



Planning and Development Acts 2000 to 2022

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 22/110

APPEAL by Kristin and Aidan Lyons of Moonvoy, Tramore, County Waterford against the decision made on the 7th day of April, 2022 by Waterford City and County Council to refuse permission.

Proposed Development Construction of single storey bungalow, wastewater treatment system, percolation area and all associated site works, all at Monvoy, Tramore, Co. Waterford.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. It is the policy of the Waterford City and County Development Plan 2022 - 2028 (Trans 45) to protect strategic regional roads listed in Table 5.6 against development where a maximum speed limit applies except in exceptional circumstances. Where applicants who establish a genuine rural housing need are proposing to build a house on their own land, the onus is on the applicants to maximise the potential of existing entrances within the overall landholding. The applicant has not demonstrated compliance with same and it is considered that the proposed development would, therefore endanger public safety by reason of traffic hazard.

2. It is the policy of Waterford City and County Development Plan 2022 - 2028 (Trans 44) to maintain and protect the carrying capacity and associated drainage systems of regional and local roads and associated junctions in the interest of road safety in accordance with the Spatial Planning and National Roads Guidelines 2012. It is considered that the proposed development to open a new entrance on a designated regional road of strategic importance would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate on a road at a point where sightlines are restricted to the south. Furthermore, the Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that the applicant has demonstrated sufficient legal interest to ensure that the required sightlines can be provided and maintained.



Liam Bergin

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

Dated this *17th* day of *November* 2023.