



The Secretary
An Bord Pleanála
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AN BORD PLEANÁLA	
LDG- <u>079654-25</u>	
ABP- <u>079654-25</u>	
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28/4/2024

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F24A/0362E

Re: Planning Appeal against the decision of Fingal County Council (planning file reference F24A/0362E) to grant planning permission for demolition of an existing vacant dwellings and all associated outbuildings and provision of roads and services infrastructure to facilitate the future development of the lands with provision of new access roads from 'Bhailsigh Road' (L1140) to Zone A and Zone F and a new cycle and pedestrian route over the M1 motorway towards the R132 via the 'Bhailsigh Road' (L1140); and Upgrades and modifications to the existing roundabout along the 'Bhailsigh Road' (L1140); at Junction 5 of the M1 motorway. Applicant: Vida M1 Limited

Dear Secretary,

Transport Infrastructure Ireland (TII) wishes to submit this appeal against the notification of decision by Fingal County Council to grant permission under planning file reference F24A/036 and in particular Condition no.6. The proposed development involves the provision of a new cycle and pedestrian route over the M1 motorway towards the R132 via the 'Bhailsigh Road' (L1140).

TII advises that significant material changes to the physical form and operation are proposed and required to M1 Junction 5 to facilitate this proposal. These requirements need to be undertaken based on land use, transport and safety policy, and associated standards which did not apply since the earlier grant of permission in the early 2000's and when the Junction was constructed. TII are of the opinion that these changes needed to be determined between TII and Fingal County Council prior to and during pre-planning discussion as both organisations are road authorities and maintenance managers in this instance. TII would consider there are significant material physical changes to the interchange required which will have procedural and design requirements related to protecting national roads assets and operations which now are postponed to be addressed to be dealt with by planning condition compliance. TII are of the view that these issues to be resolved are significant and would require considerable change to the design as proposed by the applicant and authorised by the planning authority.

Of particular concern to TII is that M1 Junction 5, in the evaluation of this planning application, has been treated and evaluated as an urban junction by both Fingal and the applicant. M1 Junction 5 is not an urban junction. It is a rural interchange, remote from the urban settlement of Balbriggan. The junction and its intrinsic operation with the motorway are and was not designed to meet the requirements associated for general employment development which typically are located within urban locations. As acknowledged by this, and earlier planning applications, as well as the now defunct Courtlough Action Area Plan, associated with this development area, there are discordant and limited pedestrian facilities, cycling facilities are on road and access to the only available bus stops is located to the west of the Junction. TII would also highlight those plans and proposals dating back to the early 2000's indicated the future need for phasing and significant improvements to the Junction especially reflecting this western development area.

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In the first instance TII recognises that this zoning has existed for a considerable time. However, within this time period, there has been considerable change in national planning policy related to climate, road safety, transport and land use planning. In that regard TII considers that there is a requirement by the planning and road authority to address the servicing of this development with appropriate transportation infrastructure encapsulating all modes ranging from HGV to cyclists and pedestrians while also recognising that this is a junction located in an area remote from urban settlements on one of the most important motorways in the island of Ireland. Unfortunately, despite the longstanding existence of these lands since prior to 2000, successive development plans of the planning and roads authority have not sought to address the mismatch of the requirements for transportation and safety infrastructure for such development at this location.

As indicated by TII's observations made (attached for information) during the processing of this planning application and this appeal statement, TII consider that the development as granted is premature pending the development of an appropriate junction and public road layout at this location by the road authority which will address not only the servicing of the zoned development area but also the safety, operation and technical requirements associated with an existing rural motorway junction on the strategically important M1.

Based on the supported changes to national land use and transport policy reflected very clearly in the County Development Plan in Chapter 6, Connectivity and Movement, and especially related to Policy CMP32, and Policy CMP33, TII expected that Fingal County Council would have ensured and prioritised changes to existing roads infrastructure that underpins the planned sustainable development of this area, by maintaining road safety and network efficiency by working with the TII to protect and enhance the capacity of national routes, safety of all road users including motorway users, pedestrians and cyclists while also supporting the economic competitiveness of the County.

The following elaborates on TII appeal issues:

- **Planning Policy Framework**

As outlined above, TII is concerned that the subject development does not affect to safeguard road user safety in accordance with the provisions of official policy. TII seeks to ensure that official national objectives are not undermined and that the anticipated benefits of the investment made in the national road network are not jeopardised. In that regard, National Strategic Outcome 2 of the National Planning Framework sets out the official policy position to maintain the strategic capacity and safety of the national roads network.

Chapter 7 'Enhanced Regional Accessibility' of the National Development Plan, 2021 – 2030, also sets out the key sectoral priority of maintaining Ireland's existing national road network to a robust and safe standard for users. These policy requirements are reflected in the National Investment Framework for Transport in Ireland (NIFTI) as well as the long-standing Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012).

The Board is reminded that the Section 28 Ministerial Guidelines 'Spatial Planning and National Roads Guidelines for Planning Authorities' (DoECLG, 2012) in Section 2.7 Development at National Road Interchanges or Junctions states that

"Interchanges/junctions are especially important elements of national roads infrastructure that development plans and local area plans must take account of and carefully manage. The location and capacity of interchanges/junctions on national roads are determined during the road planning process, in consultation with local authorities, taking account of a range of factors including anticipated inter-urban and interregional traffic volumes over a design horizon of at least 20 years. A key objective of the approach to road planning is to achieve a satisfactory level of service for road users and to protect and maintain that service over the design period applying to the mainline road and associated interchanges. Therefore, planning authorities must exercise particular care in their assessment of development/local area plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road. They must make sure that such development which is consistent with planning policies can be catered for by the design assumptions underpinning such junctions and interchanges, thereby avoiding potentially compromising the capacity and efficiency of the national road/associated junctions and possibly leading to the premature and unacceptable reduction in the level of service available to road users".

Separately the Road Safety Authority's "Our Journey Towards Vision Zero Ireland's Government Road Safety Strategy 2021–2030" indicates that the Safe System approach emphasises the need to focus on all elements of the

road traffic system to successfully improve road safety. The overall priority for the 2021–2030 strategy is to ensure a systematic, best-practice and evidence-based approach to road safety for the next ten years and beyond, and to ensure excellent, innovative delivery and governance across the key areas influencing road safety performance. The first of the seven areas of intervention of Safe System approach is **safe roads and roadsides to improve the protective quality of our roads and infrastructure**. The aim of this priority intervention area is to support correct road use through providing ‘self-explaining’ roads (i.e. roads that are easy to understand and use) and forgiving roadsides (i.e. roadsides that minimise the impact of collisions) so that if a collision occurs it does not lead to death or serious injury.

