



An
Bord
Pleanála

Inspector's Report ABP-300922-18

Development	Retention of existing agricultural entrance and all ancillary works.
Location	Aghaboy Killow, Co. Longford.
Planning Authority	Longford County Council
Planning Authority Reg. Ref.	17/298
Applicant(s)	Gerard Quinn.
Type of Application	Retention.
Planning Authority Decision	To refuse.
Type of Appeal	First Party
Appellant(s)	Gerard Quinn.
Observer(s)	None.
Date of Site Inspection	14 th May 2018.
Inspector	Deirdre MacGabhann

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1.0 Site Location and Description

- 1.1. The 0.016ha appeal site is situated c.7km north east of Longford town and c.3km west of Ballinalee, in the townland of Aghaboy Killow, Co. Longford. It lies immediately south the R194, the regional road between Ballinalee and Longford, on a wide bend. The speed limit at the location of the site is 80kph.
- 1.2. The site comprises an existing opening into an agricultural field, the grass margin alongside the regional road at the site entrance and a small part of the agricultural field, to the south of the entrance. The agricultural field rises away from the public road, inside the entrance.
- 1.3. To the west and north of the site (on the opposite side of the R194) are detached residential dwellings. Separating the site from the land to the west is a mature hedgerow. The agricultural field, which the appeal site forms part of, is bounded by a low hedge alongside the regional road. The hedgerow is set back by at least 3m from the edge of the carriageway.

2.0 Proposed Development

- 2.1. The proposed development comprises the **retention** of the agricultural entrance, to service the existing landholding, and all ancillary works. The appeal site forms part of the appellant's wider landholding, which includes the agricultural field to the south of the public road which the appeal site forms part of. Access to the field is also provided by a gate on the eastern side of the field, with vehicular access from a minor county road off the Regional road.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 29th January 2018 the planning authority decided to refuse permission for the development on the grounds of (1) traffic hazard, (2) protection of the Regional road

and availability of an alternative entrance to the field, and (3) impact on National Monument.

3.2. **Planning Authority Reports**

Planning Reports

- The Planning Report (24th January 2018) refers to the location of the development within the area of archaeological potential identified around Recorded Monument LF 009-019 (enclosure), to the submission by the Department of Culture, Heritage and the Gaeltacht, by the adjoining landowner and the report of the Area Engineer (see below). Having regard to the above, and in particular to the location of the proposed access and the topography of the site, the report recommends refusing permission for the development on three grounds, traffic hazard, impact on regional road and impact on national monument.

Other Technical Reports

- Area Engineer (3rd January 2018) – The development is in an unsuitable location. It is located within the 80kph speed limit zone, on a bend on the road which reduces sightlines, creating an unnecessary hazard on the Regional road. The entrance appears to have cut into the earth embankment of the national monument in the field. Currently the gate can only open out onto the R194, creating a new hazard for road users. In order to open the gate, it would be necessary to cut into the earth of the national monument. There is an existing entrance to the field on the adjacent minor road which is in a much safer location. The report recommends refusing permission on the grounds of traffic hazard.

3.3. **Prescribed Bodies**

- 3.3.1. The Department of Culture, Heritage and the Gaeltacht (3rd January 2018) state that the site lies within the area of archaeological potential identified around Recorded Monument LF 009-19 (enclosure). The Department, therefore, requests the impact of the development on the site of Recorded Monument to be assessed, prior to making a recommendation of the planning application.

3.4. Third Party Observations

3.4.1. There is one third party observation on file from the occupants of the dwelling to the west of the appeal site. They argue that:

- The application lands are not in the sole ownership of the applicant, but are co-owned by Patrick Quinn who has not given written consent for the application.
- The western boundary of the site is shared with the observer. It is not possible for a vehicle exiting the site onto the R194 to achieve sightlines to the west, without cutting down projecting vegetation on the observers site. The observer does not give consent for this vegetation to be removed/trimmed. Safe sightlines therefore cannot be achieved.
- It is not possible for a tractor and trailer exiting the property to stop safely, in order to shut the gate, without parking on this unsafe stretch of road. To do so would cause a traffic hazard.

4.0 Planning History

4.1. None.

5.0 Policy Context

5.1. Longford County Development Plan 2015 to 2021

5.1.1. Relevant policies in the current Longford Development Plan are as follows:

- Section 5.1.1 of the Plan deals with Roads. It refers to the position of Longford within the North Midlands and to strategic transport routes which traverse the County. It states that previous county development plan policy was successful in protecting these strategic routes from further access creation thereby maintaining the capacity and safety of these roads.
- Policy ROADS 2 (section 5.1.1.1) seeks to *'provide a road network which is safe and efficient for all road users, cognisant of the requirements of all traffic, including motorised vehicles, pedestrians and cyclists'*.

- Policy ROADS 11, states that *‘Routes of strategic importance within the County, as outlined below, shall be protected from further access creation and intensification of existing accesses... Development on the Regional Routes outlined below shall be carefully considered to preserve their strategic role and safeguard the strategic function of the national road network, in accordance with the provisions of the DoECLG Spatial Planning and National Road Guidelines (2012) – R194 Longford to Virginia... Works to accesses along these routes shall be assessed according to the relevant technical criteria, including the NRA Design Manual for Roads and Bridges (DMRB)’*.

