

Planning and Development Acts 2000 to 2020

Planning Authority: Cork County Council

Planning Register Reference Number: 21/04977

APPEAL by Mary Scanlan and as executrix to the estate of Elizabeth Scanlan deceased of Tigh Na Seamrog, Inchinapallas, Ballyhooly, County Cork against the decision made on the 9th day of June, 2021 by Cork County Council to refuse permission.

Proposed Development: Development consisting of (a) a shared vehicular entrance to provide improved sightlines for Mary Scanlan, (b) in respect of planning register reference number 20/5502 granted to the estate of Elizabeth Scanlan deceased to remove condition number 2 (in its entirety – that such entrance would be used to access the existing dwelling), (c) modifications to entrance and (d) all associated site works at Inchinapallas, Ballyhooly, County Cork.

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.

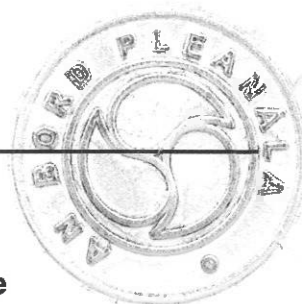
Reasons and Considerations

1. The proposed development would result in the intensification of the use of an existing access onto the N72 National Secondary Road at a location where the maximum speed limit of 100 km/h applies. Having regard to the location of the site, it is considered that the proposed development by itself or by the precedent it would set for other development, would endanger public safety by reason of traffic hazard and obstruction of road users, would contravene national policy in relation to the control of development on national roads as set out in the 'Spatial Planning and National Roads Guidelines for Planning Authorities' issued by the Department of the Environment, Community and Local Government in January, 2012, which seeks to secure the efficiency, capacity and safety of the national road network and would contravene materially Objective TM 3-1 of the Cork County Development Plan 2014 that restricts access onto national roads, in order to protect the substantial investment in the national road network, to improve carrying capacity, efficiency and safety and to prevent the premature obsolescence of the network. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development in providing for a shared entrance would contravene materially a condition attached to an existing permission for development namely, condition number 2 attached to the permission granted by Cork County Council on the 7th day of October, 2020 under planning register reference number 20/05502.


Michelle Fagan

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



Dated this  day of  2021