The Fingal County Development Plan supports the above national policy requirements. It is observed that Section 6.2 indicates the importance of the key international and national routes which travel through Fingal County as elements of the Trans European Network (TEN-T) where the ‘*movement function*’ of the route is recognised as critical. The Planning Authority recognises that this network includes the M1 which provides critical transport connections within the Dublin – Belfast Economic Corridor. It is noted that Fingal County Council indicates that it continues to maintain and protect the safety, capacity and efficiency of the strategic national road network including the M1 corridors in collaboration with TII and other relevant stakeholders with “*...Local access to this strategic network will continue to be managed and restricted through the Development Management process to protect the ‘movement’ function of these national roads*” . TII also recognises that the Council’s County Development Plan indicates that it will continue to work with TII to support major improvements to the national road network and to maintain and protect the safety, capacity and efficiency of national roads and associated junctions in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities 2012.

The County Development supports these statements by the inclusion of policies and objectives related to national roads and associated infrastructure indicated as follows:

- **Policy CMP33 – Protection of TEN-T Network**
Support the protection and enhancement of the EU TEN-T network including the strategic function of the Dublin to Belfast Road network which provides a critical transport connection within the Dublin-Belfast Economic Corridor.
- **Objective CMO35 – Management of Road Network**
Work with the TII and other relevant national transport agencies, to protect and enhance the capacity of national routes, to minimise the impacts on the management of the broader network and to support the economic competitiveness of the County.
- **Objective CMO36 – Strategic Roads Network**
Maintain and protect the safety, capacity and efficiency of National roads and associated junctions in accordance with the Spatial Planning and National Roads Guidelines for Planning Authorities 2012, the Trans-European Networks (TEN-T) Regulations and with regard to other relevant national and regional policy documents, as required.
- **Objective CMO37 – National Transport Agencies**
Work with the TII and NTA and other relevant national transport agencies to protect capacity and deliver improvements of the strategic road network and junction upgrades where necessary in line with National and Regional policy objectives.
- **Objective DMSO114 – National Road Access**
Restrict development requiring new or intensified access onto a national road and seek to reserve the capacity, efficiency and safety of National Road infrastructure including junctions in accordance with the provisions of the Spatial Planning and National Roads Guidelines for Planning Authorities DoECLG, 2012.

For pedestrian and cyclist facilities, the County Development states the following:

Policy CMP7 – Pedestrian and Cycling Network

- Secure the development of a high-quality, connected and inclusive pedestrian and cycling network and provision of supporting facilities / infrastructure across the County, including the upgrade of the existing network and support the integration of walking, cycling and physical activity with placemaking including public realm improvements, in collaboration with the NTA, **other relevant stakeholders**, local communities and adjoining Local Authorities in the context of the impact of development schemes with cross boundary

impacts and opportunities where appropriate. Routes within the network shall have regard to NTA and **TII national standards** and policies. (emphasis added)

- Policy CMP9 – Prioritisation of Pedestrians and Cyclists
Support the prioritisation of pedestrians and cyclists and the provision of improved public realm to make walking and cycling safer, healthier, quicker, more direct, and more attractive.
- Objective CMO6 – Improvements to the Pedestrian and Cyclist Environment
Maintain and improve the pedestrian and cyclist environment and promote the development of a network of pedestrian/cycle routes which link residential areas with schools, employment, recreational destinations, and public transport stops to create a pedestrian/cyclist environment that is safe, accessible to all in accordance with best accessibility practice.

TII would also highlight that overarching transport and movement Policy CMP32 – Sustainable Roads Infrastructure states the requirement to

“Prioritise changes to existing roads infrastructure that underpins sustainable development, maintains road safety and network efficiency” .

Allied to this Section 14.17.6 Road Safety indicates that *“the design and/or improvement of roads and in the assessment of planning applications for new development, the safety of all road users, including pedestrians, cyclists and motorists will be a primary consideration”* with supporting Objective DMSO118 – Road Safety Measures *“Promote road safety measures in conjunction with the relevant stakeholders and avoid the creation of traffic hazards.*

TII considers that there is an absence of a current reliable transport evidence base for this extensively zoned area at Junction 5 of the M1 both with respect to an understanding existing physical data associated with the interchange and motorway boundary but also the expected quantum’s/phasing for development which we will need to be serviced.

TII considers that this proposal for “infrastructure” only is wholly inappropriate as proven by TII’s observations there is an absence of reliable and accurate information related to the physical baselines of the “infrastructure” interactions with the national motorway network and the absence of the application of Development Plan accepted TII Publications including procedures and standards. This does not give TII confidence in the achievable solutions and mitigation measures proposed to be delivered by an unknown framework for development management decision making for any proposed piecemeal development at this extensive development location located on one of the most strategic and critical motorways in the country.

From analysis of the technical assessments made by Fingal County Council , it would appear that an approach is being advocated for a speculative and piecemeal approach using the development management processes which appear to contravene the requirements of the County Development Plan already outlined. Fingal County Council clearly indicates that it continues to maintain and protect the safety, capacity and efficiency of the strategic national road network including the M1 corridor in collaboration with TII and other relevant stakeholders, with *“...Local access to this strategic network will continue to be managed and restricted through the Development Management process to protect the ‘movement’ function of these national roads”* . TII’s opinion is in this instance, this has not occurred .

The approach also appears to be at odds with the approach undertaken by the planning authority in the Courtlough Action Area Plan and also the terms and conditions of now expired planning permission F01A/0777 and F01A/1383 which were undertaken when different transport and land use planning regimes existed, however the same identified constraints remain. As evidenced in the split decision reasons for refusal made by An Bord Pleanála under ABP PL06F.129151, TII advises that it is evidenced from this decision that the planning authority at the time was aware of the need to control the quantum of developments taking account of the character and designed function of this rural motorway interchange and also critically the need for the junction to be improved/upgraded in the future. This would be especially expected as nature of policy requirements for transport and land use planning in the early 2000’s was much different. Both the Council and An Bord Pleanála , in the early 2000’s , foresaw the same issues now arising. In TII’s opinion and which these matters theses fundamental requirements including servicing and the safety of all road users remain.

TII advises, that contrary to the Planner Report, based on this previous experience with the Council related to this area, TII was of the belief that a collaborative and evidence based approach would be engaged with this legacy zoning as development proposals emerged rather than attempting resolution of matters related to national infrastructure being addressed through the development management process.

TII is of the opinion that the approach been taken both by the applicant and the planning and road authority to service these lands, promotes an ineffective incremental and inappropriate piecemeal approach to facilitate significant development in the vicinity of the strategic national road network. TII considers that the proposal fails to consider necessary procedures, mitigation and infrastructure requirements and mitigations which have regard to TII Publication standards and guidelines and also the policies and objectives of the County Development Plan.

