



Planning and Development Acts 2000 to 2019

Planning Authority: Wicklow County Council

Planning Register Reference Number: 18/839

APPEAL by Sean O'Shea care of O'Neill Associates Architects of Domus, Kilpedder, County Wicklow and by James and Breda Mahon care of O'Neill Associates Architects of Domus, Kilpedder, County Wicklow against the decision made on the 8th day of April, 2019 by Wicklow County Council to grant subject to conditions a permission to Aideen Cardiff and Ciaran O'Connor care of Sutton Design Studio of Unit T2 The Enterprise Centre, Wicklow.

Proposed Development: Construction of four number dwellings including connection of services to public mains and associated site works at 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. On the basis of information submitted with the planning application, including Appendix 4 of the report by Dr Martin Rogers, 'Applicant's response to traffic issues raised in Wicklow County Council's request for further information', wherein it is shown that a sightline of 45 metres to the nearside of the public carriageway to the north of the proposed entrance is unavailable, it is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate onto the public road at a point where sightlines are restricted in a northwards direction. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development, by reason of location, design and layout, would prejudice the potential future development of adjoining lands to the east of the subject site. Accordingly, the proposed development in its current form would not facilitate potential future access to adjoining lands, would represent piecemeal and haphazard development and would militate against the orderly and comprehensive development of lands zoned in the Newtownmountkennedy Local Area Plan 2008-2018. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted that there is no footpath along the east (subject site) side of the adjoining public road in either direction and that with regard to potential adequate sightlines to the north from the proposed junction, these are impeded by an existing stone wall which is outside the ownership or control of the applicant. In this regard and having considered the full content of the documentation as submitted with the planning application including at further information stage and noting also the likely significant traffic movements along this road and from the adjoining junction to the west, the Board determined that the proposed development would endanger public safety by reason of traffic hazard.

Chris McGarry

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

Dated this day of 2019.