



An
Bord
Pleanála

Board Order

ABP- 316000-23

Planning and Development Acts 2000 to 2022

Planning Authority: Clare County Council

Planning Register Reference Number: 22/1128

Appeal by Transport Infrastructure Ireland of Parkgate Business Centre, Parkgate Street, Dublin against the decision made on the 13th day of February, 2023 by Clare County Council to grant permission subject to conditions, to Shauna O'Malley care of Pat Hogan of Rushane, Kilnamona, Ennis, County Clare for the proposed development.

Proposed Development: Construction of a dwellinghouse and garage with effluent treatment system, assessed by means of an existing shared entrance and driveway from the public road, all with associated site works at Toberaniddaun, Lissycasey, County Clare.

Decision

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

Reasons and Considerations

Having regard to stated provisions of Section 11.2.9.3 of the Clare County Development Plan Spatial Planning and National Roads Guidelines for Planning Authorities issued by the Department of Environment, Community and Local Government in 2012, in particular Sections 2.5 and 2.6 which indicate the importance of the national route network; to ensure that the strategic traffic function of national roads is maintained by limiting the extent of development on national routes; that proper planning is central to ensuring road safety and capacity and that the intensification of existing accesses to national roads gives rise to the generation of additional turning movements that introduce additional safety risks to road users, it is therefore considered that the proposed development would be in conflict with the stated guidance, would endanger public safety by reason of a traffic hazard and would be an obstruction to road users by limiting the safety and free flow of traffic on the N68 National Secondary Route arising from the additional traffic movements generated onto the route at a point where the maximum speed limit applies. 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 *08th* day of *March* 2024