



Planning and Development Acts 2000 to 2017

Planning Authority: Meath County Council

Planning Register Reference Number: RA/170201

Appeal by Topaz Energy Limited care of Coakley O'Neill Town Planning Limited of NSC Campus, Mahon, Cork against the decision made on the 21st day of April, 2017 by Meath County Council to refuse permission for the proposed development.

Proposed Development: Construction of an off line motorway services area comprising (1) an amenity building of 666.82 square metres gross floor area and including a convenience shop (100 square metres net retail area), (2) a food court with three number food offerings, seating areas, ancillary storage, toilets, food preparation, staff and service areas, (3) a forecourt area comprising a canopy with an illuminated fascia and five number fuel pump islands, car servicing area, a three number pump island HCV refuelling area with canopy over, three number 40,000 and two number 60,000 litres underground fuel storage tanks with associated pipework and overground fill points, electric car charging points, a car wash facility and an external play/picnic area, (4) parking for 105 number cars (including five number disabled parking spaces), 12 number HCV parking areas with dedicated ADR parking area, five number coach parking spaces and six number bicycle stands, (5) the development also consists of the closure of existing access and the recreation of a revised access off the R147, corporate signage throughout the site, an ESB substation and switch room, wastewater treatment plant and pumping station, drainage works including rainwater harvesting, attenuation and all associated boundary treatments, landscaping and site development works at Pace, Dunboyne, County Meath.

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 proposed development is located on unzoned lands adjoining the motorway road network close to a major junction (junction 5) off the M3 which has not been identified in the 'Meath County Development Plan 2013-2019' or the 'National Road Authority Service Area Policy' (August 2014) as a suitable location for an off-line motorway service area. Transport Infrastructure Ireland (TII) are advancing 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. A preferred site has been identified circa 6 kilometres north of the appeal site and the on-line proposal is advancing to preliminary design stage. 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 plan-led approach for the provision of off-line motorway service areas and the involvement of Transport Infrastructure Ireland in the preparing of development plans to ensure a co-ordinated approach. It is an objective of the Meath County Development Plan 2013-2019, to have regard to National Road Authority (now Transport Infrastructure Ireland) Policy statements on service areas on motorways and high quality dual carriageways, in the assessment of

proposals for such development (TRAN OBJ 20). 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. Notwithstanding the documentation submitted with the planning application and appeal, the Board is not satisfied that the proposed new access onto a subsidiary roundabout at M3 Junction 5 would not compromise the future essential upgrade of this junction and contravene TRAN OBJ 17 of the Development Plan and that the applicant has not demonstrated that the proposed development would not create an adverse impact on the operation and safety of the adjoining heavily trafficked road network and the operating capacity of the roundabout. The proposed development would, therefore, be at variance with official policy which seeks to protect the safety, capacity and efficiency of national roads and associated junctions as outlined in the Spatial Planning and National Roads Guidelines for Planning Authorities, 2012 and associated Policy TRAN POL 28 and TRAN SP 15 of the Meath County Development Plan 2013-2019, as varied. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. 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 connected by the road network with Dunboyne, Clonee and Rathoath, would have strong potential to divert trade away from town and village centres due to the level of services proposed on the site and the ease of accessibility by car. The proposed development would be contrary to Policy ED POL 24 and Policy ED POL 26 of the Meath County Development Plan 2013-2019, which seeks to support the development of Core Retail Areas as identified within the County Retail Strategy and the vitality and vibrancy of existing designated centres. In turn, this would be 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

