



An  
Bord  
Pleanála

## Inspector's Report ABP-301896-18

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<b>Development</b>	Dry store agricultural building, new vehicular entrance and associated site works
<b>Location</b>	Balriggeran, Kilcurry, Dundalk, Co. Louth
<b>Planning Authority</b>	Louth County Council
<b>Planning Authority Reg. Ref.</b>	18/258
<b>Applicant(s)</b>	Gerard Marmion
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Gerard Marmion
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	21 <sup>st</sup> September 2018
<b>Inspector</b>	Niall Haverty

## **1.0 Site Location and Description**

- 1.1. The appeal site, which has a stated area of 0.366 ha, is located on the western side of the R177 Regional Road, c. 3km north of Dundalk Town Centre. The M1 Motorway is located immediately to the north of the appeal site, and runs in a west-east direction on an embankment, via an overpass over the R177. The appeal site is currently undeveloped and forms part of a larger field, which extends to the west and south. The northern boundary of the appeal site abuts the fenced-off toe of the Motorway embankment, and the eastern (roadside) boundary is defined by a hedgerow with some mature trees, while the southern and western boundaries are currently undefined. The field within which the appeal site is located drops in level from the public road, before rising again from east to west. There is an existing agricultural entrance to the field from the R177 to the south of the appeal site.
- 1.2. The surrounding area is generally agricultural in character, with a scattering of one-off houses along the R177, and local roads leading off it.
- 1.3. The applicant's house and farmyard are located c. 200m north of the appeal site, on the northern side of the M1 Motorway.

## **2.0 Proposed Development**

- 2.1. The proposed development consists of the construction of an agricultural building to be used as a dry store, a new vehicular entrance and associated works.
- 2.2. The proposed building would be rectangular in plan, with a stated gross floor space of 296 sq m and a ridge height of 7.98m. The gable-fronted front elevation of the building would face the R177, and a granular driveway would lead from the proposed entrance to the proposed building with a hardstanding area around the building. The building would feature precast concrete walls to the lower level, with green cladding panels above and on the roof, and roller shutter doors to front and side elevations.
- 2.3. It is also proposed to erect a post and rail fence around the site, to remove the roadside hedgerow and to construct 1.4m high planted berms along the roadside

frontage and to the south of the driveway. 4.8m wide by 1.8m steel entrance gates are also proposed.

- 2.4. The planning application was accompanied by a Planning Statement and a letter from Teagasc.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. Louth County Council decided to refuse permission for the following summarised reasons:

1. Proposed development would directly access and egress onto the R177 Protected Regional Route. It has not been demonstrated that it meets with any of the exemptions outlined in Table 7.3 and accordingly it would endanger public safety by reason of traffic hazard and be contrary to Policy TC 10.
2. Inadequate visibility splays. Proposed development would endanger public safety by reason of traffic hazard and be contrary to Policy TC 12.
3. Proposed development would be premature with reference to the zoning objective and would result in piecemeal development into lands that are reserved for future strategic importance to the development of the Dundalk Gateway. To permit the development would materially contravene the policy provisions of the Dundalk Environs Plan.
4. Proposed development, by reason of its elevated siting and exposed nature would result in an unduly prominent and visually intrusive physical feature and would dominate the local landscape. To permit the development would materially contravene Policy RD13.
5. No surface water details have been submitted and to permit the development would materially contravene Policy WS10.

### **3.2. Planning Authority Reports**

- 3.2.1. The Planning Officer's report can be summarised as follows:

- Zoning matrix does not mention agriculture.

- The proposed development has not taken due account of the zoning objective of the lands, would be premature and would result in piecemeal development into lands that are reserved for future strategic importance to the development of the Dundalk Gateway.
- Applicant has not justified or outlined why other locations within his control are not suitable. The proposed development should be located beside an established farm complex, rather than an open field.
- Proposed development would materially contravene the Development Plan.
- Shed would be unduly prominent in this location given its proximity to the adjoining public road and would cause a harmful impact to the visual amenity of the area.
- There are no neighbouring properties that would be affected by the proposed development.
- The R177 is a Protected Regional Route under the County Development Plan. No justification has been given that would satisfy any of the exemptions in the County Plan.
- Sightlines are inadequate and contrary to Policy TC 12.
- No SuDS proposals provided.
- Appropriate Assessment is not required.
- Site is not within an identified flood risk zone.
- Proposal would be exempt from development contributions.