In addition due to the lack of details associated with future development (including quantum's, phasing and development management regime) TII are unable to ascertain if future development on these lands would render the M1 interchange as unsuitable to carry the increased road traffic likely to result from the proposed development, pending the development of the upgraded and improved road layout to facilitate the extent of development proposed in an integrated and co-ordinated manner.

In view of the above, TII consider that the development as granted is premature pending the development of an appropriate junction and public road layout at this location by the road authority which will address not only the servicing of the zoned development area but also the safety, operation and technical requirements associated with an existing rural motorway junction on the strategically important M1 contrary to National, Regional and Local planning policy and objectives.

• TII Publications and Road User Safety

TII has responsibility to secure the provision of a safe and efficient network of national roads under the Roads Act 1993. Since the establishment of the NRA, there has been not only significant Exchequer investment in the motorway and national road network but also increased recognition of the need to manage this network safely and efficiently for all sectors of society throughout the nation.

To support these overarching policies TII has the responsibility under the Roads Act 1993 (as amended) of specifying standards in relation to design, construction or maintenance works to national roads (including assets) that must be complied with. TII Publications (formerly NRA Design Manual for Roads and Bridges (DMRB)) provides the online suite of technical documentation. Such standards are in the interests of ensuring appropriate standards apply to national roads in the interests of ensuring level of service and includes assessment and measures for the safety of all road users. Official policy in relation to development involving access to national roads and development along such roads is set out in the DoECLG *Spatial Planning and National Roads Guidelines for Planning Authorities* (January 2012) supports and highlights the necessity of compliance with TII Publications (formerly NRA Design Manual for Roads and Bridges (DMRB)) throughout the statutory document.

TII would highlight that the Government's *NGS Circular No. 2 of 2022 re. Application of Guidelines and Standards in relation to works on Public Roads in Ireland* indicates TII Publications set design guidance for the national road network and associated infrastructure. This echoes the statement in Section 1.3 *Application of this Manual of DMURS*. In addition, TII would highlight that NTA's Cycle Manual Design Manual indicates that "*Transport Infrastructure Ireland (TII) may apply alternative requirements for the design of cycle facilities on the National Roads Network or works funded by TII.*"

In this way, proposed development will demonstrate regard to national road network requirements by assessment national road policy and standards ensuring the implementation of development complementary to maintaining the strategic function of the national road network. In addition, the proposed development must demonstrate consideration of all potential impacts and appropriate mitigation for the maintenance of the safe and efficient operation of the national road network.

TII are particularly concerned that neither the applicant nor Fingal County Council has addressed the critical requirements associated with national roads network in accordance with the technical guidance and standards are contained in TII Publications as acknowledged by the County Development Plan. As demonstrated by reference to TII submissions during the processing of this planning application, the Authority has highlighted the need to ensure that the proposed infrastructure development is consistent with planning policies can be catered for by

the design assumptions underpinning such junctions and interchanges, thereby avoiding potentially compromising the capacity and efficiency of the national road/associated junctions.

Following review of the permission granted, TII remain seriously concerned that fundamental matters raised in the Authority's observations have not been resolved. In the opinion of the Authority, due to the absence of complying with TII Publications, the lack of accurate and reliable information and the scale and significance of required actions on TII operations and assets. TII's opinion is these cannot be achieved and/or relied on through compliance with Condition no. 6. This is not an urban area; it is a rural location and a motorway interchange. The Board should be aware that Junction 5 infrastructure is not only limited to bridge structure, pavement, and paths. There junction and motorway boundary comprise of a bridge structure, slips, parapets, vehicle restraints, lighting columns, electrical services signage drainage etc. These assets and infrastructure service form part of not only the junction, but also the motorway mainline. Care needs to be taken with respect to these national assets to ensure that they can function and coexist with locally derived development.

For clarity, the applicable requirements are set out in TII Publications. TII again would refer to statements in the *NGS Circular No. 2 of 2022*, NTA's Cycle Manual Design Manual and Section 1.3 of DMURS. Neither the requirements of DMURS nor the NTA's Cycle Manual Design Manual apply in this circumstance. It would also appear that Fingal County Council would concur, the Board is referred to Section 14.17.5 Road Network and Access which indicates that, albeit for new entrances, that the relevant road design standards will be DMRB in rural situations. TII advises there remains a significant number of technical and physical matters which require resolution. These issues relate to safety of all road users associated with not only the motorway and associated junction but also the future occupants of the proposed development and in particular vulnerable road users such as pedestrians, public transport users and cyclists.

TII continually advised to the planning and roads authority of the technical standards, procedures, requirements associated with works to the national road infrastructure. TII has been frustrated by inaccuracies associated with the basic surveys of the interchange, the lack of understanding of the need to meet TII Publication requirements and also critically the absence of priority by the planning authority of County Development Plan policy and objectives related to national roads and critically road safety. From TII's perspective these are demonstrated by inaccuracies, conflicts and inconsistencies between the actual existing road network layout and extents arrangements and those indicated and described in submitted drawings and reports which accompany the original and further information. Since the grant of permission TII has become aware that This is a serious concern given the need for both TII and the road authority to protect the interchange in accordance with national planning policy. These fundamental concerns are indicated in TII's submissions (attached) and as yet have not been resolved.

The road and sustainable travel offer permitted in this application will materially and physically impact the critical national road network and associated assets with knock on impacts for the safety and operation for all road users at this location and potentially the mainline. For example, TII would highlight that permission granted proposal introduces signalised pedestrian crossings at the junction roundabouts at the top of the junction with other associated infrastructure to facilitates pedestrians and cyclists (vulnerable road users) within an area designated a motorway. It should be noted that the Roads Act, 1993, as amended, prohibits the granting of planning permission for any development of land entailing direct access to/from motorways. Associated with TII would highlight that this element of infrastructure could result in queuing on interchange ramps and in turn, result in mainline tailbacks at Junction 5, in particular motorway traffic leaving the M1 northbound off slip during peak periods. Such an impact would not be in the interests of the safety and efficient operation of the critical M1 and associated junction for all road users.

TII would also expect that the planning and road authority in accordance with its own Development Plan policies and objectives would carefully consider and manage development at a rural motorway interchange, traffic generation potential, including modes and peak times, and the impact of proposed physical road and transport interventions to facilitate the pedestrian and cycle interfaces proposed. These matters are intrinsically linked to managing of this motorway interchange and locally derived development objectives.

