

An
Bord
Pleanála

Board Direction
BD-018189-24
ABP-319968-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/11/2024.

The Board decided to refuse permission for the following reasons and considerations.

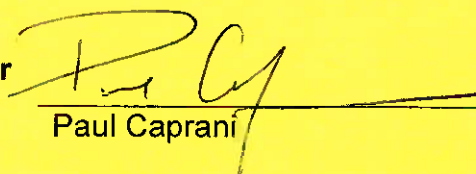
Reasons and Considerations

The proposed development which seeks to construct an agricultural entrance onto the R412 at a point where the 80kph speed limit applies would conflict with Policy TM P6 and Objective TM O95 of the Kildare County Development Plan which seeks to maintain and improve the capacity, safety and function of the regional road network and restrict new access onto regional roads where the 80km per hour speed limit applies, save for exceptional circumstances. It is considered in this instance that the applicant did not meet the criteria set out for exceptional circumstances as set out in the County Development Plan. The proposed development would therefore interfere with the safety and free flow of traffic and would endanger public safety by reason of a traffic hazard and 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 considered that the applicant did not meet any of the exceptional circumstances set out under TMO95, namely:

- (i) That the Developments is not of of strategic, local, regional or national importance, where there is a significant gain to the county through employment creation or other economic benefit.
- (ii) The application did not relate to Local Need Criteria in respect to building a home on the family landholding.
- (iii) And did not involve the demolition of an existing dwelling and replace with a new dwelling, where there is an existing entrance onto the regional road.

Board Member


Paul Caprani

Date: 14/11/2024