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## Planning and Development Acts 2000 to 2018

Planning Authority: Clare County Council

Planning Register Reference Number: P18/948

**APPEAL** by Transport Infrastructure Ireland of Parkgate Business Centre, Parkgate Street, Dublin against the decision made on the 12<sup>th</sup> day of March, 2019 by Clare County Council to grant subject to conditions a permission to James and Eileen Breen of Ballyknock, Kilnamona, Ennis, County Clare.

**Proposed Development:** Construction of a new dwelling, the installation of a wastewater treatment plant and all associated site works at Ballyknock, Kilnamona, Ennis, County Clare.

## 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**

It is considered that the proposed development would endanger public safety by reason of traffic hazard because the site is located alongside, and would take direct access from, the heavily-trafficked National Road N85 at a point where a speed limit of 80 kilometres per hour applies and the traffic turning movements generated by the proposed development would interfere with the safety and free flow of traffic on the public road. The proposed development would also contravene Policy CDP8.4 as set out in the Clare County Development Plan 2017 - 2023 (which is considered reasonable) to preserve the level of service and carrying capacity of national primary and secondary roads in line with national policy. The proposed development would, therefore, adversely affect the use of a national road by traffic, would be contrary to the provisions of the Development Plan, would endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area.

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**Philip Jones**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**