



An
Bord
Pleanála

Inspector's Report

PL 17.246554

DEVELOPMENT:	Off-line motorway service station, Knocks, Dunshaughlin, Co. Meath.
Planning Authority:	Meath County Council
Planning Authority Reg. No:	RA160148
Applicant:	Applegreen Service Area Limited
Application Type:	Permission
Planning Authority Decision:	Grant Permission
Appellant:	Topaz Energy Limited, Derek and Bernadette Gray and Pat McDonagh.
Type of Appeal:	Third Parties –v- Grant
Observers:	Maxol Ltd.
Date of Site Inspection:	25 July 2016
INSPECTOR:	Patricia Calleary

1.0 INTRODUCTION

PL 17.246554 relates to 3 no. third party appeals against the decision of Meath County Council to issue a notification to **grant permission** to Applegreen Service Area Ltd. for a new off-line motorway service station (MSA), off Junction 6 on the M3 motorway at Knocks, Dunshaughlin, Co. Meath.

The development would broadly comprise of a 4 no. pump island car/van forecourt, 1 no. pump island HGV forecourt, underground fuel storage tanks, a convenience store with off-licence (total 100sqm net sales area), 4 no. food offer cafés/restaurants (including 1 with drive thru facility), ancillary space, external picnic and play areas, parking and signage. A new vehicular entrance from the R125 is proposed to serve the development, located just off the interchange with the M3. Site development works would include adjustment to site levels and the culverting of approximately 184m of a drainage ditch which currently traverses the site.

2.0 SITE LOCATION AND DESCRIPTION

The appeal site with a stated area of 4.14 hectares, is located in a townland known as 'Knocks', c. 450m west of Dunshaughlin and lies on the eastern side of Junction 6 on the M3 Motorway. It fronts onto and is accessed off the adjoining R125 which links Dunshaughlin and the M3 motorway. The site is generally flat and lies well below the level of the surrounding roads and roundabouts. It is currently occupied by agricultural lands. There is a drainage ditch which traverses the site in an east west orientation and it flows in a westerly direction to connect with the River Skane, which itself is a tributary of the River Boyne. The site is bounded to the north by agricultural lands, to the east and south by the R125 to the west by a slip road off the M3 motorway interchange. Hedgerows and wooden fencing are located along the boundaries.

There is an existing 525mm diameter foul sewer traversing the northern part of the site, laid in an east-west orientation, which serves the adjoining town (Dunshaughlin). The closest dwelling houses are located c. 360m east of the site within the College Park/Manor Court housing development in Dunshaughlin. There is an existing individual house located c.500m to the north of the site boundary.

3.0 PROPOSED DEVELOPMENT

The proposed development is detailed in the public notice as follows:

The development will consist of an off-line Motorway Service Area (MSA) comprising the creation of a new vehicular entrance to the site from the R125; provision of a 4 no. pump island car/van forecourt with canopy over (maximum height of c.5.8m) and a 1 no. pump island HGV forecourt with canopy over (maximum height of c.6.3m) together with underground fuel storage tanks and ancillary pipe works; an amenity building (1,400sqm total gross floor area) with mezzanine level (maximum height of building c.8.4m) and including a convenience store with off-licence (total 100sqm net sales area), 4 no. food offer cafes/restaurants (including 1 no. restaurant with drive thru facility) with communal seating area; w.c. facilities; ancillary food preparation, storage, management office areas; external picnic and play areas; parking for 158 no. cars, 14 no. HGV's, 7 no. coaches; 3 no. illuminated totem signs (two of which are c.14m and one c.20m in height); signage on the services building and canopy (illuminated and non-illuminated); raising of the central portion of the site by approximately 0.75 to 1.5m and grading to existing site levels; culverting of approximately 184m of a tributary of the Skane River; and all other ancillary site development, landscaping, lighting and boundary works.

The development would connect to the existing foul sewer. Surface water would be collected and attenuated prior to discharge to the proposed piped surface water stream.

The planning application is accompanied by a planning report, Initial flood risk assessment, construction management plan, transport assessment report, engineering services design report, an archaeological assessment and an Appropriate Assessment screening report.

4.0 PLANNING HISTORY

4.1 Appeal Site or Vicinity

There are no records of any planning history pertaining to the specific appeal site. Neither are there any applications of a similar nature on or proximate to the site.

4.2 Other

A third party makes reference to an appeal for an off-line Motorway Service station outside of Urlingford, Co.Kilkenny (PL10.242806) which was refused by the board.

The first party makes reference to other appeals including: PL01.244762 which relates to an application for the provision of an off-line service area proximate to the M9 in Rathcrogue to the south of Carlow town. PL11.240927 relates to an off-line service area located off the M8 in Ballacolla, County Laois.

5.0 PLANNING AUTHORITY DECISION

5.1 Planning officer's assessment

The following provides a summary of the planning officer's assessment report on file.

- NRA Service Area Policy notes that a Type 1 on-line service area is proposed for the M3 between Junction 4 and 7. Notes current proposal is an off-line Type 1 service area at the identified location which is a logical alternative and achieves the stated aims for road users;
- Meath County Development Plan 2013-2019- Section 6.10.5 deals with development at motorway junctions; TRAN OBJ 20 seeks to have regard to NRA Policy on service areas on motorways. Considers it complies with ED POL 18 of the CDP (criteria for assessment of business enterprise in rural areas);
- 3 no. third party submissions received and the contents were taken into account in the consideration of the application;
- Net convenience retail floorspace is at the threshold of 100 sq.m.
- Would serve inter-urban motorists who use the motorway and would not be contrary to retail policy and would not detract from the vitality and viability of Dunshaughlin town centre;
- Has capacity to accommodate development particularly with effective screening;
- 105m sight distance in each direction from proposed entrance which is considered adequate;
- Watermain: Report from Irish Water requires alternative connection than what applicant proposed – this can be conditioned;
- Wastewater: Report from Irish Water raises concerns regarding proximity of works on existing trunk sewer. Requirements can be addressed by way of condition;
- Surface water proposed to discharge to a number of attenuation tanks, thereafter discharging to a new piped storm sewer within the site;
- Proposes to divert existing stream within the site around the proposed service area;
- Archaeological monitoring was recommended in the archaeological assessment submitted;
- Contents of AA Screening report noted – No significant effects on the Natura 2000 network;

- Contents of Flood Risk Assessment noted- Flood risk not considered an issue by the Flooding Section of Meath Co Council.

A recommendation to **grant permission** was put forward.

5.2 Submissions

The Planning Authority received 3 no. third party submissions. Two of those received (from Pat McDonagh and Topaz Energy Ltd.) state their desire to be kept informed on the decision on the planning application. The third submission was received from Derek & Bernadette Gray who state that their house entrance is located off the Roestown/Readsland roundabout on the R125.

