



Board Direction

Ref: PL08.247425

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22nd March 2017.

The Board decided to refuse permission generally in accordance with the Inspector's recommendation, subject to the amendments below.

REASONS AND CONSIDERATIONS

1. The Board is not satisfied, on the basis of the information submitted and having regard to the publication 'Spatial Planning and National Roads, Guidelines for Planning Authorities', the site location, and its relationship with the national road network, that the proposed development would not contravene national policy to preserve the level of service and carrying capacity of the national road network and to protect the public investment in the network. Furthermore, it is considered that the construction of an access road onto the Tralee Bypass at the location proposed does not presently find support in local development plan policy and, in the absence of a 'planned' approach, would constitute an uncoordinated developmental approach to the subject site and adjoining zoned lands. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. On the basis of the information provided with the application and appeal and in the absence of a Natura impact statement the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects would not be likely to have a significant effect on the Tralee Bay and Magharees Peninsula, West to Cloghane Special Area of Conservation (Site Code: 002070) or the Tralee Bay Complex Special Protection Area (Site Code: 004188), in view of the sites' Conservation Objectives. In such circumstances the Board is precluded from further consideration to the granting of permission for the proposed development.

Note: The Board noted that the Planning Authority had sought a review of the hydrology for the South West CFRAM Study in the light of recent flood events in the vicinity of the site.

Please issue a copy of the Direction with the Order.

Board Member: _____ Date: 22nd March 2017
G.J. Dennison