



Planning and Development Acts 2000 to 2019

Planning Authority: Cork County Council

Planning Register Reference Number: 18/07328

APPEAL by Transport Infrastructure Ireland of Parkgate Business Centre, Parkgate Street, Dublin against the decision made on the 17th day of July, 2019 by Cork County Council to grant subject to conditions a permission to Deirdre Devaney care of David Mulcahy, Design and Planning of Glentrasna South, Ballynoe, Conna, County Cork.

Proposed Development: Erection a split-level dwelling house on site waste water treatment system, new dual entrance and all associated site works at Strawhall, Fermoy, County Cork.

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. The proposed development would generate additional traffic, including turning movements to and from the site which is located along the heavily trafficked National Secondary Road N72, at a point where the general speed limit of 80 km/h applies. In this regard, the proposed development, by itself, and by the precedent that a grant of permission would create, would endanger public safety by reason of traffic hazard, and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development would militate against national policy on the control of access to national roads, as set out in Spatial Planning and National Roads: Guidelines for Planning Authorities, published by the Department of the Environment, Community and Local Government in January 2012, which seeks to preserve the level of service and carrying capacity of national roads, to protect public investment in same, and to control frontage development that adversely affects road safety. Furthermore, the proposed development would be inconsistent with Objective TM 3-1 of Cork County Development Plan 2014, which seeks to restrict individual access points in order to protect the substantial investment in the road network, to improve carrying capacity, efficiency and safety, to prevent the premature obsolescence of the network, and

to avoid the creation of additional access points from new development or the generation of increased traffic from existing access points onto national roads to which speed limits greater than 50km/h apply. The proposed development would be contrary to these 2012 Ministerial Guidelines and contrary to the relevant objective of the statutory development plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Chris McGarry

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this day of 2020