

The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1

**AN BORD PLEANÁLA**  
LDG- \_\_\_\_\_  
ABP- \_\_\_\_\_  
03 JUN 2025  
Fee: € \_\_\_\_\_ Type: \_\_\_\_\_  
Time: 15:10 By: HAND  
Date: 3<sup>rd</sup> June 2025  
JSA Job Ref.: 20031

Dear Sir / Madam,

**RE: RESPONSE TO THIRD PARTY APPEAL IN RESPECT OF PROPOSED DEVELOPMENT AT A SITE LOCATED IN THE TOWNLANDS OF ROWANS BIG, ROWANS LITTLE, AND COURTLUGH, LUSK AND BALBRIGGAN, CO. DUBLIN**

**FINGAL COUNCIL REG. REF.: F24A/0362E**

**ABP CASE NUMBER: ABP-322429-25**

**DEVELOPMENT DESCRIPTION:**

*"The 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."*

**1.0 INTRODUCTION**

We refer to your letter dated the **6<sup>th</sup> May 2025** attached as Appendix 1 of this correspondence, inviting a response to the third-party appeal lodged in respect of the above application.

On behalf of our client, Vida M1 Limited, 29 North Anne Street, Dublin 7, we, John Spain Associates, 39 Fitzwilliam Place, Dublin 2, hereby submit a response to a third-party appeal lodged in respect of the notification to grant planning permission by Fingal County Council and Managers Order dated the 3<sup>rd</sup> April 2025.

Managing Director: P. Turley Executive Directors: R. Kunz | S. Blair | B. Cregan | L. Wymer | K. Kerrigan  
Senior Associate Directors: M. Nolan | B. Coughlan | I. Livingstone Associate Director: T. Devlin  
John Spain Associates Ltd trading as John Spain Associates

Registered Address: 39 Fitzwilliam Place, Dublin 2 | Directors: A. Murphy | J. Brennan | J. Spain  
CRO No. 396306 | VAT No. IE 6416306U

The third-party appeal in question was lodged by Transport Infrastructure Ireland (TII), Parkgate Business Centre, Parkgate Street, Dublin 8, Ireland, D08 DK10.

A core element of the appeal by TII, is that *"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."*

The applicant has fully engaged with Fingal County Council throughout the pre application process and in addressing the further information request. Early engagement with TII as was sought through Fingal County Council would have provided an opportunity for the applicant to clarify any issues that TII may have had and provided an opportunity to direct TII to the most relevant documents supporting the application which address its queries. This may have negated the need for an appeal to the grant of permission. The applicant remains open and willing to meet with TII to clarify any queries they may have. We are satisfied that in any event, any points of detail can be addressed in accordance with Condition 6 of the Notification to Grant as they would be very minor in nature, detailed design and clarificatory in nature. These minor points would not affect or alter the findings in the environmental assessments submitted with this appeal, nor require any additional environmental assessment. Notwithstanding, the applicant is the owner of the entirety of the GE zoned lands to the west of Junction 5 of the M1, and the subject application for enabling infrastructure was progressed in the context of a masterplan. The masterplan developed by a multi-disciplinary team of architects, engineers, landscape architects, environmental consultants and planning consultants, comprised a number of logistics/warehouse units, with associated infrastructure and ecological corridor.

As part of early engagement with Fingal County Council, active travel measures, to enable access to wider pedestrian, cycle and public transport in the form of paths, cycleways and crossings were put forward across the bridge to the eastern side of the junction, linking to the wider National Transport Authority Greater Dublin Area Cycle Network Plan. This approach was supported by the NTA, with their submission on the application at further information stage stating:

*"The NTA considers the proposed active travel infrastructure to be generally appropriate for accommodating future uses at this land in line with the 'General Employment' zoning objective, noting that the NTA would only consider non-trip intensive uses to be acceptable at this location."*

TII note serious concerns in a number of respects within the appeal; however it appears that TII have not had full regard to the submitted information with the planning application. Most of the points raised by the appellant in their appeal are quite broad and do not elaborate on their concerns with regards to the proposals and the impact on the motorway.

For example, TII refer to the development as *"piecemeal"* and *"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"*. This does not acknowledge the masterplan undertaken which has been fully considered and formed part of the assessment of the submitted Environmental Impact Assessment Report at application and further information stages.

Additionally, TII state – *“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.”* A full Design Report was prepared by CSEA on foot of a further information request from Fingal County Council. Whilst the TII appeal raises a number of concerns in relation to design and safety, there is no critique of the CSEA document nor specific details of such concerns outlined allowing consideration and/or response.

TII state 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.”*

A Flood Risk Assessment accompanied the application and a Technical Note accompanied the further information response, both prepared by McCloy Consulting Engineers which specialist flood expertise. The assessment included site specific hydraulic modelling and an additional allowance for flood storage proximate the M1 was made in the masterplan at further information stage.

Another point raised by TII is that *“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.”* The further information response included an updated Road Safety Audit, based on the design updates which formed part of the further information response.

We also note that TII contends that the development should not be granted having regard to previous refusals or conditions on adjacent lands at this junction of the M1 motorway. However, we note that the previous proposals on these lands were 20-25 years ago and materially different as they comprised elements of significant employment generating uses such as a science and technology park, rather than lower density employment uses for logistics/warehouse uses as is currently proposed. An outline of the planning history and Development Plan context is provided herein.

In light of the above, it is respectfully submitted that it may be the case that TII have not been aware of certain documentation which form part of the public file and elaboration on their concerns would be welcomed. Therefore whilst the applicant and team fully respect the responsibilities and authority of TII, it is respectfully request that ABP consider the full suite of information on file from the applicant, assessed and accepted by Fingal County Council in their decision.

We would like to highlight that in deciding to grant planning permission for the proposed development, Fingal County Council concluded that:

*“The detailed concerns of TII are noted and have been given due consideration. However, the subject site and surrounding lands are zoned ‘GE’ – General Employment and the current proposal will facilitate the future development of the lands in accordance with the long-term objectives of the Fingal Development Plan 2023-2029. The principle of developing these lands for such use, at significant scale, has already been established by the land use zoning attached to the site, both in the current and previous Development Plans, and, to some extent, by the existence of the unfinished Bhailsigh Road (L1140) roundabout. Given this context, the nature and scale of the proposed development is acceptable. Furthermore, the proposed development would support the future economic growth and competitiveness*

*of the Dublin MASP and Dublin-Belfast Economic Corridor as envisioned by the Eastern & Midland Regional Economic Strategy 2019-2031 and the National Planning framework – Project Ireland 2024.”*

It appears a core element of the TII concern relates to the interface and interaction of the active travel measures with the interchange which are points of detail, addressable in discharging the condition included by Fingal County Council on the notification of decision, therefore there is no basis for the Board to refuse the permission for this reason. The accompanying response from CSEA Consulting Engineers addresses the appeal in detail and includes a comparative of the various publications, guidelines and standards, which demonstrates nominal differences, all of which may be readily accommodated in the design and application site.

The following is included with this appeal response.

- Appendix 1 – Correspondence Letter from An Bord Pleanála
- Appendix 2 – Extracts from Zoning Maps of Previous Fingal County Development Plans
- Response to TII Appeal Technical Queries prepared by CSEA

## 2.0 SUMMARY OF THE PROPOSED DEVELOPMENT

The following section provides details of the proposed development which have been submitted as part of the planning application and further information response. Please refer to drawings and reports submitted with the planning application for full details of the proposed development.

### Detailed Description of Development

The proposed development comprises the key infrastructure to facilitate the future development of the lands for a commercial logistics/warehousing development.

The proposed development was described as follows, per the public notices and as originally applied for (details of changes at further information stage are set out further below):

*The 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.*

A number of minor design changes were made to scheme following a further information request from Fingal County Council. Notably, three of the existing buildings in Zone F will now be retained on site following an assessment of the heritage value of these structures and the relevant policies and objective in relation to vernacular buildings contained in the Fingal County Development Plan 2023-2029. As a result of the retention of these structures, the design of the internal road in Zone F was amended slightly.

The proposed active travel measures were also revised at further information stage to address comments received by TII. These are set out in detail below.

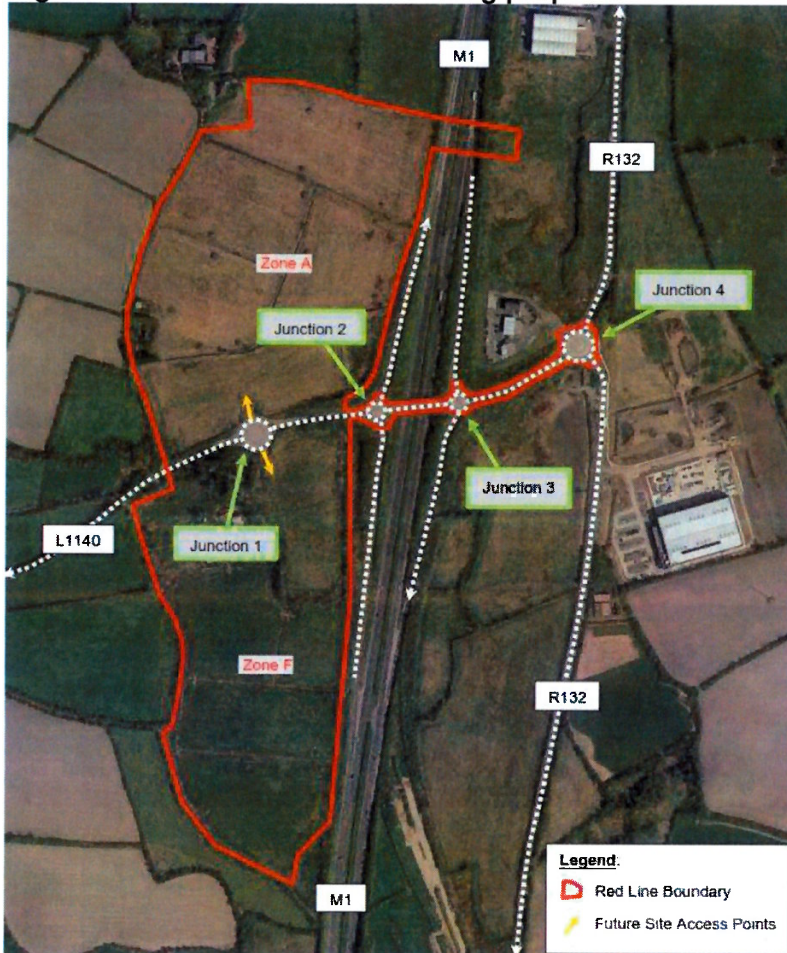
We note that the EIAR and NIS were both updated at further information stage to reflect the changes to the development. However, the amendments did not result in any significant changes to the previous assessments.

The below section provides a summary of the key elements of this development which relate to this appeal.

### Site Access

Access to the site will be from the existing roundabout along the Bhailsigh Road (L1140), north to Zone A and South to Zone F. Internal roads will be provided with dedicated cycle and pedestrian paths throughout Zone A and F.

**Figure 2.1 Extract from TTA showing proposed site access points.**



### Car And Cycle Parking

No car or cycle parking spaces are proposed as part of the subject application; however, there will be increased traffic levels during the construction of the proposed development. A full Traffic and Transport Assessment and Mobility Management Plan have been prepared by CSEA and were submitted with the planning application.

### Cycle Infrastructure and Active Travel Measures

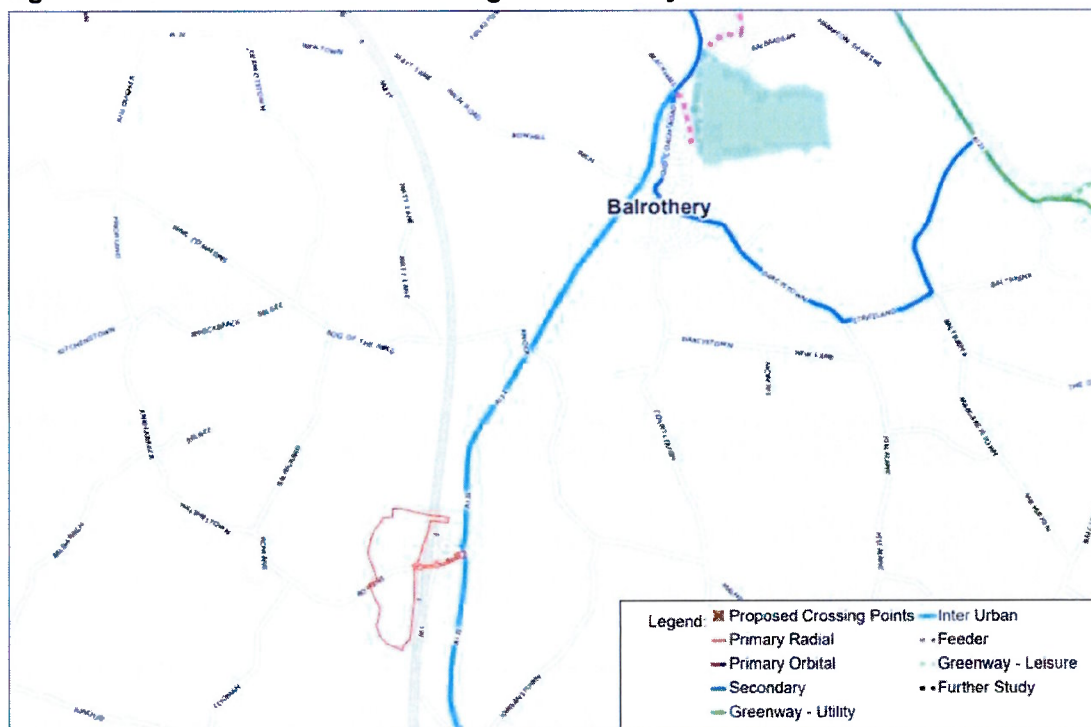
The proposal includes new shared cycle and pedestrian routes over the M1 motorway via the (L1140) towards the R132 to support active travel in line with the objectives of Fingal County Council and the National Transport Authority. These upgrades aim to service the development connectivity needs with sustainable modes of transport such as existing bus stops and the NTA's planned cycle route along R132.



