



An
Bord
Pleanála

Board Direction
BD-002452-19
ABP-302260-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/02/2019.

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 existing development and the development for which retention is sought, on this peripheral site at the edge of Ballylicky village, which includes a petrol station, a supermarket, a hardware store and an access route through the site to a quarry at the rear, the planning status of which is uncertain, and to the nature of the proposed development and the development for which retention is sought, which would introduce additional diesel storage and dispensing facilities, a laundrette and an expanded customer car park and car valet area, each of which would generate additional traffic movements and emissions, it is considered that the proposed development and the development for which retention is sought, would constitute overdevelopment of the site and would seriously injure the residential amenities of the area and of property in the vicinity, notwithstanding the proposed mitigation measures. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the nature and scale of the existing development and the development for which retention is sought, on the site, which generates a

significant volume of traffic, including a high number of heavy goods vehicles, it is considered that the proposed development and the development for which retention is sought, would result in the intensification of use of an access onto the N71, which is a National Secondary Road, at a point where a speed limit of 60km/h applies, and would introduce an additional diesel dispensing forecourt near the entrance to the mixed use commercial/retail development, which would result in a multitude of potentially conflicting traffic flows that would endanger pedestrians and give rise to a traffic hazard, and that the additional traffic movements generated by the proposed development and the development for which retention is sought, would interfere with the safety and free flow of traffic on the public road. The proposed development and the development for which retention is sought, would, therefore, contravene Government Policy on National Roads to preserve the level of service and carrying capacity of the National Secondary road and to protect the public investment in the road and would endanger public safety by reason of a traffic hazard. The proposed development and the development for which retention is sought, would, therefore, would be contrary to the proper planning and sustainable development of the area.

Note: The Board considered that the information submitted in respect to the management of waste water and surface water was inadequate, but decided not to include this as an additional reason having regard to the substantial reasons for refusal above. Furthermore, the Board is not satisfied that the proposed development and the development for which retention is sought, would not facilitate the continued use of an unauthorised development on or adjoining the site.

[Please issue a copy of this Direction with the Board Order to the parties.]

Board Member

Date: 27/02/2019

Stephen Bohan