The main planning issues raised include the following:

- Safety issues raised about the design of the existing roundabout which doesn't comply with DMRB.
- Inadequate sight distance at an 80kph speed limit, less than the required 150m.
- Would endanger public safety by virtue of a traffic hazard.

An engineering report entitled 'Safety Review of Roundabout', Dunshaughlin, Co. Meath is enclosed with the submission.

5.3 Interdepartmental reports

- Road Design: No objection, Recommends conditions;
- Chief Fire Officer: No objection, Recommends conditions;
- Flooding Section: No objection;
- Environment Section: No objection, Recommends conditions;
- Water Services: Recommends further information be sought;
- Heritage Officer: No response on file;
- Public Lighting: No objection; Recommends conditions.

5.4 Prescribed Bodies

- An Taisce: Application requires justification for the suitability of location;
- Irish Water: Recommends seeking further information;
- OPW: No response on file;
- DAU of DAHG: No objection; Recommends archaeological condition.
- **TII**: refers to Section 2.8 of the DECLG spatial planning and National Road Guidelines which requires a forward planning approach. Authority consider that such an approach may not have been taken in respect of the proposed development. TII are proposing a Type 1 on-line service area between Junction 4 and 7 of the M3. Considers the proposal is also at variance with official policy in relation to control of

frontage development on/affecting national roads. Raises issues with traffic impact, road safety, signage and drainage.

5.5 Planning Authority Decision

The Planning Authority issued a decision to **grant permission** subject to 16 conditions, the following of note:

Condition No.2 – Comprehensive details of proposed public lighting;
Condition No.4 – Details of directional signage to be submitted;
Condition No.5 – Noise limits;
Condition No.9 – Storage of inflammable substances, storage tanks specification and bunding;
Condition No.12 – Archaeological appraisal of the site (including monitoring);
Condition No.13 – Irish Water requirement (Watermain connection);
Condition No.15 – Irish Water requirement (protection of wayleave).

6.0 GROUNDS OF APPEAL

6.1 Third Party Appeals

Three third party appeals were received by the Board from the following parties:

- **Topaz Energy Ltd.** c/o Coakley O'Neill Town Planning. Attachments include: an engineering report focussing on internal layout prepared by McArdle Doyle consultants, appraisal of transportation Assessment and road safety aspects by NRB Consulting engineers;
- **Derek & Bernadette Gray** c/o Conor Sheehan. Attachments include a transport report prepared by Transport Insights consultants which also included a safety review of the roundabout as prepared by Duffy Consulting engineers (DCE) was attached;
- **Pat McDonagh** c/o Sean Lucy & associates.

The collective grounds of the appeals are summarised under as follows:

- Proposal is contrary to national, regional and local applicable planning policy;
- Proposal would undermine the 2014 NRA Service Area Policy document in respect of their intention to deliver an 'online' MSA between Junctions 4 & 7 on the M3;
- Off-line service areas should be plan led. Meath County Council had opportunity to strategically provide for MSAs through the variation of the plans but didn't do so;

- Specific concerns raised regarding traffic safety around third party appellants home which is located off the R125/Drumree road;
- Applicant has failed to adequately address technical matters including parking, traffic manoeuvring, picnic area, caravan parking, site gradients, garda enforcement, pedestrian access, construction management plan;
- No detail provided regarding fuel storage tanks;
- Impact on traffic movements; Inadequate traffic assessment and road safety concerns, no road safety audit provided and no analysis of the traffic impact on the local road network was furnished;
- No analysis provided of the roundabouts within the vicinity of the site;
- Failed to model existing road junctions; road safety concerns highlighted on an accompanying drawing;
- Insufficient weight given to TII submission who consider the development is at variance with national policy;
- Parking arrangements pose conflicts between parked vehicles and moving traffic;
- No provision for pedestrian or cyclist access to the site from adjacent public roads or pedestrian crossing along the R125;
- Due to large scale and its location proximate to Dunshaughlin, it would draw retail trade away from the town and hence undermine the vibrancy and vitality of Dunshaughlin;
- Concerns re: area shown as 'future expansion of MSA facility';
- Design not compliant with the Dangerous Substances Act 1979 in terms of tanker off-loading which would pose a danger to coach property and passengers;
- Site gradients at 5%-6% for pavements are excessively steeper than 2% recommended;
- Irish Water require no development to take place within 15m of their existing sewer. Requirement not satisfied;
- Surface water collection and disposal not adequate;
- AA screening and Construction Management Plan are deficient with inappropriate conclusions;

7.0 APPEAL RESPONSES

7.1 First Party Response

A response to the third party appeals was provided by Declan Brassil & Co Ltd. on behalf of the applicant. The response was supported by an engineering response by MPA Associates which included a number of attachments as follows: Site layout drawings, a revised transport

assessment report, a revised construction management plan, a hydrological risk assessment and an engineering services design report. At the outset the response states that NRA policy requires a Type 1 service area between Junction 4 and 7 on the M3. A justification is provided as to why the off-line MSA was chosen at Junction 6.

The main points in the response to the specific appeal grounds are summarised under as follows:

- Role and function of the MSA is to provide relief, rest and refreshment for long haul motorists on inter urban trips and experience and evidence has shown that there would be little impact on existing neighbourhood facilities;
- Following rigorous site selection process, site location selected is appropriate and is consistent with NRA/TII service area policy;
- Traffic, transport and road safety issues are addressed through submitted reports;
- MSA and petrol stations are different developments and have entirely different operational requirements;
- Site is low level and will be screened, external lighting will be kept to a minimum;
- Signage will be submitted through a separate application process to TII;
- Retail development is 100 sq.m which is consistent with Section 11 of Meath County Development Plan (petrol stations) and Section 2.4.3 of the Retail Planning Guidelines;
- Neighbourhood centre which was refused by the board under PL17.236886 was outside of Dunshaughlin and is materially different as it included (among others) a supermarket and 6 retail units;
- Service station referenced in Urlingford, Co.Kilkenny (PL10.242806) which was refused by the Board was sited <500m from the town centre. (Extract map provided on P.14 of applicant's appeal response). Access to the development from Dunshaughlin town centre would involve a 4km round trip;
- Expansion area shown on the site layout plan is to facilitate compliance with NRA/TII service policy (to allow for evolving needs of road users);
- Would not result in a proliferation of 'off-line' facilities at national road junctions, makes reference to PL01.244762 where a distance of 19km was not considered to be an issue by the Board;
- Tara Skryne landscape area (a candidate UNESCO Conservation area) arises for the full length of the Motorway between Junction 6

and 7, hence would lead to a constraint for development of an MSA between these two junctions.

