

An
Bord
Pleanála

Board Direction
BD-015002-24
ABP-314821-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/01/2024.

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

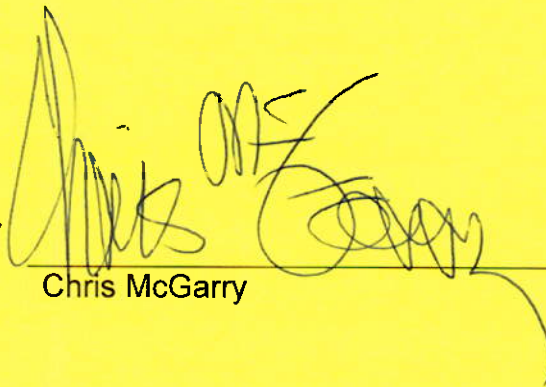
Reasons and Considerations

1. Having regard to the nature, scale and extent of the proposed development, and on the basis of the information submitted with the application and appeal specifically the lack of detail relating to the proposed management of odours and the form of surface water and related drainage management, the Board cannot be satisfied that the proposed development would not be prejudicial to public health or would not be seriously injurious to the amenity of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the type and number of vehicle movements that would be generated by the proposal, the envisaged access route to the site via the sub-standard junction between the N83 and the L6466 and this local road, which is of single lane width with limited forward visibility, and the unavailability of a satisfactory western sightline to the proposed entrance, it is considered that these vehicular movements would add to the hazard attendant upon the use of this junction and local road, and they would introduce a new hazard attendant upon the use of the proposed entrance. The proposed development would, therefore endanger public safety by reason of traffic hazard and would,

therefore, be contrary to the proper planning and sustainable development of the area.

Note: the Board noted the Inspector's recommended reason for refusal of permission relating to the nature of the use proposed (described by the Inspector as essentially commercial rather than agricultural). The Board considered the totality of the documentation on file, including the submissions from third parties. However it was considered that the nature of the proposed development was discernible from the application documentation and, further, that subject to overall assessment of the acceptability or otherwise of the proposed development, that the nature of the use as commercial or agricultural would not of itself, ordinarily warrant a refusal of permission. In any case, given the substantive reasons for refusal set out above, it was decided not to pursue this matter further in the context of the current appeal.

Board Member



Chris McGarry

Date: 10/01/2024