



An  
Bord  
Pleanála

**Board Order**

**ABP- 316044-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 22/1331**

**Appeal** by Philip Mulhall care of Liam Cullen Design and Planning of 44 Ballinteer Crescent, Dublin against the decision made on the 15<sup>th</sup> day of February, 2023 by Wicklow County Council to refuse permission for the proposed development.

**Proposed Development:** Single storey detached dwelling (180 square metres) located on lands to north of existing dwelling with new site entrance and vehicular access and driveway from roadway leading to adjoining Vартry Wood development and associated site works at 'Fatima', Ballinahinch, Ashford, County Wicklow.

## **Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Reasons and Considerations

The proposed development would materially contravene the grant of permission under planning authority register reference: SH/2020003 (An Bord Pleanála appeal reference ABP-307230-20) for the adjoining residential development and, would set an undesirable precedent for similar development owing to the proposed use of an area within the dedicated public open space as an access route to and from the public road for the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Joe Boland**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *19<sup>th</sup>* day of *March* 2023