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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 18258**

**APPEAL** by Gerard Marmion care of EHP Services of 154 Riverside Drive, Red Barns Road, Dundalk, County Louth against the decision made on the 24<sup>th</sup> day of May, 2018 by Louth County Council to refuse permission.

**Proposed Development:** Construction of a dry store agricultural building, new vehicular entrance and associated site works, at Balriggeran, Kilcurry, Dundalk, 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**

1. The site is located alongside the R177 Regional Road, which is designated in the Louth County Development Plan 2015-2021 as a Protected Regional Route where the planning authority considers it necessary to restrict new accesses in the interests of preserving the carrying capacity and life span of the road, and in the interest of traffic safety. It is considered that the proposed development does not satisfy any of the exceptions set out in Section 7.3.5 of the development plan in this regard, and that the proposed creation of a new access point onto the R177 would, therefore, contravene Policy TC 10 of the development plan (which is considered reasonable), which prohibits the creation of new accesses or intensification of existing accesses onto Protected Regional Routes. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development would endanger public safety by reason of traffic hazard because of the additional traffic turning movements the development would generate on the R177 Regional Road, which is designated in the Louth County Development Plan 2015-2021 as a Protected Regional Route, at a point where the applicant has not demonstrated that the minimum visibility standards for accesses onto such Protected Routes required under Table 7.4 of the Development Plan can be achieved. The proposed development would, therefore, be contrary to Policy TC 12 of the Louth County Development Plan 2015-2021 in this regard and be contrary to the proper planning and sustainable development of the area.

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**Terry Prendergast**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2018.**