- On-line site would require a land take in the order of 2-3 times an off-line facility; Location for petrol stations and off-line facilities are materially different;
- Site is low lying and development is designed so as not to cause significant impact on future residential development to its east;
- Assessment provided in relation to local purchases at MSA facilities; Services proposed to be provided are adequately catered for within the town centre and planned future development;
- Applicant is prepared to facilitate or finance provision of necessary connections to existing footpaths primarily to serve access for employees (c.220);
- Travel distance to Manor court is c.2.24km by car and to Dunshaughlin town centre is 2km;
- Based on experience around the country, less than 5% of turn in traffic is local based;
- Appropriate assessment screening was prepared in accordance with best practice and has assessed the impacts of both the construction and operation phases of the development; Planning Authority were satisfied with the conclusions of the screening report;
- 5m wayleave is sufficient for future access to mains for maintenance and it is common practice to have private and public roads constructed over wayleaves; However, 15m wayleave can be provided (amended drawing enclosed);
- Revised stormwater proposal submitted;
- Revised CMP submitted;

7.2 Planning Authority Response

- Site is located on unzoned lands outside of the development envelope of Dunshaughlin. The PA is satisfied that the proposal aligns with national policy to provide a service area of this type and the fact that it is an 'off-line' rather than an 'on-line' does not diminish its locational requirement;
- Convenience retail is below the 100 sq.m threshold;
- Nature of scheme is to serve inter-urban motorists using the motorway rather than draw from Dunshaughlin town centre;
- Located in Landscape Character Area 11 'South-East Lowlands'. The CDP states that the area has medium capacity to accommodate new development;
- Sufficient car parking including HGVs and coaches;

7.3 Observations

An observation was received from Maxol Ltd. stating their objection to the development. The principal planning concerns and issues raised are outlined under as follows:

- Development is contrary to national planning policy for on-line service stations intended to be developed as a part of the national network; TII Policy have clearly stated their intention is to provide an **on-line** service station between junction 4 and 7 off the M3;
- Off-line service stations do not fulfil the role of on-line service areas; On-line service stations have public interest and the needs of the users of the national road network at its heart rather than private competitor driven off-line facilities;
- On-line service areas are part of the road network and within the remit of TII to deliver; TII have prepared direct guidance on the location and design of same;
- The development now proposed should be adjudicated as a petrol station and 4 restaurants, one which is a drive thru type restaurant in a rural area;
- Contrary to Meath development plan policy which requires that regard should be had to national planning guidance;
- Planning decision premature as did not account for concerns raised by prescribed bodies (An Taisce, TII, Irish Water); Further information was required but was not sought;
- Spatial planning and national road guidelines for Planning Authorities indicate that a proliferation of off-line service area facilities at national road junctions should be avoided;
- Meath county development plan has not made provision for off-line service stations in their development plan and have miss-used on-line service area policies to attempt to justify the provision of an off-line service area;
- Contrary to land-use planning intention and would set an undesirable precedent for further development of un-zoned unsuitable lands for such development;
- Contrary to development management guidelines and standards and out of character with the area;

7.4 Further Responses

7.4.1 Response by Third Parties to first party's appeal response and to the observation.

Further responses were received from Dermot & Bernadette Gray and Topaz, third parties to this appeal. The following points are put forward:

- Points out that the ecological response and Road Safety Audit referenced in the first party response to the third party appeals was not included in correspondence received;
- References new technical information and revisions made to the application; queries how an assessment can be made without input from statutory bodies and internal local authority departments;
- Cumulative area including future expansion zone as shown on the site layout plans should form part of the planning assessment;
- Retail health check presented by applicant is not complete and requires further assessment;
- County retail strategy notes that vacancy rate in Dunshaughlin is 21.8% and states that new retail should be directed into town centres;
- Considers that the development will draw custom from the town given its close proximity especially to existing residential development;
- Justification for the site is based on 'on-line' rather than the 'off-line' proposal and as such, comparisons are misleading;
- Revised drawings present a re-aligned sewer line but there is no agreement from Irish Water;
- Remains inconsistent with TII policy;
- A stage 2 Appropriate assessment was warranted;
- catchments.ie has identified a nearby 'at risk' water body leading to River Boyne;
- Traffic risks would be greater than those suggested by the applicant;

7.4.2 Response by Planning Authority to first party's appeal response and to the observation

- ED POL 18 identified the assessment criteria for business enterprise in rural areas;
- PA is satisfied that the location is justified and the off-line provision does not diminish the location requirements;
- Limited retail offer would result, hence development would not draw retail trade from nearby town centres;

- Site is located within Landscape Character Area ‘South-East Lowlands’ which has medium capacity to accommodate new development;
- Road design section express no objection to the development from a traffic or access perspective;

7.4.3 Response by first party on observation

- Considers matters raised were also raised by third parties and these matters were addressed in the applicant’s response.

7.5 Invited Parties

The Heritage Council and Inland Fisheries Ireland ERBD were requested to make submissions or observations on the appeal. No responses were received.

7.6 Board Request for Further Information

Following receipt of the first party’s response to the appeal by the board, it became apparent that some information intended to be attached may not have been, including a Road Safety Audit and correspondence from Openfield Ecologists. The Board requested these documents from the first party and they were received by the Board on 4th July 2016.

The correspondence from Openfield ecologists states that they are of the opinion that the revised CMP and hydrology report do not affect the conclusions of the AA screening report. The Road safety audit is presented as 2 reports, one for the proposed access to the off-line MSA and the R125 and the second which deals with the proposed internal layout of the off-line motorway service area. Both identify a number of problems and provides recommendations on how these can be addressed.

The information referred to above was circulated. Responses were received by the 2 third parties and the Planning Authority. A brief summary of the key planning issues are listed under.

7.7 Responses on further information received by the Board

7.7.1 Response by third parties to further information received.

- Road safety feedback form not signed or referred back to the Audit team
- Road safety Audit inadequate and incomplete
- Specific items listed which are considered were omitted in the RSA
- The Audit is inconsistent with national standards
- Evidence of relevant specific qualifications of each team member not provided;
- No evidence of a site visit having taken place;

- Queries audit scope;

7.7.2 Response by Planning Authority to further information received.

- Notes the content of the Road Safety Audit and reaffirms its position that the development is considered acceptable from a traffic perspective.
- On the basis of the separation distance to the Natura 2000 network, the PA is satisfied with the conclusion of the AA Screening report.

8.0 POLICY CONTEXT

8.1 European Policy

8.1.1 Regulation EU No. 1315/2013 of the European Parliament and the Council on union guidelines for the development of the trans-European transport Network.

This policy document sets out the basis to guide the provision of a unified core European transport network. In relation to road transport infrastructure it is stated that development of rest areas on motorways should be provided approximately every 50 kilometres on motorways.