A number of design changes were made to the active travel measures following TII's comments at further information stage which were set out in CSEA's document 'Response to TII Comments'. These changes comprised the following:

- Further reduction of the circulating carriageway of the proposed access roundabout from 7.5m to 6.0m by increasing the size of the proposed overrun area to 3.0m. The 6.0m circulating carriageway is in line with the current TII standards for single-lane roundabouts.
- Reduction of the entry widths of the approaches to the roundabout to a maximum of 6.0m to comply with the TII standard on the relation between to the circulating carriageway and the maximum entry width ("In general, the width of the circulatory carriageway must be between 1.0 and 1.2 times the maximum entry width, excluding any overrun area). The reductions on the entry widths were achieved by increasing the width of the existing splitter islands.
- The signalised toucan crossing has been redesigned to allow cyclists and pedestrians to cross the entire road in one go, without needing to pause at a splitter island in the middle. The traffic signal timing will be adjusted to ensure a continuous crossing from one side of the road to the other. With the road being 7.5m wide at this crossing, the green light will be timed to stay on for at least 6 seconds plus minimum 3 seconds amber time, providing sufficient time for users to safely cross from kerb to kerb on a considered average walking/cycling speed of 1.2m/s when crossing.
- The 3.0m-wide active travel facility is now proposed along the north side of the L1140 only. The existing 2.0m-wide concrete footpath on the north side of the M1 overbridge, between the two dumb-bell roundabouts, is proposed to be widened to 3.0m, which will be achieved by slightly narrowing the bridge's road carriageway to 7.83m and realigning the centreline. No modifications are proposed to the existing bridge infrastructure.
- The crossing facilities on the dumb-bell roundabouts are now design as toucan crossings. They will be positioned 10 metres away from the circulating carriageway and handrails will be installed to discourage pedestrians and cyclists from attempting to cross the road at undesignated points closer to the circulatory carriageway of the dumb-bell roundabouts. Advanced warning signs will be provided to advise drivers of the traffic signals at the off -ramp of the motorway.

Figure 2.2 Extract from MMP showing NTA GDA Cycle Network Plan



## Phasing

In relation to the phasing of the proposed development, the Outline Construction and Environmental Management Report prepared by CSEA sets out the following:

*"It is anticipated that the construction of the proposed development will be phased. The construction of the access roads will be progressed as the demand for the individual land parcels identified in the Scott Tallon Walker Masterplan increases over time. It is anticipated that Phase 1 will consist of a construction period of 8 months which will open the development, with Phase 2 involving a construction period of 6 months as indicated in the indicative Figure 2-4 below. Phase 1 would entail the construction of all the services, utilities and drainage infrastructure required to service both Zone A and F in its entirety".*



**Figure 2.3 Indicative construction phasing prepared by CSEA.***Figure 2-4: Indicative construction phasing*

### Masterplan

As part of this application, an indicative Masterplan drawing for Zone A and F was prepared by STW which contains layouts of the future potential commercial properties, consisting of warehousing and distribution units including associated loading bays for HGVs, service compounds, ESB substations and parking areas to service each commercial unit site. The masterplan layout assumes complete development of the subject lands. We note that the future units would be subject to individual planning permission applications and may vary in form and configuration from the indicative masterplan. The primary purpose of the indicative masterplan exercise was to inform potential extent of development and to ensure the proposed internal roads are sufficiently sized and located. See below extract from the Indicative Masterplan drawing prepared by STW. STW have also prepared a Masterplan Document which shows the indicative layouts of Zone A and F, site sections and examples of future materials and finishes for the prospective units.

We also note that the EIAR assessed the potential traffic impacts which would result from the development as shown on the masterplan. It was concluded that the development would not have an adverse impact on traffic levels in the area.

**Figure 2.4 Indicative site masterplan prepared by STW Architects showing indicative building layouts.**



### 3.0 RESPONSE TO APPEAL

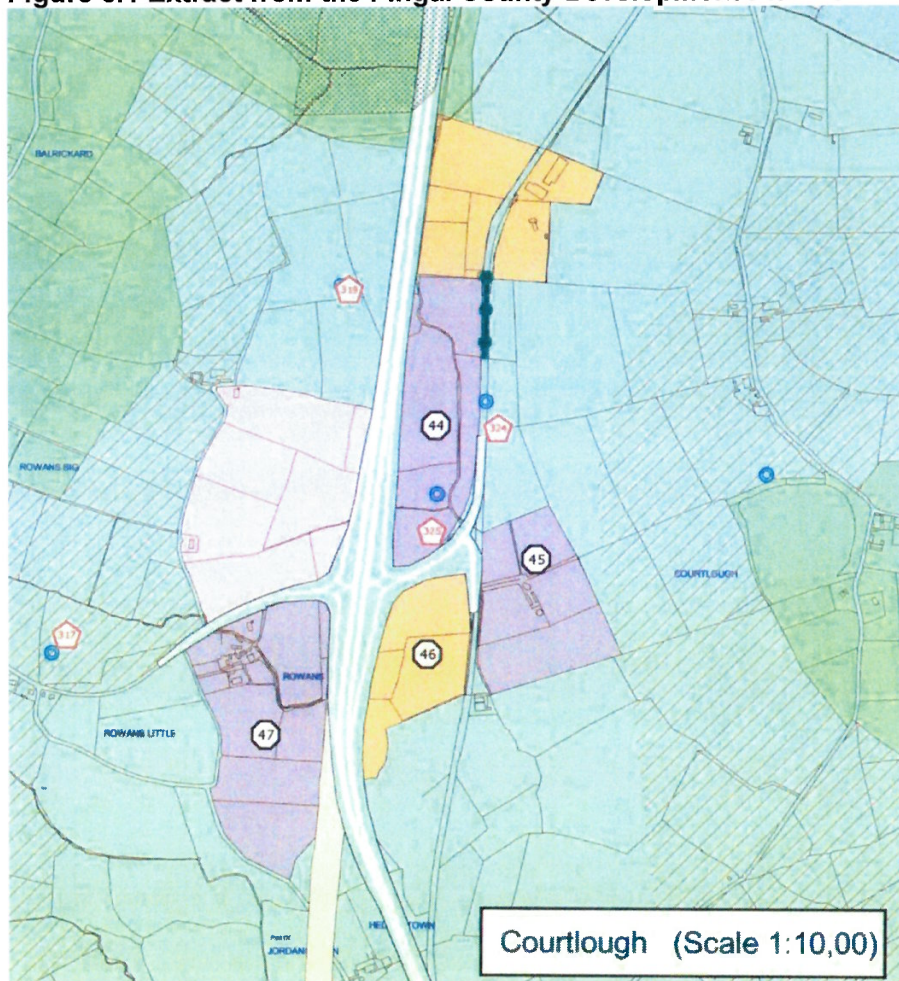
#### 3.1 ZONING CONTEXT AND RELEVANT PLANNING HISTORY

##### Zoning Context

The subject lands were originally zoned under the 1999-2005 County Development Plan for employment uses in the form of light industrial development and a science and technology Park. See below extract from the Fingal County Development Plan 1999-2005.

The site to the southwest of the junction, known as Site F, contained a local objective (47) to “provide for a national fruit and vegetable market”.

**Figure 3.1 Extract from the Fingal County Development Plan 1999-2005 zoning map.**



Objective L1

To facilitate opportunities for light industrial employment in a high quality landscaped environment in accordance with approved action area plans and subject to the provision of the necessary physical infrastructure.



Objective ST1

To facilitate opportunities for science and technology based employment and associated and complementary uses in a campus style environment in accordance with an approved action area plans and subject to the provision of the necessary physical infrastructure.

Source: Fingal County Development Plan 1999-2005.

Following the zoning of the lands at the Courtlough interchange in 1999, Fingal County Council drafted an Area Action Plan to guide the development of the lands as required by the zoning objective. This area action plan, known as the Courtlough Area Action Plan, was adopted by Councillors in 2001 and allowed for development of a significant scale. The Fingal County Development Plan 1999-2005 set out the following in relation to the development of the lands at the Courtlough interchange:

**Figure 3.2. Extract from FCDP 1999-2005 showing supporting text in relation to motorway interchange at Courtlough.**

*Courtough*

The motorway interchange at Courtlough is uniquely positioned in that it is not required to directly or mainly serve an urban area. This provides a unique opportunity for the location directly adjoining the motorway of facilities associated with the Dublin - Belfast Economic Corridor, motorway services and a major service facility for the rural area.

These facilities include:

A major wholesale fruit and vegetable market,

Motorway services,

Warehousing facilities for the Corridor,

A science and technology park.

Appropriate areas with specific objectives have been indicated on the Development Plan map for this area.

We note that the zoning on the site to the northwest of the junction (Zone A) was changed from 'HT – High Technology' to 'GE – General Employment' under the current 2023-2029 Development Plan. We also note that the objective to prepare a Local Area Plan for these lands the subject of the application was omitted in the current Development Plan which was present since the 2005 Development Plan. A Local Area Plan was not prepared. Appendix 2 includes extracts of the zoning maps from the previous Development Plans in relation to the subject lands.

The lands were originally earmarked for more intensive employment uses as per the above extract including a wholesale fruit and vegetable market, science and technology park, hotel, and warehousing which is significantly different from the low employment density uses now proposed which forms solely the latter low employment density use. The subject proposal has materially different traffic patterns and considerably less traffic generation to the development envisaged up to the current Development Plan.

### **Relevant Planning Applications**

F01A/1383: PL 06F.128755

FCC granted planning permission on 04/03/2003 for the following development at lands to the southwest, southeast and northeast of, Motorway Interchange at Courtlough/Rowans Road, Co. Dublin:



*"Alterations to the existing road network identified as the N1 Old Swords Road and Balbriggan Road and Rowans Road respectively, to facilitate access to the proposed light industrial, warehousing and motorway services development (on five land parcels totalling 48.74 hectares (120.41 acres) approximately) currently the subject of planning applications to Fingal County Council, Reg.Ref. Nos.: F01A/0476, F01A/0575 and F01A/0777) to the southwest, southeast and northeast of the M1 Motorway Interchange at Courtlough/Rowans Road, Co. Dublin. The proposal includes the following elements:-*

*1. The construction of a 40 metre diameter roundabout and access points to site known as Area F (Application Reg. Ref. No. F01A/0777) on Rowans Road to the west of the motorway interchange and the construction of a footpath on the southern side of the carriageway between the proposed roundabout and the motorway interchange.*

*2. The construction of a 50 metre diameter roundabout; an access point to the proposed motorway services development (on Area C, Application Reg. Ref. No.: F01A/0476; minor realignment of the carriageway between the motorway interchange and the proposed roundabout including footpaths; minor realignment of the carriageway to N1 Old Swords Road to the east of the motorway interchange.*

*3. The widening of the N1 Old Swords Road to facilitate the construction of 2 no. access points to lands known as Area D and E (Application Ref. Ref. No.: F01A/0777) to the southeast of the motorway interchange and the construction of footpaths along both sides of the carriageway between the Balbriggan Road junction and the site entrances.*

*4. The construction of 2 no. access points to the lands known as Area B (Application Reg. Ref. No.: F01A/0575) to the N1 Balbriggan Road (including the reordering of the carriageway) and the construction of a footpath along the eastern boundary of Areas B and C including a bus stop lay by".*

It is noted that the condition imposed by Fingal County Council in relation to financial contributions was amended by ABP at appeal stage.

It is considered that this development was permitted to allow for the orderly development of the zoned lands at the Courtlough junction of the M1 motorway, including the subject lands.

