



An
Coimisiún
Pleanála

Inspector's Report PL-501407-LK-26

Development	farm entrance and all ancillary site works
Location	Ballyea , Fedamore , Co. Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	2560755
Applicant(s)	Tony McMahon
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Tony McMahon
Observer(s)	None
Date of Site Inspection	16 th July 2026
Inspector	Bernadette Quinn

1.0 Site Location and Description

- 1.1. The subject site, with a stated area of 0.008ha is located on the regional road R511 in the townland of Ballyea, approx. 1.2km south of Fedamore village. The site includes a section of the boundary of a larger field which is in agricultural use. Site boundaries comprise mature hedgerow and there is a solid white line on the road fronting the site. There are detached residential properties to the north and south of the site.

2.0 Proposed Development

- 2.1. Permission is sought for a farm entrance and all ancillary site works which include a field gate.

3.0 Planning Authority Decision

3.1. Decision

On 28th April 2026 Limerick City and County Council (LCCC) issued notification of the decision to refuse permission for one reason as follows:

The proposed new farm entrance onto the Regional Road R511 would endanger public road safety. The applicant has failed to satisfactorily demonstrate that adequate sightlines can be achieved, having regard to the existing mature vegetation boundaries, grass verge, and true road edge. The information submitted by way of Further Information, including the blank site layout plan and additional drawing, does not accurately reflect on-site conditions nor adequately address the deficiencies previously identified. As a result, the proposed development would constitute a traffic hazard.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report dated 24th September 2025 can be summarised as follows:

- The R511 is a strategic regional road.
- Further information is required with regards to a topographical survey, stopping sight distances, sight lines, and compliance with the Council's Surface Water & SuDs Specification.

Following a request for further information the Planning Officer's report dated 28th April 2026 can be summarised as follows:

- The information submitted fails to adequately address the concerns raised.
- The revised drawings do not demonstrate that the proposed entrance can achieve compliant visibility splays or clearly illustrate the relationship between the entrance, existing vegetation, verge, and road edge.
- The Roads Section have reviewed the proposal and have stated that stopping sightlines are not shown and a topographical survey has not been provided. In addition to this the drawing is not shown to the centre of the road which is required as cars could overtake on this regional road. The sightlines are also running through hedges, and the road edge has not been accurately shown.
- Accordingly, it is considered that the proposed entrance onto the Regional Road R511 would result in a traffic hazard and prejudice road safety. The development is therefore considered unacceptable and is recommended for refusal on this basis.
- The applicant has shown surface water drainage measures constructing as requested.

3.2.2. Other Technical Reports

Transportation: Further information required to clearly demonstrate that sightlines and stopping sight distances of 160m can be achieved.

3.3. Prescribed Bodies

None on file.

3.4. Third Party Observations

None on file.

4.0 Planning History

No recent relevant planning history.

5.0 Policy Context

5.1. Development Plan

5.1.1. The Limerick City and County Development Plan 2022-2028 (LDP) is the statutory development plan for the area.

5.1.2. Chapter 5 includes the following objective relating to agricultural development:

Objective ECON O36 Agricultural Developments It is an objective of the Council to favourably consider proposals for agricultural development where: a) They are appropriate in nature and scale to the area in which they are located; b) The proposal is necessary for the efficient use of the agricultural holding or enterprise; c) The development is not visually intrusive in the local landscape and, where the proposal is for a new building(s) and there are no suitable redundant buildings, the proposal is sited adjacent to existing buildings; d) The proposal demonstrates that it has taken into account traffic, environmental and amenity considerations and is in accordance with the policies, requirements and guidance contained in this Plan.

5.1.3. In Chapter 7, Section 7.9 refers to protection of Road Hierarchy.

Policy TR P11 Road Safety and Carrying Capacity of the non-national Road Network
It is a policy of the Council to safeguard the carrying capacity and safety of the non-national road network throughout Limerick.

