

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Meath County

Planning Register Reference Number: RA/60148

An Bord Pleanála Reference Number: PL 17.246554

APPEAL by Topaz Energy Limited care of Coakley O'Neill of NSC Campus, Mahon, Cork and by Derek and Bernadette Gray care of Conor Sheehan of Law Library, Four Courts, Dublin against the decision made on the 8th day of April, 2016 by Meath County Council to grant subject to conditions a permission to Applegreen Service Areas Limited care of Declan Brassil and Company Limited of Lincoln House, Phoenix Street, Smithfield, Dublin.

PROPOSED DEVELOPMENT: Construction of an off-line motorway service area (MSA) comprising the creation of a new vehicular entrance to the site from the R125; provision of a four number pump island car/van forecourt with canopy over (maximum height of circa 5.8 metres) and a one number pump island HGV forecourt with canopy over (maximum height of circa 6.3 metres) together with underground fuel storage tanks and ancillary pipe works; an amenity building (1,400 square metres total gross floor area) with mezzanine level (maximum height of building circa 8.4 metres) and including a convenience store with off-licence (total 100 square metres net sales area), four number food offer cafés/restaurants (including one number restaurant with drive-thru facility) with communal seating area; w.c. facilities; ancillary food preparation, storage, management office areas; external picnic and play areas; parking for 158 number cars, 14 number HGV's, seven number coaches; three number illuminated totem signs (two of which are circa 14 metres and one circa 20 metres in height); signage on the services building and canopy (illuminated and non-illuminated); raising of the central portion of the site by approximately 0.75 to 1.5 metres and grading to existing site levels; culverting of approximately 184 metres of a tributary of the Skane River; and all other ancillary site development, landscaping, lighting, and boundary works at Knocks, Dunshaughlin, County Meath.

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. The proposed development is located in an unzoned rural area adjoining the motorway road network close to a major junction (junction 6) off the M3 which has not been identified in the 'Meath County Development Plan 2013-2019', as varied, or the 'NRA Service Area Policy' issued by the National Roads Authority in August 2014, as a suitable location for an off-line motorway service area. Transport Infrastructure Ireland (TII) have stated their intention to lead the delivery of an on-line service area on the M3, between Junction 4 and Junction 7, as an integral part of the motorway road network. National policy outlined in the 'Spatial Planning and National Roads Guidelines for Planning Authorities' issued by the Department of the Environment, Community and Local Government in January 2012 advocate a planned approach for the provision of off-line motorway service areas and the involvement of TII in the preparing of development plans to ensure a co-ordinated approach. TRAN OBJ 20 as set out in the Meath County Development Plan 2013-2019 requires having regard to NRA (now TII) Policy statements on service areas on motorways and high quality dual carriageways, in the assessment of proposals for such development. Accordingly, it is considered that the proposed development would be contrary to the policy and objectives of the development plan and the Ministerial Guidelines which issued to planning authorities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. Unlike the same facilities provided through a Type 1 on-line motorway service area model, the current proposal as an off-line model, on a site located outside the settlement boundary of Dunshaughlin on unzoned

lands, would have strong potential to directly divert trade away from the town due to the scale and level of services proposed on the site and the ease of accessibility of the area by car. In turn, this would lie contrary to the 'Spatial Planning and National Roads Guidelines for Planning Authorities' issued by the Department of the Environment, Community and Local Government in January 2012 which seek to avoid the attraction of short, local trips or to permit a service area becoming a destination for local customers. This pattern of development would compromise the vitality and viability of the established and future plan led similar services on appropriately zoned lands within the Dunshaughlin Local Area Plan boundary, leading to disorderly unplanned retail and services development with unsustainable travel modes. The proposed development would, therefore, 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.