### **3.3. Other Technical Reports**

#### **3.3.1. Infrastructure Office:**

- Revised layout required to show visibility splays of 4.5m x 215m in each direction.
- Legal agreement with landowners affected to be submitted also.
- Details of surface water drainage details and SUDs details to be submitted.

### 3.3.2. **Environment Section:**

- No objection, subject to conditions.

### 3.4. **Prescribed Bodies**

- None.

### 3.5. **Third Party Observations**

- None.

## 4.0 **Planning History**

4.1. I am not aware of any recent relevant planning history on the appeal site or in the surrounding area.

## 5.0 **Policy Context**

### 5.1. **Dundalk and Environs Development Plan 2009-2015**

5.1.1. The appeal site is zoned 'Strategic Land Reserve' under the Dundalk and Environs Development Plan 2009-2015. This zoning objective is to protect the availability of land for future development and make provision for certain unique developments of strategic importance to the development of the Dundalk Gateway.

### 5.2. **Louth County Development Plan 2015-2021**

5.2.1. Section 3.4 states that the Council acknowledges that farming will remain an important economic activity essential for the economic prosperity and well being of rural areas and will facilitate the development of agriculture subject to ensuring the protection of the environment, particularly water resources.

5.2.2. Section 3.4.1 relates to agricultural buildings and states that good quality, purpose built agricultural buildings are important for efficient and sustainable agricultural production. Agricultural buildings should be integrated into the countryside and in this respect the palette of materials used is important. Site selection, setting, landscape

features and the maintenance of existing native hedgerows or the planting of new hedgerows is important in terms of screening farm buildings and thus blending these into the landscape in the least obtrusive manner.

5.2.3. Policies RD 7 – RD 15 are noted.

5.2.4. Section 7.3.5 states that the Council considers it necessary to restrict new accesses and the intensification of existing accesses along national and certain protected regional routes in order to preserve their carrying capacity, their life span and in the interest of traffic safety. Table 7.3 lists these protected routes, including the R177 Dundalk – Armagh Road, and states that there should be no new access or intensification of existing access, with the following exceptions:

1. Where the new access would eliminate a traffic hazard.
2. Where a new access is required for any major development, including tourism developments, of national, regional or local importance where the additional traffic generated would not result in the creation of a traffic hazard
3. Where new access is to a fixed natural resource of national, regional or local importance where no other suitable vehicular access can be provided.
4. Extensions to an authorised use where the additional traffic generated would not result in the creation of a traffic hazard.
5. Dwellings required to satisfy the housing needs of persons who have lived for not less than 10 years in the area, where no other site is available off a minor road, and where the existing entrance servicing the family home is used. Where the entrance to the existing family home cannot be used, consideration will be given for one new entrance only onto the adjoining protected regional route. A condition confining occupancy to a family member for a minimum of 7 years will be attached to any permission granted under this exemption.

5.2.5. This is supported by Policy TC 10, which is to prohibit the creation of new accesses or intensification of existing accesses onto National Routes and Protected Regional Routes as set out in Tables 7.2 and 7.3.

