



Board Direction

Ref: PL21.247280

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19th January 2017. The Board decided to refuse permission generally in accordance with the Inspector's recommendation, and in accordance with the draft reasons and considerations set out below.

REASONS AND CONSIDERATIONS

The "Spatial Planning and National Roads - Guidelines for Planning Authorities" issued by the Department of the Environment, Community and Local Government (2012) seek in Section 2.5 "to avoid the...generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 km/h apply." Policy P-RHOU-3 of the Sligo County Development Plan 2011-2017 seeks to facilitate rural-generated housing subject to ensuring the safe operation of key transport arteries, particularly national primary and secondary roads, whereby access to national roads is restricted in accordance with the national guidelines. The proposed development of a house at this location would result in the intensification of use of a private access on to the N59 national secondary road, where a speed limit of 100 km/h applies. It is considered that the additional and conflicting turning movements generated by the proposed development would endanger public safety by reason of traffic hazard, would interfere with the free flow of traffic on this national road, would compromise the level of service and carrying capacity of the road at this location, and would fail to protect public investment in the national road network, both by itself and by the undesirable precedent it would set for similar such development. The proposed development would contravene the provisions of the said Guidelines and of Policy P-RHOU-3 of the County Development Plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

The Board had serious concerns in relation to the following matters:

- (i) This site is located on a scenic route designated for views of Ballysadare Bay, along a visually vulnerable coastline, between the public road and the sea. Policies P-RHOU-3, O-LCAP-4 and O-LCAP-7 seek to control rural housing in the coastal zone especially between coastal roads and the sea, and to protect the integrity of designated visually vulnerable areas and scenic routes. The Board considers that the proposed development might contravene these policies.

- (ii) The northern section of this site is a wetland and is in proximity to the original coastline; the underlying soil on the site is a very free-draining gravelly, clayey sand, and it is noted that one of the T-tests failed. It is considered that, by reason of its characteristics, this site might be unsuitable for the disposal of foul effluent.
- (iii) On the basis of the documentation on file, the Board is not satisfied that the applicant has adequately demonstrated that he comes within the scope of the local need policy for a rural house at this location.
- (iv) The Board is not satisfied that adequate sightlines are available to serve an access giving on to a national road.

However, it was also considered that these would constitute new issues in the context of the appeal, and having regard to the substantive reason for refusal, the Board decided not to pursue these matters further.

Please issue a copy of this Direction with the Board Order.

Board Member: _____ Date: 24th January 2017
Fionna O' Regan