



An
Bord
Pleanála

Board Direction
BD-019721-25
ABP-321751-25

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/05/2025.

The Board decided by a majority of 2:1 to refuse permission for the following reasons and considerations.

Reasons and Considerations

Having regard to the location of the proposed development immediately adjacent to the N77 National Route, Transportation Policy Objective TRANS1 of the Laois County Development Plan 2021-2027 which aims to protect the safety, efficiency and capacity of Laois's roads network, the lack of a Technical Acceptance Report signed off by Transport Infrastructure Ireland (TII), and the lack of detail or certainty in relation to the potential provision of a layby adjoining the site or access to adjoining lands during the construction phase of the development, it is considered that the applicant has not demonstrated compliance with the TII publication DN-STR-03001- Technical Acceptance of Road Structures on Motorways and Other National Roads, and has not adequately demonstrated that the proposed development would not pose a traffic hazard. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board had regard to TII publication DN-STR-03001- Technical Acceptance of Road Structures on Motorways and Other National Roads which requires the Technical

Acceptance process to be completed for masts adjoining national routes. The Board agreed with the Planning Authority's Roads Department which recommended that the applicant should submit an approved Technical Acceptance Report by way of further information considering that the Technical Assessment process could have implications for the design and construction of the mast in view of TII's concerns in relation to the development. The Board further considered that in the absence of detail in relation to the potential provision of a layby adjoining the site or access to adjoining lands during the construction phase of the proposed development there remained an unresolved road safety risk in relation to the construction phase. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Board Member


Mary Gurrle

Date: 22/05/2025