



Planning and Development Acts 2000 to 2018

Planning Authority: Wexford County Council

Planning Register Reference Number: 20180604

APPEAL by Petrogas Group Limited care of Cunnane Stratton Reynolds of Copley Hall, Cotters Street, Cork against the decision made on the 2nd day of July, 2018 by Wexford County Council to refuse permission to the said Petrogas Group Limited.

Proposed Development Petrol filling station to include the provision of four number pump islands with canopy over, one number pump island for HGVs (with canopy over), offset fills area, underground fuel storage tanks, shop building of 600 square metres (including shop/retail sales area, ancillary off-licence, food offers, ancillary service areas and drive-thru), seating, external play area, car, HGV and coach parking, bicycle spaces, car wash, signage, landscaping and all associated development works including access, all at Ballymacar, New Ross, County Wexford.

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. It is considered that the proposed development would endanger public safety by reason of traffic hazard because the site accesses onto a local road which in turn accesses onto a national primary route where the speed limit of 100 km/h applies and the traffic turning movements generated by the development would interfere with the safety and free-flow of traffic on the public road. The proposed development would also contravene the objectives of the planning authority (which are considered reasonable), as set out in Section 8.6.1 of the Wexford County Development Plan 2013 – 2019, to preserve the level of service and carrying capacity of the National Primary Road and to protect the public investment in the road. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development 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 address Service Areas and in particular Roadside Service Facilities at Non-Motorway National Roads and Junctions and states that “a proliferation of service area facilities along rural sections of national roads and/or associated junctions, where the maximum speed limit applies, would create significant safety risks and affect the level of service available to road users, as well as impact on the viability and vitality of existing urban settlements”. The Guidelines advise that sufficient roadside facilities exist on the non-motorway national road network which passes through a significant number of urban towns and villages where such facilities can be provided for in a sustainable manner. It is considered that, by reason of the scale, range of uses and location at a remove from the settlement, the proposed development would have an adverse impact on the viability and vitality of New Ross and would, therefore, be contrary to the Ministerial Guidelines and contrary to the proper planning and sustainable development of the area.

Terry Ó Niadh

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

Dated this day of 2019.