Policy TR P13 Strategic Regional Road Network It is a policy of the Council to protect the investment in the strategic regional road network and maintain and improve road safety and capacity.

Objective TR O37 Land Uses and Access Standards It is an objective of the Council to: a) Ensure that any development involving new access to a non-national public road, or the intensification of use of an existing access onto a non national public road meets the appropriate design and safety standards

Objective TR O41 Strategic Regional Roads: It is an objective of the Council to: a) Improve, manage and maintain the strategic regional road network in Limerick, in a

manner which safeguards the strategic function of the road network; b) Prohibit development generating additional traffic and requiring direct access onto a strategic regional road in areas where speed limits in excess of 50km/h apply; c) Consider permitting access onto a strategic regional road where members of the farming community wish to build houses for their own occupation, on their own land where the house is required for occupation by a member of the farming community in connection with the working of the farm and where no reasonable alternative access is available to them and where that access is safe and the traffic levels generated are reasonably low. Such developments shall be subject to a Road Safety Audit and all relevant planning criteria. d) The above applies to the following strategic regional roads ... R511-Limerick/Fedamore/Junction with R516;

5.1.4. Chapter 11: Development Management Standards

Section 11.8.1 Access to Roads, Traffic and Transport Assessments (TTAs) and Road Safety Audits (RSAs) includes the following of relevance:

- Proposals seeking access to public roads will be accessed in accordance with the relevant design standards; with relevant TII Publications in rural areas and TII guidance and publications.
- To protect the integrity of Limerick's road network the following applies: There is a presumption against access onto motorway, national roads, strategic regional roads and regional roads in the interest of safety, preserving the capacity and the efficiency of these roads; All applications seeking access on the road network will be assessed in accordance with national standards and guidance. Considerations will include: Classification of the road; Speed limit; Width, carrying capacity, condition of the road, drainage, vertical and horizontal alignment of the road, junctions in the vicinity; Nature, scale, type of activity seeking access to the road network; Traffic likely to be generated, type of vehicles; Technical design of access and sightline visibility and stopping distances and general safety. Sight distances and stopping sight distances should be in compliance with current NTA road geometry standards and guidance documents listed above and any subsequent documents.

5.2. National Guidance

Transport Infrastructure Ireland 'Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade-separated and compact grade-separated junctions)' DN-GEO-03060

5.3. Natural Heritage Designations

Tory Hill SAC (Site Code: 000439) is located approximately 5km west of the site and the Lower River Shannon SAC (Site Code: 002165) is located approximately 15km east of the site.

6.0 EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended.

7.0 The Appeal

7.1. Grounds of Appeal

A first party appeal was submitted on behalf of the applicant in respect of the Planning Authority's notification of decision to refuse permission for the development. The following provides a summary of the grounds of appeal:

- The proposal is for a necessary agricultural entrance. The original farm holding has been divided and the subject parcel requires independent access to allow its continued use for productive agricultural purposes, without which it would be landlocked for agricultural purposes.
- The entrance is not residential, commercial, industrial or public access, will not serve any regular traffic generating development and will be low-frequency agricultural in nature.
- The proposal should be assessed based on this low frequency agricultural use.

- A revised drawing is enclosed which responds to the PA's refusal reason and shows:
 - Driver eye position 2.4m from the true road edge
 - Available visibility splay of 160m to north
 - Available visibility splay of 144m to south
 - Clear sightline envelope to be kept permanently clear
 - Proposed fence/setback line minimum 750mm behind visibility splay
 - Existing roadside boundary to be removed and permanently set back
 - Confirmation that hedge trimming is not relied upon
 - Confirmation the entrance is an agricultural entrance only
- Available sightlines of 144m to south are acknowledged.
- The amended drawing addresses the PA's concerns regarding mature vegetation, grass verge and true road edge.
- Hedge trimming is not required as removal and permanent setback of roadside boundary within visibility splay is proposed.
- No basis has been provided for the 160m sightline requirement. The proposal should be assessed on an identified operational speed basis including that the use is agricultural only, low traffic frequency, visibility improvement works and existing rural road context.
- Photographs are attached to show the rural character of the road.
- A residential precedent exists in the area where permission was granted in 2009 with sightlines of 90m and details are attached to the appeal.
- The access as amended on appeal would not endanger public road safety.
- Details of correspondence with the PA requiring details including the operational speed limit and standard or guidance document relied upon in requiring 160m sightlines.