8.2 National Policy

8.2.1 NRA Service Area Policy, NRA (2014)

This document sets out the policy basis to guide the provision of on-line motorway service areas to meet the needs of users of the national road network. It identifies 2 type of on-line service areas – Type 1 (full service area) and Type 2 (rest area). Type 1 service areas are targeted to be provided at 100km intervals along the motorways.

The Authority state their intention to provide on-line service areas at the locations identified on the existing dual carriageway network. It considers that off-line facilities are not precluded subject to normal planning approval but these are not considered as an alternative to the Authority's on-line service areas.

Section 5.1 makes it clear that on-line service areas are an integral part of the motorway road network and that *‘the Authority or local authorities will be*

responsible for scheme planning and development, for obtaining statutory approvals, and will own the service areas’.

Section 5.2 of the Policy document states that *‘Except for the statutory consultee role, the Authority has no role in determining how off-line development should be delivered’.*

A Type 1 service area is proposed to be located on the M3 between Junction 4 (Clonee) and Junction 7 (Blundelstown), shown on Fig. 3.1 - Service Area Needs (copy enclosed in the appendix to this report). It is stated that due to the complexity of location choice and the M3 PPP, the Authority in consultation with Meath County Council, will lead its development.

In relation to off-line service areas, Section 1.4, directs attention to the Spatial Planning and National Road Guidelines for Planning Authorities (DECLG 2012) and advocates for a forward planning approach and avoidance of a proliferation of off-line service area facilities at national road junctions.

The Policy states that the provision of off-line service areas would not be considered to be exceptional circumstances as included in section 2.6 of the Spatial Planning and National Roads Guidelines.

8.2.2 NRA Advice Note TA 70/14 - The Location and Layout of On-line Service Areas, June 2014.

The advice note provides guidance and general principles to be followed for the siting and layout of Type 1 and Type 2 on-line service areas on national roads.

8.2.3 Spatial Planning and National Roads Guidelines for Planning Authorities (2012).

In relation to the provision of Motorway service areas, section 2.8 provides that proposals for service areas on motorways may only be brought forward by local authorities/NRA (now TII) and, consequently, private developers may not independently provide on-line motorway service area facilities alongside such roads.

In relation to off-line motorway service areas, Section 2.8 of the guidelines (section 2.8) advocate the requirement for a forward planning approach

where Planning Authorities may include policies with reference to NRA (TII) up to date guidance and also for the provision of private sector similar type existing or planned privately promoted service facilities or for similar privately promoted services within towns/settlements.

The guidelines advocate the involvement of the NRA (now TII) when drafting development plans so as to ensure a co-ordinated approach. A proliferation of private off-line service facilities at national road junctions is discouraged.

The guidelines stipulate that facilities included in service areas should be of a type that avoids the attraction of short, local trips or the locations becoming destinations for local customers as this would threaten the viability of businesses in cities, towns and local centres contrary to Government planning policy on retail and town centres.

8.2.4 Retail Planning, Guidelines for Planning Authorities 2012

Section 4.11.10 note that on-line and off-lines service areas are not considered in the guidelines and refers to the Spatial Planning and National Roads Guidelines which deal with such facilities.

The guidelines note that convenience shops are part of the normal ancillary services provided with motor fuel stations. They should only be permitted where they would not seriously undermine the approach to retail development in the development plan. The floorspace of the shop should not exceed 100 sq.m net.

8.3 Regional Policy

8.3.1 Regional Planning Guidelines for the Greater Dublin Area 2010-2022.

Dunshaughlin is designated as a moderate sustainable growth town, following the granting of permission of a railway order for the Navan Rail Line Phase II, including a station at Dunshaughlin. In this context it comes with in the classification as *'In Hinterland areas, 10k from large town on public transport corridor, serve rural hinterland as market town'*. It is listed as a Level 3 in the retail hierarchy for the GDA, i.e. Town and/or district centres and sub-county town centres. The vision for the area states its focus on compact urban form.

The guidelines state that in order to optimise the use of strategic road corridors, Local Authorities should follow Local Authorities should follow the recommendations contained in Spatial Planning and National Roads –

Guidelines for Planning Authorities, Policy for the provision of service area on Motorways and High Quality Dual Carriageways and The Traffic Management Guidelines.

8.3.2 Retail Strategy for the Greater Dublin Area 2008-2016

Dunshaughlin is listed as a level 3 retail town in the retail strategy for the region. The Plan states that it will facilitate and promote the continued improvement of level 3 towns including Dunshaughlin in line with their position in the hierarchy so that they meet their role as Level 3 centres. This will include incorporating a range of convenience and comparison retailing facilities to serve everyday needs of the catchment population.

8.4 Local Planning Policy

8.4.1 Meath County Development Plan 2013-2019

The proposed development is governed by the policies and provisions contained in the **Meath County Development Plan 2013-2019** (CDP).

The site is located on unzoned lands, outside but adjacent to the development envelope of Dunshaughlin. Map 10.1 identifies the wider area as one which a rural area under strong urban influence. There is no provision for off-line service areas within the CDP. The following policies and objectives are relevant.

- **TRAN OBJ 20** - to have regard to the NRA's Policy statement on Services areas on motorways and high quality dual carriageways' in the assessment of proposals for such developments. (Note: This policy statement has been superseded by (NRA Service Area Policy August 2014).
- **TRAN POL 28** - To safeguard the capacity and safety of the National road network by applying the provisions of the Department of Environment Community and Local Governments – 'Spatial Planning and National Roads-Guidelines for Planning Authorities.'
- **TRAN POL 40** - avoid creation of additional access point from new development / intensification of traffic from existing entrances onto national roads outside the 60 kph speed limit except as indicated on Maps No 6.4.1 - 6.4.7 which identifies a number of locations close to

and within designated economic growth towns or existing / proposed developments of a regional significance.

- **TRAN SP 15** -To protect investment in the capacity, efficiency and safety of national roads by applying the guidance contained in the 'Spatial Planning and National Roads - Guidelines for Planning Authorities' and collaboration with the NTA and the NRA.
- **RD POL 37** - To ensure that future development affecting national primary or secondary roads, shall be assessed in accordance with the guidance given in the document 'Spatial Planning and National Roads - Guidelines for Planning Authorities'.
- **ED POL 18** – To permit development proposals for industrial or business enterprises in the countryside (subject to a number of criteria).
- **ED POL 23** – To support the vitality and viability of existing designated centres and facilitate a competitive and healthy environment for the retailing industry into the future by ensuring that future growth in retail floorspace responds to the identified retail hierarchy.

Retail policy recognises the importance of protecting the overall vitality and viability of retail centres whilst allowing each centre to perform its overall function within the county's settlement hierarchy.

