



An  
Bord  
Pleanála

**Board Direction**  
**BD-000654-18**  
**ABP-300714-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on June 26<sup>th</sup> 2018.

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

### **Reasons and Considerations**

1. Having regard to the nature and scale of the subject development, including the significant intensification of use of the site, the proposed exit arrangements onto a heavily-trafficked route at a pedestrian crossing, cycle path and at a two-lane traffic-light junction, the potential for conflicting movements on site to premises to the rear of the site, to the limited area and restricted access and manoeuvring arrangements, particularly for HGV vehicles and the absence of both a traffic impact assessment and a road safety audit, the Board is not satisfied that the proposed development would not interfere with the safety of traffic travelling along Pearse Road (R250) and, thereby, would endanger public safety by reason of traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the nature and extent of the proposed development, which includes the provision of retail development, and having regard to the lack of clarity in submitted documentation, the Board is not satisfied that the retail element of the proposed development would be within the cap, as set out in

the Retail Planning Guidelines for Planning Authorities, of 100 sq metres, and it is therefore considered that, in the absence of a retail impact assessment, including a sequential test, it cannot be established that the proposed development would not contravene these Ministerial Guidelines. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Note:** In reaching its decision, the Board noted that, while a Site Specific Flood Risk Assessment was not required based on the Flood Risk Guidelines, there were concerns expressed by the planning authority's Executive Chemist which were not resolved in the application, and the Board concurred with the views of the Inspector in paragraph 7.5.3 of his report in relation to these matters. Any future application on this site should, therefore, provide sufficient information to satisfy these concerns.

*[Please issue a copy of this direction with the Board Order]*

**Board Member**

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Philip Jones

**Date:**

11<sup>th</sup> July 2018