

An
Bord
Pleanála

Board Direction
BD-012822-23
ABP-316035-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/07/2023.

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

Reasons and Considerations

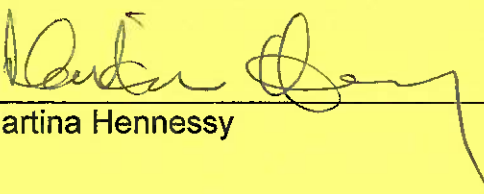
1. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of additional traffic turning movements the development would generate on the R125 road at a point where sightlines are restricted in a south easterly direction.

2. Having regard to
 - (a) the characteristics of the tributary of the Broadmeadow River, which runs along the southern boundary of the site, including the baseline water quality information provided in the course of the planning application and appeal and
 - (b) Article five of the European Communities Environmental Objectives (Surface Waters) Regulations 2009, which requires that a public body the performance of its functions shall not undertake those functions in a manner that knowing causes or allows deterioration in the chemical or ecological status of a body of surface water,

the Board is not satisfied that the river has sufficient assimilated capacity to accept treated effluent from the on-site waste water system currently in-situ or proposed development in conjunction with treated effluent from other existing and committed development, given the Broadmeadow river tributary's connection to the Broadmeadow Swords Estuary Special Protection Area (004025), the absence of evidence that the proposal would not result in a significant impact on the conservation objectives of European sites, precludes the Board from permitting the proposal. The proposed development would therefore pose an unacceptable risk of environmental pollution and be contrary to the proper planning and sustainable development of the area.

3. It is considered that by reason of its nature, height, bulk and scale the proposed development, would be visually obtrusive at this open rural area, on 'RU' zoned lands, which have the objective to, 'Protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage', and at a location on the R125 which has a specific objective to 'preserve views', the proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Board Member


Martina Hennessy

Date: 07/07/2023