

Board Order PL 92.248712

Planning and Development Acts 2000 to 2017

Planning Authority: Tipperary County Council

Planning Register Reference Number: 17/600322

Appeal by Paddy O'Connor care of Clare Gunn of 10 Abbey View, Fethard, County Tipperary against the decision made on the 22nd day of May, 2017 by Tipperary County Council to refuse permission to the said Paddy O'Connor.

Proposed Development (a) The indefinite retention of existing agricultural structure to be partially used for the housing of animals, and (b) permission for the provision of a new slatted tank, and all site works and boundary treatment, all at Cloghabreedy, Cahir, County Tipperary.

Decision

REFUSE permission for the above proposed development in accordance with 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.

PL 92.248712 Board Order Page 2 of 3

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

2017

PL 92.248712 Board Order Page 3 of 3