

An  
Bord  
Pleanála

**Board Direction**  
**BD-013756-23**  
**ABP-312502-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 08/09/2023.

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

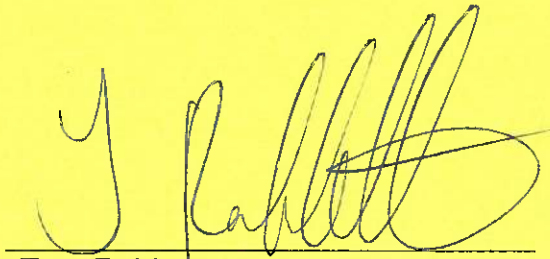
(It was not clear to the Board how the proposed 4 passing bays were to be delivered as they were not included within the red line boundary of the application site, however, the Board decided not to pursue this matter given the substantive traffic safety concerns cited in Reason No. 1 below irrespective of how the passing bays were to be delivered.)

### **Reasons and Considerations**

1. Notwithstanding the proposals to provide 4 no. passing bays on the L-6012 Local Road, the Board is not satisfied that the local road network has capacity to accommodate, in particular, the HGV traffic associated with the proposed development. It is further considered that the existing road pavement and material in its makeup is not sufficient to accommodate the traffic associated with the proposed development. The proposed development would, therefore, endanger public safety by reason of traffic hazard and an obstruction to road users, and would consequently be contrary to the proper planning and sustainable development of the area.

2. The Board is not satisfied that the receiving waterbody, the Kilmulhane stream, has the assimilative capacity to receive and transfer the water discharge proposed from the site, in addition, the proposed receiving waterbody is a tributary of the Casheen river, a transitional waterbody, which is currently classified as being of poor water quality status. Having regard to the foregoing the Board is not satisfied that the proposed discharge would not be injurious to the receiving waterbodies. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member**

A handwritten signature in black ink, appearing to read 'Tom Rabbette', written over a horizontal line.

Tom Rabbette

**Date:** 15/09/2023