5.2.6. Section 7.3.6 relates to entrances and minimum visibility standards, and Policy TC 12 is noted.

5.2.7. Section 10.6 relates to surface water drainage and Policy WS 10 is noted.

### 5.3. Natural Heritage Designations

- 5.3.1. The appeal site is not within or in close proximity to any sites with a natural heritage designation. The closest such sites are the Dundalk Bay SPA and SAC (Site Codes 004026 and 000455, respectively) which are c. 3km to the east of the appeal site. Dundalk Bay is also a pNHA.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- 6.1.1. A first party appeal was lodged on behalf of the applicant by EHP Services. The issues raised in the appeal can be summarised as follows:
- Proposed structure will provide safe storage for grain and farming machinery.
  - Planning statement submitted with planning application provided context to the selection of the appeal site, but appears to have been overlooked by the Council.
  - Appellant does not have sufficient storage capacity within his farm complex. None of the existing buildings in the complex are large enough for harvested grain or straw, and the farm complex is not large enough to accommodate the proposed structure and circulation space.
  - All other lands within the landholding are used for crop growing and pasture. The loss of productive ground would have a significant impact on viability.
  - Some of the landholding is leased, negating appellant's legal entitlement or viability to construct on those sites.
  - Northern portion of field within which site is located is susceptible to pluvial flooding, rendering it unsuitable for grazing and unproductive for crops.
  - Appeal site is least productive parcel of land within the appellant's landholding and is closest to the farm holding, providing a degree of security.
  - The site is within the Dundalk and Environs Area, however it was principally assessed and determined on policies contained within the Louth County

Development Plan. Four of the five reasons for refusal relied on County Plan policies.

- The County Plan has no standing within the plan area of the Dundalk and Environs Development Plan insofar as it concerns the appeal site and proposed development. The Council was incorrect to assess and refuse based on the County Development Plan and materially contravened their mandate under the PDA.
- PDA and Development Management Guidelines require application to be assessed against pertinent Development Plan for the area.
- Given the predominantly urban focus of the Dundalk and Environs Development Plan, it is not surprising that it's focused on development of the urban settlement, rather than agricultural proposals. Strategic Objective SO3 supports economic development and growth.
- County Development Plan supports agricultural development. The policies and objectives of the two Plans are complimentary and are not inconsistent or contradictory.
- The Planning Authority's cherry-picking between the two Development Plans undermines the integrity of the Dundalk Plan. Selective application of policies from outside the plan area sets an undesirable precedent.
- The Planning Authority cannot claim that the Dundalk and Environs Development Plan has expired. It is constantly used to determine all other applications in the plan area.
- Planning Authority's refusal based on the County Plan should be dismissed as ultra vires.
- Protected Regional Route designation that applies to the R177 and provisions of Table 7.3 of the County Development Plan do not apply, as site is not located within the plan area.
- Infrastructure Team sought further information on visibility splays and did not reference the protected route designation.



- Planning Authority has inconsistently applied Policy TC10 in its decisions (various planning applications referenced).
- Dundalk and Environs Development Plan does not contain policies or objectives regarding site access or visibility standards. The requirements in the County Plan do not apply.
- Engineer's report submitted with appeal demonstrates that visibility splays in compliance with the Geometric Design for Junctions document can be achieved.
- There is no fundamental difficulty in favourably considering an agricultural building on SLR zoned lands. Proposed development is in keeping with the existing rural character and function of the appeal site and surrounding environs.
- The SLR zoning dates back to the previous 2003-2008 Dundalk and Environs Development Plan. In 15 years it has not delivered any unique developments of strategic importance. It is unreasonable and improper to hold SLR zoned lands in a de facto state of semi-permanent sterilisation in the vain anticipation that some strategic development may eventually come along.
- The proposed development does not inherently interfere with the SLR zoning objective. The proposed structure, yard and berms could be easily removed to accommodate developments of strategic importance.
- There has been a proliferation of permissions granted for residential dwellings, extensions and farms, stables etc. on SLR zoned lands since 2003.
- Appeal site is not visually sensitive. It lies in a dip in the field, is bounded by mature hedgerows and proposed development would not be visually intrusive.
- Proposed structure is typical of other agricultural structures throughout the County. Moving the structure further into the field would result in it being at a higher elevation, require a longer lane and bring it closer to existing houses.
- Planning Officer did not consider the mitigating effect of the landscaped berms.

- Site layout plan showed soakpit. Calculations for soakaway design are submitted with appeal and proposed development will not result in surface water entering local watercourses or the adjoining road. Information complies with Policy WS10.