#### F01A/0777: PL06F.129151

ABP made a split decision on the 31/12/2002 for the following development description at Courtlough/Rowan's Road, lands to the Southwest and Southeast of M1 motorway interchange and east of the N1 Balbriggan Road, Courtlough/Rowan's Road, Co. Dublin.:

*"Demolition of 2 no. habitable dwelling houses and the construction of a light industrial/warehousing development totalling 86,778 sq. metres approximately, including ancillary offices and staff facilities over two floors; new pedestrian and vehicular access/egress points; internal circulation roads and service areas; 860 no. car parking spaces; ESB Mv substations and all associated site development and landscaping works on three land parcels totalling 31.31 hectares (75.35 acres)".*

ABP granted planning permission for the proposed development on Site E which comprised four warehouse units numbered E1, E2, E3 and E4. ABP concluded that: *"it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development on Site E would not seriously injure the amenities of the area, would be acceptable in terms of traffic safety and convenience and would not be contrary to the proper planning and development of the area."*

We note the following condition which is of relevance:

*"2. No development shall commence until all of the works necessary for this development granted permission under planning register reference number F01A/1383 have been fully completed to the satisfaction of the planning authority.  
Reason: In the interest of traffic safety and orderly development".*

As part of the split decision and consistent with the Fingal County Council decision, development proposed for Zone F (fruit and vegetable wholesale market to the south west of the junction) and Zone D (light industrial) was refused.

Reasons for refusal:

1. *The proposed development of the land parcels identified as Site D shown on site layout drawing number 01350-PLA-001P1 and Site F shown on site layout drawing number 01380-PLA-002P2, which form part of Phase 2 of the overall development of the Courtlough Action Plan, as identified in the permission granted under planning register reference number F01A/1383 in drawing number 32331/101, would be premature due to constraints of (i) the existing deficiency in the road network serving the area of the proposed development in that the existing network as granted permission under planning register reference number F01A/1383 is unsuitable to carry the increased road traffic likely to result from the proposed development of the two sites D and F, and (ii) the deficiency that will arise from the increased road traffic from the permissions in Courtlough for sites B, C and E, which would render the M1 Rowans Road/Naul Road interchange 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 serve the two sites D and F as described.*
2. *The proposed development of the land parcels identified as Site D shown on site layout drawing number 01350-PLA-001P1 and Site F shown on site layout drawing number 01380-PLA-002P2, which form part of Phase 2 of the overall development of the Courtlough Action Plan, as identified in the permission granted under planning register reference number F01A/1383 in drawing number 32331/101, would endanger public safety by reason of traffic hazard and obstruction of road users as the road network proposed to serve this development granted under planning register reference number F01A/1383 is not considered sufficient to meet the capacity requirements of Phase 2, and this development would also contravene materially condition number 2 of the permission granted under planning register reference number F01A/1383 which restricts development on the road network to Phase 1 only.*
3. *The proposed development of the land parcels identified as Site D shown on site layout drawing number 01350-PLA-001P1 and Site F shown on site layout drawing number 01380-PLA-002P2, which form part of Phase 2 of the overall development of the Courtlough Action Plan, as identified in the permission granted under planning register reference number F01A/1383 in drawing number 32331/101, 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 and the N1 (Balbriggan Road) and on and off the associated slipways.*

As set out, the prior proposals were materially different in terms of scale and use and therefore traffic generation and patterns.



For example, the following compares the proposals for Zone F, as these lands are included in the subject application:

	Reg. Ref.: F01A/0777	Masterplan for subject application
<b>Light Industrial (fruit and vegetable wholesale)</b>	25,704 sq.m.	-
<b>Logistics/warehouse</b>	-	19,000
<b>Office (ancillary)</b>	12,636 sq.m.	2,105 sq.m.
<b>Total Floor Area</b>	38,340 sq.m.	21,105 sq.m.
<b>Car Parking Spaces</b>	385	258

An application for the science and technology park on Zone A was withdrawn. The following table provides a comparison of the scheme:

	Reg. Ref.: F01A/0541	Masterplan for subject application
<b>Science and technology park (10 buildings ranging in height of 4-5 storeys)</b>	76,861 sq.m.	-
<b>Logistics/warehouse</b>	-	40,780 sq.m.
<b>Office (ancillary)</b>	- (offices incl. in above)	4,535 sq.m.
<b>Total Floor Area</b>	76,861 sq.m.	45,315 sq.m.
<b>Car Parking Spaces</b>	2,190	510

It is apparent as demonstrated above, that the schemes are of considerable difference and therefore the relevance of the past decisions referenced in the TII appeal are questioned.

We also note the following text from Inspector's Report in relation to F01A/0777:

*"The subject site is strategically located on the Dublin-Belfast Economic Corridor on the M1 Motorway and in close proximity to population centres and ports, and is considered a suitable site for warehouse and distribution use".*

#### ER06F.ER2044

On foot of the above decision, an application was submitted to upgrade the interchange to facilitate the development then envisaged.

ABP refused to approve a motorway scheme on 11/09/2005 at the Courtlough interchange on the M1 motorway:

*"The proposed development comprises the provision of a motorway bridge and the necessary, ancillary or incidental works, the construction of a two lane bridge over the existing M1 Motorway adjacent to and immediately south of the existing two-lane overbridge. The roundabouts immediately to the west and east of the existing overbridge will be enlarged and the northeast and southwest slip roads will be widened to accommodate two running lanes at the townland of Courtlough, County Dublin".*

## Reasons for refusal:

1. *It is considered that the proposed upgrading of the existing motorway interchange would facilitate further development over and above development on the zoned land at the interchange. This increased loading would reduce the carrying capacity of the M1 Dublin –Belfast route, (which also forms part of the E1 European route) where it is national policy to protect these routes and the investment in them.*
2. *The proposed development would result in an undesirable precedent for further development of lands at motorway junctions, **including employment generating development rather than development for distribution**, which would further diminish the carrying capacity of the M1 Motorway*
3. *It is considered that the environmental impact statement for the proposed development is deficient, in particular as it contains anomalies in the traffic figures in relation to figures relating to traffic before and after development on the zoned lands. (Our emphasis added).*

As such, the above application was refused as it would allow for the further expansion of development above that which it had already been zoned for. The decision allows notes that development for distribution uses at this motorway junction was more appropriate and is consistent with the current proposal. Detailed traffic modelling has been undertaken in the subject application, based on a full build out of the masterplan and demonstrates there would be no significant impact on the interchange or M1, as addressed in further detail by CSEA.

F07A/0309: PL06F.223658

Planning permission refused by ABP on 07/01/2008 for the following development at Balbriggan Road, Courtlough/Rowan's Road, Co. Dublin (lands to the northeast of M1 junction):

*"Development on lands measuring 1.618 hectares to the east of the M1 Motorway and to the west of the former N1. The development will consist of the construction of a two-storey building totalling 4,942 sq.m. comprising a motorway services centre at ground floor, including 3 no. food outlets (2 no. of which provide drive thru' facilities); 6 no. retail units; and ancillary facilities; and a 64 no. bed hotel at first floor (as a replacement for the motorway services centre approved under reg. ref. (F01A/0476); the construction of a 174 no. space surface car park (including 4 no. disabled spaces); 5 no. motorcycle spaces; 4 no. coach parking spaces; 10 no. truck parking spaces; 48 no. bicycle spaces; and all other site development works including landscaping".*

## Reason for refusal as follows:

1. *The site is zoned GI1 "To facilitate opportunities for general industrial employment and related uses in new industrial areas in accordance with an approved local area plan", in the Fingal County Development Plan 2005. The proposed hotel and retail units are not permitted under this zoning objective. Notwithstanding the objective in the development plan that a motorway services centre should be provided at this location, it is considered that the proposed development would contravene materially the zoning objective for the area and would, therefore, be contrary to the proper planning and sustainable development of the area.*

2. *Having regard to the scale of the proposed retail floorspace and hotel accommodation, it is considered that the proposed development, together with other permitted hotel accommodation in the vicinity of the site, would function as an intensive commercial centre located outside an established urban centre which would generate additional traffic movements and would encourage the inappropriate use of the M1 motorway for local traffic. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

The above development was primarily refused having regard to the intensity of development and trip generation associated to the proposed use. It is considered that the proposed development is materially different having regard to the proposed use (logistics/warehouse) which would not result in significant traffic movements.

### 3.2 CONDITION 6 OF FINGAL COUNTY COUNCIL'S NOTIFICATION OF DECISION TO GRANT PERMISISON

The planning application was submitted to Fingal County Council on the 19/04/2024 date and a notification of decision to grant permission was made by the Planning Authority dated 04/04/2025 date, subject to 13 no. conditions. The following condition is of particular note in relation to this appeal:

*"6. The developer shall comply in full with the following: (a) **The developer shall liaise with TII to ensure that all works hereby approved within the Motorway Maintenance and Renewals Contract (MMaRC) Network A Scheme boundary, shall be carried out in accordance with all relevant Transport Infrastructure Ireland publications.** This shall include but not be limited to: any proposed signage (temporary and permanent); lining; signalised pedestrian crossings; bridge works; boundary treatments; timetabling; construction traffic management plan; services; drainage and flood mitigation measures; and, future maintenance arrangements (b) **TII advises the proposal requires a Design Report to be submitted via the online TII 'Departures Portal' Departures Portal in accordance with TII Publication (Design Phase Procedure for Road safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes – DN-GEO-03060) <https://cdn.tii.ie/publications/DN-GEO-03030-03.pdf>. This report shall be submitted online TII 'Departures Portal' prior to commencement of construction.** (c) Final construction details for proposed works to the public and private road networks shall be submitted for written agreement with the local authority. This shall include all roads, footpaths, cycle ways, crossings, etc. Detailed drawings and specification for the proposed construction and operation of the signalised crossings shall also be submitted. (d) No objects, structures, landscaping or planting shall be placed or installed within the visibility splays (as defined by TTI DN GEO-03060 and as per the submitted site layouts); which would interfere or obstruct (or could obstruct over time) the required visibility splays. (e) Any works to the public footpath and road carriageway to facilitate the development and any repairs to the public footpath and road carriageway necessary as a result of the development shall be at the expense of the developer and completed to the Councils' standards for taking-in-charge and to the satisfaction of the Council. (f) A detailed Construction Management Plan and Construction Traffic Management Plan shall be submitted for the approval of the Council prior to commencement of development. (g) **Road Safety Audits shall be carried out as part of the proposed development at all of the relevant stages as outlined in current edition of Transportation Infrastructure Ireland guidelines GE-STY-1027.** (h) All necessary measures shall be taken by the applicant/developer to prevent the spillage or deposit of any materials including clay, rubble or other debris on adjoining roads during the course of development. In the event of any such spillage or deposit, immediate steps shall be taken to remove the material from the road surface at the applicant/developers own expense. (i) The applicant/developer shall be responsible for the full cost of repair in respect*

*of any damage caused to the adjoining public road arising from the construction work associated with the proposed development and shall make good any damage to the satisfaction of the Council and Transport Infrastructure Ireland. The applicant/developer shall carry out a full non-intrusive road condition survey (to be carried out by a suitably qualified road engineer) and submit to the authority prior to commencement of the development.*

*REASON: In the interests of traffic and pedestrian safety” (Our emphasis added).*

FCC have included the above conditions to ensure the proposed development will not adversely impact on the function of the motorway or road safety in the area. This requires the applicant/developer to submit a ‘Design Report’ which complies with TII guidance on road safety. Please refer to the ‘Response to TII Appeal Technical Queries’ document submitted by CSEA which sets out how the proposed development complies with the relevant design standards, the slight differences between various standard and guidelines, and how such slight differences are readily accommodated within the scheme without the need for any further assessments which have been undertaken or affecting the conclusion of such assessments. A Design Report prepared by CSEA was submitted at further information stage setting out compliance with the various standards. Condition 6 further provides that the development shall be carried out in accordance with the standards and requires points of detail such as detailed design and construction matters to be agreed.

### 3.3 POLICY CONTEXT

The appeal by TII makes reference to a number of policies and objectives of the National Planning Framework, Regional Spatial and Economic Strategy, Fingal County Development Plan and Section 28 Guidelines including *Spatial Planning and National Roads, Guidelines for Planning Authorities* (2012).

We note that the Planning Report (John Spain Associates) and Engineering Planning Report (CSEA), both submitted at application stage, included justification of the development against the relevant policies, objectives and guidance. In response to the further information request, a report titled Response to TII Comments prepared by CSEA, in addition to an updated Engineering Planning Report were submitted, with the former addressing the referenced (by TII) Section of *Spatial Planning and National Roads, Guidelines for Planning Authorities*.

In the appeal, the policies, objectives and guidelines referenced as not being complied with by the development, are as a result of their concerns around protecting the motorway and Ten-T network, road safety and design. Therefore, should An Bord Pleanála be satisfied with those aspects of the development, the policies objectives and guidelines are also satisfied.

It is not proposed to repeat the applicant’s responses to the planning framework in this response to appeal to avoid repetition.

