

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Wicklow County**

**Planning Register Reference Number: 15/437**

An Bord Pleanála Reference Number: PL 27.245762

**APPEAL** by Rachel Lippiatt care of Auveen Byrne and Associates of Lioscarran House, 32 Dale Road, Kilmacud, Stillorgan, County Dublin against the decision made on the 20<sup>th</sup> day of October, 2015 by Wicklow County Council to grant subject to conditions a permission to David McMahon care of David Gregory Design of Kilmacanogue House, Kilmacanogue, County Wicklow.

**PROPOSED DEVELOPMENT:** The erection of a new single storey dwelling, on-site effluent treatment system, new entrance, bored well and associated works at Church Lane, Newcastle Upper, County Wicklow.

## **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**

The minor rural road serving the site – Church Lane – is considered to be seriously substandard in terms of width and alignment. It is also poorly surfaced. It is considered that the traffic generated by the proposed dwelling would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the Inspector's comments in relation to acceptability of entrance sightlines, but took the view that given the narrow width and poor alignment and condition of the lane, and the pressure it is already under to serve existing houses and agricultural activity, that an additional dwelling would not be acceptable. The Board noted that the carrying capacity of the lane had previously featured as a matter of concern for the planning authority in the planning history relating to the site, and considered that a precautionary approach was appropriate.

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

**Dated this            day of            2016.**