The Board again are reminded that the RSA's Our Journey Towards Vision Zero Ireland's Government Road Safety Strategy 2021–2030 indicates that the Safe System approach emphasises the need to focus on all elements of the road traffic system to successfully improve road safety including managing roads and roadsides to improve the

protective quality of our roads and infrastructure. The RSA also highlights that it is necessary to ensure that road safety plays an integral part in decision-making across the many sectors and agencies that impact the planning, design, operation, and use of our road traffic system.

TII is of the opinion that no exceptional reasons or evidence have been outlined by Fingal County Council to justify a significant departure from official national, regional and local policy and road safety considerations which a grant of permission would represent in this instance.

Given the current interchange infrastructure and scale of the requirements, TII recommends that these will not be achievable via the approach included in Condition no. 6 as there is a need to develop a collaborative strategy between TII and Fingal County Council to work out a strategic framework and approach to balance the competing requirements of maintaining the M1's operations while also servicing the requirements of locally derived zoned development. TII considers there are significant matters which need to be addressed, not only by the applicant, but more explicitly by the planning and road authority.

TII is of the opinion that proposed development as granted and especially the application of Condition no. 6 inappropriately and ineffectively postpones a decision which needs to be made for significant and material changes to the local, regional and national roads network and does not appropriately address the European national, regional, and local policy requirements associated with both national roads and road user safety. In addition, TII considers that the form and nature of the physical sustainable travel offer for these zoned lands needs to be guided by a planned approach to the management of the employment character and uses for these lands rather than relying on an ad hoc and piecemeal approach to the provision of individual sites and individual planning applications.

TII considers that the proposal in its current form and its location where particular vigilance is required, would endanger public safety by reason of a traffic hazard and obstruction of road users especially vulnerable road users due to the inappropriate design and application of inappropriate standards for road safety at this rural interchange remote from the urban area.

TII considers that the outcome from the proposal and permission granted has far reaching impacts related to the future Exchequer costs for not only maintenance of the junction but also for remedial actions which would arise due to a need to address a substandard design and also remedial works required to meet appropriate safety standards for vulnerable road users travelling to and from this proposal as well as maintaining the capacity of this junction.

Therefore TII is of the opinion that the proposals associated with Junction 5 of the M1 is premature pending the determination and development of an appropriate road layout at this location by the planning and road authority and would adversely affect the use of a national road, the N1 and M1 routes linking Dublin and Belfast which is a route of National and European importance, by reducing the capacity of the interchange and therefore restricting the movement of traffic between the M1, regional and local road and on and off the associated motorway slipways.

- **Protecting Public Investment**

The Board will be aware of the priority to ensure adequate maintenance of the national road network to protect the value of previous investment. TII seeks to ensure that official national objectives are not undermined and that the anticipated benefits of the investment made in the national road network are not jeopardised. The Board will be aware of National Strategic Outcome 2 of the National Planning Framework, page 140, which includes the objective; *'Maintaining the strategic capacity and safety of the national roads network including planning for future capacity enhancements.'*

In addition, Chapter 7 'Enhanced Regional Accessibility' of the National Development Plan, 2021 – 2030, sets out the key sectoral priority of maintaining Ireland's existing national road network to a robust and safe standard for users. Such a requirement is reflected in the publication of the National Investment Framework for Transport in Ireland and the existing Statutory Section 28 Spatial Planning and National Roads Guidelines for Planning Authorities. Such a requirement is also reflected in the publication of the National Investment Framework for Transport in Ireland and the existing Statutory Section 28 Spatial Planning and National Roads Guidelines for Planning Authorities.

The Board will be aware that the EMRA Regional Assembly Regional Spatial and Economic Strategy, 2020 – 2032, also outlines the Regional Policy Objective RPO 8.2: *The capacity and safety of the Region's strategic land transport*

networks will be managed and enhanced, including through the management of travel demand in order to ensure their optimal use.

The EMRA Regional Assembly Regional Spatial and Economic Strategy, 2020 – 2032 supports RPO 8.2 on Page 191 for Strategic Road Network stating : *“The quality of the strategic road network and connectivity to it, within the Region has been substantially improved over the last two decades, with many large-scale road schemes being completed and/or nearing completion. The NDP recognises the importance of achieving steady state maintenance and safety of the National Roads network as a priority in order to ensure that the existing extensive transport networks, which have been greatly enhanced over the last two decades, are maintained to a high level to ensure high quality levels of service, accessibility, and connectivity for transport users.”*

TII considers that the proposal in its current form and its location where particular vigilance is required, would endanger public safety by reason of a traffic hazard and obstruction of road users especially vulnerable road users due to the inappropriate design and application of inappropriate standards for road safety at this rural interchange remote from the urban area.

Such an approach will have attendant difficulties relating to the on-going safety of all road users, capacity on the national road network, the ability of the network to continue to fulfil its strategic function and safeguarding the significant Exchequer investment in the national road network development and maintenance.

TII would highlight just two examples for illustration which TII has experienced with the management of this interchange and required investment:

- The 2015/6 pavement scheme on the R132 Walshestown link road (within MMarC) was designed based on the traffic volume at the time and the natural increase over 20 years. Already in the absence of this proposal, the existing pavement on the western rotary already shows signs of fatigue which will be expedited by construction and operational traffic resulting from this proposal. TII advises that the proposed development in the form it is presented and with no associated development management framework will accelerate traffic loading and construction traffic resulting in premature failures.
- TII advises the Board that to protect the northbound off ramp of M1 Junction 5 from flood risk, considerable investment on improvement works including upstream and downstream maintenance of the open drain and repairs to drainage pipes and regrading water course downstream was performed in 2016 by MMarC Network Area A Contractors.

TII would highlight that it is not aware of any update of flood risk analysis forming part of the application and further information. As highlighted in the original TII observation, the McCloy Flood Risk Assessment submitted indicates flooding to the North of node point 02 prior to the culvert under the M1. The indicative masterplan has made no allowance for this flooding in this area nor how the impacted from any ad hoc proposed development would cater for it. At a minimum TII would have considered that any proposed development must demonstrate avoidance of any impact on the exiting drainage regime of the M1. However, the application documents do not mention issues with Node 6 Jn 5 Northbound off slip despite the fact that Fingal County Council recognises this this location is a known flood location. TII would be seriously concerned that further impacts to the drainage outfalls would likely cause an issue during the now more common extreme weather events, (high intensity rainfall have not been addressed by the applicant and the planning authority. The Board will be aware that any spill onto the M1 is not considered a benefit, with increased rainfall, hard stands and roofs will only add to the quick transit of surface water to the M1 and only increase the costs to Exchequer to resolve.