### 3.4 MASTERPLAN

TII claims that there is an ‘absence of reliable and accurate information related to the physical baseline of the “infrastructure” interaction with the national motorway’. They also state that the proposals for infrastructure would lead to piecemeal development of the lands. As noted above, a masterplan document has been prepared by STW to show indicatively how the lands will be developed. The submitted EIAR has assessed the construction and operational impacts of the masterplan development to ensure that these impacts have been

captured at this stage, and to allow the Planning Authority to make an informed decision on the application. The masterplan will be utilised as a guidance document for future planning applications. Furthermore, the masterplan provides a framework to ensure all future development is coherent and consistent. As such, we would disagree that this would be considered piecemeal development.

### 3.5 TRAFFIC IMPACTS AND ROAD SAFETY

At the outset, we noted that a comprehensive range of documents have been submitted with to Fingal County Council as part of the planning application in relation to traffic impacts and road safety. These include the following:

- EIAR (Chapter 12 Traffic and Transport) prepared by CSEA
- Traffic and Transport Assessment prepared by CSEA
- Mobility Management Plan prepared by CSEA
- Response to TII Comments prepared by CSEA
- Design Report and Compliance Statement prepared by CSEA
- Road Safety Audit (Stage 1) prepared by PMCE

In granting planning permission for the proposed development, it is considered that Fingal County Council's Transport Department are satisfied that the proposed development will not result in any adverse traffic impacts on the surrounding road network. It seems that that TII did not have regard to these documents when drafting their appeal as they have not been referred to once, nor did they outline any detailed issues with the road design.

TII notes that the Roads Act, 1993, "*prevents the granting of planning permission for any development of land entailing the direct access to/from motorway*". We note that the proposed development will be accessed from the Bhailsigh Road, via an existing roundabout, that was constructed specifically to allow to the development of the lands, which leads onto the motorway. As such, the proposed development will not be directly accessed from the motorway.

TII set out in their appeal that the infrastructure and scale of the requirements to support the proposed development cannot be achieved through Condition 6 and that a collaborative strategy needs to be developed between TII and FCC. As set out in the enclosed document prepared by CSEA:

*"refusal of the planning application, despite Condition 6 of the Notification to Grant explicitly requiring liaison with TII prior to any commencement of the development, would be unnecessary and disproportionate. Any necessary engagement between the Applicant and TII can be carried out pursuant to Condition 6, which is the appropriate planning mechanism to enable TII to comply with their statutory responsibilities under the Roads Act 1993".*

Early engagement with TII would have provided an opportunity for the applicant to clarify any issues that TII may have had and provided an opportunity to direct TII to the most relevant documents supporting the application which address its queries. This may have negated the need for an appeal to the grant of permission. The applicant remains open and willing to meeting with TII to clarify any queries they may have. We are satisfied that in any event, any points of detail can be addressed in accordance with Condition 6 of the Notification to Grant as they would be very minor in nature, detailed design and clarificatory in nature. These minor points would not affect or alter the findings in the environmental assessments submitted with this appeal, nor require any additional environmental assessment.



The applicant is willing to work collaboratively with TII post planning to ensure compliance with Condition 6 imposed by Fingal County Council.

Please refer to the document prepared by CSEA for further information regarding the technical aspects of the development with regards to road safety.

### 3.6 FLOODING

A Flood Risk Assessment (FRA) prepared by McCloy is submitted in support of the proposed development. As part of the further information response, McCloy's prepared a technical response to TII's claims that flooding as a result of the proposed development would impact on the adjacent motorway. McCloy's noted the following in relation to the masterplan:

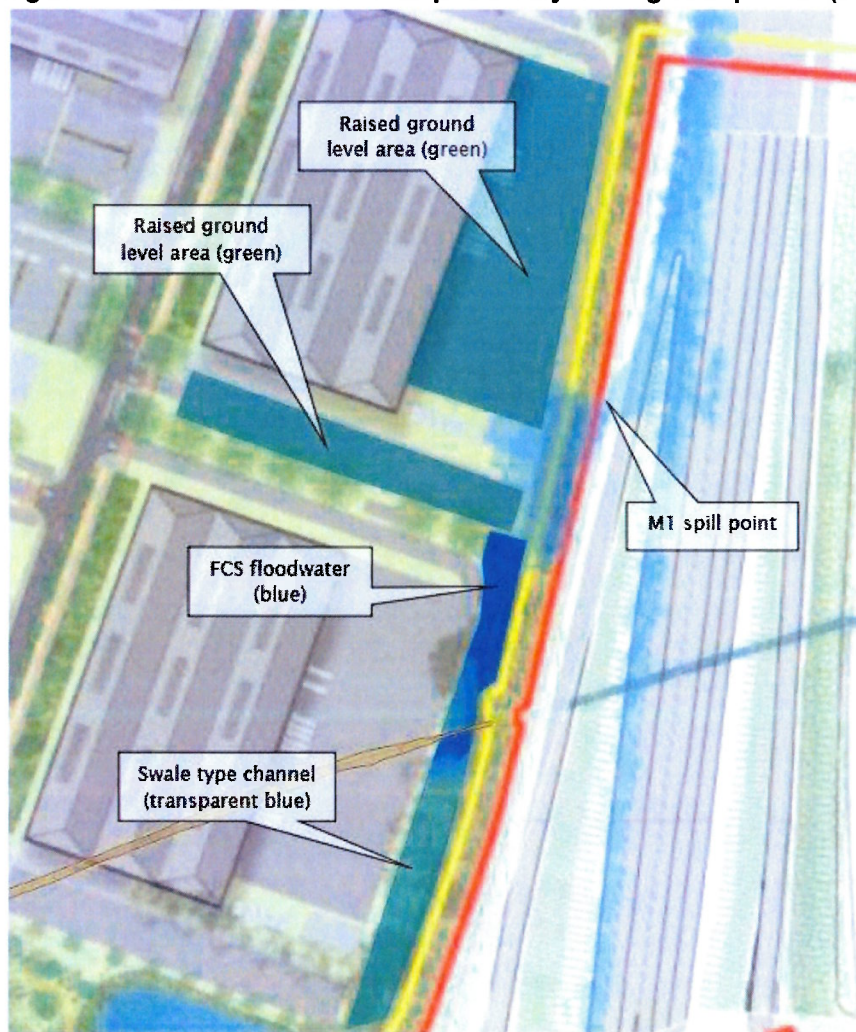
*"While the submitted FRA considered roads and associated services only which were wholly located in Flood Zone C, a version of the masterplan for the site was provided by the Client and overlain with the Flood Zone map. As shown below, a marginal portion of the car parking in the east of the site is situated within the floodplain. It is noted that southern section of the site is not affected by flooding so only the northern areas is included."*

*This change to ground levels within a minor area of the floodplain has the potential to increase flood risk elsewhere and will require Flood Compensatory Storage (FCS) as described in the following sections".*

**Figure 3.3: Masterplan overlain with Flood Map**



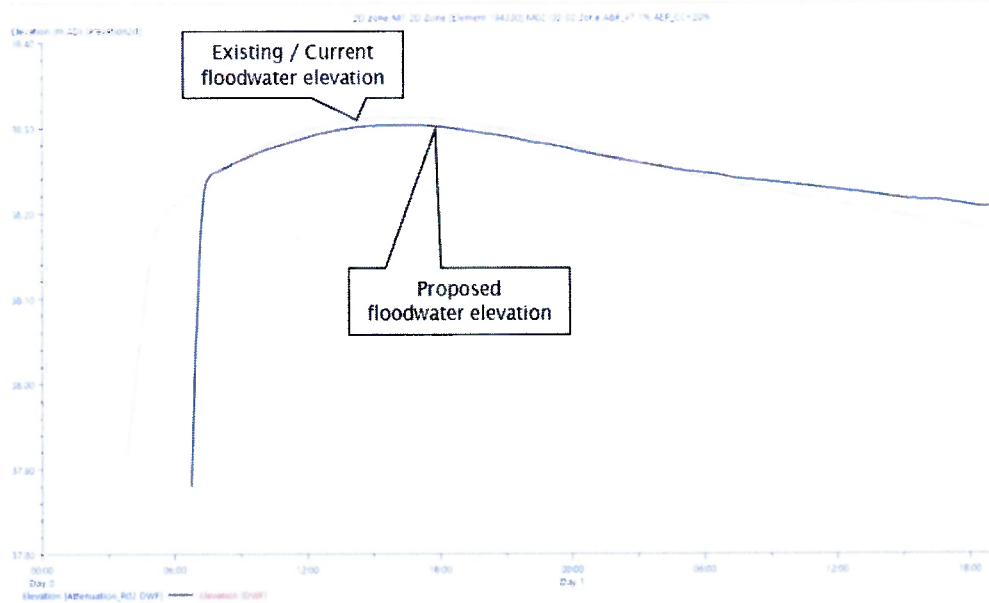


**Figure 3.4: Indicative Flood Compensatory Storage Proposals (FCS).**

The results in relation to the flood modelling undertaken by McCloy's set out that:

*"Site-specific hydraulic modelling demonstrates that the proposed scenario provides more than sufficient volume to cater for minor displacement caused by the masterplan proposals. The RFI stated that the main concern was "to ensure no increased flood risk to the M1". To that end, an output of the floodwater elevation at the 'M1 spill point' (i.e. the location at which floodwater from the site currently flows onto the M1) is shown below. The red line is the pre-development elevation / volume and the blue shows the post-development FCS elevation / volume. As demonstrated, the proposed FCS leads to lower volume of floodwater spilling onto the M1 at a lower max. elevation.*

*While the proposed development is only required to not increase flood risk elsewhere, and the extent of benefit is limited, **reduction in flood risk on the adjacent M1 is considered to be a benefit of the proposed development**" (Our emphasis added).*

**Figure 3.5: Floodwater Elevation / Volume at Spill Point onto M1.**

We also note that each planning application for prospective units on the lands will be required to submit an FRA to ensure no increased flood risk surrounding the site. As such, flood risk will be assessed and monitored by FCC Water/Flood Department to ensure each of the developments comply with the requirement of the *'The Planning System and Flood Risk Management Guidelines 2009'*.

Having regard to the above, it is considered that the TII's concerns in relation to the increased risk of flooding on the M1 motorway from the proposed development are without grounds.

#### 4.0 CONCLUSION

The proposed development is consistent with national and regional policy to promote economic development and employment generating uses on appropriate zoned lands in close proximity to existing road infrastructure.

It appears that TII have not had full regard to the submitted information with the planning application. Most of the points raised by the appellant in their appeal are quite broad and lack detailed issues with regards to the proposals and the impact on the motorway. As set out above, a number of the issues they have raised have already been addressed in the submitted planning documents. Therefore we do not consider there is a basis to refuse the permission on any of the issues advanced by TII in its submission,

Whilst the appeal cites non compliance with TII design guidance, no specific non compliances are identified in the appeal. As such CSEA in their appeal response, outline the various different design guides, highlighting divergence, and set out how the differing design approaches, which are minor in the context, may all be readily accommodated and the applicant is agreeable to such matters of detail being agreed by compliance submission such as that provided for by Condition 6 of the notification of decision to grant issued by Fingal County Council.

TII contends that the development should not be granted having regard to previous refusals on adjacent lands at this junction of the M1 motorway. However, we note that the previous proposals on these lands were materially different as they comprised employment generating development rather than development for distribution. It is evident from the planning history section set out in this appeal that ABP considered the subject lands to be an appropriate location for distribution uses.

We would like to highlight that in deciding to grant planning permission for the proposed development, Fingal County Council concluded that:

*"The detailed concerns of TII are noted and have been given due consideration. However, the subject site and surrounding lands are zoned 'GE' – General Employment and the current proposal will facilitate the future development of the lands in accordance with the long-term objectives of the Fingal Development Plan 2023-2029. The principle of developing these lands for such use, at significant scale, has already been established by the land use zoning attached to the site, both in the current and previous Development Plans, and, to some extent, by the existence of the unfinished Bhailsigh Road (L1140) roundabout. Given this context, the nature and scale of the proposed development is acceptable. Furthermore, the proposed development would support the future economic growth and competitiveness of the Dublin MASP and Dublin-Belfast Economic Corridor as envisioned by the Eastern & Midland Regional Economic Strategy 2019-2031 and the National Planning framework – Project Ireland 2024."*

It is respectfully submitted that the applicant has demonstrated that the proposed development is in accordance with the Fingal County Development Plan 2023-2029, has regard to the site location and context, will not adversely impact on the function of the M1 motorway, and therefore the proposed development is in accordance with the proper planning and sustainable development of the area.

In view of the above, we respectfully request that the Board uphold the decision of Fingal County Council to grant planning permission for the proposed development as per the plans and particulars submitted with the planning application.

