



An
Bord
Pleanála

**Board Order
PL 27.248528**

Planning and Development Acts 2000 to 2017

Planning Authority: Wicklow County Council

Planning Register Reference Number: 16/1295

Appeal by Margaret Carroll care of Michael Carroll of Glenherbert, Dargle Road, Bray, County Wicklow against the decision made on the 25th day of April, 2017 by Wicklow County Council to refuse permission.

Proposed Development: Construction of a dwelling, entrance, connection to services and associated site works including retaining walls to portion of eastern and western boundaries at Ballinahinch Lower, Newtownmountkennedy, County Wicklow.

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. Having regard to the restricted nature of the subject site, the layout of the proposed development and the planning history of the site, it is considered that the proposed development would constitute overdevelopment of the site which, if permitted, would significantly alter the existing character of the area, and would be in conflict with the zoning objective for the area, as set out in the current Wicklow County Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to
 - (a) the design and location of the proposed retaining walls, which would result in foundations being constructed on adjoining property, and

 - (b) the extensive excavation works proposed in order to carry out the proposed development,