## **6.2. Planning Authority Response**

6.2.1. The Planning Authority's response can be summarised as follows:

- The agent's justification for not locating the proposed agricultural building within an established farm is questionable. Observation of aerial photographs would demonstrate that there is potential land to the north within the applicant's landholding available for an agricultural shed to be sited.
- In terms of orderly development and visual amenity, it is considered that the proposed building would be better located within the applicant's existing farm complex, utilise an existing entrance and be visually linked to the existing farm buildings, as opposed to an open field that is currently free of development and not visually linked to an established farm. This would undermine the zoning objective of the lands.
- All matters raised in the appeal were addressed in the Planner's Report.
- The Board is asked to refuse permission in this case.

## **6.3. Observations**

- None.

## **6.4. Further Responses**

- None.

## **7.0 Assessment**

### **7.1. Introduction**

- 7.1.1. Having reviewed the documentation associated with the planning application and appeal and having inspected the site, I consider that the key planning issues arising relate to the five reasons for refusal, and I will consider each in Sections 7.3 – 7.6 below.

### **7.2. Material Contravention Issue**

- 7.2.1. The Board will note that the third, fourth and fifth reasons for refusal considered that the proposed development would materially contravene various provisions of the Development Plan. Under section 37(2) of the Planning and Development Act 2000, as amended, the Board can only grant permission in certain circumstances where a proposed development would contravene materially the Development Plan. Having considered the proposed development, the refusal reasons and the relevant provisions of the Development Plan, in my opinion the Board should not consider itself restrained by section 37(2). While the proposed development may be contrary to various provisions of the Development Plan, as considered in my assessment below, I do not consider that this proposed agricultural development in this rural area represents a material contravention of the Development Plan.

### **7.3. Planning Policy Context**

- 7.3.1. Section 2.16.4 of the Louth County Development Plan 2015-2021 (CDP) states that the statutory Development Plan for the urban and surrounding environs area of Dundalk is currently the Dundalk & Environs Development Plan 2009-2015 (DEDP) and that the CDP will be an over-arching Development Plan for the entire county including Dundalk and Drogheda. It goes on to state that following the adoption of the CDP, the existing DEDP will be reviewed and ultimately replaced by a Local Area Plan which will be a sub-set of and will be consistent with the provisions of the CDP.
- 7.3.2. This is supported by Policy SS 3 “to review the Dundalk and Environs Development Plan 2009 – 2015 and to prepare a Local Area Plan for Dundalk and Environs which will be consistent with the provisions of the County Plan”.

- 7.3.3. I note that Section 11C(a) of the Planning and Development Act 2000, as amended, states with respect to the dissolution of town councils that the development plan for the administrative area of such a town council shall continue to have effect to the extent provided for by that plan and be read together with the development plan for the administrative area within which the dissolved administrative area is situated.
- 7.3.4. Having regard to the abovementioned provisions of the CDP and the Planning and Development Act, I have therefore had regard to both the CDP and the DEDP in my assessment.

#### 7.4. **Reasons 1 and 2: Traffic and Site Access**

- 7.4.1. The Planning Authority considered that the proposed development would endanger public safety by reason of traffic hazard, would have inadequate visibility splays and would be contrary to Policies TC 10 and TC 12 of the CDP.
- 7.4.2. The R177 Regional Road from which it is proposed to access the appeal site is designated as a Protected Regional Route under the CDP, and Policy TC 10 seeks to prohibit the creation or new or intensification of existing accesses onto such Routes. A series of exemptions are outlined in Table 7.3, and the Planning Authority did not consider that any of these were applicable to the proposed development. I would concur with this assessment. The appellant contends that the Protected Regional Route designation and the prohibition on new accesses does not apply to the appeal site, since it is located within the DEDP area. However, having regard to Section 11C(a) of the Planning and Development Act 2000, and Section 2.16.4 of the CDP, I consider that the Protected Regional Route designation and Policy TC 10 are relevant to the proposed development.
- 7.4.3. The appellant's house and farmyard are located c. 200m to the north of the appeal site, on the northern side of the M1 embankment, with access onto the R177. The appellant contends that the farm complex is not large enough to accommodate the proposed structure or circulation space. The Planning Authority disputes this, and having reviewed the drawings submitted and aerial photography, I am not satisfied that the appellant has provided sufficient justification to demonstrate why the existing farm complex is not capable of accommodating any additional storage space that may be required. Notwithstanding the low agricultural productivity of the appeal site, I

consider that it would be more appropriate, having regard to the protected designation of the R177, for the proposed storage building to be accommodated within the existing farm complex which already has the benefit of an entrance onto the R177, rather than at a site remote from the farm complex. Furthermore, noting that the appellant has indicated that the proposed development is intended to provide secure storage for farm machinery, I consider that a position within or adjacent to the existing farm complex would likely be preferable in this regard.