Yours faithfully,



---

**John Spain Associates**

**APPENDIX 1**

Correspondence from An Bord Pleanála

**Our Case Number:** ABP-322429-25  
**Planning Authority Reference Number:** F24A/0362E  
**Your Reference:** Vida M1 Limited



John Spain Associates  
39 Fitzwilliam Place  
Dublin 2  
D02 ND61



**Date:** 06 May 2025

**Re:** Destruction of structures, upgrades to roundabout, construction of roads and services infrastructure with all associated site works. EIAR and NIS submitted with application  
A site located in the townlands of Rowans Big, Rowans Little, and Courtlough, Lusk and Balbriggan, Co. Dublin.

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).


As a party to the appeal under section 129 of the Planning and Development Act, 2000, (as amended), you may make submissions or observations in writing to the Board within a **period of 4 weeks** beginning on the date of this letter.

Any submissions or observations received by the Board outside of that period shall not be considered and where none have been validly received, the Board may determine the appeal without further notice to you.

**Please note when making a response/submission only to the appeal it may be emailed to [appeals@pleanala.ie](mailto:appeals@pleanala.ie) and there is no fee required.**

Please quote the above appeal reference number in any further correspondence.

Yours faithfully,

  
Alfie Staunton  
Administrative Assistant  
Direct Line: 01-873-7136

BP05

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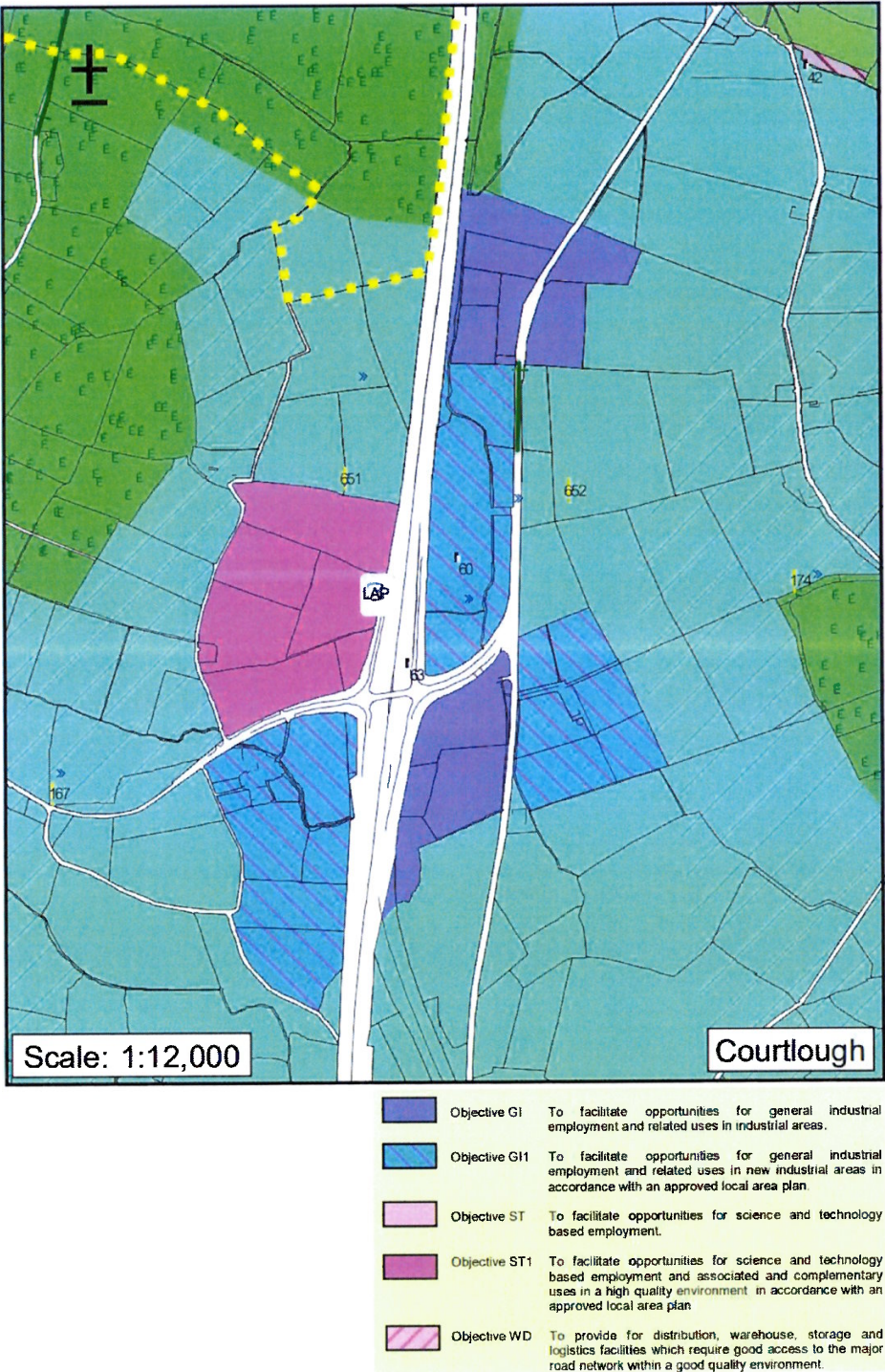
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Dublin 1  
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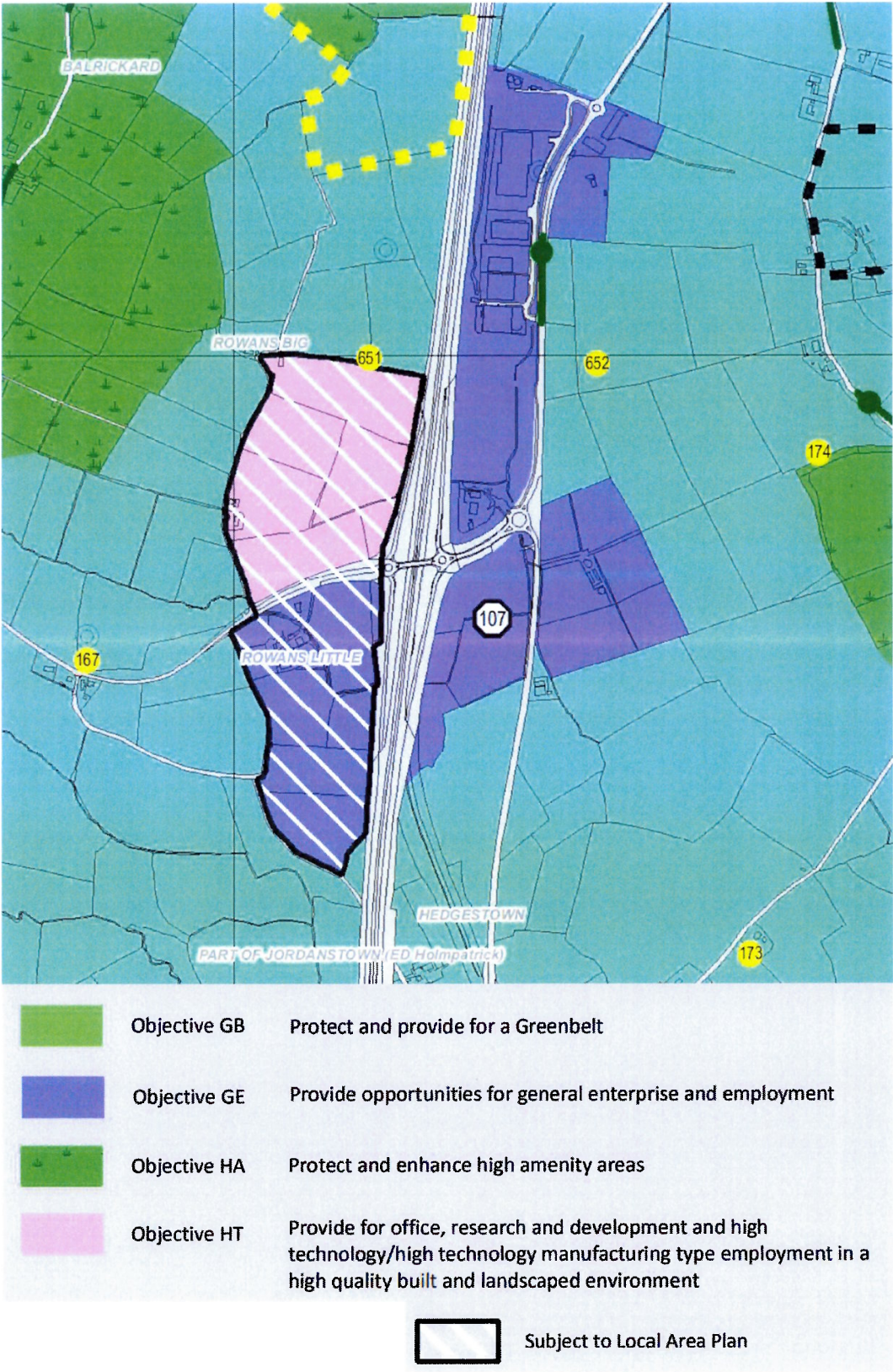
APPENDIX 2

Extract from Fingal County Development Plan 2005-2011 Zoning Maps



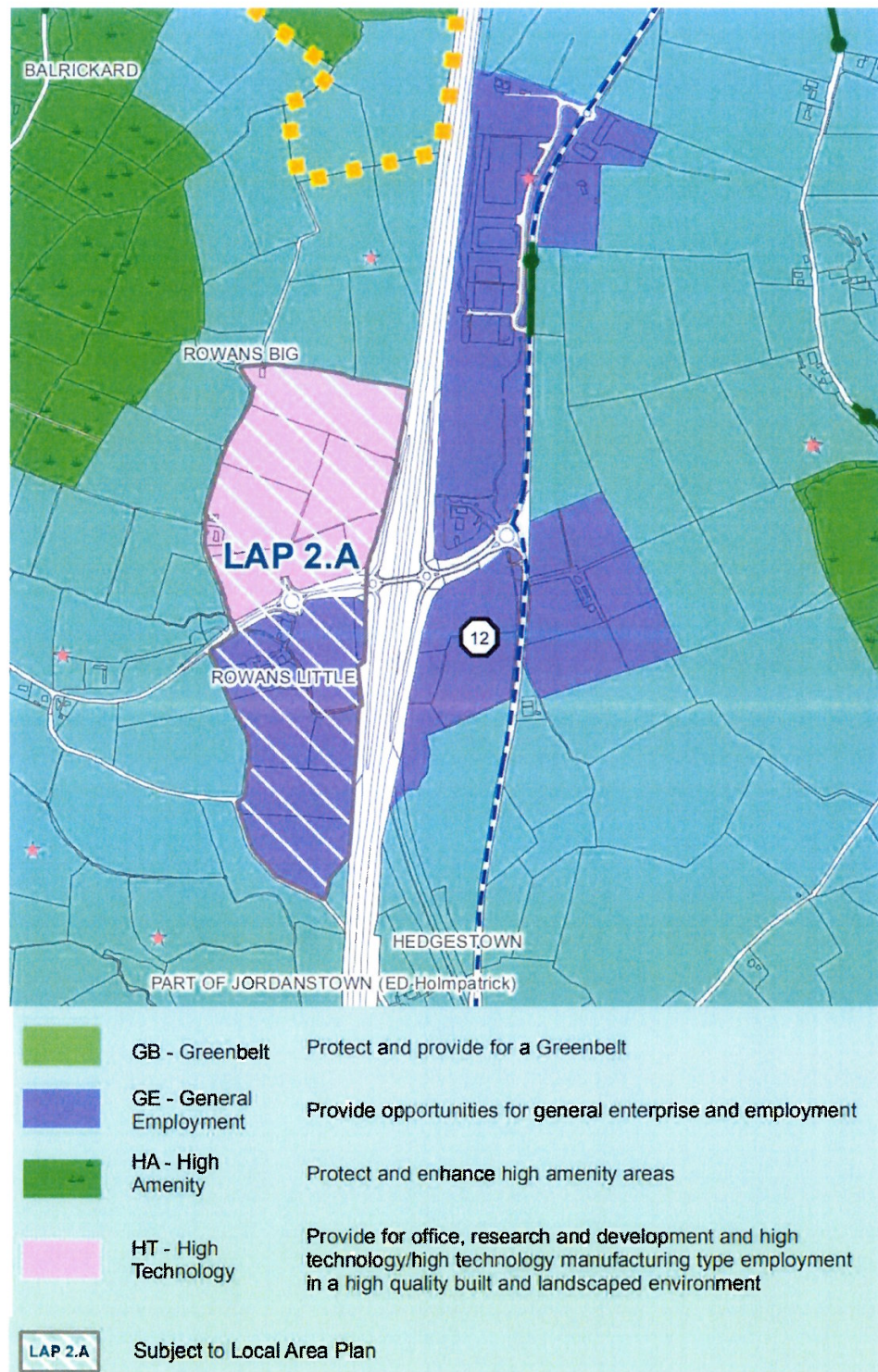


Extract from Fingal County Development Plan 2011-2017 Zoning Maps





Extract from Fingal County Development Plan 2017-2023 Zoning Maps







**Clifton Scannell Emerson**  
Associates

## **Response to TII Appeal Technical Queries**

### **M1 Business Park – Zones A & F**

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Client: Vida M1 Limited

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Date: May 2025

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Job Number: 16\_206A

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## Document Control Sheet

Project Name: M1 Business Park – Zones A & F  
Project Number: 16\_206A  
Report Title: Response to TII Appeal Technical Queries  
Filename: RPT-16\_206A-016

Issue No.	Issue Status	Date	Prepared by	Checked by
1 <sup>st</sup>	ABP Appeal Response	03/06/2025	HB	RG

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## 1 Introduction

This report has been prepared in response to the appeal submitted by Transport Infrastructure Ireland (TII) to An Bord Pleanála regarding Fingal County Council's decision to notify the Applicant of decision to grant (Ref: F24A/036) for a proposed Business Park Development which comprises of the retention of 3 disused vernacular farmhouse structures, demolition of 12 existing disused buildings on site, provision of internal roads and services infrastructure (surface water, foul and water supply) to facilitate the future development of the lands as shown on the Proposed Development Masterplan (Drawing M1-STW-ST-ZZ-DR-A-020201) included in **Appendix A**. The proposal includes the provision of public lighting, utility connections (power and telecommunications) and Sustainable Drainage Systems (SuDS), new access roads from 'Bhailsigh Road' (L1140) to Zone A and Zone F and new shared cycle and pedestrian routes over the M1 motorway via the (L1140) towards the R132 to support active travel in line with the objectives of Fingal County Council and the National Transport Authority.

