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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Mayo County Council**

**Planning Register Reference Number: PL21/355**

**APPEAL** by Transport Infrastructure Ireland of Parkgate Business Centre, Parkgate Street, Dublin against the decision made on the 20<sup>th</sup> day of September, 2021 by Mayo County Council to grant subject to conditions a permission to Majorland Properties Limited care of BK Engineering Design Limited of Abbey Street, Ballyhaunis, County Mayo.

**Proposed Development:** Construct extension to existing building and proposed building as granted under P13/483 and extended under P13/48300 all as per drawing documentation submitted together with all ancillary site works and services at Kilmannin/Carrowreagh, Ballyhaunis, County Mayo.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Reasons and Considerations

Access to the subject site is proposed via an existing entrance off the National Secondary Road N83 where the posted speed limit is 80 km/h. It is considered that the proposed development would involve the intensification of use of an existing entrance directly onto the National Secondary N83 Route by reason of the additional traffic likely to be generated by the new development proposed, would not represent an identified site where exceptional circumstances apply or a case where the planning authority has commenced engagement with Transport Infrastructure Ireland to identify and agree cases for access off the National Road in accordance with the provisions of MTO 22 of the Mayo County Development Plan 2022-2028, would conflict with the Council's Policy, as expressed in the specific objectives MTP 22 and MTO 22 of the Mayo County Development Plan 2022-2028, and would conflict with the Department of the Environment Guidelines with respect to Spatial Planning and National Roads (January, 2012) which seek to curtail development along National Roads, to safeguard the strategic role of the National Road Network and to avoid intensification of existing accesses to national roads. Therefore, the traffic movements likely to be generated by the proposed intensified use of an existing entrance onto the N83 would interfere with the safety and free flow of traffic on the national road, would materially contravene the Mayo County Development Plan 2022-2028, would be contrary to Section 28 Guidelines, would set an undesirable precedent for similar such development and would, therefore, be contrary to the proper planning and sustainable development of the area.

*DR. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this 23<sup>rd</sup> day of Sept. 2022.**