- 7.4.4. Since the appellant has not provided sufficient justification for a new access onto the R177 Protected Regional Route, I consider that the proposed development would be contrary to Policy TC 10 of the CDP and I therefore recommend that the Planning Authority's first reason for refusal be upheld and that planning permission be refused.
- 7.4.5. With regard to visibility splays, the DEDP does not contain any development management standards or Objectives. I therefore consider that the CDP provisions are of relevance.
- 7.4.6. The appeal site is within the 80km/hr speed limit zone, and I noted on my site inspection that the R177 was relatively heavily trafficked and that vehicle speeds were high due to the straight alignment and good surface of the road.
- 7.4.7. The appellant has submitted a report prepared by a Consulting Engineer, which states that visibility splays of 160m x 3.0m can be provided at the entrance which would be compliant with the desirable minimum standards set out in the TII publication 'Geometric Design of Junctions' (DN-GEO-03060). This is significantly less than the 215m x 4.5m visibility splays for non-domestic development on Protected Regional Routes set out in Table 7.4 of the CDP. By way of comparison, I note that Table 7.4 requires a visibility Y-distance of 125m for a Regional Road, compared with the 215m required for National and Protected Regional Roads.
- 7.4.8. In order to provide either the visibility splays required under Table 7.4 of the CDP, or the reduced splays contended by the appellant, I consider it likely that the entire roadside hedgerow and trees both within the appeal site and along the remainder of the appellant's field would have to be removed, equating to a length of c. 150m. I consider this to be excessive with regard to the nature of the proposed development, and noting that the appellant has an existing farmyard and landholding a short

distance to the north which has access onto the R177, and where I am not satisfied that a development of the type proposed could not be incorporated.

- 7.4.9. I consider it reasonable that the Planning Authority should require greater visibility on Protected Regional Routes than on 'normal' Regional Roads, as per Table 7.4 of the Development Plan, and I therefore recommend that planning permission be refused on the basis that the proposed development would be contrary to Policy TC 12 of the CDP.

### **7.5. Reason 3: Compliance with Zoning Objective**

- 7.5.1. The Planning Authority considered that the proposed development would be premature with reference to the 'Strategic Land Reserve' zoning objective which applies to the appeal site, that it would result in piecemeal development into lands that are reserved for future strategic importance to the development of Dundalk and that it would materially contravene the policy provisions of the Dundalk and Environs Development Plan (DEDP).
- 7.5.2. Section 2.5 of the DEDP states that permitted development within each land use zone will be determined having regard to the Zoning Matrix and that uses other than the primary use for which an area is zoned may be permitted in certain circumstances provided that they are not in conflict with the primary use zoning objective. With regard to the various use classes which are listed in the Zoning Matrix as being permitted, open for consideration or not permitted, I note that agriculture or storage are not listed. I also note that it states in respect of not permitted uses, that extensions to existing non-conforming uses within any zoned area will be considered on their merits.
- 7.5.3. Given that the appeal site is part of an existing agricultural landholding and that the proposed development is agricultural in nature, I do not consider that it would materially contravene the zoning objective for the site. The purpose of the SLR zoning objective is "to protect the availability of land for future development and make provision for certain unique developments of strategic importance to the development of the Dundalk Gateway". The lands zoned SLR under the DEDP are extensive (308 ha), and I do not consider that a c. 300 sq m agricultural structure on an existing agricultural landholding would undermine or fundamentally conflict with

this zoning objective. Rather, I consider that such a structure would facilitate the ongoing agricultural use of the lands until such time as they may become required for development of strategic importance to Dundalk, and in this regard would assist in protecting the availability of the SLR lands for future development. I therefore do not recommend that planning permission be refused on this basis.

