



An
Bord
Pleanála

Board Direction
BD-002066-19
ABP-302361-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/01/2019.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Board also decided that the planning authority be directed, as follows:

Remove condition 6 (a)

Reasons and Considerations

The Board considered the Fingal County Council Development Contributions Scheme 2016-2020 is the applicable contribution scheme in this case and regard is had to Section 17, relative to provision for Special Development Contributions as per Section 48(2)(c) of the Planning and Development Act 2000 (as amended).

The Board considered that it was not appropriate to apply a special contribution in this case towards the proposed upgrade and signalisation of the junction at Site 13, as it had not been shown by the Planning Authority, that, as a result of the proposed development (Plots 2 and 9), there will be a negative impact on site 13 (the R135 and the N2 North Bound Slip priority junction).

In not agreeing with the Inspector's recommendation to modify Condition 6(a), the Board notes the appellants submission "*Dublin Port- Inland Port Planning Appeal: Traffic Assessment*" dated 17th August, 2018, paragraph 1.6 Summary,

which states:

“The proposed development will result in an approximately 7% increase in PCU traffic flows at the N2/R135 junction. In the Opening Year + 15 years scenario, traffic generated by the proposed development will amount to 5.6% of the traffic on the N2/R135 junction.

The proposed development has a minimal and acceptable impact on the N2/R135 junction. The junction, in its current form, has sufficient capacity to accommodate the proposed development and the level of background traffic growth as projected by TII. The additional traffic generated by this proposed development does not require any upgrade of this junction. The junction will operate within capacity and will not impact on the operation or safety of the N2 in all scenarios analysed, including Operating Year + 15 with development”

The Board noted that the Planning Authority’s submissions of 14th September, 2018 and 25th September, 2018 did not address the matters raised above.

Board Member:

Date: 09/01/2019

Terry Ó Niadh