The primary concerns raised in the appeal appears to relate to the active travel infrastructure, which in reality constitutes only a small element of the overall proposed development. The purpose of the active travel infrastructure is to provide a connection to the existing R132 road bus route (Grooms Stop No. 100231) and the National Transport Authority's Greater Dublin Area inter-urban cycle corridor linking Balrothery and Lusk shown in Figure 1-1. This infrastructure supports modal shift by encouraging walking and cycling, thereby reducing reliance on private vehicles, improving local air quality, and contributing to national climate action objectives. Additionally, it facilitates safe and direct access for future employees and visitors, promotes healthier lifestyles, and supports the principles of compact growth and integrated land use and transport planning as outlined in national and regional policy.

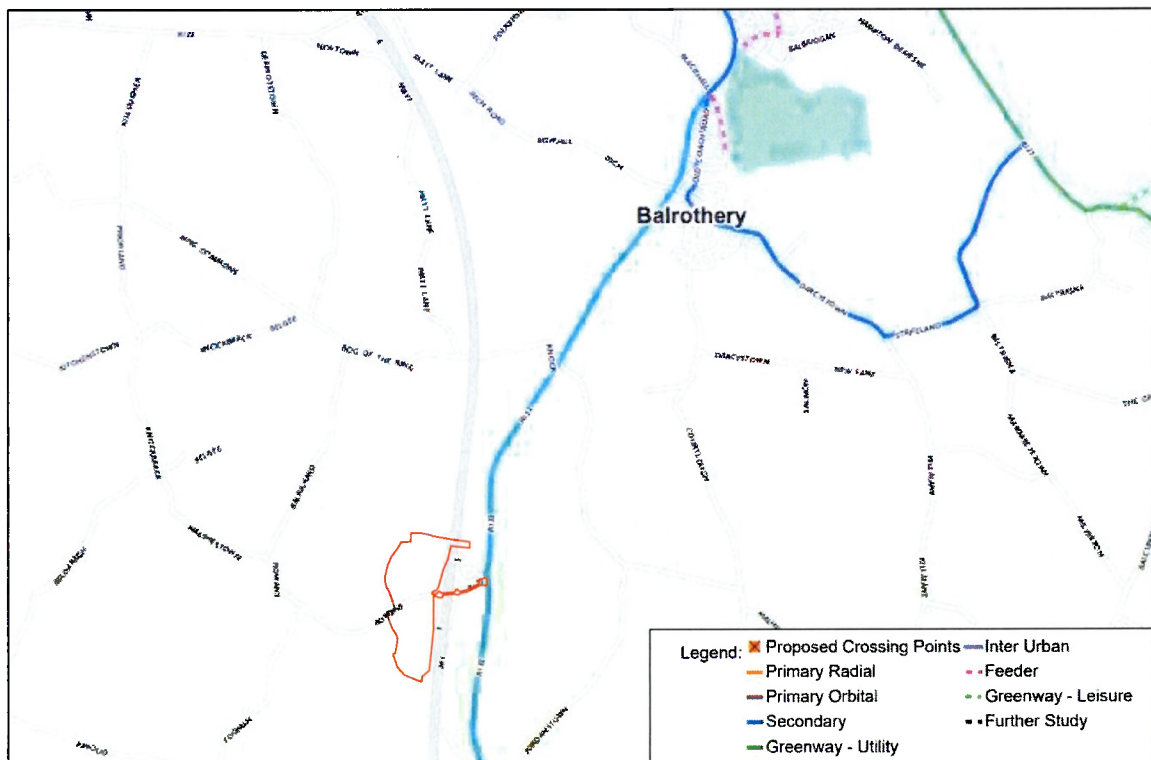


Figure 1-1: Figure 3.4 of Mobility Management Plan showing NTA GDA Cycle Network Plan

The appeal raises a number of technical concerns relating to road safety, the operational capacity of M1 Junction 5, and the integration of the proposed infrastructure within the national roads network. TII contends that the Notification to Grant is premature. However, engagement with TII was actively sought

by the Applicant during the planning process but was not facilitated. It also appears that TII's appeal submission does not give due regard to the range of documentation and assessments submitted in support of the application for example TII state:

*"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."*

The Applicant wishes to clarify that a comprehensive Masterplan has been prepared and submitted as part of the planning documentation. This Masterplan has been developed by a single landowner and Applicant who controls all of the zoned lands, and it sets out the anticipated layout, land use, and quantum of logistics development across the site in an integrated and co-ordinated manner. The Masterplan formed the basis for the accompanying traffic and infrastructure assessments, ensuring that the future development has been considered in a coordinated and integrated manner. Consequently, the Masterplan and the associated Traffic and Transport Assessment (TTA) confirm that the M1 interchange will be suitable to carry the increased traffic resulting from the proposed development.

Unfortunately, it appears that TII's submission did not fully review the submitted Masterplan, Traffic and Transport Assessment (TTA), or the Flood Risk Assessment and Technical Note, all of which directly address the technical matters raised. The Applicant respectfully submits that a thorough review of these documents would have demonstrated how the proposed development responds comprehensively to the operational and environmental requirements of the national road infrastructure. Such a review would have also shown that an appeal to the decision to grant permission was unnecessary.

The purpose of this report is to provide a technical review of the issues raised, highlight the results of completed assessments to date and their implications of the proposed development on the operation of the M1 interchange. This response clarifies the engineering rationale underpinning the proposed infrastructure and to support the ongoing planning and consultation process with relevant authorities. The proposed design was developed in collaboration with Fingal County Council through a series of meetings held during the pre-planning, planning, and Further Information Request (Ref: PF/1583/24) stages. This process proceeded without direct engagement from TII, despite efforts by Fingal County Council to initiate consultation with TII prior to the submission of the application.

## **2 Transport Infrastructure Ireland Technical Appeal Queries**

### **2.1 Non-Compliance with Applicable Design Standards**

#### **Summary of TII Ground of Appeal:**

TII state that proposed development fails to comply with the applicable standards set out in TII Publications, which constitute the mandatory design requirements for works affecting the national road network. TII considers in this instance, the design has inappropriately applied the Design Manual for Urban Roads and Streets (DMURS) and the National Transport Authority (NTA) Cycle Design Manual, both of which are intended for use in urban and peri-urban contexts. Their application at this location—a rural motorway interchange (M1 Junction 5)—is not appropriate.

TII state that the standard applicable to this location is the NRA Design Manual for Roads and Bridges (DMRB). This requirement is clearly supported by National Guidelines Series Circular 2/2022 and Section 1.3 of DMURS, which explicitly state that DMURS is not applicable to the national road network or to rural road environments such as motorway junctions.

TII maintains that national roads policy and associated technical standards take precedence in the design of infrastructure affecting national roads. The proposed development fails to reflect this

fundamental principle, resulting in a design approach that is inconsistent with the operational and safety requirements of the national motorway network.

**Applicant Response:**

The Applicant acknowledges the importance of adhering to the appropriate standards for infrastructure affecting the national road network and wishes to clarify the design approach.

The proposed pedestrian and cyclist crossing at M1 Junction No. 5 has been developed with due consideration of both TII Publications and best-practice guidance relating to active travel infrastructure, notably the National Transport Authority (NTA) Cycle Design Manual and the Design Manual for Urban Roads and Streets (DMURS). The zoning of the subject lands under the Fingal Development Plan designates this area for development and, as such, the junction is classified as urban by the County Council. In this context, the proposed non-motorised user facility aims to support active travel connectivity to surrounding areas. This requires an integrated design approach that balances the operational requirements of the national road network with the need to safely accommodate vulnerable road users in line with national and regional policy objectives.

In accordance with DMURS Section 1.3, where works interface with national roads, the standards, and requirements of TII Publications are to be applied to elements within the functional road corridor of the national route. The design team has taken care to ensure that the proposed works that fall within or impact the motorway corridor are in compliance with relevant TII standards.

This section recognises that while DMURS generally applies to urban areas, exceptions may be made by the Sanctioning Authority. Given that Fingal County Council designates the subject lands as urban under the current Development Plan, the design team referenced DMURS and the NTA Cycle Manual in the development of the proposed scheme in line with this policy context.

For sections of the route beyond the immediate motorway corridor—particularly where the infrastructure ties into the local road network—the application of DMURS and the NTA Cycle Manual was considered appropriate and necessary to achieve a coherent, legible, and safe active travel route that supports the principles of accessibility, permeability, and user safety. This is consistent with current national policy direction as outlined in the National Sustainable Mobility Policy and reflected in Policies CMP32 and CMP33 of the Fingal County Development Plan.

The Applicant also wishes to highlight that the NRA Design Manual for Roads and Bridges (DMRB), as originally published, is no longer available through TII Publications. The only remaining reference to this document—‘*GE-INT-01003: Introduction to the NRA DMRB*’—has been formally withdrawn. It is understood that the original motorway and associated junction infrastructure would have been designed in accordance with the DMRB standards in place at that time. However, it is important to note that the current proposal does not seek to alter or redesign the existing motorway infrastructure. Instead, it involves the addition of active travel infrastructure alongside the existing layout.

In the absence of a publicly accessible and up-to-date DMRB, the Applicant has relied on the most current and applicable national guidance relevant to the nature of the proposed works. This includes PE-PMG-02045-01 *National Roads - Active Travel Planning*, DN-GEO-03047-04 *Rural Cycleway Design (Offline & Greenway)*, DN-GEO-03031-12 *Rural Road Link Design*, DN-GEO-03060-03 *Geometric Design of Junctions*, as well as DMURS and the NTA Cycle Manual, each applied contextually and appropriately to ensure a safe and policy-compliant design outcome. The proposed design was also developed in consultation with Fingal County Council, incorporating feedback received throughout the planning process.

The Applicant notes that unfortunately engagement with TII was requested but not facilitated during the planning and Further Information Request (F.I.) processes, despite repeated efforts; in contrast, Fingal County Council contributed significantly to shaping the design requirements through ongoing

engagement and feedback. Early engagement with TII could have provided an opportunity for the Applicant to clarify information, direct TII to the most relevant documents that address its concerns and ensure that any potential misunderstandings were resolved during the planning process. The Applicant remains open and willing to meet with TII to further clarify any remaining queries they may have. However, we are satisfied that in any event, any points of detail can be addressed in accordance with Condition 6 of the Notification to Grant, as they would be very minor in nature, relating to detailed design and clarifications only. These minor points would not affect or alter the findings in the environmental assessments, nor require any additional environmental assessment.

In response to TII's comments regarding non-compliance with TII Publications and inappropriate use of DMURS and the NTA Cycle Design Manual, the Applicant has undertaken a comparison of the relevant design parameters. A detailed table is included in **Appendix A** of this submission. This analysis compares the proposed cycle infrastructure against the requirements of TII Publications (specifically PE-PMG-02045 and DN-GEO-03047-04) and the NTA Cycle Design Manual.

A Design and Compliance Statement, prepared by CSEA and submitted as part of the Further Information Response, outlines the proposed design and demonstrates its compliance with current applicable design standards. This report is available for reference under document RPT-16\_206A-020.

