

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

North Tipperary County

Planning Register Reference Number: 11/51/0120

An Bord Pleanála Reference Number: PL 22.239633

APPEAL by Mary Blanker of 37 Ashton Park, Monkstown, County Dublin against the decision made on the 5th day of September, 2011 by North Tipperary County Council to refuse permission.

PROPOSED DEVELOPMENT: Construction of new agricultural entrance, access roadway, hard standing area and all ancillary site works at Castletown, Portroe, Nenagh, County Tipperary.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. Policy TRANS 7 of the North Tipperary County Development Plan (2010 - 2016) states that it is the policy of the planning authority to resist development along strategic route corridors which would reduce traffic safety or carrying capacity. The proposed development would result in the creation of an entrance onto the R494 Regional Road, where the maximum speed limit applies and where sightlines are substandard, and it is considered that the turning movements it would generate would reduce the carrying capacity of the road and endanger public safety by reason of a traffic hazard. The proposed development would, therefore, contravene Policy TRANS 7 of the said Development Plan and would be contrary to the proper planning and sustainable development of the area.
2. The site is located within an area that is elevated and visible from Lough Derg, where it is the policy of the planning authority, as set out in Policy ENV3 of the current Development Plan for the area to resist development that would:
 - (a) materially interfere with the view of the water/mountains from any point within a visually vulnerable area;
 - (b) materially interfere with the view to or from the lake or lakeshore;
 - (c) break the skyline, or
 - (d) materially impact upon the character, integrity or uniformity of a vulnerable landscape or scenic area when viewed from scenic routes and the environs of archaeological or historic sites.

Having regard to location of the site in an area zoned “High Amenity”, to the level of excavation required to facilitate the proposed development, and to the consequent loss of vegetation at this elevated site above Lough Derg, it is considered that the proposed development would have a detrimental impact on the visual amenity and character of this high amenity area. The proposed development would, therefore, contravene the provisions of the Development Plan and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2012.