

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

## Tipperary County

**Planning Register Reference Number: 15/600878**

An Bord Pleanála Reference Number: PL 92.245974

**APPEAL** by Paddy Connors care of Clare Gunn of 10 Abbey View, Abbey Road, Fethard, County Tipperary against the decision made on the 2<sup>nd</sup> day of December, 2015 by Tipperary County Council to refuse permission.

**PROPOSED DEVELOPMENT:** Retention of a mixed use agricultural shed of gross space of approximately 1037 square metres and nine metres high with all site works and boundary treatment, all at Cloghabreedy, Cahir, County Tipperary.

## DECISION

**REFUSE** permission for the above proposed development based on the reasons and considerations set out below.

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

1. The access to the subject development is located along an improved, heavily trafficked section of the National Primary Road (N24), at a point where a speed limit of 100 km/h applies and adjacent to the busy M8 Cahir Interchange roundabout and its junction with the R670. Having regard to the nature of the use involved, and the consequent volume of traffic likely to be generated by the development, and having regard to the inadequacy of the available sightlines, it is considered that the development for which retention is sought would be likely to endanger public safety by reason of traffic hazard due to the additional traffic stopping and turning movements generated by the development, which would interfere with the safety and free flow of traffic on the public road. The development for which retention is sought would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is national policy, as set out in the “Spatial Planning and National Roads Guidelines for Planning Authorities” issued by the Department of the Environment, Community and Local Government in January, 2012 to protect the substantial investment being made by Government in upgrading national roads, to maintain the intended transport function, traffic carrying capacity and efficiency of the network of national roads, and to ensure that traffic hazards for road users are not created. The site of the proposed development is located at an improved section of the National Primary Road (N24) at a point where a speed limit of 100 km/h applies. It is considered that the development for which retention is sought would be contrary to these national policies and Ministerial Guidelines, by reason of the intensification of an existing agricultural access to serve a large commercial/agricultural development, involving increased traffic onto this national primary road, at a point where sightlines for such traffic are inadequate and which would create a traffic hazard. It is considered, therefore, that the development for which retention is sought, by itself or by the precedent which a grant of permission for it would set for other relevant development, would adversely affect the use of a national road by traffic and be contrary to the proper planning and sustainable development of the area.

---

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this                      day of                      2016.**