



An  
Bord  
Pleanála

**Board Direction**  
**BD-005359-20**  
**ABP-304911-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/03/2020.

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

### **Reasons and Considerations**

1. It is a policy of the planning authority (policy 10.4.10) as set out in the Kildare County Development Plan 2017-2023, to direct development to appropriate locations in rural areas. The site is located within a rural area outside and at a distance from any identified settlement or zoned land and it is the policy of the planning authority that the use of such land shall be deemed to be primarily agriculture. This policy is considered to be reasonable. The proposed development would facilitate the intensification of an existing industrial use, conflicts with the agricultural use of the surrounding lands and which would be appropriately directed to lands zoned to accommodate industrial type uses. The proposed development would seriously injure the amenities of the area including agricultural amenities, would be contrary to the provisions of the development plan for the area and would, therefore, be contrary to the proper planning and sustainable development of the area
2. On the basis of the submissions made in connection with the planning application and appeal, it appears to the Board that the proposed development relates to a site the use of which is unauthorised for the carrying on of a commercial facility for the spray painting, repairing, construction and storage of

lorry trailers, chassis and containers, and that the development for retention and proposed development would facilitate the consolidation and intensification of this unauthorised use. Accordingly, it is considered that it would be inappropriate for the Board to consider the grant of a permission for the proposed development in such circumstances.

3. The proposed development, involving an intensification of use, would access onto the R407 national road where a speed limit of 80km/h applies. The Board is not satisfied that it has been demonstrated that the applicant can provide and maintain the line of sight at the amended site entrance which is infringed by mature field boundary hedging outside of the applicant's landholding. Notwithstanding the nature of the proposed access and turning facilities on the site, the Board considers that the proposed development, which would facilitate the intensification of an existing industrial use, which would have a very high proportion of heavy goods vehicle traffic, would endanger public safety by reason of a traffic hazard.

**Board Member**

**Date:** 11/03/2020

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Stephen Bohan