed Development Summary	Retention vehicular entrance and in-curtilage car parking space
Development Address	1A Rowan Terrace, Newbridge, Co. Kildare.
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?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> - 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) 	
2. Is the proposed development of a CLASS specified in Part 1, 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.	
<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 prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____