As outlined, TII considers that the outcome from the proposal and permission granted has far reaching impacts related to the future Exchequer costs for not only maintenance of the junction but also for remedial actions which would arise due to a need to address premature design and works required to meet safety standards for vulnerable road users travelling to and from this proposal as well as maintaining the capacity of this junction. It is considered that the proposed development subject to this application and appeal, by itself and by the precedent that a grant of permission would create, would endanger public safety by reason of traffic hazard

Conclusion

Having regard to the foregoing, TII considers that the permission granted conflicts with Government policy and objectives to safeguard the strategic function of the national road network and to safeguard the investment made

in the transport network to ensure quality levels of road safety, service, accessibility, and connectivity to transport users. It is with concern that TII finds it necessary to appeal the decision of the planning authority, which provides for future unknown development having regard to the high-speed section and acknowledged heavily trafficked nature of national road concerned and the requirements of national, regional, and local planning policy.

Taken in conjunction with the outlined policy and strategic matters, TII remains concerned and lacks confidence associated with the submitted application documents and also for the ability of the implementation of condition no. 6 to ensure that the material matters associated with requirements for altering physical arrangements on a rural motorway interchange for the introduction of sustainable transport proposals can be achieved without a very clear requirement for more comprehensive improvements to Junction 5 and potentially to online motorway measures.

In TII's opinion and has been highlight by the observations made, inappropriate procedures and standards have been applied and also more critically insufficient information for evaluation and identification of necessary mitigations required for the national roads network has been provided to ensure that the sustainable transport infrastructure required by this infrastructure proposal will meet the recognised European, national, regional and local policy to maintain the capacity of the core Ten-T network and also to ensure the safety.

TII would highlight that these overarching requirements are enshrined in the Fingal County Development Plan and in particular within Policy CMP32 – Sustainable Roads Infrastructure to prioritise changes to existing roads infrastructure that underpins sustainable development, maintains road safety and network efficiency and Policy CMP33 – Protection of TEN-T Network to support the protection and enhancement of the EU TEN-T network including the strategic function of the Dublin to Belfast road network which provides a critical transport connection within the Dublin-Belfast Economic Corridor.

TII considers that the development as permitted would set an undesirable precedent for other similar development impacting on the strategic national road network. The grant of permission represents a piecemeal approach to development impacting national roads despite the availability of a mechanism to develop and agree plan led 'exceptional circumstances' in accordance with the DoECLG Spatial Planning and National Roads Guidelines whereby a less restrictive approach to the control of development accessing national roads might apply.

Therefore, TII strongly recommends that the Board takes account of this appeal submission as well as the many issues raised in TII's attached observations, and refuse the proposal as granted for the following reasons:

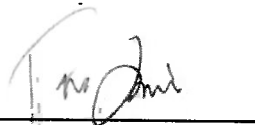
- Official policy in relation to development involving access to national roads and development along such roads is set out in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January 2012). Section 2.7 of the DoECLG Guidelines concerns development at National Road Interchanges or Junctions. The proposal in its current form including the terms and conditions applied, if approved, would adversely affect the use of a national road, the M1 linking Dublin and Belfast which is a route of National and European importance, by reducing the capacity of the interchange and therefore restricting the movement of traffic between the M1 and on and off the associated slipways and would, in the Authority's opinion, be at variance with the foregoing national policy.
- Contrary to Fingal County Council's Development policy and Objectives including Objective CMO1, Policy CMP7, Policy CMP32 Policy CMP33, Objective CMO35, Objective CMO37, Objective DMSO114, and Objective DMSO118.
- The proposed development, its current form based on proposed junction treatment and attached conditions would endanger public safety by reason of a traffic hazard and obstruction of road users with particular concern for vulnerable road users such as pedestrians and cyclists. In particular TII remains concerned for vulnerable road users and interaction with motorway traffic including slip roads. Any pedestrian traffic signals would also raise concerns over traffic backlog and safety implications for all road users onto the M1 both northbound and southbound.
- Therefore, TII considers that the proposal in its current form would endanger public safety by reason of a traffic hazard and obstruction of road users due to the inappropriate design and application of inappropriate standards for road safety at this location.
- The Authority is of the opinion that insufficient data has been submitted with the planning application to demonstrate that the proposed development will not have a detrimental impact on the capacity, safety, or operational efficiency of the national road network in the vicinity of the site.

- The application indicates inappropriate standards which are not in accordance with those set out in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January 2012) and TII Publications .
- The proposed works to Junction 5 of the M1 is premature pending the determination and development of an appropriate road layout at this location by the road authority. TII advises that the required procedures and standards are outlined in TII publication standards.
- In the Authority's opinion, the proposal, if approved, by itself, or by the precedent a grant of permission for it would set, would adversely affect the operation and safety of the national road network.

TII is of the opinion that no exceptional reasons or evidence have been outlined by Fingal County Council to justify a significant departure from official policy and road safety considerations which a grant of permission would represent in this instance.

In view of the situation outlined, Transport Infrastructure Ireland wishes to appeal the decision of Fingal County Council in respect of planning application ref. no. F24A/0362E and encloses the acknowledgement of receipt of comments from the planning authority and the required fee of €110.

Yours faithfully,



Tara Spain, Head of Land Use Planning

Enclosures : Acknowledgements

TII submissions : 20 May 2024, 27 May 2024 and 7 March 2025

**Fingal County Council
Planning Department
County Hall
Swords
Co. Dublin**

Dáta | Date: 06/03/2025

Re.: Planning Ref. F24A/0362E

Applicant: Vida M1 Limited

Dear Sir / Madam,

With reference to the further information submitted in connection with the above planning application, Transport Infrastructure Ireland (TII) wish to advise that the Authority's position remains as set out in our letter of 27-May-2024.

Following review of the further information submitted, TII consider that matters raised in the Authority's original submission have not been resolved. Based on the material submitted, TII remains to be convinced that the proposed development will not negatively impact the maintenance of the safe and efficient operation of the national road network especially the M1 mainline, Junction 5 and associated motorway infrastructure.

It is TII's opinion, if approved, that the proposal in its current form including the proposed mitigations, if approved, would create not only an adverse impact on the safety and operational efficiency of the M1 motorway, Junction 5 and motorway infrastructure but would also not be in the interests of public safety for all road users but particularly for vulnerable road users such as pedestrians and cyclists.

TII notes with the concern that applicant has not addressed the requirements associated with the national roads network in accordance with the technical guidance and standards contained in TII Publications. TII would remind the Council that the Government's *NGS Circular No. 2 of 2022 re. Application of Guidelines and Standards in relation to works on Public Roads in Ireland* indicates that compliance needs to be demonstrated with TII Publications. These publications provide the design guidance for the national road network and associated infrastructure. Moreover, TII Publications are the Government recommended design guidance for all roads where speed limits of greater than 60km/h apply. This echoes the statement to like effect in section 1.3 *Application of this Manual* of DMURS.