- **Section 11.10** – Petrol stations are generally required to be located within 60km/h and 50km/h speed limit. Retail component shall not exceed 100 sq.m of retailing area.
- **Section 10.16.1** referring to national policy stated above, seeks to avoid the creation of any new access or intensification of existing accesses to national roads to which speed limits greater than 60km/h apply.

8.4.2 Meath CDP: Appendix 5 – Retail Strategy

- **Section 5.8.5** - Dunshaughlin has traditionally been a service centre for this area of County Meath and continues to function as a centre for retailing, education, health services, and light industrial functions.

- **Section 5.8.28** - The location of Dunshaughlin on the national road network, and served by frequent bus services, means that this is a highly accessible town in County Meath. The town is performing relatively well as a service town for its population and hinterland.

8.4.3 Dunshaughlin Local Area Plan 2009-2015

The proposed development lies immediately adjacent but not within the development envelope of the Dunshaughlin LAP on unzoned lands. There is no reference to off-line service areas within the plan. Petrol stations are permitted on specific zoning categories within the LAP.

- **Section 9.1** – states with regard to Dunshaughlin ‘The overarching objective of this plan is, therefore, to ensure that this focus remains and that the policies advanced with regard to retailing protect town centre vitality and viability’.
- **Section 9.3** - states that ‘outside the retail core that makes up the lands zoned B1 in the town centre, retail development will only be considered at the identified neighbourhood centres’.

9.0 ASSESSMENT

I have read and considered the contents of the planning application, grounds of appeal, responses and relevant planning policy. I have also attended the site and environs. The following assessment covers my considerations on the key planning issues and also encapsulates my *de novo* consideration of the application. I consider the key issues in determining the application and appeal before An Bord Pleanála are as follows:

- Principle of development
- Traffic and Road Safety
- Retail Impact on Dunshaughlin
- Impact on Irish Water wayleave
- Visual Impact
- Flood Risk
- Construction Management
- Appropriate Assessment
- Other Matters

I outline my considerations on each of those issues as presented under.

9.1 Principle of development

The grounds of the appeal state that the proposed development of an off-line facility is not a substitute for the on-line Type 1 motorway service area (MSA) which the TII intend to deliver on the national road network. The appellants also contend that the policies for on-line MSAs are incorrectly transferred by the applicant as a justification for the proposed development of an off-line MSA. The first party considers the proposal of an 'off-line' service area is equal if not preferred as a MSA for this particular stretch of the M3 and that it is in line with national and local planning and also retail policy. The Planning Authority consider this is so and state that *'the fact that it is off-line does not diminish the location requirement'*.

The most recent *'NRA Service Area Policy'* (August 2014) provides that the policy preference is for 'on-line' service areas, having regard to public convenience, control over the quality, extent and nature of services to be provided, and the ability of the Authority to respond to emerging legislation, such as the ITS Directive¹ and the TEN-T Regulations². The policy document states that TII will lead the development of a Type 1 (on-line) service area for the M3 Dublin to Kells route in consultation with Meath County Council.

In relation to off-line service areas, the document recognises that, except as a statutory consultee, the NRA (now TTI) have no role in determining how these off-line developments should be delivered. Instead, attention is directed to the *'Spatial Planning and National Road Guidelines for Planning Authorities'* (DECLG 2012) document which advocates for a forward planning approach and avoidance of a proliferation of off-line service area facilities at national road junctions. The service area policy also states that the provision of off-line service areas would not be considered to be exceptional circumstances as included in section 2.6 of the Spatial Planning and National Roads Guidelines³.

In the first instance, I accept that the development now proposed at a location just off junction 6 of the M3 in practical terms reads as a motorway service area. It seeks to deliver the same service as an 'on-line' motorway service area model. However, **it is not** an 'on-line' service area and that is the significant difference. TII concern themselves with on-line service areas, delivering service and rest areas to motorway users only. Off-line facilities are accessible by both motorway and non-motorway users. TII state

¹ Intelligent Transport Systems. Directive 2010/40/EU adopted 7th July 2010 to accelerate the deployment of innovative transport technologies across Europe.

² The Trans-European Transport Networks (TEN-T) are a planned set of transport networks across Europe.

³ Section 2.6 provides that 'planning authorities may identify stretches of national roads where a less restrictive approach may be applied but only as part of the process of reviewing or varying the relevant development plan and having consulted and taken on board the advice of the NRA.'

through their submission that they will lead the development of a Type 1 on-line service area between Junction 4 and 7. They advocate for a forward planning approach for the delivery of off-line service area, pointing out that they are not aware that such an approach has not been undertaken for the current proposal. It is stated by the observer that TII have progressed their on-line service area provision through interactions with the Local Authority and public consultation in October 2015. The applicant also refers to this consultation in their planning statement. A copy of a public consultation document which I have sourced is enclosed in the appendix to this report.

Table 3.10 of the NRA Service Policy (August 2014) document presents a summary of the services area needs. There are five Type 1 on-line MSA facilities identified, including one on the M3 between Clonee – Blundelstown. Separately there are two off-line facilities recognised as potential developments on the M8 and M9. Of significance, there is no reference to any off-line MSA facility on the M3.

It is clearly evident that there is no support in national policy for off-line MSAs unless they are identified in local development plans with a co-ordinated approach between Planning Authorities and TII necessary.

There are no stated policies for an off-line service area identified in the current Meath CDP. The site is located on un-zoned rural lands, outside of the development envelope for Dunshaughlin. I accept that zoning is not necessarily a pre-requisite for an on-line MSA which is guided by strategic policy requirements. However, the current proposal is an off-line MSA where there is no forward planning basis and there is clearly no co-ordination with TTI who have stated plans for an on-line MSA in the same general area between Junction 4 and 7 on the M3.

Tran Obj 20 of the CDP also requires to *'have regard to the NRA's Policy Statement on Service Areas on Motorways and high quality dual carriageways'* in the assessment of proposals for such development. As outlined above, the NRA Policy document is clear that the NRA(now TII) will lead the development of a Type 1 Service area. I am not satisfied, having regard to Spatial Planning and National Roads policy, TII service area policy and to the policy laid out in the Meath CDP that the provision of an off-line service area on un-zoned lands is appropriate. It's delivery would also undermine the stated intention of the service area needs between junction 4 and 7 on the M3. As pointed out by one of the appellants, the NRA's policy makes reference to Ten-T policy where MSAs are not required until 2030. In that context, I concur with the appellant that there is no

immediate urgency in providing such a facility outside of a plan led approach through forward planning policies.

