

An
Bord
Pleanála

Board Direction
BD-008681-21
ABP-309685-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/07/2021.

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

Reasons and Considerations

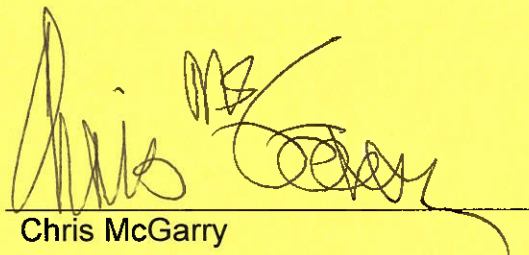
1. Having regard to:
 - (a) the absence of detail within the application and appeal documentation demonstrating how the layout of the proposed development would be compatible with Condition No. 3 of An Bord Pleanála Reference: 305798-19 (Planning permission reference: 19/872), which requires revisions to a new link road directly adjoining the current application site and from which the proposed development seeks to provide access and egress, and
 - (b) the overall design and layout of the proposed development on a restricted and elongated site, including the absence of detail within the application and appeal documentation demonstrating how various movements relating to the car wash, service area and parking area to the southern end of the site, would not result in conflicting traffic and pedestrian movements, noting the proposed vehicle entry and exit locations, and also the potential for conflict with vehicle and associated movements related to the fuel depot/vehicle servicing and maintenance building,

it is considered that the proposed development 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.

Note 1: The Board noted the recommended reasons for refusal set out by the Inspector relating to, alleged inefficient use of employment zoned lands and design and visual amenity. Having considered the proposed development, in conjunction with the development permitted under An Bord Pleanala Reference: 305798-19 (Planning permission reference: 19/872) which incorporates a significant employment based urban form on the wider lands, the fact that the refusal of permission for the service station element of the overall scheme under An Bord Pleanala Reference: 305798-19 (Planning permission reference: 19/872) was related to the potential adverse effect on retail facilities in the vicinity, noting that the current proposed use is permissible under the zoning objective for the site, and noting the specific configuration of the elongated application site, the Board determined that the inclusion of these two recommended reasons for refusal was not warranted in this case.

Note 2: the Board noted and agreed with the commentary of the Inspector regarding the proposed phasing of the development as set out in the application documentation, specifically that if permission was to be granted, a condition should be included to require both Phase A and Phase B to be developed at the same time. However, given the substantive reason for refusal set out above, it was decided not to pursue this issue within the context of the current appeal.

Board Member



Chris McGarry

Date: 12/07/2021