National policy encourages that the Council, TII, and the applicant that development such that as proposed, will need to demonstrate regard to national road network requirements by assessment against national road policy and standards ensuring that the development is complementary to maintaining the strategic function of the national road network. In addition, the proposed development must demonstrate consideration of all potential impacts and appropriate mitigation for the maintenance of the safe and efficient operation of the national road network. The current application boundary includes the M1 Junction with associated roundabouts and motorway related infrastructure at a location subject to Motorway Maintenance and Renewal Contracts (MMaRC) Network A Scheme that also, in part, form part of the designated motorway. The Council is aware that specific legal, procedural, and technical requirements are applicable to such proposals which in TII's opinion have not been addressed. Therefore, in TII's opinion the proposal in its current form is inappropriate and would be contrary to the interests of the orderly and sustainable development of the area concerned

Taking account of the above factors, TII consider that the proposal, if approved, by itself, or by the precedent a grant of permission for it would set, would adversely affect the operation and safety of the national road network



and would endanger public safety by reason of traffic hazard and obstruction of all road users for the following reasons:

1. TII remains concerned that the proposed development, as a result of the extra traffic generated at this location would endanger public safety by reason of a traffic hazard and obstruction of road users. TII also remains concerned for vulnerable road users and interaction with motorway traffic including slip roads. Pedestrian traffic signals in the form and location proposed also raise concerns over traffic backlog and safety implications, for all road users onto the M1, both northbound and southbound.
2. TII reiterates that M1 Junction 5 is a fundamental part of the M1. Having regard to the extent of the motorway boundary, existing motorway assets already in place and associated working widths, particular regard must be demonstrated to the design and implementation of works intended for cyclists and vulnerable road users meets the appropriate TII standards. TII would highlight this is not an urban road, and in the opinion of Authority, TII Publications requirements would and should apply. Therefore, TII considers that the proposal in its current form would endanger public safety by reason of a traffic hazard and obstruction of road users due to the inappropriate design approach and application of inappropriate standards for road safety and layout at this location.
3. The proposed development encompasses both sides of M1 Junction 5 and the overbridge, part of that junction. As the Council will be aware the M1 and associated interchanges within its administrative boundary, are particularly sensitive to changes in traffic volume. TII considers that the proposed development that could if adequately managed and planned result in queuing on interchange ramps and in turn, result in mainline tailbacks at Junction 5, in particular motorway traffic leaving the M1 northbound off slip during peak periods. Such an impact would not be in the interests of the safety and efficient operation of the critical M1 and associated junction for all road users.

Having regard to the part of the national road network and part of the M1 that is under consideration in this instance, it is vital that the Council carefully consider and manage the type of development, traffic generation potential, including modes and peak times, and the impact of proposed physical road and transport interventions including pedestrian and cycle interfaces proposed on traffic generation potential.

TII advises that the pavement scheme on the R132 Walshestown link road (within MMarC) was designed based on the traffic volume at the time and the natural increase over 20 years. The proposed development will accelerate traffic loading and construction traffic resulting in premature failures. Existing pavement on the western rotary already shows signs of fatigue which will be expedited by construction and operational traffic resulting from this proposal.

4. TII notes that the Mobility Management Plan (MMP) supplied at section 1.4 Scope of the MMP states that it relates to development that *"...is solely related to the construction of the civil infrastructure to service future-planned commercial buildings. The commercial buildings themselves will be subject to future planning applications."* TII is unclear as to the utility of the MMP where it appears to relate only to the construction of plots for future development and not to the nature of enterprise, quantum nor working population to be served by or utilise those plots.

In this regard, TII reiterates that DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities require that development should be plan-led, and that developer led masterplan exercises prior consultation and liaison by the local authority with TII and NTA. Of particular importance would be reference to Section 2.7 Development at National Road Interchanges or Junctions of these Section 28 Guidelines. Interchanges/junctions are recognised as important elements of national roads infrastructure that planning authorities must exercise particular care in their assessment of development proposals at locations at or close to interchanges where such development could generate significant additional traffic

with potential to impact on the national road. The nature of traffic needs to recognise the requirements of all road users not just vehicles but also cyclist and pedestrians.

TII considers that in the absence of strategic transport evidence base for this extensively zoned area at Junction 5 of the M1, that this proposal for “infrastructure” is wholly inappropriate and does not address the nature of mitigation measures which would be required for the any development at this location. In the opinion of the Authority, this is an inappropriate piecemeal and incremental approach to significant development in this area which is in the vicinity of the strategic national road network . TII considers that the proposal fails to consider necessary mitigation and infrastructure requirements to facilitate the extent of development proposed in an integrated and co-ordinated manner.

Taken in conjunction with the above strategic matters, TII remains concerned that insufficient information for evaluation and identification of necessary mitigations required for the national roads network has been provided. This especially apparent in relation to the requirement for identification of , adherence to, and compliance with, TII Publications with respect to road safety, structures and relevant services which has not been provided . The Authority would also highlight with concern that there is also contradictory information provided in the planning application documents. From TII’s perspective these are demonstrated by inaccuracies, conflicts and inconsistencies between the actual existing road network layout and extents arrangements and those indicated and described in submitted drawings and reports which accompany the original and further information. These include the following:

- a) From the information reviewed, TII is unclear of the extent of works proposed to the M1 Junction 5 overbridge (Eirspan Structure Name: Rowans Little Interchange Bridge, Structure ID: FG-M01-005.00).

The proposed “sustainable transport facility” crosses the national road network on the two Junction slips. TII advises that this proposal requires a Design Report to be submitted via the Departures Portal in accordance with TII Publication (Design Phase Procedure for Road Safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes - DN-GEO-03030) <https://cdn.tii.ie/publications/DN-GEO-03030-03.pdf>.

