

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Meath County

Planning Register Reference Number: NA/151135

An Bord Pleanála Reference Number: PL 17.246375

APPEAL by Ellen Canaparro of 16 The Grove, Sadlier Hall, Dunboyne, County Meath against the decision made on the 4th day of March, 2016 by Meath County Council to grant subject to conditions a permission to Emo Oil Limited trading as GreatGas care of Safety Engineering and Environmental Consultants Limited of 15b The Square, Skerries, County Dublin.

PROPOSED DEVELOPMENT: Development consisting of the following: (1) two number four hose petrol pumps under a canopy dispensing petrol and diesel on each side of the pump, (2) two number underground storage tanks, each 40,000 litres, one storing petrol and the other diesel, (3) all the associated fuel pipework between the pumps and underground tanks and fill points and vents, (4) concrete slab surfacing and associated drainage. The drainage from the area round the forecourt and delivery points will be discharged into a 10,000 litre petrol interceptor prior to discharge to the proposed drainage system, (5) two electrical cabinets, (6) advertising signage along the edge of the canopy and a standalone six-metre high advertising monolith adjacent to the entrance to the shopping centre at Blackwater Retail Park, Kells Road, Navan, County Meath, as amended by the further public notice received by the planning authority on the 19th day of February, 2016.

DECISION

REFUSE permission for the above proposed development based on 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. Having regard to the location of the proposed development in the centre of a car park, with no provision for the queuing of cars, and in close proximity to an internal roundabout, the Board is not satisfied that the proposed development would not result in traffic congestion and obstruction of circulation aisles, and of the roundabout, which would in turn result in a risk of congestion of traffic entering and exiting the car park through the roundabout. In the absence of provision for queuing, and an analysis to demonstrate the free flow of traffic, the Board is not satisfied that the proposed development would not result in traffic congestion that would spill onto the public road network and interfere with the safety and free flow of traffic on the public road. The proposed development would, therefore, contravene the requirements of Section 11.10.1 of the Meath County Development Plan 2013 – 2019 in relation to the layout of petrol service stations, would endanger public safety by reason of traffic hazard and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development would be located in a car park that serves a retail warehouse park, where the sale of bulky goods necessitates reliance on car transport. Having regard to the scale of development permitted under planning authority register reference number NA40242 and the extent of car parking provided to serve it, and to the further grants of permission for development at this location, which both increased car parking demand and reduced the car park spaces available, the Board is not satisfied that it has been adequately demonstrated that the generation of additional traffic and the further reduction in car park spaces would not compromise the available car parking, at a location where the overall development is heavily dependent on such car parking, and result in traffic congestion that would spill onto the public road network. Therefore, the Board is not satisfied that the proposed development would not constitute haphazard and disorderly development, or would not interfere with the safety and free flow of traffic on the public road.

3. Having regard to the close proximity of nearby dwellings, and in particular to the 24-hour nature of the proposed development and associated noise and general disturbance during night-time hours, the Board is not satisfied that the proposed development would not seriously injure the residential amenity of nearby property. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that a number of concerns arise in relation to the proposed development that have not been adequately addressed on file. These include the adequacy of car parking to serve the overall development in light of its planning history, the potential for serious traffic congestion arising from the obstruction of traffic routes at this central location within the car park and the absence of provision for queuing, and the potential for the 24-hour operation to have significant effects on the residential amenity of houses in close proximity, arising from noise and general disturbance at night-time. In the absence of demonstrating that these concerns have been fully addressed, the Board considered that permission should be refused in this instance.

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

Dated this day of 2016.