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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 18/158**

**APPEAL** by John Walsh of Ballybeg, Rosbercon, New Ross, County Kilkenny against the decision made on the 23<sup>rd</sup> day of August, 2018 by Kilkenny County Council to grant subject to conditions a permission to Tom and Frances O'Sullivan care of Peter J. McDonald Engineering Limited of Mountgarrett Road, New Ross, County Wexford.

**Proposed Development:** Construction of a fully serviced dwelling with domestic garage and associated works at Ballybeg, Rosbercon, County Kilkenny.

**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**

The site is located on a minor road (L-74972) which is seriously substandard in terms of width and alignment. The proposed development would involve the intensification of traffic movements on this road. Furthermore, it is considered that adequate sightlines for emerging traffic from the L-74972 onto the R704 Regional Road cannot be achieved by the developer. Accordingly, the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users. The proposed development would also set an undesirable precedent for additional development along such a substandard road. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Dave Walsh**

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

**Dated this            day of            2019.**