



Planning and Development Acts 2000 to 2018

Planning Authority: Louth County Council

Planning Register Reference Number: 17885

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 Development Consultants Limited of Jocelyn House, Jocelyn Street, Dundalk, County Louth against the decision made on the 31st day of January, 2018 by Louth County Council to grant subject to conditions a permission to Maxol Limited care of RPS Planning and Environment of Elmwood House, 74 Boucher Road, Belfast, Northern Ireland.

Proposed Development Permission for the 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, off-licence and children's play area; and the development of forecourt areas with associated single canopy, drive-thru car wash, modified site access arrangements (relocation of existing access and creation of two number new access points) and associated road improvements, parking, revisions to existing retaining wall, underground storage tanks, bunkering facilities, signage, lighting columns, fencing, new drainage infrastructure and landscaping, all 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 site of the proposed development is located at a significant junction linking the N2 and N33 national roads and the R171 regional road (Carrickmacross Road Roundabout). This junction forms an integral part of the national road network. The Board is not satisfied, on the basis of the information submitted with the application and appeal, that the proposed development, by reason of its scale, range of uses and functions:
 - (a) would not give rise to a significant intensification of use of this major junction, generating significantly increased multiple vehicular turning movements onto the busy national routes at this junction and accordingly interfere with the safety and free flow of traffic on the public road, thus endangering public safety by reason of traffic hazard; and
 - (b) would not militate against the preservation of the level of service and carrying capacity of the national road infrastructure at this

location, contrary to the provisions of the “Spatial Planning and National Roads Guidelines for Planning Authorities” issued by the Department of the Environment, Community and Local Government in January, 2012.

The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development is remote from the commercial core of the town of Ardee. It would fail to deliver any synergies with the established town centre activities in Ardee and would conflict with Policy ACT1 of the Ardee Local Area Plan 2010-2016, which seeks “to preserve and strengthen the town centre as the main focus for retail and commercial development to serve the needs of the town’s people and wider rural hinterlands” and with Policy EDE 33 of the Louth County Development Plan 2015-2021 which seeks “to promote a healthy competitive retail environment within County Louth and to maintain the vitality and viability of the town and village centres and their role as primary retail core areas”. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

3. The site is located alongside the heavily-trafficked N2 National Primary Road. It is proposed to construct an internal roadway along the

western site boundary proximate to the N2. The Board is not satisfied, on the basis of the submitted information, that traffic on the internal roadway would not interfere with the safety and free flow of traffic on the N2 due to glare and confusion arising from contraflow traffic movements in close proximity to this road. Furthermore, the proposed internal circulation layout would lead to conflicting movements between pedestrians and vehicles within the forecourt area. The proposed development would, therefore, endanger public safety by reason of traffic hazard, and would be contrary to the proper planning and sustainable development of the area.

Philip Jones

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

Dated this day of 2019.