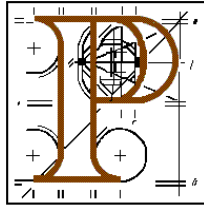


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Louth County

Planning Register Reference Number: 15/721

An Bord Pleanála Reference Number: PL 15.246457

APPEAL by Transport Infrastructure Ireland of Parkgate Business Centre, Parkgate Street, Dublin against the decision made on the 24th day of March, 2016 by Louth County Council to grant subject to conditions a permission to Moffett Property Management Ardee Limited care of John Spain Associates of 50 Upper Mount Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Amendments to the permitted development planning register reference number 09/509 relating to a light industrial/business park development on lands at Cappocksgreen, Ardee, County Louth, bounded by the N33 to the south, the River Dee to the east, and agricultural lands to the north and west. The development will be accessed via an existing spur road from the roundabout on the N33. The proposed amendments comprise of the following: change of use (526 square metres gross) of part of permitted unit 11 from restaurant use to light industrial/warehouse use and minor amendments to the elevations of permitted unit 11, omission of the permitted light industrial/warehouse units 6, 7 and 8 and associated car parking to the south-west corner of the overall site and their replacement with a petrol filling station with a total gross floor area of circa 557 square metres, comprising of a single storey building accommodating an ancillary shop area (49.9 square metres gross), café/restaurant area (450 square metres gross) and associated and ancillary uses and circulation, 34 number car parking spaces, forecourt area and canopy, drive-thru car wash, bicycle parking, hard and soft landscaping including a landscaped outdoor seating area, HGV filling area with associated canopy and HGV parking area, proposed signage comprising of two number signs on the petrol filling station canopy, two number signs on the truck filling area canopy, one number totem sign, four number signs on the petrol filling station building, two number signs on the car wash, all signage is proposed to be illuminated, provision of a single storey security kiosk to the east side of

the existing access road and all associated and ancillary works, including hard and soft landscaping and lighting. The proposed amendments relate to a site of 2.22 hectares contained within the overall 19.8 hectare site subject to planning register reference number 09/509.

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

Based on the information submitted with the application and appeal, the Board is not satisfied that the proposed change of use from industrial units to filling station would not result in additional turning movements onto and off the N33, a strategic national primary route, which would impact on priority for strategic through traffic on the national road in contravention of the Spatial Planning and National Roads – Guidelines for Planning Authorities and of Section 7.3.3 of the Louth County Development Plan 2015-2021 which seeks to safeguard the “capacity and safety” of national roads. The proposed development would, therefore, be contrary to the said guidelines and be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2016.