

An
Bord
Pleanála

Board Order
ABP-319968-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

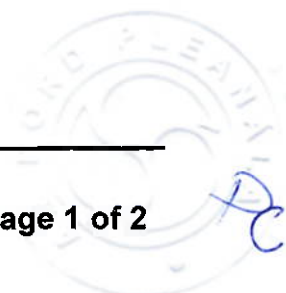
Planning Register Reference Number: 2460171

APPEAL by Thomas Connors care of Planning and Design Services of Carlow Gateway Business Centre, Athy Road, Carlow against the decision made on the 24th day of May 2024 by Kildare County Council to refuse permission.

Proposed Development: Permission for the construction of a new agricultural entrance and all associated site works, at Dunnstown, Brannockstown Road, Naas, County Kildare.

Decision

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



Reasons and Considerations

The proposed development which seeks to construct an agricultural entrance onto the R412 at a point where the 80kph speed limit applies would conflict with Policy TM P6 and Objective TM O95 of the Kildare County Development Plan 2023-2029 which seeks to maintain and improve the capacity, safety and function of the regional road network and restrict new access onto regional roads where the 80 kilometres per hour speed limit applies, save for exceptional circumstances. It is considered in this instance that the applicant did not meet the criteria set out for exceptional circumstances as set out in the development plan. The proposed development would, therefore, interfere with the safety and free flow of traffic and would endanger public safety by reason of a traffic hazard and would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the applicant did not meet any of the exceptional circumstances set out under TMO95, namely that the proposed development is not of strategic, local, regional or national importance, where there is a significant gain to the county through employment creation or other economic benefit; the application does not relate to Local Need Criteria in respect to building a home on the family landholding; and, the proposed development did not involve the demolition of an existing dwelling and replace with a new dwelling, where there is an existing entrance onto the regional road.



Paul Caprani

Member of An Bord Pleanála

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



Dated this 18th day of November, 2024.