In view of the foregoing, I conclude that the principle of the development lies contrary to national and local planning policy and this is the main reason that I recommend to the board that permission should be refused in this case. Notwithstanding my conclusion in this regard, should the board arrive at a different conclusion on the principle of the development, my assessment is continued under on what I consider to be the principle planning issues which arise in this appeal.

9.2 Traffic and Road Safety

Strong arguments are put forward in the grounds of appeal that given the increase in traffic which would result on the R125 as a consequence of the development, the trip generation and key roundabouts have not been appropriately assessed and the junctions in the vicinity were not adequately considered. It is also put forward that should the proposed development give rise to excessive queuing at either of the roundabouts at the interchange, it risks 'blocking back' onto the M3 ramps and M3 mainline carriageway. The appeal grounds also raises the absence of a Road Safety audit as a stated concern. It is submitted that the R125/Drumree road roundabout to the north is non-standard as it has a 5th arm providing access to a private property and that substantial increase in traffic levels would exacerbate safety risks for the property owners at this location in particular.

The appeals highlight the conflicts which they consider may arise between accessing and egressing traffic on a section between the roundabouts which form part of the M3 interchange. It considers that the vehicle movements which the development would generate in a rural setting would be unacceptable. It further states that the development does not provide for vulnerable road users as no footpaths or cycle paths are provided along the R125 link road. In response, the applicant states that this is so in order to discourage pedestrian access to the site.

TII's submission stated that they were not satisfied that the development would not create an adverse impact on the national road and associated junction and also that the proposal would be at variance with national policy. Their submission further specifies issues which would need to be addressed in relation to potential traffic impact and road safety.

I am very aware of the role which TII have as the authority in this case. None of the specific items they raised were submitted before the planning decision issued. However, the applicant has since submitted a new Transport Assessment Report (TAR02) and a Road Safety audit which

together with the response, address the issues raised by TII and also those raised in the grounds of the appeal. The revised transport assessment is based on turn-in rates and includes flow diagrams for modelling scenarios up to 2037 design year. The TAR2 report also includes Arcady modelling of the J6 roundabouts on the M3 interchange.

The assessment of the eastern and western roundabouts showed a maximum ratio of flow to capacity (RFC) of 0.34 in the 2037 15% turn-in rate scenario and the R125 roundabout showed significant reserve capacity with a 0.52 RFC in the 2037 15% turn-in rate scenario.

An assessment of the merge and diverge movements on the M3 was included in TAR02 and this also showed adequate capacity. The assessment concludes that there is significant spare capacity on the existing network and that the existing M3 motorway merge and diverge layouts can cater for the trips generated.

The report submits that no queuing on the existing junctions up to 2037 is envisaged apart from low level queuing internally at the facility from roundabout access junction 4 which is deemed to be acceptable. The assessment concludes that the development can be accommodated without adverse impact on the surrounding network.

A rationale is also put forward to justify the absence of footpaths or cycle lanes on the basis that the off-line service facility is not intended to serve pedestrians or cyclists. I note from my site inspection that there are footpaths on the R125 and M3 roundabouts and it is stated that these are intended primarily as safe means of maintenance for staff to access the roundabouts and also to serve recreational walkers. I also note that footpaths / cycleways are shown as proposed along the R125 within the Dunshaughlin LAP objectives map (copy included as part of the appendix to this report). The applicants, through their response to the appeal offer a revised layout, should the Board require, which incorporates pedestrian facilities linking the M3 and R125 roundabouts. A hard strip for cyclists is also shown as proposed along the R125 at the site access in that revised scenario presented on Dwg: 151081/PL/004 Rev 3 received by the Board on 3 June 2016.

On this aspect, in light of its presence as an off-line facility and the physical accessibility of the facility by pedestrians and cyclists on the R125, I consider, should the Board be of a mind to grant permission, that vulnerable road users should be catered for.

In relation to the Road Safety Audit, some problems were identified and recommendations were taken on board on the revised drawings (151081/PL/004 Rev 3) which, together with the written response prepared

by MPA consulting engineers, were received by the board on 4 July 2016. The third parties considered the RSA was inadequate and incomplete, especially that the feedback form was not signed or referred back to the Audit team. Given that the recommendations required minor changes and these were evidently accepted and incorporated on the revised drawings, I am satisfied that the recommendations have been accepted by the applicants design team.

Visibility at the site access junction is 105m sight distance in both directions from the proposed entrance which is stated to reflect the 85%ile operating road speeds. A dwell area of 20m at 2.5% is proposed. A revised autotrack assessment is also included with the appeal response where an exit radius of 9m and min 500mm clearance between the swept path of incoming and outgoing HGVs is shown. Other specific details are also included in the response, which I have fully considered in my assessment. The road design section has raised no objection in relation to sight distances but I note that TII consider that the visibility spays to the east was not correctly assessed.

Having regard to the detail submitted with the appeal, particularly the revised traffic assessment report, TAR02, the Road Safety Audit and the response to third party issues in the submission from the applicant (most notably the MPA response), I am satisfied that the technical issues raised by TII, the Roads department of Meath County Council and the third parties and observer in respect of roads and traffic have been satisfactorily addressed. I recommend that the development should not be refused for reasons of traffic hazard or road safety.

9.3 Retail impact on Dunshaughlin

The location of the site in the context of the settlement boundary of Dunshaughlin is relevant in the assessment of this case. Dunshaughlin is governed by an adopted Local Area Plan (Dunshaughlin LAP 2009-2015). The appeal site lies outside of the settlement boundary the plan are but is relatively close to residential development and lands zoned for future residential development, on the outer western core of the plan boundary. While it is not the role of the planning system to inhibit competition, consideration must be had to the impact of the proposed off-line motorway on the vitality and viability of Dunshaughlin town.

The applicant points out that the Retail Planning Guidelines 2012 state that on-line and off-line service areas are not considered in the guidelines which instead refers to guidance in the Spatial Planning and National Roads Guidelines for Planning Authorities 2012. It further states that the convenience element of 100 sq.m is in line with stated retail policy. Policy

guidance in 'Spatial Planning and National Roads Guidelines for Planning Authorities (2012)' makes it clear that off-line service areas which would become a destination in their own right and generate local trips are inappropriate.

I note that on-line service areas by their nature, generally lie outside of settlements and in close proximity to motorways and therefore tend to be located on un-zoned lands but as outlined under Section 9.1 above, on-line service areas serve only motorway users providing services, facilities and rest and are not available for alternative out-of-town services. The off-line service area now proposed is different as it is adjacent to Dunshaughlin and because it is connected off-motorway, has an immediate potential as a magnet to draw custom from Dunshaughlin in a way that is not consistent with retail hierarchy policy or national spatial planning policy.

Policy in relation to off-line motorway service areas clearly advocates a forward planning approach where Planning Authorities would make provision for off-line motorway service areas in their development plans. Policy also states that a proliferation of private off-line service areas at national road junctions should be avoided and that inclusion of service areas should be such to avoid the attraction of short local trips.

