



## Board Direction

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**Ref: PL92.245974**

The submissions on this file and the Inspector's report were considered at a Board meeting held on May 9<sup>th</sup> 2016.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### Reasons and Considerations

1. The access to the subject development is located along an improved, heavily trafficked section of the National Primary Road (N24), at a point where a speed limit of 100 km/h applies and adjacent to the busy M8 Cahir Interchange roundabout and its junction with the R670. Having regard to the nature of the use involved, and the consequent volume of traffic likely to be generated by the development, and having regard to the inadequacy of the available sightlines, it is considered that the development for which retention is sought would be likely to endanger public safety by reason of traffic hazard due to the additional traffic stopping and turning movements generated by the development, which would interfere with the safety and free flow of traffic on the public road. The development for which retention is sought would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is national policy, as set out in the 'Spatial Planning and National Roads Guidelines for Planning Authorities' (Department of the Environment, Communities and Local Government, 2012) to protect the substantial investment being made by Government in upgrading national roads, to maintain the intended transport function, traffic carrying capacity and efficiency of the network of national roads, and to ensure that traffic hazards for road users are not created. The site of the proposed development is located at an improved section of the National Primary Road (N24) at a point where a speed limit of 100 km/h applies. It is considered that the development for which

retention is sought would conflict with these national policies and Ministerial Guidelines, by reason of the intensification of an existing agricultural access to serve a large commercial/agricultural development, involving increased traffic onto this national primary road, at a point where sightlines for such traffic are inadequate and which would create a traffic hazard. It is considered, therefore, that the development for which retention is sought, by itself or by the precedent which a grant of permission for it would set for other relevant development, would adversely affect the use of a national road by traffic and be contrary to the proper planning and sustainable development of the area.

Note: The Board considered that the subject development, by reason of its scale, mass and height, represents an obtrusive feature which is visually objectionable at this high visible location. However, this conclusion would, if included in its decision, represent a new issue in the context of the appeal. Accordingly, the Board decided not to include this as a further reason for refusal, in the light of the substantive reasons for refusal outlined above.

*[Please issue a copy of this Direction to the parties with the Board Order. Please also issue a copy of the Direction, and Order, to TII for its information.]*

Board Member: \_\_\_\_\_ Date: 9<sup>th</sup> May 2016  
Philip Jones