6.0 The Appeal

6.1. Grounds of Appeal

6.2. The appellant argues:

- Reason 1: The development would not create a traffic hazard as it has been located to achieve the maximum sightlines in each direction. The sightlines shown in the Site Layout Drawing (attached to the appeal), 3m x 215m, are in excess of the minimum sightlines required in *The Design Manual for Urban Roads and Streets* (Table 1).
- Reason 2: The entrance to be retained is proposed as the existing entrance to the field is no longer usable because the lands inside the entrance are extremely wet and therefore make it impassable for agricultural machinery (photograph attached).
- Reason 3: The development will not in any way harm or affect the existing National Monument which the site is located close to. The applicant is willing to accept a condition to carry out an archaeological survey of the monument to ensure its protection.

6.3. Planning Authority Response

6.3.1. None.

6.4. Observations

- 6.4.1. The Board sought submissions on the development An Taisce, Failte Ireland, The Heritage Council and An Chomairle Ealaíon. No responses were received.

7.0 Assessment

- 7.1. I have read the appeal file and inspected the site. The key issues to be addressed in this appeal are confined to the matters raised by the appellant:

- Risk of traffic hazard.
- Impact on regional road network/need for the development.
- Impact on national monument.

7.2. Traffic Hazard

- 7.2.1. The appeal site is situated on a regional road within the 80kph speed limit zone. The Design Manual for Urban Roads and Streets, referred to by the appellant, deals with urban areas and is not relevant to the proposed development. TII in their publication 'Geometric Design of Junctions' (April 2017)¹, recommend sightlines of 160m in each direction (3.0m from the road edge) where the 80kph speed limit zone applies (section 5.6, DN-GEO-03060).
- 7.2.2. The appellant shows 215m sightlines in each direction in the Site Layout Plan (Drawing no. 01). The current sightlines available at the proposed entrance, at c.3m back from the road edge) are restricted to the east due to the hedgerow running along the agricultural field and, to a lesser extent because the site lies on a wide bend in the regional road. However, the applicant has control over these lands and could, therefore, achieve the required sight distance if required. To the west, sightlines are somewhat restricted due to the hedgerow at the boundary of the site. It is evident from the submissions on the planning application that the applicant may not have full control over this sightline. Furthermore, the traffic associated with the proposed development is likely to be slow moving (e.g. tractor) and may stop

¹ This document supersedes NRA TD 41-42/09 'Geometric design of major/minor priority junctions and vehicular access to national roads', which is referred to in the NRA Design Manual for Roads and Bridges, July 2011.

temporarily at the site access to ensure that the gate to the field is closed. I would therefore have concerns regarding the safety of additional turning movements by slow moving vehicles at this location.

7.3. Impact on Regional Road Network/Need for the Development

- 7.3.1. The appellant argues that the existing access to the agricultural field, to the east of the appeal site, is no longer usable because the lands inside it are extremely wet. At the time of site inspection, there was no evident ponding of water at this entrance to the site or of particularly wet ground conditions e.g. rushes/track marks etc. Further, there was evidence of large vehicles entering the field (i.e. marks in grass, not underlying soil) and there has been no attempt to upgrade the entrance (e.g. with the importation of stone chips as carried out at the proposed entrance). I would not accept, therefore, having regard to the information provided and inspection of the site that the entrance is unusable.
- 7.3.2. Policies of the county development plan clearly seek to safeguard the carrying capacity of the regional road network by limiting the creation of further access points. The proposed development would comprise a new access point to a field which is already accessible via a safer entrance from a more minor public road to the east of the agricultural field, where observed traffic speeds were low.
- 7.3.3. I would consider, therefore, that the proposed development would unnecessarily create a new access point from the regional road, and therefore, conflict with policy ROADS 11 of the County Development Plan that specifically seeks to preserve the strategic function of the R194 by protecting it from the creation of new access points.

7.4. Impact on National Monument

- 7.4.1. The appeal site lies wholly within the area of archaeological potential identified around Recorded Monument LF 009-019. This is described as an 'enclosure' in the County Longford Records of Monuments and Places (www.archaeology.ie). In their submission on the planning application, the Department of Culture, Heritage and the Gaeltacht requested the impact of the development on the monument to be assessed by an archaeologist.

7.4.2. There is no detailed information on file regarding the location, extent or importance of the enclosure. However, it was evident from the inspection of the site that there is a low circular mound across much of the western part of the agricultural field, into which the entrance is proposed. Further, the works carried out to the entrance to the site have included the lowering of this bank, at the entrance, and the laying of a small quantity of stone chips inside the entrance on part of the bank. It would appear therefore that the proposed development may impinge on the integrity of the monument. If the Board are minded to grant permission for the development, I would therefore recommend, an archaeological assessment of the likely impact of the development on the monument in advance (e.g. by way of further information from the appellant). However, I do not consider that the development should be refused on this ground, in the absence of an archaeological assessment.

8.0 Appropriate Assessment

8.1. Having regard to the nature of the proposed, which would give rise to no impacts on the receiving natural environment, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site'.

9.0 Recommendation

9.1. Having regard to the matter discussed above, I recommend that retention for the proposed development be refused.

10.0 Reasons and Considerations

1. The proposed development would create an unnecessary access point to the Regional Road network and generate additional and slow-moving traffic turning movements on this regional road, which would contravene the reasonable objectives of the planning authority to protect the strategic role and function of the R194 Regional Road and give rise to traffic hazard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Deirdre MacGabhann
Senior Planning Inspector

22nd May 2018