The fact is that there is no provision made for an off-line service station in the current Meath County Development Plan could be taken to mean that there is no requirement for off-line facilities in Meath within the plan period. The closest category referenced in the plan is that of a petrol station which clearly infer urban locations. Section 2.9.6 of the CDP identifies areas within County Meath where petrol stations are 'permitted' or 'open for consideration'. The site lies clearly outside of those areas. I fully accept that an off-line service area is different to a petrol station but the point is that these are not provided for in the CDP and to retrofit one outside of the development plan process would not be plan-led and would lie contrary to good planning practice.

In relation to the proliferation of private off-line service areas, on balance I accept the applicant's argument that the proposal would not be sited so close to another off-line service area as to result in attributing to the proliferation of such facilities. This has potential to change however, if TII were to deliver their planned on-line Type 1 service area also between junction 4 and 7 along the M3.

While noting the stated intention of the proposed development that it would serve motorway users, the site is located directly adjacent to the Dunshaughlin settlement envelope and of significance, it is physically

connected via the R125 and Drumree roads. I consider that the siting of such an off-line facility, c.1.5km from the envelope boundary where there are housing developments (along Drumree Road) and 2km from the town centre, would not be so far as to preclude local trips to the facility. This is especially so, given the nature of the services on offer, mainly restaurants/cafés including a drive-thru restaurant as well as other business/meeting type facilities which would be readily accessible with free car parking. I consider the development would undoubtedly have potential to draw trade from Dunshaughlin which in turn would undermine the provisions of the Dunshaughlin LAP seeking to locate facilities on appropriately zoned lands within the plan boundary. It would circumvent the delivery of established and future plan led similar services on zoned lands leading to disorderly unplanned development with unsustainable car dependent journeys. Accordingly, I consider that the development should be refused permission because of the aforementioned negative impacts which would likely result on the vitality and viability of the adjoining Dunshaughlin town which would lie contrary to retail planning policy and to a plan-led approach.

9.4 Impact on Irish Water wayleave

Issues were raised in the appeal in relation to drainage and in particular unresolved issues raised by Irish Water which sought to restrict development within 15m of a wayleave in favour of an existing sewer. The appeal grounds note that the Council's decision has a stated condition attached to only restrict development over the wayleave. This falls short of that requested by Irish water. It is also stated in one of the appeals that this matter should not have been left to a condition because of the materiality of the change to the design which would be required and which could exclude third parties.

The applicant's own engineering assessment suggests that a 5m wide wayleave is sufficient to provide access for future maintenance and repair of the sewer main and state that the main is located 10m from the building. As it is located beneath the circulation road, it is submitted that it is common practice to have public and private roads constructed over wayleaves. Nonetheless, the applicant provides a new drawing showing how the 15m wayleave could be achieved. This would involve a line diversion on lands which all lie within the control of the applicant, some which lies outside the red line and other within the blue line boundary. I note that Irish Water has not as yet been presented the proposal.

Overall, I consider that should the Board be minded to grant permission, it would be possible to arrive at a technical solution which would not compromise the maintenance of Irish water's foul sewer line. I consider that

15m is what is required by Irish Water who are the authority for water and wastewater infrastructure. In this regard, I consider that should the board be minded to grant permission, that Irish Water's view should be sought on the alternative proposal presented by the applicant as detailed on Dwg: 151081/PL/004 and 151081/PL/008 Rev PL3⁴. Overall, I do not consider that the development should be refused by virtue of impact on Irish Water's assets in this instance subject to the agreement with Irish Water on the revised proposals presented with the appeal.

9.5 Visual Impact

If permitted, the MSA would be sited on rural open lands off the motorway. Nonetheless, the site is low, lying well below the level of the motorway and adjoining road network which would serve to naturally screen the development from wider viewpoints. The land lies within Landscape Character Area 11 '**South East Lowlands**' within the Meath CDP which is an area with '*medium capacity to accommodate new development subject to appropriate landscape mitigation measures*'.

The primary structures visible in the surrounding landscape are the motorway, slip roads, roundabouts and the R175. There are existing trees and hedgerow boundaries on and around the site, which provide natural screening on approach from the south. I note that it is proposed to raise the site levels by 0.5-1.0m but in the wider landscape context, I consider this would be marginal and barely noticeable.

The overall design is typical of such facilities. Lands to the east are proposed for residential development post 2019 (residential phase 2) which, in time would likely be developed but which would still be separated from the site by the road network. I am cognisant that the Motorway service areas have become a more common feature on the landscape along the motorway network and are not of such a scale or height that would pose an unacceptable visual impact on the landscape when taken in the overall context. Given the nature and purpose of the proposed MSA and its low lying position, I consider that the development would not give rise to unacceptable visual intrusion and should not be refused permission on grounds of visual impact.

9.6 Flood Risk

The application was accompanied by a Flood Risk Assessment. The site is not located within the River Skane floodplain identified in the OPW

⁴ Rev PL2 is stated in the written correspondence however these 2 drawings as received on 3rd June are referenced as Rev PL3.

Mapping. Stormwater would be attenuated to greenfield run-off rate, with storage proposals beneath the paved areas and the area identified as picnic area. Use of permeable paving and rainwater harvesting are proposed. It is intended to raise the level of the site by 0.5-1.0m to ensure water level is not an issue. At the level proposed, it is stated there is no risk of flooding anticipated and there are no mitigation measures proposed.

Meath County Council were satisfied that there is no risk flood risk and had no objection to the development from a flood risk perspective. I am equally satisfied from a review of the available mapping and datasets, most particularly the OPW flood mapping and CFRAM interactive mapping, that the risk of flooding on the appeal site is low. Having regard to the nature of the development, the measures proposed in terms of attenuation, I consider the development should not be refused because of flood risk in this case.

9.7 Construction Management

Issues have been raised in the grounds of appeal that the Planning Authority erred in granting permission in the absence of an Appropriate Assessment (Stage 2) and that the mitigation presented through the construction management plan (CMP) cannot be taken into account because the CMP is not an intrinsic part of the proposed works. In this regard case law (*Rossmore Properties v An Bord Pleanála*, 2014) is referenced. One of the appellants raised issue that there is no assessment of the potential impact of piling on the groundwater body, which is identified by GSI as a locally important aquifer. It is further raised that no information as to the number, nature or extent of the proposed storage tanks is included and this has not been considered in the Construction Management Plan.

