



Planning and Development Acts 2000 to 2017

Planning Authority: Louth County Council

Planning Register Reference Number: 17/600

APPEAL by Transport Infrastructure Ireland of Parkgate Business Centre, Parkgate Street, Dublin against the decision made on the 15th day of December, 2017 by Louth County Council to grant subject to conditions a permission to Aidan and Kathleen Callaghan care of Patrick Kelly of 33 Church Hill, Lambeg, Lisburn, County Antrim.

Proposed Development Development consisting of demolition of existing commercial building, erection of replacement commercial building with provision of car parking and circulation area, provision of wastewater treatment system and percolation area and provision of new site entrance with associated site works at Cookstown, Ardee, County Louth.

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

The “Spatial Planning and National Roads–Guidelines for Planning Authorities” issued by the Department of the Environment, Community and Local Government in 2012 seek in section 2.5 “to avoid the creation of any additional access point from new development or the generation of increased traffic from existing accesses to national roads to which speed limits greater than 60 km/h apply”. The proposed development of this commercial unit at this location would result in the creation of a new access (albeit a replacement access) and the intensification of commercial use of lands onto the N2 National Road, where maximum speed limits apply. It is considered that the additional and conflicting turning movements generated by the proposed development would, therefore, 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 be contrary to the provisions of the said Guidelines and would, therefore, 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 2018.