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**Planning and Development Acts 2000 to 2018**

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

**Planning Register Reference Number: 18/634**

**APPEAL** by Thomas Kelly of 21 Ashville, Ballysheedy, County Limerick against the decision made on the 16<sup>th</sup> day of August, 2018 by Limerick City and County Council to refuse permission to the said Thomas Kelly.

**Proposed Development** Construction of a two-storey dwelling house, garage, wastewater treatment system, percolation area, entrance and all ancillary site works at Wallace's Cross, Ballyengland, Askeaton, 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**

1. It is considered that the proposed development would endanger public safety by reason of traffic hazard because the site is located alongside the heavily trafficked National Secondary Road N69 at a point where the speed limit of 100 km/h applies and the traffic turning movements generated by the development would interfere with the safety and free-flow of traffic on the public road. The proposed development would also contravene materially the objectives of the planning authority, which are considered reasonable, to preserve the level of service and carrying capacity of the National Secondary Road and to protect the public investment in the road.
  
2. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the turning movements the development would generate where sightlines are restricted in a westerly direction.

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

**Dated this            day of            2019.**