



An
Bord
Pleanála

Board Direction
BD-003355-19
ABP-304140-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on June 20th 2019.

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

Reasons and Considerations

It is considered that the proposed development would endanger public safety by reason of traffic hazard because the site is located alongside, and would take direct access from, the heavily-trafficked National Road N85 at a point where a speed limit of 80km/h applies and the traffic turning movements generated by the development would interfere with the safety and free flow of traffic on the public road. The proposed development would also contravene Policy CDP8.4 of the Clare County Development Plan 2017 -2023 (which is considered reasonable) to preserve the level of service and carrying capacity of national primary and secondary roads in line with national policy. The proposed development would, therefore, adversely affect the use of a national road by traffic, would be contrary to the provisions of the Development Plan, would endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area.

Note: In making its decision, the Board was aware of, and concurred with, the Inspector's concerns and conclusion regarding the issue of appropriate assessment (paragraphs 7.3.3 and 7.3.4 of her report). However, the Board decided not to include this as an additional reason for refusal, as it would represent a new issue in the context of the appeal, and in the light of the substantive reason for refusal as set out in the Order.

[Secretariat - please issue a copy of this Direction to the parties with the Board Order]

Board Member

Date: 20th June 2019

Philip Jones