The report has been prepared having regard to the *Design Phase Procedure for Road Safety Improvement Schemes, Urban Renewal Schemes and Local Improvement Schemes* (DN-GEO-03030) published by TII in April 2021, the *Geometric Design of Junctions (priority junctions, direct accesses, roundabouts, grade separated, and compact grade separated junctions)* (DN-GEO-03060) published by TII in May 2023, the National Transport Authority (NTA) *Cycle Design Manual* and the *Design Manual for Urban Roads and Streets (DMURS)*. The report also summarises the recommendations that emerged from the Stage 1 Road Safety Audit carried out by PMCE prior to the original planning submission and the updated audit provided following the Further Information Request.

The findings confirm that the proposed design meets TII's stated design criteria, including requirements for Dynamic and Stopping Sight Distances, Horizontal Radius, Gradient, Cross-Section Widths, and Junction Visibility. While the submitted planning design (left image) did not include the 1-metre minimum horizontal separation for roads with a 60 kph speed limit—due to more substantial embankment reconstruction works that would result. However, if the provision of the horizontal separation is preferable to TII, this can be achieved by reducing the path width to 2 m, thereby allowing for compliance with safety standards while minimising impacts on the layout, earthworks. Importantly, this adjustment would not give rise to any environmental impacts that have not already been identified and assessed as part of the submitted planning documentation and environmental assessments. Figure 2-1 below shows the proposed development layout submitted for planning (as amended following the Further Information Request) and Figure 2-2 shows an example of active travel infrastructure at roundabouts with the horizontal separation to road edge (extracted from TII publication DN-GEO-03060 Figure 7.5).



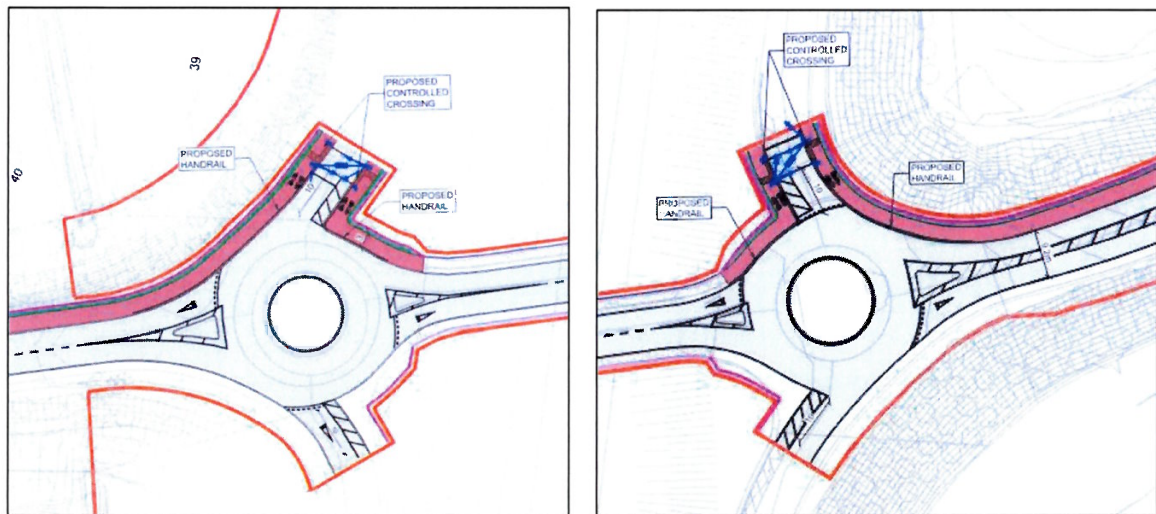


Figure 2-1: Western and eastern proposed pedestrian crossings and shared path active travel facilities interfacing with existing M1 Junction No. 5

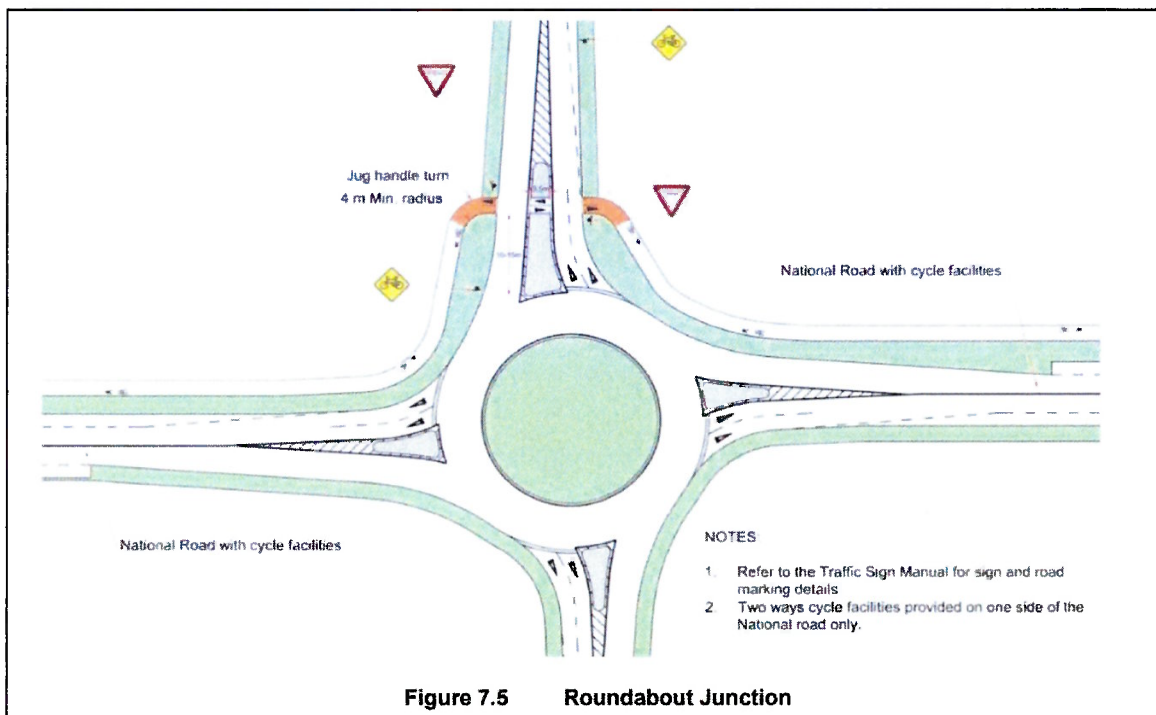


Figure 7.5 Roundabout Junction

It is submitted that the proposal demonstrates technical alignment with the intent and standards of TII guidance and one metre separation can be resolved through detailed design refinement, subject to liaison with TII in accordance with Condition 6 of the Notification to Grant.

It is further noted that TII's assertion that national roads policy "takes precedence" should not be interpreted as excluding the application of complementary design guidance in adjacent or interfacing areas. The design reflects a context-sensitive and policy-aligned approach that ensures compliance with TII requirements where relevant, while also facilitating sustainable land-use development and active travel objectives endorsed by both national and local policy.

No significant delays or queuing have been identified that would suggest the risk of blocking back or any adverse impact on the operation of the M1 motorway. In the worst-case 2041 'Do Something' scenario, queue lengths remain minimal at approximately 2 Passenger Car Units (PCUs), compared to existing queues of less than 1.0 PCU. This equates to a queuing length of only 2.4% of the available off-ramp length. These results were validated through a review of video data from the traffic survey undertaken by Idaso, which confirmed the absence of existing tailbacks on the motorway slip roads.

In conclusion, the design does not disregard TII Publications but rather applies them proportionally and appropriately within the context of a multi-modal transport strategy, recognising both the strategic function of the M1 motorway and the planned development context within the County Development Plan to the west of Junction 5.

## **2.2 Road Safety Risks – Signalised Pedestrian Crossings at Roundabouts**

### **Summary of TII Ground of Appeal:**

TII expresses significant concern regarding the proposed incorporation of signalised pedestrian crossings at the circulatory lanes of roundabouts within the development layout. From a road safety and operational efficiency perspective, such configurations introduce risks that are inconsistent with established best-practice, particularly in the context of high-speed rural motorway interchanges.

TII highlights that the proposed design conflicts with the principles of the Safe System approach, as adopted in the Government Road Safety Strategy 2021–2030. This approach requires a comprehensive focus on all elements of the road traffic system—including road design, user behaviour, vehicle interaction, and speed management—with the overarching goal of eliminating death and serious injury on Irish roads. Signalised crossings at roundabouts can result in unexpected driver responses, increased rear-end collision risks, and compromised visibility and reaction times, particularly at locations where drivers are not primed to encounter such controls.

Given the strategic function and rural character of M1 Junction 5, the proposed treatment does not reflect the self-explaining and forgiving road environment advocated under national road safety policy and may undermine the protective quality expected of infrastructure associated with the national road network. TII is of the view that alternative solutions should be explored that maintain pedestrian and cyclist safety while safeguarding the integrity and performance of the interchange.

### **Applicant Response:**

The Applicant acknowledges and respects TII's concerns regarding the inclusion of signalised pedestrian crossings at roundabouts, particularly in the context of a motorway interchange such as M1 Junction 5. However, the Applicant wishes to clarify the rationale behind the proposed design and to address the concerns raised in a balanced and policy-consistent manner. The Applicant notes TII's objection to the proposed signalised pedestrian crossings at the modified roundabout. It is important to clarify that the original design incorporated uncontrolled pedestrian crossings; however, following consultation and direction from Fingal County Council during the planning process, this was amended to include signal-controlled crossings to enhance safety and comply with local authority design expectations. The proposed crossing is consistent with the goals of the Mobility Management Plan (Ref: RPT-16\_206A-005) to promote safe, active travel connections to nearby public transport services and cycle networks. That said, the Applicant is open to amending the design, if required, to reinstate uncontrolled crossings, particularly given the nature of the proposed logistics development, which is expected to generate relatively low pedestrian and cyclist volumes that would be suitable for such a provision. This flexibility reflects the Applicant's ongoing commitment to engage constructively with TII and the planning authority to deliver infrastructure that meets both operational and safety standards.

The Applicant recognises that the Safe System approach, as promoted in the Government Road Safety Strategy 2021–2030, requires that road infrastructure be designed to minimise the risk of death or

serious injury in the event of a collision. The introduction of signal-controlled pedestrian crossings is consistent with this principle in that it introduces a controlled environment for the most vulnerable road users—pedestrians and cyclists—where uncontrolled crossing would otherwise be unsafe or impractical. This treatment was carefully assessed through a Stage 1 Road Safety Audit carried out by PMCE (Report Ref: P24027-PMCE-XX-XX-RP-SA-3\_0001) submitted with the application, which did not raise fundamental objections to the controlled crossing points, provided that appropriate design and signalling measures are implemented. TII's assertion that an updated Road Safety Audit (RSA) was not provided is incorrect; an updated RSA was submitted as part of the Further Information response and forms part of the planning application documentation.

Zone F of the development has been zoned for a significant number of years as General Employment, with a specific focus on commercial logistics. Zone A, previously zoned for High Technology use under the Fingal Development Plan 2017–2023, was re-zoned to General Employment in the current 2023–2029 Development Plan to better reflect the locational constraints associated with its proximity to the motorway. This zoning change supports more appropriate land use and is expected to result in lower traffic volume generation compared to the original Science and Technology designation.

Finally, the Applicant reiterates that early engagement with TII could have offered an opportunity for the Applicant to provide clarifications, direct TII to the most relevant supporting documents, and ensure that any potential misunderstandings were addressed during the planning process. The Applicant remains open and willing to meet with TII to further clarify any outstanding queries. However, we are satisfied that, in any event, any remaining points of detail can be addressed through Condition 6 of the Notification to Grant, as these are very minor and relate solely to detailed design and clarifications. These minor adjustments would not affect or alter the findings of the environmental assessments, nor would they require any additional environmental assessment.

In conclusion, while the Applicant acknowledges TII's reservations, the proposed signalised pedestrian crossings represent a considered, policy-consistent, and safety-audited solution. The proposal aligns with national and local planning objectives related to active travel, compact growth, and road safety, and has been developed with a view to achieving a balanced integration of all transport modes at this strategically significant location. The applicant notes that, should the signalised crossings be omitted in favour of uncontrolled crossings, this change could be readily facilitated and conditioned as part of the appeal process, with the detailed design to be agreed with Fingal County Council following consultation with TII. The active travel infrastructure and associated crossings has been strategically positioned on the northern road shoulder of M1 Motorway Junction No. 5, as these ramps would carry lesser traffic volumes compared to the northbound off-ramp and southbound on-ramp on the Dublin-Belfast corridor.

### ***2.3 Impact on the Functionality of the National Road Network***

#### **Summary of TII Ground of Appeal:**

TII has raised concerns that the proposed development, in its current form, may adversely impact the operational capacity and strategic function of the M1 motorway interchange at Junction 5, which forms part of the TEN-T (Trans-European Transport Network) core route. Specifically, TII contends that the proposed scheme has the potential to reduce junction capacity, result in increased queuing, and compromise the efficiency and reliability of this critical section of the national road network.