- b) TII also advises that it appears that the proposed signalised pedestrian crossings at the junction roundabouts at the top of the junction and other associated infrastructure appear to be within national road motorway network designation. TII advises that specific legal, procedural, and technical requirements are applicable to such proposals which have not been addressed. Therefore, in TII’s opinion the proposal in its current form is inappropriate.
- c) TII does not have confidence that required topographical accurate baseline surveys were undertaken to inform the subsequent design approach on this essential element of national road infrastructure and critically in the interests of public safety and in accordance with TII Publication requirements. To illustrate further inconsistencies and conflicts , TII provides the following sample deficiencies in the further information reviewed:
 - TII are concerned that existing motorway infrastructure is not accurately documented . For example, only, mitigations do not take account of the locations of the motorway lighting footprint and associated TII power supply infrastructure .
 - The designer appears to have used DMURS for the design. This is a serious concern and ill-advised given the location at Junction 5 of the M1 motorway and the nature and function of traffic which would be characterised in this locality. TII would highlight this is not an urban road . It is appropriate that TII Publications would and should apply at this location
 - The proposed “sustainable transport facility” part of the application refers to installation of pedestrian and cycleways and crossing arrangements. However, the proposed cycleway appears to be discontinuous across the Junction 5 overbridge structure i.e. the adjacent cross-sections show a cycle

and pedestrian facility approaching the structure and the cross-section of the structure does not show a cycle facility.

- Insufficient information has been provided with regards to change in cross section of the existing carriageway over the Junction 5 overbridge structure and on the associated roundabouts.
- It is unclear from the proposal what the parapet heights are on the Junction 5 overbridge structure and if they are the correct height to safely facilitate cyclists.
- Although the Road Safety Audit appears to have a recent date on it, it does not appear to have been amended since the original proposal.

In summary, based on the information submitted with the planning application in respect of mitigation measures for the national road network, TII are unable to ascertain or evaluate national road interactions within the motorway and / or TII maintained area, and all associated infrastructure assets including e.g. structure, lighting, signage, power supply, boundary treatments, drainage arrangements and future maintenance arrangements.

Therefore, TII advises that in the absence of appropriate assessments, plans, and details this proposal in its current form could have serious repercussions for the safety, maintenance and operation of national road network contrary to the national policy related to national roads *Spatial Planning and National Roads Guidelines for Planning Authorities* (DoECLG, 2012) and the requirements of TII Publications.

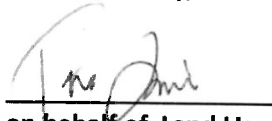
TII consider that the proposed development, including physical works to TII managed structures/assets and alterations to existing traffic management arrangements which are required as a result of the nature the extra traffic generated in the vicinity of the M1 and Junction 5 of the M1, would endanger public safety by reason of traffic hazard and obstruction of all road users.

TII is not convinced that the proposed development and its proposed mitigation measures associated with the managed national and public road infrastructure is capable of being implemented in a safe and efficient manner in accordance with national policy requirements and standards. TII considers that the application is premature pending the preparation of an appropriate road layout for the area in vicinity of Junction 5 to service and address statutorily agreed development frameworks. TII advises that such an exercise should be undertaken by Fingal County Council subject to the agreement with TII.

In the Authority's opinion, the proposal, if approved, by itself, or by the precedent a grant of permission for it would set, would adversely affect the operation and safety of the national road network.

Please acknowledge receipt of this submission.

Yours faithfully,



on behalf of Land Use Planning Unit

**Fingal County Council
Planning Department
County Hall
Swords
Co. Dublin**

Email: planning.reports@fingal.ie

**Dáta | Date
24 May 2024**

Ár dTag | Our Ref.

**Bhur dTag | Your Ref.
F24A/0362E**

Re: Planning Ref.: F24A/0362E Applicant: Vida M1 Limited

Dear Sir/Madam,

TII's observations seek to address the safety, capacity and strategic function of the national road network and Luas in accordance with TII's statutory functions and the provisions of official policy.

The M1 is identified as part of the EU TEN-T Core Network. The sensitivity of the national roads network to unplanned impacts and proposals can have a significant adverse impact on the transportation network at national, regional, and local levels especially inter-regional connectivity. Therefore, there is a shared responsibility between the transport stakeholders to ensure a balanced and considered approach to the development of these international gateways with its supporting interacting transporting infrastructure. This responsibility is clearly identified in national, regional, and local policy which recognises the requirements for sustainable development of the airport as well of the acknowledged requirement to protect the capacity, safety, and efficiency of the existing critical M1 and associated junctions.

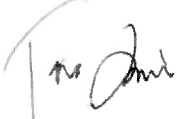
The Authority has examined the above application and considers that it is at variance with official policy in relation to control of development on/affecting national roads, as outlined in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012), as the proposed development by itself, or by the precedent which a grant of permission for it would set, would adversely affect the operation and safety of the national road network for the following reason(s) which supplement the earlier submission made :

- Official policy in relation to development involving access to national roads and development along such roads is set out in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January, 2012). Section 2.7 of the DoECLG Guidelines concerns development at National Road Interchanges or Junctions. The proposal, if approved, would create an adverse impact on the national road and associated junction and would, in the Authority's opinion, be at variance with the foregoing national policy.
- TII advises that the proposed development, as a result of the extra traffic generated at this location would endanger public safety by reason of traffic hazard and obstruction of road users.
- In addition , TII consider with considerable concern that the proposal would endanger public safety by reason of traffic hazard and obstruction of all road users especially for vulnerable road users. Arrangements proposed necessitates vulnerable road users crossing the merge and diverge lanes at the roundabouts at the top of the junction interacting with motorway traffic.

- With concern TII notes that the documentation submitted is not in accordance with those policy and standards set out in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January 2012) and TII publications. It is considered that appropriate assessments and reports (including necessary design reports), in accordance with TII Publications, to address the capacity and safety on the M1 and associated junction are needed to be undertaken due the potential of wider network capacity implications and also in the interests of public and road safety.
- The McCloy Flood Risk Assessment indicates flooding to the North of node point 02 prior to the culvert under the M1, TII notes with concern that the indicative masterplan has made no allowance for this flooding in this area nor how the impacted from the proposed development would cater for it. It is requested that this area identify as part of the indicative masterplan and this area is protected as a flood zone in any future planning application to ensure no increased flood risk to the M1. the indicative masterplan has made no allowance for the management of flooding in this area nor mitigation for the protection of the nationally critical M1 .
- Related to the above items , TII advises that the proposal introduces new infrastructure within the TII Motorway Maintenance and Renewal Contracts (MMaRC) Network Area boundary . These interactions will have consequences for costs, liability and maintenance responsibilities and also as further detailed design will be required and necessary to address TII Publications standards (including safety) which have not been addressed by the Council in consultation with TII .
- Further to the above items , TII also advises that where the proposed development includes works proposed to be carried out over, on, and in close proximity to the national road network, that must be in accordance TII Publications TII request that the application design and works will need to be revised to demonstrate that these requirements are addressed.
- Finally, the Council will be aware that the DoECLG Spatial Planning and National Roads Guidelines require that development should be plan-led. TII consider that the promotion of developer led masterplan exercises without prior consultation and liaison by the local authority with TII and NTA and in the absence of strategic transport evidence base requirements for the entire area is wholly inappropriate and does not address the nature of mitigation measures which would be required for this area. In the opinion of the Authority this is an inappropriate piecemeal and incremental approach to significant development proposals in this area in the vicinity of the strategic national road network which fails to consider necessary mitigation and infrastructure requirements to facilitate the extent of development proposed in an integrated and co-ordinated manner.

