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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 17/937**

**APPEAL** by Emma Balmaine of River House, Church Lane, Newcastle, County Wicklow against the decision made on the 9<sup>th</sup> day of May, 2018 by Wicklow County Council to grant subject to conditions permission to Sari Winkworth care of Deane Turner Associates of Block 6, Suite A, Broomhall Business Park, Rathnew, County Wicklow.

**Proposed Development** Dwelling, wastewater treatment system to current EPA standards and all associated ancillary site works and services. Retention is also sought for continuation of access track to serve proposed dwelling and existing barn, all at Newcastle upper, Newcastle, County Wicklow, as revised by the further public notice received by the planning authority on the 18th day of April, 2018.

**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**

It is considered that the proposed development would intensify the use of an existing access onto an existing road (Church Lane), which is deficient in width and alignment and has no public lighting or footpaths. The sightlines available from this access in an easterly direction are substandard and the proposed development would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board did not agree that the issue of traffic hazard had been resolved and had particular concerns about the narrow width and lack of public lighting and lack of footpaths on Church Lane and noted that an alternative access on the recently developed road at Glebe Lane, which has public lighting and footpaths was available. Furthermore, the Board did not consider that the financial circumstances of the applicant was a material consideration in the appeal.

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**Terry Ó Niadh**

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

**Dated this            day of            2019.**