



Planning and Development Acts 2000 to 2018

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 18/345

APPEAL by Transport Infrastructure Ireland of Parkgate Business Centre, Parkgate Street, Dublin against the decision made on the 10th day of July, 2018 by Waterford City and County Council to grant subject to conditions a permission to Catherine and Finbar Tymon of Ross, Kilmeaden, County Waterford.

Proposed Development: Construction of a two-storey dwelling, septic tank, percolation bed, sharing of existing recessed entrance and driveway and all associated site works at Ross, Kilmeaden, County Waterford.

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. Under section 2.5 of the Spatial Planning and National Roads Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in January, 2012, it is recommended policy for planning authorities “to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 km/h apply”. The proposed development entails intensification of traffic at an existing access point onto the N25, National Primary Road, where a speed limit of 100 km/h applies. The proposed development would be contrary to national policy with regard to access to development along the national road network and would set an undesirable precedent for similar type development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the site on a heavily trafficked and overtaking section of the N25 (National Primary Road) where maximum traffic speeds apply, it is considered that the additional traffic movements arising from the proposed development would endanger public safety by reason of traffic hazard and would interfere with the safety and free flow of traffic on this National Road. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2018.