

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Westmeath County

Planning Register Reference Number: 16/6215

An Bord Pleanála Reference Number: PL 25M.247579

APPEAL by PFK Investments Limited care of David Mulcahy Planning Consultants Limited of 67 the Old, Mill Race, Athgarvan, Kildare against the decision made on the 20th day of October, 2016 by Westmeath County Council to refuse a permission.

PROPOSED DEVELOPMENT: (1) The construction of restaurant extension (146 square metres) to existing service station retail building, (2) ancillary site works to include the relocation of existing offset fill point, existing overground storage tank, existing service area and existing fuel dispenser unit, the installation of 1 number new overground storage tank, car park alterations, landscaping and all associated drainage works, (3) installation of associated building signage, all at Robinstown Service Station, Robinstown, 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 site is located on the edge of the town location for which the zoning objective O-LZ3, as set out in the Mullingar Local Area Plan 2014-2020, is 'to provide for enterprise, employment and related uses.' Given the nature and scale of the development proposed which would include a fast food restaurant and the layout of the building which has the characteristics of a takeaway element, the Board is not satisfied that the development would not function as a destination in its own right particularly given its proximity to the town, its accessibility by private motor vehicle and the food choice proposed. Accordingly, the development would directly conflict the stated policy on takeaway establishments as set out under Section 9.16.7 of the Mullingar Local Area Plan, where these are generally required to be located in the core retail area. The development would also result in an undesirable and haphazard intensification of use at this edge-of-town location and would be contrary to the policies and objectives of the planning authority which seek to consolidate and realise Mullingar's regional role. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the nature and scale of the development proposed, relative to the established business at this location, it is considered that the proposed development would intensify traffic at this location, generating additional traffic turning movements onto the R394 regional road at a point where it has not been demonstrated that it is safe to do so. Based on the submissions made in connection with the planning application and the appeal, the Board is not satisfied that the capability of the road network to accommodate the proposed development has been resolved and that the development would not interfere with the safety and free flow of traffic on the public road and would not endanger public safety by reason of a traffic hazard. The proposed development would, therefore, endanger public safety by reason of traffic hazard and be contrary to the proper planning and sustainable development of the area.
3. The proposed development would be premature pending the availability of a public sewer to serve the proposed development and to facilitate the orderly expansion of Mullingar. It is considered the

proposal to convey the effluent along a new gravity sewer 800 metre to connect with the existing public sewer would be unsustainable. The proposed development would, therefore, be prejudicial to public health 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 2017.