



An
Bord
Pleanála

Board Order

PL 15.247465

Planning and Development Acts 2000 to 2016

Planning Authority: Louth County Council

Planning Register Reference Number: 16/559

Appeal by Petrogas Group Limited care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare and by John Malone care of Stephen Ward Town Planning and Developments Consultants Limited of Jocelyn House, Jocelyn Street, Dundalk, County Louth against the decision made on the 29th day of September, 2016 by Louth County Council to grant subject to conditions a permission to Maxol Limited care of RPS of Elmwood House, 74 Boucher Road, Belfast, Northern Ireland.

Proposed Development: Redevelopment of existing commercial site incorporating alterations to existing car showroom, workshop and ancillary office; construction of new Petrol Filling Station and ancillary services including local shop, café and hot food/deli counters, and children's play area and the development of forecourt areas with associated canopies, drive-thru car wash, modified site access arrangements and associated road improvements, parking, revisions to existing retaining wall, underground storage tanks, bunkering facilities, chemical/Eslan disposal point, signage, lighting columns, fencing, new drainage infrastructure and landscaping on lands at the junction of the N2 and the R171 Tallanstown Road, The Glebe, Ardee, County Louth.

Decision

REFUSE permission for the above proposed development in accordance with 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 Board is not satisfied, on the basis of the information submitted, that the concerns arising relating to the amount of wastewater generated by the proposed development and the availability or otherwise of capacity to treat same at the existing Ardee wastewater treatment facilities have been satisfactorily resolved. Furthermore, the Board cannot therefore be satisfied that the proposed development would not give rise to significant effects on Natura sites in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The Board considered that the design of the site layout and associated traffic circulation proposals together with inadequate sightlines at the point of exit from the site given the existing speed limit at this point would lead to conflicting movements of pedestrians and heavy good vehicles which would endanger public safety by reason of traffic hazard.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the above matters were of such consequence that they were not amenable to being satisfactorily resolved by way of condition and that a refusal of permission was warranted.

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

Dated this day of 2017