7.2. Planning Authority Response

None received.

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issue in this appeal relates to the following:

- Traffic Safety
- Need for Entrance (New Issue)

8.2. Traffic Safety

8.2.1. This assessment relates to the development shown on drawing submitted with the appeal. I do not consider that the proposal as submitted with the appeal would give rise to material considerations for third parties and the planning authority has been afforded the opportunity to comment on the proposal. Accordingly, I consider that the Commission is not precluded from having regard to the proposal submitted with the appeal.

8.3. The PA refusal reason states that the proposed entrance would endanger public road safety as adequate sightlines have not been demonstrated and as a result, the proposed development would constitute a traffic hazard.

8.4. The appeal includes a revised drawing which is stated to respond to the PA's refusal reason and includes driver eye position 2.4m from the true road edge, available visibility splay of 160m to north, available visibility splay of 144m to south, a clear sightline envelope to be kept permanently clear, proposed fence/setback line minimum 750mm behind visibility splay which measures a length of 70m, and confirmation that hedge trimming is not relied upon. The appeal argues that the proposed entrance will be for agricultural purposes only, will not serve any regular traffic generating development, and will be low-frequency agricultural in nature.

- 8.5. The PA Transportation Report relating to the planning application requested further information to demonstrate available sightlines. I note that the Planning Officers report following receipt of further information states that the Roads Section have reviewed the proposal and were not satisfied with the information submitted. There is no report on the file from the Transportation Section in relation to the further information submitted.
- 8.6. The proposed entrance is on a regional road with an 80km speed limit. A drawing submitted with the appeal indicates that the sightline distances achieved are 160m to the north and 144m to the south. I note that the creation of the entrance appears to require the removal of 70m of existing roadside boundary to be removed to facilitate a proposed fence/setback line 750mm behind the visibility envelope. The drawing submitted with the appeal indicates a proposed fence setback line behind visibility splay which is located outside of the red line boundary but within the applicant's landholding.
- 8.7. The appellant argues that the proposal should be assessed on an identified operational speed basis including that the use is agricultural only, low traffic frequency, visibility improvement works and existing rural road context. The applicant has not demonstrated a reduced operation speed and on inspection of the site I noted that an operational speed limit of 80kmh applies.
- 8.8. I note that the appeal site is located on an identified Strategic Regional Road and that Development Plan Policy TR P13 states that it is a policy of the Council to protect the investment in the strategic regional road network and maintain and improve road safety and capacity and Objective TR O41 states that it is an objective to improve, manage and maintain the strategic regional road network in Limerick, in a manner which safeguards the strategic function of the road network. Section 11.8.1 relating to access to roads states that proposals seeking access to public roads will be accessed in accordance with the relevant design standards. The Development Plan does not include required sight lines for new entrances and indicates that sight distances and stopping sight distances should be in compliance with current road geometry standards and guidance documents.
- 8.9. I note the standard detailed in Table 5.5 of the Transport Infrastructure Ireland 'Geometric Design of Junctions (priority junctions, direct accesses, roundabouts,

grade-separated and compact grade-separated junctions)' DN-GEO-03060 requires a visibility distance of 160m where a design speed of 85 km/h exists.

