

Board Order PL 09.248196

Planning and Development Acts 2000 to 2017

Planning Authority: Kildare County Council

Planning Register Reference Number: 16/1332

Appeal by Eanna Geraghty care of Vincent JP Farry and Company Limited of Suite 180, 28 South Frederick Street, Dublin against the decision made on the 23rd day of February, 2017 by Kildare County Council to refuse permission.

Proposed Development: (a) Removal of condition number 9 of previously approved planning permission, planning register reference number 73/232, which required lands to be sterilized from future residential development; (b) construction of a single storey dwelling with a floor area of 211.1 square metres; (c) provision of a new onsite wastewater treatment system and percolation area; (d) provision of a new dual access vehicular entrance that will serve both the proposed new dwelling and the applicant's parents' existing dwelling. The portion of the dual access entrance serving the new dwelling will replace an existing agricultural entrance; and (e) all associated site development works at Roseberry, Newbridge, County Kildare.

Decision

REFUSE permission for the above proposed development in accordance with 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 considered that the proposed development constitutes haphazard and piecemeal development of a rural area close to an urban centre, would set an undesirable precedent for further such developments and would thus be contrary to policy objectives RH 5 and RH 11 of the Kildare County Development Plan 2017-2023, which are considered reasonable and consistent with the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in April 2005. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
- 2. Notwithstanding the proposal to increase the sightline to the north-west of the site to 50 metres, it is considered that the proposed development would be substandard given the nature of the road onto which the proposed dwelling would access close to an urban area. The proposed development would result in a traffic hazard due to the restricted visibility to the west of the entrance and the poor alignment of the road. 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.

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

Dated this day of

2017

PL 09.248196 Board Order Page 2 of 2