

An
Bord
Pleanála

Board Direction
BD-008254-21
ABP-308267-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/05/2021.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

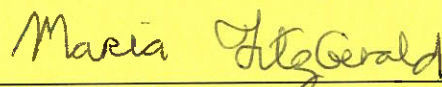
Reasons and Considerations

1. Policy (EDE 14) of the Louth County Development Plan 2015-2021 seeks to comply with the development management guidelines for industrial and commercial development set down in Section 6.3 of the Development Plan. These set out the requirement for a masterplan in the event that an industrial/commercial development forms part of a larger area, including land in multiple ownership to ensure integrated and coherent development of the lands is carried out. The proposal seeks permission for an access road to serve existing "Employment Mixed Use" zoned lands in the absence of detailed information of prospective developed of the zoned lands. The proposal for an access road in the absence of details of the prospective development which it is intended to service is unjustified and represents a piecemeal and haphazard development. The proposed development would therefore set an undesirable precedent for similar ad hoc development and would be contrary to the proper planning and sustainable development of the area.
2. Policy TC 6 of the Louth County Development Plan seeks to adhere to the principles contained within the guidance document, Design Manual for Urban

Roads and Streets (2013) Department of Transport, Tourism and Sport (DTTS)/ Department of the Environment, Community and Local Government (DECLG). On the basis of the proposed layout, the Board is not satisfied that the proposal complies with the requirements of DMURS. In particular, the application documentation fails to demonstrate that adequate sightlines in accordance with the requirements of DMURS would be available at the junction between the proposed access road and the Old Newry Road within lands under the applicant's ownership. Accordingly, to permit the proposed development would be contrary to Policies TC6 and TC12 of the Louth County Development Plan 2015-2021 and would endanger public safety by reason of traffic hazard.

Note: The Board is not satisfied, on the basis of the information provided with the application (particularly in relation to the proposed culverting of the river), including the Screening for Appropriate Assessment Report /Natura Impact Statement, that the proposed development individually, or in combination with other plans or projects would not adversely affect the integrity of European sites including Dundalk Bay Special Area of Conservation (Site code: 000455) and Dundalk Bay Special Protection Area (Site code: 004026) in view of the sites' Conservation Objectives. In such circumstances the Board is precluded from granting approval/permission. The Board considered that this was a new issue but decided not to pursue this in the context of current appeal in the light of the other substantive reasons for refusal set out above.

Board Member



Maria FitzGerald

Date: 24/05/2021