

An  
Bord  
Pleanála

**Board Order**  
**ABP-315272-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Cork County Council**

**Planning Register Reference Number: 22/6082**

**APPEAL** by the Executrix to the estate of Elizabeth Scanlan (deceased) and Mary Scanlan care of Mary Scanlan of Tigh Na Seamrog, Inchinapallas, Ballyhooly, County Cork against the decision made on the 9<sup>th</sup> day of November, 2022 by Cork County Council to refuse permission.

**Proposed Development:** a) Shared vehicular entrance to provide improved road safety to unknown road users on N72 and increase sightlines for Mary Scanlan (which has access to the N72 from junction L97217), (b) remove condition number 2 from planning reference number 20/5502 "the entrance permitted herein shall be used the access the existing dwelling on site only", and (c) modifications to entrance at Inchinapallas, Ballyhooly, County.Cork.

**Decision**

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

## Reasons and Considerations

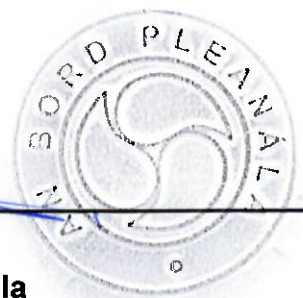
The proposed development would result in the intensification of the use of an existing access onto the N72 National Secondary Road at a location where the maximum speed limit of 100 km/h applies. Having regard to the location of the site, it is considered that the proposed development by itself or by 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. The proposed development would also materially contravene Objective TM 12-13 (j) and (m) of the Cork County Development Plan which 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 and seeks to avoid the creation of additional access points from new developments or the generation of increased traffic from existing accesses onto national roads to which speed limits of greater than 50 km/h apply. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



**Liam Bergin**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this 03<sup>rd</sup> day of January 2024.