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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 20485**

**APPEAL** by Shane McGuinness care of EHP Services of 154 Riverside Drive, Red Barns Road, Dundalk, County Louth against the decision made on the 28<sup>th</sup> day of August, 2020 by Louth County Council to refuse permission.

**Proposed Development:** Access road and associated site development works, including realignment of a Class 3 local road (cul-de-sac), to serve lands zoned as employment mixed use. The proposed development shall link into the site development works for a business park on the adjoining lands as approved under planning register reference number 09/879, at Faughart Lower, 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. 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 Master Plan 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 development 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.

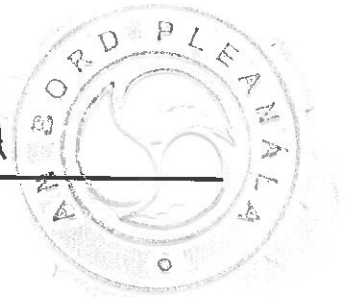
2. Policy TC 6 of the Louth County Development Plan 2015-2021 seeks to adhere to the principles contained within the guidance document, DMURS – the Design Manual for Urban Roads and Streets (2013) Department of Transport, Tourism and Sport (DTTS) and the Department of Environment, Community and Local 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 TC 6 and TC 12 of the development plan and would endanger public safety by reason of traffic hazard.

*Dr. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this *21<sup>st</sup>* day of *May* 2021.