- 8.10. Having regard to the geometry of the existing road, which includes a straight section fronting the site and a significant bend to the south which results in stated maximum achievable sight lines of 144m, I consider the applicant has not demonstrated that adequate visibility can be achieved for an agricultural entrance at this location. I am not satisfied that adequate visibility is available to ensure the safe ingress and egress of agricultural vehicles. I therefore consider that the proposed entrance would endanger public safety by reason of traffic hazard and would be contrary to Objectives TR O37 and TR O41 and Section 11.8.1 of the Development Plan.
- 8.11. A stated residential precedent is referred to in the vicinity of the appeal site where sightlines of 90m were accepted. This relates to a 2009 planning application for a dwelling and was not assessed under the current Development Plan for the area and is not, in my opinion, a relevant precedent for the subject appeal. Furthermore, I do not consider the stated low frequency agricultural use is sufficient to justify a reduction in sight lines.
- 8.12. Need for Entrance (New Issue)
- 8.13. The appeal outlines that the need for the access arises as the original farm holding has been divided and the subject parcel requires independent access to allow its continued use for productive agricultural purposes. No further details or evidence have been submitted to substantiate this case, including details of the full land holding and existing accesses serving the overall land holding. I note that the PA did not raise any concerns in this regard.
- 8.14. Based on the information submitted with the application and appeal I am not satisfied that the applicant has adequately demonstrated that the removal of 70m of hedgerow and the resulting loss of mature hedgerow and associated biodiversity to facilitate the proposed agricultural entrance is necessary or justified.
- 8.15. Having regard to the location of the site on a strategic regional road and in the absence of an identified need for the entrance, I consider the proposal fails to demonstrate compliance with Objectives TR O41 which seeks to safeguard the strategic function of the road network and Section 11.8.1 which outlines a presumption against access onto strategic regional roads in the interest of safety and

preserving the capacity and the efficiency of these roads and would be contrary to the proposer planning and sustainable development of the area. This is a new issue and the Commission may wish to seek the views of the parties on this matter.

9.0 AA Screening

- 9.1. I have considered case PL-501407-LK-26 in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The proposed development is located within a rural area and comprises the development of an agricultural entrance and all associated site works. The closest European Sites are Tory Hill SAC (Site Code: 000439) located approximately 5km west of the site and the Lower River Shannon SAC (Site Code: 002165) located approximately 15km east of the site.
- 9.2. Having considered the nature, scale and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- The scale and nature of the development
- The location of the development in a rural area, distance from European Sites and urban nature of intervening habitats, absence of ecological pathways to any European Site.
- Having regard to the screening determination of the PA.

I conclude, on the basis of objective information, that the development to be retained would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1. An assessment of the proposed development to be retained has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework

Directive. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

12.0 I recommend that permission be refused for the reasons and considerations set out below.

13.0 Reasons and Considerations

1. It is considered that the proposed development for an agricultural entrance onto the R511 Strategic Regional Road would endanger public safety by reason of traffic hazard due to the location of the proposed entrance at a point where sightlines to the south are restricted and would therefore conflict with Objective TR O37 requiring new accesses meet the appropriate design and safety standards, Objective TR O41 which seeks to improve, manage and maintain the strategic regional road network, and Section 11.8.1 of the Limerick Development Plan 2022-2028, and would be contrary to the proper planning and sustainable development of the area.
2. Based on the information provided with the application and appeal, it has not been adequately demonstrated that the proposed agricultural entrance resulting in the removal of 70m of hedgerow and the resulting loss of mature hedgerow and associated biodiversity is necessary or justified. Furthermore, having regard to the location of the site on the R511 Strategic Regional Road

it is considered that the proposal fails to demonstrate compliance with Limerick Development Plan 2022-2028 Objective TR O41 which seeks to safeguard the strategic function of the road network and Section 11.8.1 which outlines a presumption against access onto strategic regional roads in the interest of safety and preserving the capacity and the efficiency of these roads. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way."

Bernadette Quinn
Planning Inspector

21st August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501407-LK-26
Proposed Development Summary	Farm entrance and all ancillary site works
Development Address	Ballyea , Fedamore , Co. Limerick
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold
4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)

No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)
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Inspector: _____ Date: _____