

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Offaly County

**Planning Register Reference Number: PL2/15/250**

An Bord Pleanála Reference Number: PL 19.246671

**APPEAL** by David and Pauline O'Grady care of Sean Lucy and Associates of 23E Lough Sheever Corporate Park, Mullingar, County Westmeath and by Eamon and Anne O'Meara care of Sean Lucy and Associates of 23E Lough Sheever Corporate Park, Mullingar, County Westmeath against the decision made on the 5<sup>th</sup> day of May, 2016 by Offaly County Council to grant subject to conditions an outline permission to Jason Tooher care of O'Halloran and Rooney of 3 The Beehives, Ballinderry, Mullingar, County Westmeath.

**PROPOSED DEVELOPMENT:** Provision of 13 number detached dwellings with new site entrance and all associated site works at Ballindarra, Riverstown, Birr, County Offaly.

## DECISION

**REFUSE** outline 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 noted that the sight distance to the east of the proposed vehicular access to the N52 crosses third party lands. The applicant has not submitted details of any permission or agreement from the adjoining landholder regarding the removal of vegetation along that section of the road frontage, which would be necessary to achieve the stated sight distance. The Board is therefore not satisfied that adequate sight distances can be achieved at the vehicular entrance to the development, in accordance with the requirements of the Design Manual for Urban Roads and Streets, issued by the Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government. The proposed development would, therefore, endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area.
  
2. The Board is not satisfied that the applicant has demonstrated that a connection to the public water supply can be achieved as the watermain crossing the site is in the possession of Ballindarra private Group Water Scheme and the applicant does not have permission to connect to the Scheme. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this                      day of                      2016.**