The appeal response is accompanied by a revised CMP and also a hydrogeological risk assessment. The revised CMP comprehensively deals with traffic, air, noise, water pollution, waste, health & Safety. The revised CMP also addresses matters raised in the appeal such as raising of levels, piling and installation of fuel tanks. A dry piling system is proposed using precast driven piles. It is put forward that the development would have a negligible impact on ground water due to the nature of the sub-soils and the depth to bedrock aquifer. The underlying aquifer is classified as Lm – locally important which is moderately productive. The site is not included in any source protection areas. The risk assessment concludes that the movement in ground water within the subsoils is very limited because of their low permeability and they are unlikely to be hydraulically connected to the aquifer. It is also put forward that the findings of the AA screening report would not be affected.

Having regard to the foregoing, I am satisfied that the application should not be refused on issues related to construction or the construction management plan. I will deal with appropriate assessment separately as outlined under Section 9.8 below.

9.8 Appropriate Assessment

The application was accompanied by a screening report for Appropriate Assessment (AA). The site is described as comprising improved agricultural grassland – GA1 with hedgerow boundaries. The field divisions are marked by drainage ditches including one which flows into the River Skane, which itself is a tributary of the River Boyne. It is stated that the small waterways have been artificially straightened and deepened to drain surrounding land and are likely to have minimal fisheries value. Wastewater from the facility will connect to the main foul sewer. Surface water will drain to a new drainage network to connect to the nearby stream whereby the stream will be realigned around the perimeter of the site for 184m. Storm water will be attenuated and will pass through a class 1 interceptor prior to discharge to the stream.

In relation to the appropriate assessment issues, I firstly note that the site is not located within or adjacent to any Natura 2000 site. The closest site is the River Boyne and River Blackwater SAC (Site Code 002299) and River Boyne and River Blackwater SPA (Site Code 004232) which lies c.13km north west of the site. The general conservation objectives associated with the SAC are *'To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected'* which include: *Alkaline fens, Alluvial forests, River Lamprey, Salmon and Otter'*; and those associated with the SPA are *'To maintain or restore the favourable conservation condition of the bird species listed (Kingfisher) as Special Conservation Interests for this SPA'*.

Potential impacts and mitigation are identified as follows:

- Habitat loss – Considers no direct loss or disturbance of habitats inside any SAC or SPA due to large separation distance;
- Pollution from wastewater during operation – Small additional load anticipated (c.97 PE) – Attenuation and interceptor will ensure pollutants are removed prior to discharge;
- Pollution during construction – Emphasis on silt fences, settlement/attenuation, Construction management and consultation with Inland Fisheries;

- Abstraction – No known impact to fisheries, impact can be considered not significant;
- Light and noise – Large separation distance, too great to have any effect along River Boyne.

The AA screening report concludes that the development is not likely to give rise to significant impacts on the Natura Network and that stage 2 Appropriate Assessment is not required. I note the planning authority were satisfied with the AA screening report conclusions on the basis of the separation distances to the Natura 2000 network.

I have some concerns regarding the culverting of the channel within the site and possible effects as a result. However, I note that as there is a 13m separation between the channel and the closest SPA/SAC the probability of significant effects would be low. I also note that the AA screening report states that the site does not contain habitats or species for which SACs or SPAs are generally designated.

I consider, given the scale of the proposed development, together with the significant separation distance between the site and the SPAs/SACs and the mitigation measures proposed as part of the planning application, the proposed development is unlikely to have a significant effect on the Natura 2000 sites within the 15km of the site having regard to their conservation status.

It is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects, would not be likely to have a significant effect on European Site No. Site Code 002299, Site Code 004232, or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

9.9 Other Matters

9.9.1 Signage

In terms of signage, the Board will note the comments of TII which refers to the provision of Section 3.8 of the Spatial Planning and National Roads guidelines for Planning Authorities (2012). This in turn refers to *NRA's Policy on the Provision of Tourist & Leisure Signage on National Roads (March 2011)*. Reference is also made in TII's submission to NRA Traffic Signs Approval procedure.

Should the Board be minded to grant planning permission in this instance, I consider it appropriate that a suitably worded condition be included to ensure that all signage would be agreed with the planning authority prior to commencement of the development. Similarly, any advanced signage proposed in the scheme should be agreed with TII.

9.9.2 Future expansion

Issues have been raised about the extent of area shown for future expansion on the application site and that the cumulative effect of this future development has not been assessed. The applicants respond stating that the area is provided to mirror the NRA publication on the design of motorway service areas where consideration should be given to the potential need for expansion of the car parking. The response clarifies that the area is shown to demonstrate that the site has capacity to facilitate expansion of the parking provision into the future. I accept that this is for car parking and that it would, if developed, be subject to assessment by way of a further planning application.

9.9.3 Archaeology

A desk based archaeological appraisal was submitted with the application. The findings revealed that there are no known monuments in the vicinity of the site. It also notes that there were some features identified in the vicinity of the application area during the delivery of the M3 motorway and these were preserved by record. The report recommends the removal of topsoil within the application area be monitored for any archaeological remains. Should the Board decide to grant permission, an archaeological condition should attach.

10.0 CONCLUSION and RECOMMENDATION

Further to the above assessment of matters pertaining to this appeal, including the consideration of the submissions made in connection with the appeal and my site inspection, I recommend that permission be **refused** for the reasons and considerations outlined in the following draft order.

REASONS AND CONSIDERATIONS

1. The proposed development is located in an unzoned rural area adjoining the motorway road network close to a major junction (junction

6) off the M3 which has not been identified in the 'Meath County Development Plan 2013-2019', as varied, or the 'NRA Service Area Policy' (August 2014) as a suitable location for an **off-line** motorway service area. Transport Infrastructure Ireland (TII) have stated their intention to lead 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. National policy outlined in the 'Spatial Planning and National Roads Guidelines for Planning Authorities' (January 2012) advocate a plan-led approach for the provision of off-line motorway service areas and the involvement of TII in the preparing of development plans to ensure a co-ordinated approach. TRAN OBJ 20 as set out in the Meath County Development Plan 2013-2019 requires having regard to NRA (now TII) Policy statements on service areas on motorways and high quality dual carriageways, in the assessment of proposals for such development. Accordingly it is considered that the proposed development would be contrary to the policy and objectives of the applicable 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. 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 located outside the settlement boundary of Dunshaughlin on unzoned lands, would have strong potential to directly divert trade away from the town due to the scale and level of services proposed on the site and the ease of accessibility of the area by car. In turn, this would lie contrary to the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) which seek to avoid the attraction of short, local trips or to permit a service area becoming a destination for local customers. This pattern of development would compromise the vitality and viability of the established and future plan led similar services on appropriately zoned lands within the Dunshaughlin LAP boundary, leading to disorderly unplanned retail and services development with unsustainable travel modes. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Patricia Calleary
Senior Planning Inspector

9 August 2016

Appendix: Location Maps & photographs