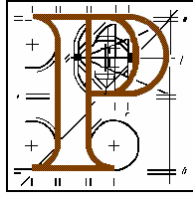


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2010

## Kildare County

### Planning Register Reference Number: 11/25

An Bord Pleanála Reference Number: PL 09.238718

**APPEAL** by Brian and Janelle Peacock care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare against the decision made on the 9<sup>th</sup> day of March, 2011 by Kildare County Council to refuse a permission.

**PROPOSED DEVELOPMENT:** (a) Relocation of previously granted entrance (planning register reference number 042420) onto R403 Road and erection of a new entrance with double gates/piers and associated works. (b) Retention of partially constructed existing driveway, all at Baybush, Straffan, County Kildare.

### DECISION

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

### MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

1. It is the policy of the planning authority, as set out in the current development plan for the area, to control excessive levels of individual entrances on regional roads where the maximum speed limit applies. It is considered that the proposed development would endanger public safety by reason of traffic hazard because the entrance is located alongside a heavily trafficked Regional Road (R403) at a point where the maximum speed limit of 80 kilometres per hour applies and the sightlines at the proposed entrance are substandard in an easterly direction and would involve alterations to an adjoining roadside boundary, which are outside the applicants control. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.
2. Condition 18 of planning register reference number 04/2420 requires that access to the site be provided from a combined double recessed entrance that serves the existing house on the site. The proposed development contravenes Condition 18 of the parent permission, and there is insufficient justification to warrant such a material alteration to the development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

---

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2011.**