



Planning and Development Acts 2000 to 2019

Planning Authority: Donegal County Council

Planning Register Reference Number: 18/50823

APPEAL by Transport Infrastructure Ireland of Parkgate Business Centre, Parkgate Street, Dublin against the decision made on the 2nd day of May, 2019 by Donegal County Council to grant subject to conditions a permission to Geraldine and Ciaran Cannon care of McCullagh Architecture and Surveying Limited of Glenfinn Road, Ballybofey, County Donegal.

Proposed Development: Construction of a dwellinghouse, detached domestic garage, septic tank/sewage treatment system and associated site development works including use of existing vehicular entrance to access the public road and extend access roadway to service the site at Killult, Falcarragh, Letterkenny, County Donegal.

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 proposed development would be served by an existing entrance onto a national road which is part of the county's Strategic Road Network which is identified in the Donegal County Development Plan 2018-2024 as being of importance in terms of connectivity between towns and villages and to the wider road network. Policy T-P-4 of the Donegal County Development Plan 2018-2024 is not to permit developments requiring new accesses or those which would result in adverse intensification of existing access points onto national roads where the speed limit is greater than 60 km/h and Objective T-O-6 to safeguard the carrying capacity of national roads. It is considered that the proposed development of a house at this location would result in the intensification of use of a private access onto the N56 national secondary road, where a speed limit of 100 km/h applies. It is considered that the additional and conflicting 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 Donegal County Development Plan, would be contrary to the Spatial

Planning and National Roads Guidelines for Planning Authorities (2012), would conflict with national policy as set out in the National Planning Framework Strategic Outcome 2 and would, therefore, be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.