



An  
Bord  
Pleanála

Board Order  
ABP-312460-22

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 21528**

**APPEAL** by Martin Halpenny of Killencoole, Readypenny, County Louth against the decision made on the 15<sup>th</sup> day of December, 2021 by Louth County Council to grant subject to conditions a permission to Emily Kerr care of Herr Engineering and Design Limited of Unit 7, Blackthorn Business Park, Coes Road, Dundalk, County Louth.

**Proposed Development** Construct a two-storey dwelling with a detached domestic garage, a new vehicular entrance to site, new site boundaries, a wastewater treatment system, percolation area and all associated site development works and services, all at Killincoole, Readypenny, Dundalk, County Louth, as revised by the further public notice received by the planning authority on the 23<sup>rd</sup> day of November, 2021.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations set out below.

## Reasons and Considerations

1. It is considered that the proposed development would endanger public safety by reason of traffic hazard arising from the additional traffic turning movements the development would generate at the junction of the cul-de-sac laneway and Darver Road (L1178) at a point where sightlines are restricted in both directions. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Having regard to the location of the site within a rural area under urban influence in the "Sustainable Rural Housing Guidelines for Planning Authorities", issued by the Department of the Environment, Heritage and Local Government in April 2005, and in the Louth County Development Plan, 2021- 2027, and to National Policy Objective 19 of the National Planning Framework (February 2018) which, for rural areas under urban influence, seeks to facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area, having regard to the viability of smaller towns and rural settlements, it is considered on the basis of the information on the file that the applicant has not demonstrated an economic or social need to live in this particular rural area having regard to the viability of smaller towns and rural settlements and, therefore, the proposed development does not comply with National Policy Objective 19. The proposed development would contribute to the further encroachment of random rural development in the area, would militate against the preservation of the rural environment, would result in a further proliferation of wastewater treatment systems in the area and the efficient provision of public services and infrastructure and would contravene the provisions of the National Planning Framework. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Dr. Maria FitzGerald*

**Maria FitzGerald**

**Member of An Bord Pleanála**

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

**Dated this 10<sup>th</sup> day of May 2022.**