#### **7.6. Reason 4: Visual Impact**

- 7.6.1. The Planning Authority considered that the proposed development would materially contravene Policy RD13 of the Development Plan, due to its elevated siting and exposed nature which would result in an unduly prominent and intrusive feature.
- 7.6.2. Having inspected the site, I would concur with the appellant that it is not elevated or exposed. The appeal site comprises a depressed area within a larger field and it is at a lower level than the adjacent R177 Road. The field rises out of this dip and becomes more elevated to the west of the appeal site, however no development is proposed in those areas. I do not consider that the appeal site is particularly prominent from the road, due to its relatively sunken nature, the mature roadside planting, and the heavily planted Motorway embankment to the north. Neither do I consider it to be a particularly sensitive site, given the proximity to the Motorway embankment, the absence of any designated scenic route or protected views in the vicinity, and the generally short-range views that can be had to and from the appeal site due to the undulating topography and boundary planting in the vicinity.
- 7.6.3. The proposed development comprises a relatively modestly scaled agricultural structure of 296 sq m in an agricultural area, and it is of relatively standard agricultural design with green corrugated cladding over precast concrete walls at a lower level.
- 7.6.4. It is proposed to construct 1.4m high earth embankments with planting to the roadside (east) boundary and along the southern side of the driveway. I concur with the appellant that this will have a beneficial screening effect and that it will serve to soften the impact of the proposed structure and embed it within the landscape. I also note, however, that it is proposed to remove a portion of the existing roadside hedgerow to facilitate sightlines. There are a number of mature trees within this hedgerow, which are shown on the Site Layout Plan, however it is not clear how

these trees can be retained if they also obstruct sightlines. Notwithstanding this, I consider that replacement landscaping would be an appropriate means of mitigating this visual impact and preserving the rural character of the area.

- 7.6.5. In conclusion, I consider that the proposed development would be appropriately designed and located within the appeal site such that it would not represent a visually intrusive or overly prominent feature in the landscape, and I do not consider that the proposed development would be contrary to Policy RD13 of the Development Plan.

### **7.7. Reason 5: Surface Water**

- 7.7.1. The Planning Authority considered that the proposed development would materially contravene Policy WS10 of the Development Plan, since no surface water details were submitted. I note that the internal report from the Infrastructure Office had recommended that further information be sought in relation to surface water drainage proposals, however this issue was instead utilised as a reason for refusal.
- 7.7.2. I note that the Site Layout Plan submitted with the application indicated a 'proposed soakpit designed in accordance with BRE Digest 365', however no design details or calculations were submitted.
- 7.7.3. The appellant has submitted a report from a Chartered Consulting Engineer with his appeal, containing calculations, infiltration test results and design details for a 6.0m x 2.0m x 1.45m soakage trench in the position indicated on the Site Layout Plan submitted with the planning application.
- 7.7.4. Having reviewed the information submitted with the appeal, I do not consider that the proposed development would be contrary to Policy WS10 of the Development Plan, and I do not consider that planning permission should be refused on this basis. If the Board is minded to grant permission, I recommend that a condition be included requiring surface water drainage details to be submitted to and agreed in writing with the planning authority, prior to commencement of development.
- 7.7.5. Finally, with regard to foul effluent, I note that the applicant has stated that the structure is intended to store farm machinery and grain. Since there is no provision for the capture and storage of manure or wastewater, I also recommend that if the



Board is minded to grant permission, a condition should be included restricting the use of the structure for the housing of animals.

## **7.8. Appropriate Assessment**

- 7.8.1. Having regard to the nature and scale of the proposed development, which relates to a modestly scaled agricultural storage building which is not within or immediately adjacent to any Natura 2000 sites, I am satisfied that no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **7.9. Environmental Impact Assessment**

- 7.9.1. Having regard to the nature and scale of the proposed development, the nature of the receiving environment and proximity to the nearest sensitive locations, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **8.0 Recommendation**

- 8.1. I recommend that planning permission should be refused for the reasons set out below.

## **9.0 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 interests 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, 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.

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.

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Niall Haverty  
Planning Inspector

3<sup>rd</sup> October 2018