



Planning and Development Acts 2000 to 2018

Planning Authority: Sligo County Council

Planning Register Reference Number: PL 18/473

APPEAL by Peter and Tanya Kearins of Crockacullion, Beltra, County Sligo against the decision made on the 23rd day of January, 2019 by Sligo County Council to refuse permission for the proposed development.

Proposed Development: Construction of a dwelling house, installation of a proprietary effluent treatment system with percolation area and carry out all associated ancillary site works at Crockacullion, Beltra, County Sligo.

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 “Spatial Planning and National Roads - Guidelines for Planning Authorities” issued by the Department of the Environment, Community and Local Government (2012) seek in Section 2.5 “to avoid the...generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 km/h apply.” Policy P-NR-1 of the Sligo County Development Plan 2017-2023 seeks to protect the traffic carrying capacity of national roads, the level of service they deliver and the period over which they continue to perform efficiently, by avoiding the creation of new access points or the generation of increased traffic from existing accesses onto the N-4, N-15, N-16, N-17 and N-59 outside the 50 km/h speed limit. The proposed development of a house at this location would result in the intensification of use of a private access onto the N-59 national secondary road, where a speed limit of 100 km/h applies. It is considered that the additional and conflicting turning movements generated by the proposed development would endanger public safety by reason of traffic hazard, would interfere with the free flow of traffic on this national road, would compromise the level of service and carrying capacity of the road at this location, and would fail to protect public investment in the national road network, both by itself and by the undesirable precedent it would set for similar such development. The proposed development would contravene the provisions of the said Guidelines and of Policy P-NR-1 of the Sligo County Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area

2. The site of the proposed development is located within an Area Under Strong Urban Influence as set out in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005. Furthermore, the subject site is located in an area that is designated under urban influence, where it is national policy, as set out in National Policy Objective 19 of the National Planning Framework, to facilitate the provision of single housing in the countryside, based on the core consideration of demonstrable economic or social need to live in a rural area. Having regard to the documentation submitted with the application and appeal, the Board is not satisfied that the applicant has a demonstrable economic or social need to live in this rural area. It is considered, therefore, that the applicant does not come within the scope of the housing need criteria as set out in the Guidelines and in national policy for a house at this location. The proposed development would, therefore, be contrary to the Ministerial Guidelines and to the over-arching national policy, and to the provisions of the current Sligo County Development Plan 2017-2023 and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.