An Bord Pleanála

Board Direction
BD-011292-22
ABP-311687-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/09/2022.

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

Reasons and Considerations

Access to the subject site is proposed via an existing entrance off the National Secondary Road N83 where the posted speed limit is 80kmph. It is considered that the proposed development would:

- Involve the intensification of use of an existing entrance directly onto the National Secondary, N83 Route by reason of the additional traffic likely to be generated by the new development proposed,
- not represent an identified site where exceptional circumstances apply or a case where the Planning Authority has commenced engagement with TII to identify and agree cases for access off the National Road in accordance with the provisions of MTO 22 of the Mayo County Development Plan 2022-2028,
- would conflict with the Council's Policy, as expressed in the specific objective MTP-22 and MTO-22 of the Mayo County Development Plan 2022-2028 and conflict with the Department of the Environment Guidelines with respect to Spatial Planning and National Roads (January, 2012) which seek to curtail development along National Roads, to safeguard the strategic role of the National Road Network and to avoid intensification of existing accesses to national roads,

therefore, the traffic movements likely to be generated by the proposed intensified use of an existing entrance onto the N83 would interfere with the safety and free flow of traffic on the national road, and would contravene the Mayo County Development Plan 2022-2028, be contrary to Section 28 Guidelines, would set an undesirable precedent for similar such development and would be contrary to the proper planning and sustainable development of the area.

Note 1: It is considered that the proposed development would require works outside the boundaries of the site. The Board was not satisfied based on the information on the file that the applicant had demonstrated sufficient legal interest to implement these works. However, in the context of the substantive reason for refusal set out above, the Board decided not to pursue this issue in the context of the current appeal.

Note 2: The Board noted and shared the Inspector's concerns regard the proposed waste water treatment proposals and could not be satisfied that the proposal would not be prejudicial to public health or pose an unacceptable risk of environmental pollution. The Board considered this was a new issue and in the context of the substantive reason for refusal set out above, decided not to pursue this issue in the context of the current appeal.

Copy of Board Direction to issue with the Board Order.

Board Member Maria FitzGerald **Date:** 21/09/2022

Maria FitzGerald