

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 15/450

An Bord Pleanála Reference Number: PL 09.245756

APPEAL by Gareth Preston care of Vincent JP Farry and Company Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 29th day of October, 2015 by Kildare County Council to refuse permission.

PROPOSED DEVELOPMENT: (A) Erection of a dormer type house, (B) garage/fuel store for domestic use and (C) the installation of a proprietary wastewater treatment plant with percolation area and all associated site works at Cloncurry, Enfield, 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

Policy RR1 of the Kildare County Development Plan 2011 - 2017 seeks to restrict new accesses on to regional roads that are subject to an 80 km/h speed limit, except in certain exceptional circumstances. In cases where applicants comply with rural housing policy as set out in the Development Plan, the use of existing entrances will only be permitted where applicants can demonstrate that there are no other suitable accesses or sites within the landholding. The applicant has not demonstrated to the satisfaction of the Board that there are no other alternative sites on the landholding that would be more appropriate for the subject proposal. The proposed development would, therefore, contravene Policy RR1 of the Development Plan. It is further considered that the proposed development would endanger public safety by reason of traffic hazard arising from the additional and conflicting traffic movements generated at the new access to serve the proposed development, would interfere with the safety and free-flowing nature of a heavily-trafficked section of regional road, would compromise the level of service and carrying capacity of the road at this location, and would fail to protect public investment in the regional road network. 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 2016.