

## **Board Order PL 91.249355**

Planning and Development Acts 2000 to 2017

**Planning Authority: Limerick City and County Council** 

Planning Register Reference Number: 17/671

**Appeal** by Eddie and Marie Hennessy of Ahabeg, Ballysimon, County Limerick against the decision made on the 6<sup>th</sup> day of September, 2017 by Limerick City and County Council to refuse permission.

**Proposed Development:** A farm entrance gate at Cloghnadromin, Ballysimon, County Limerick.

## **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 "Spatial Planning and National Roads - Guidelines for Planning Authorities" issued by the Department of the Environment, Community and Local Government (2012) seek in Section 2.5 "to avoid the creation of any additional access point from new development . . . to national roads to which speed limits greater than 60 km/h apply". Policy IN P9 of the Limerick County Development Plan 2010-2016 seeks to protect the capacity and safety of the national road network in the County and to ensure compliance with these Guidelines. Objective IN O17 of the Development Plan further states that developments that require a new access onto a national road will not be permitted. These objectives are considered to be reasonable. The proposed development would involve the creation of a new access onto the N24 national primary road, where a speed limit of 100 km/h applies. It is considered that the traffic turning movements generated by the proposed development would endanger public safety by reason of traffic hazard, would interfere with the free flow of traffic on this national road, would compromise the level of service and carrying capacity of the road at this location, and would fail to protect public investment in the national road network, both by itself and by the undesirable precedent it would set for similar such development. The proposed development would contravene the provisions of the said Guidelines and of Policy IN P9 and Objective IN O17 of the Limerick County Development Plan 2010-2016 and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2018

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