Please acknowledge receipt of this submission in accordance with the provisions of the Planning and Development Regulations, 2001 as amended.

Yours sincerely,



TII Land Use Planning



**Fingal County Council
Planning Department
County Hall
Swords
Co. Dublin**

Date/Dáta: 20-May-2024

**Re: Planning Ref.: F24A0362E
Applicant: Vida M1 Limited**

Dear Sir/Madam,

The Authority has examined the above application and considers that it is at variance with official policy in relation to control of development on/affecting national roads, as outlined in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012), as the proposed development by itself, or by the precedent which a grant of permission for it would set, would adversely affect the operation and safety of the national road network for the following reason(s):

- Official policy in relation to development involving access to national roads and development along such roads is set out in the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (January, 2012). Section 2.7 of the DoECLG Guidelines concerns development at National Road Interchanges or Junctions. The proposal, if approved, would create an adverse impact on the national road and associated junction and would, in the Authority's opinion, be at variance with the foregoing national policy.

Please acknowledge receipt of this submission in accordance with the provisions of the Planning and Development Regulations, 2001 as amended.

Yours faithfully,

**on behalf of
Land Use Planning Unit**

**Note: In accordance with the provisions of section 13 of the Roads Act 2015, Transport Infrastructure Ireland (TII) is the operational name of the National Roads Authority with effect from 1 August 2015.*

Próiseálann BIÉ sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag www.tii.ie.
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**Transport Infrastructure Ireland
Land Use Planning Section, Parkgate Business Centre
Parkgate Street
Dublin 8
DO8 YFF1**

Date: 21 May, 2024

ACKNOWLEDGEMENT of RECEIPT of SUBMISSION or OBSERVATION on a PLANNING APPLICATION

THIS IS AN IMPORTANT DOCUMENT!

KEEP THIS DOCUMENT SAFELY, YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE **ONLY** FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

PLANNING AUTHORITY NAME

FINGAL COUNTY COUNCIL

PLANNING APPLICATION REFERENCE NO.

F24A/0362E

A submission/observation in writing, has been received from Transport Infrastructure Ireland **on , in relation to the above planning application.**

The appropriate fee of €20.00 has been paid. (Fee not applicable to prescribed bodies).

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations, 2006 and will be taken into account by the Planning Authority in its determination of the planning application.

Reg. Ref. F24A/0362E

Planning Admin Team

For Senior Executive Officer

Fingal County Council Stamp

Area: Rush Lusk

Development: NIS
The proposed development will consist of:

- Demolition of an existing vacant dwelling and water storage reservoir with associated pump station located along the western boundary of Zone A;
- Demolition of two existing vacant dwellings and all associated outbuildings within Zone F;
- Provision of roads and services infrastructure (surface water, foul and water supply) to facilitate the future development of the lands including public lighting, utility connections (power, telecommunications and gas) and SuDS drainage;
- Provision of new access roads from 'Bhailsigh Road' (L1140) to Zone A and Zone F and a new cycle and pedestrian route over the M1 motorway towards the R132 via the 'Bhailsigh Road' (L1140);
- Upgrades and modifications to the existing roundabout along the 'Bhailsigh Road' (L1140);
- All ancillary landscaping, tree/hedgerow removal, road works, boundary treatments, signage and site development works to support the development.

Reg. Ref. F24A/0362E

An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) will be submitted to the Planning Authority with the planning application. The EIAR and NIS may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy at the offices of the Planning Authority during its public opening hours.

The site includes two plots of land which are primarily greenfield and located to the west of the M1 motorway. Zone A is located to the north of the Bhailsigh Road (L1140). Part of this site contains a vacant dwelling (Eircode:K45 YD54). Zone F is located to the south of the Bhailsigh Road (L1140). This site contains two vacant dwellings (Eircode: K45 KR26 and K45 EP80) and their associated outbuildings. The site also includes a section of the Bhailsigh Road (L1140) towards the R132 at Junction 5 of the M1 motorway.

Location: A site located in the townlands of Rowans Big, Rowans Little, and Courtlough, Lusk and Balbriggan, Co. Dublin.

Applicant: Vida M1 Limited

Application Type: Permission

Date Received: 19 April, 2024

Please note that all planning applications, including submissions/objections will be published on the Council's website.



**Transport Infrastructure Ireland
Land Use Planning Section, Parkgate Business Centre
Parkgate Street
Dublin 8
D08 YFF1**

Date: 27 May, 2024

ACKNOWLEDGEMENT of RECEIPT of SUBMISSION or OBSERVATION on a PLANNING APPLICATION

THIS IS AN IMPORTANT DOCUMENT!

KEEP THIS DOCUMENT SAFELY, YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE **ONLY** FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

PLANNING AUTHORITY NAME

FINGAL COUNTY COUNCIL

PLANNING APPLICATION REFERENCE NO.

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Reg. Ref. F24A/0362E

Planning Admin Team

For Senior Executive Officer

Fingal County Council Stamp

Area: Rush Lusk

Development: NIS
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- Demolition of two existing vacant dwellings and all associated outbuildings within Zone F;
- Provision of roads and services infrastructure (surface water, foul and water supply) to facilitate the future development of the lands including public lighting, utility connections (power, telecommunications and gas) and SuDS drainage;
- Provision of new access roads from 'Bhailsigh Road' (L1140) to Zone A and Zone F and a new cycle and pedestrian route over the M1 motorway towards the R132 via the 'Bhailsigh Road' (L1140);
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- All ancillary landscaping, tree/hedgerow removal, road works, boundary treatments, signage and site development works to support the development.

Reg. Ref. F24A/0362E

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The site includes two plots of land which are primarily greenfield and located to the west of the M1 motorway. Zone A is located to the north of the Bhailsigh Road (L1140). Part of this site contains a vacant dwelling (Eircode:K45 YD54). Zone F is located to the south of the Bhailsigh Road (L1140). This site contains two vacant dwellings (Eircode: K45 KR26 and K45 EP80) and their associated outbuildings. The site also includes a section of the Bhailsigh Road (L1140) towards the R132 at Junction 5 of the M1 motorway.

Location: A site located in the townlands of Rowans Big, Rowans Little, and Courtlough, Lusk and Balbriggan, Co. Dublin.

Applicant: Vida M1 Limited

Application Type: Permission

Date Received: 19 April, 2024

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