TII considers the development to be premature, citing the absence of a comprehensive, integrated road network layout to serve the wider development lands in the vicinity of the interchange. In this regard, TII emphasises that such a strategic layout should be co-developed by both TII and Fingal County Council, reflecting their respective roles as road authorities responsible for national and local transport infrastructure.



Furthermore, TII expresses concern about the piecemeal nature of the proposed intervention, which is not underpinned by an agreed masterplan or implementation framework that aligns local development objectives with the protection of national infrastructure assets. In TII's view, the absence of such a framework may lead to incremental pressures on the junction and network, potentially resulting in suboptimal outcomes in terms of road safety, capacity, and long-term planning.

TII strongly advocates for the development of a collaborative and coordinated strategy that ensures local development is facilitated in a manner that safeguards the integrity, capacity, and safety of national road infrastructure, and upholds Ireland's obligations under TEN-T and national transport policy.

#### **Applicant Response:**

The Applicant acknowledges the strategic importance of the M1 motorway as part of the TEN-T core transport network and recognises the responsibility of ensuring that proposed developments do not adversely affect its operation or capacity. In this regard, a comprehensive Traffic and Transport Assessment (TTA) has been prepared (ref. RPT-16\_206A-006) to assess both the existing and future impacts of the proposed development on the surrounding road infrastructure, including M1 Junction 5.

In response to TII's concern regarding the perceived piecemeal nature of the proposed intervention, the Applicant wishes to clarify that all of the subject lands, which are zoned for development under the Fingal County Development Plan, are under the control of a single landowner. A coordinated and integrated Masterplan has been prepared to guide the future development of the lands in a comprehensive manner. This Masterplan provides for a full build-out of the lands, and therefore represents a conservative basis for the traffic and flood risk assessments submitted as part of the planning application, ensuring that cumulative impacts have been thoroughly evaluated.

Accordingly, the proposal cannot reasonably be considered piecemeal. Rather, it reflects a structured and proactive approach to long-term development that aligns with the zoning objectives of the area while accounting for the protection and function of the national road infrastructure. The existence of a single landowner and a unified vision for the lands provides a clear and effective framework for implementation, ensuring orderly development and the capacity to coordinate necessary infrastructure upgrades in line with national and local policy objectives.

The Applicant respectfully does not accept TII's assertion that the proposal constitutes a piecemeal approach or poses a material risk to the strategic road network. The TTA has modelled future year scenarios up to 2041 (Do-Something Scenario) accounting for the proposed development and anticipated zoned land use build-out. The results demonstrate that the scheme will not compromise the operational capacity of the M1 junction or the associated roundabouts.

The Traffic and Transport Assessment (TTA) modelling results for all assessed local junctions—including the Bhailsigh Road (L1140) site access roundabout, the Applegreen petrol station roundabout, and both dumbbell roundabouts at M1 Junction 5—as presented in the TTA and Environmental Impact Assessment Report (EIAR) accompanying the planning application, indicate that the traffic generated during both the construction phase of the civil infrastructure works and the future operational phase of potential logistics units as shown on the development Masterplan within the zoned General Employment lands will have a negligible impact on junction performance. The changes in operational capacity at these roundabouts are projected to be minimal, with all modelled scenarios showing a Ratio of Flow to Capacity (RFC) not exceeding 0.63. This is well below the typical capacity threshold of 0.85, indicating that each junction is expected to operate comfortably within capacity limits.

No significant delays or queuing have been identified that would suggest the risk of blocking back or any adverse impact on the operation of the M1 motorway. In the worst-case 2041 'Do Something' scenario, queue lengths remain minimal at approximately 2 Passenger Car Units (PCUs), compared to existing queues of less than 1.0 PCU. This equates to a queuing length of only 2.4% of the available

off-ramp length. These results were validated through a review of video data from the traffic survey undertaken by Idaso, which confirmed the absence of existing tailbacks on the motorway slip roads.

In summary, the impact of the proposed development on the local road network during both the construction and operational phases is predicted to be temporary and not significant during construction, and permanent but of low magnitude during operation. Peak hour traffic associated with the future commercial logistics development will be limited in duration and not sufficient to generate a material negative effect on the surrounding road infrastructure.

The Applicant wishes to reaffirm their commitment to engaging constructively with Transport Infrastructure Ireland (TII) and is fully prepared to liaise with TII to explore potential refinements to the proposed design as provided by FCC Condition No. 6 in the Notification of Intention to Grant. This engagement would be aimed at supporting TII in fulfilling its statutory responsibility under the Roads Act 1993 to secure the provision of a safe and efficient network of national roads. The Applicant also recognises that any refinements to the design would be very minor in nature and would not affect or alter the environmental assessments already carried out as part of the planning process, nor would they require further environmental assessment. The Applicant recognises the importance of collaboration in delivering infrastructure that aligns with both national transport objectives and local development goals.

## **2.4 Inaccuracies and Insufficient Detail**

### **Summary of TII Ground of Appeal:**

Transport Infrastructure Ireland (TII) has identified a number of technical inconsistencies and deficiencies within the submitted documentation. Specifically, concerns have been raised regarding inaccuracies in the design drawings and the absence of sufficient detail and analysis relating to flood risk and traffic impacts. *“TII is of the view that these omissions undermine the robustness of the application and limit the ability to fully assess the implications of the proposed development on the national road network.”*

*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*

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*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."*

**Applicant Response:**

The Applicant acknowledges TII's concerns regarding historical infrastructure investment at M1 Junction 5, specifically in relation to pavement deterioration and flood risk mitigation. The Applicant remains committed to supporting TII's statutory role under the Roads Act 1993 in safeguarding national road infrastructure and has taken these issues into full consideration as part of the planning application process.

With respect to potential pavement fatigue and surface deterioration on the R132 Walshestown Link Road and western rotary, the Applicant reconfirms that best-practice construction methodologies will be implemented throughout the construction phase. A proactive monitoring and maintenance strategy will be adopted to ensure any pavement degradation arising from construction or operational traffic is promptly identified and addressed in line with recognised engineering standards. In accordance with the conditions set out in the Notification to Grant by Fingal County Council, pre-condition surveys of the affected road network will be undertaken to monitor and assess any impact of the proposed development on existing surfacing. It should also be noted that the level of impact on the local road infrastructure would be comparable to any similarly scaled development located elsewhere with access to the motorway network, as construction-related HGV traffic would similarly route via the national road network. This reinforces the Applicant's view that the proposed development does not pose an exceptional or disproportionate risk to road asset condition and that appropriate mitigation measures will be in place to safeguard long-term performance.

In relation to flood risk, the Applicant refers to the McCloy Flood Risk Assessment (Report Ref: M02103-02\_DG08) and accompanying Technical Note – RFI Response (Report Ref: M02103-02\_TN02), which were submitted as part of the application documentation. These reports provide a detailed analysis of flood conditions in the vicinity of the site, with specific attention to node point 02 and the known flood-prone location at the northbound off-slip of Junction 5. The hydraulic modelling presented demonstrates that the proposed masterplan scenario with the provision of a compensatory storage swale/channel, results in a reduction in both floodwater volume and water depth/elevation at the key spill point to the M1 motorway.

The flood modelling confirms that the development proposals, which incorporate targeted flood alleviation measures (flood compensatory swales), will have a positive impact on existing flood water elevations and flood risk on the M1 Motorway by reducing both peak levels and volumes compared to the current baseline conditions. The surface water management strategy has been designed with a conservative approach, taking into account increased runoff from hardstanding and roof areas and aligning with contemporary best practice in stormwater attenuation and climate resilience.

Unfortunately, it seems that TII's submission appears not to have fully reviewed the submitted Traffic and Transport Assessment (TTA) or the Flood Risk Assessment and Technical Note, which directly address the technical matters raised. The Applicant respectfully suggests that a thorough review of these documents would have clarified the extent to which the proposed development has responded to the operational and environmental requirements associated with national road infrastructure and avoided TII considering that an appeal to the decision to grant permission was unnecessary.

The Applicant reiterates their willingness to engage with TII in the discharge of Condition 6, to further demonstrate that all technical aspects of the development are already aligned with national standards and to ensure that the safety, function, and sustainability of the M1 corridor remain fully supported. Two

independent Road Safety Audits (RSAs) were carried out as part of the design and planning process to ensure that the proposed development meets relevant safety standards. The first RSA was undertaken prior to the submission of the planning application and assessed the preliminary design, identifying potential safety issues and recommending appropriate mitigation measures, which were incorporated into the design where applicable. Following the Further Information Request issued by Fingal County Council, a second, updated RSA was completed to review the revised proposals. This subsequent audit confirmed that the updated design addressed previous observations and did not introduce any new significant safety concerns. Both audits were prepared in accordance with TII Publications and demonstrate the Applicant's commitment to delivering a safe and compliant scheme.

### 3 Summary and Conclusion

The Applicant wishes to reaffirm their commitment to engaging constructively with Transport Infrastructure Ireland (TII) and is fully prepared to liaise with TII to explore potential refinements to the proposed design, as envisaged under Condition 6 of the Notification to Grant. This engagement would be aimed at supporting TII in fulfilling its statutory responsibility under the Roads Act 1993 to secure the provision of a safe and efficient network of national roads. The Applicant recognises the importance of collaboration in delivering infrastructure that aligns with both national transport objectives and local development goals.

Throughout the planning process, there has been no active liaison or engagement from TII beyond the submission of written observations. TII first issued a letter to Fingal County Council on 24 May 2024, outlining initial concerns on the planning application. In response, Fingal issued a Further Information request on 13 June 2024, to which the Applicant provided a comprehensive submission on 10 February 2025, addressing TII's concerns in full—specifically relating to traffic assessment, planning policy consistent, development objectives, road safety, and flood risk. Despite this, TII issued a subsequent letter on 6 May 2025 repeating the same concerns without offering clarification or acknowledging the detailed responses previously submitted. It is disappointing that the Applicant was not afforded the opportunity by TII, notwithstanding the repeated requests made, to have a meeting to discuss these matters, clarify any queries, and provide TII with the necessary reassurance.

It is considered that the TII appeal submission lacks specific technical detail or clarity regarding the precise elements of the proposed development that are deemed deficient in their view. While general concerns are raised in relation to impacts on national roadway function, queuing lengths, road user safety, vulnerable road users, pavement deterioration and flood risk, no detailed analysis, quantitative data, or engineering critique has been provided to substantiate these assertions or to indicate where the Applicant's submitted assessments are technically flawed. This absence of specificity significantly limits the ability of the Applicant to respond constructively to the concerns raised. It also risks undermining a transparent and evidence-based planning process. The Applicant would welcome further detailed engagement with TII to clarify these issues in discharging the planning conditions and ensure that any outstanding concerns are addressed in a collaborative and technically robust manner.

It is noted with concern that TII's submission appears not to have fully reviewed the submitted Traffic and Transport Assessment (TTA) or the Flood Risk Assessment and Technical Note, which directly address the technical matters raised. The Applicant respectfully suggests that a thorough review of these documents would have clarified the extent to which the proposed development has responded to the operational and environmental requirements associated with national road infrastructure.

TII has raised concerns regarding the potential impact of the proposed development, once fully operational, on the capacity of the M1 Junction 5 interchange. However, the Applicant respectfully submits that these concerns have been adequately addressed and disproven through detailed modelling presented in the Traffic and Transport Assessment (TTA), which demonstrates that sufficient capacity is available within the design horizon. As illustrated in the submitted Proposed Development Masterplan



(Drawing M1-STW-ST-ZZ-DR-A-020201), a notional layout for future commercial development on the site has been included to inform long-term traffic forecasting to the year 2041 (i.e Opening year of future-planned commercial buildings + 15 Years). While these commercial buildings do not form part of the current planning application, they have been considered in the traffic assessment to anticipate future traffic conditions in the surrounding area during the construction and operational phases of the development (with Zones A and F fully built and operational). This approach allowed for the simulation and evaluation of the future operational capacity of local junctions—particularly that of the existing M1 Junction No. 5 roundabouts by undertaking a trip generation estimate for the anticipated future development.

Furthermore, refusal of the planning application on the basis of the proposed active travel infrastructure is considered unreasonable not necessary and would be totally disproportionate. The Applicant maintains that the current design is compliant with relevant standards and can be readily amended, where necessary, to align fully with TII's requirements through ongoing liaison and technical engagement, as envisaged in Condition 6 of the Notification to Grant. Any such amendments would be minor and clarificatory in nature and would not affect or require further assessment of the environmental impacts already identified.

In its submission, TII states:

*"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."*

The Applicant fully acknowledges the importance of coordination between statutory road authorities in addressing infrastructure proposals of this nature. However, it must be noted that this coordination is the responsibility of TII and Fingal County Council, as referenced by TII itself. The Applicant made repeated efforts to engage with TII in the discharge of Condition 6, during both the pre-planning and planning stages, but was advised that TII does not meet with third-party Applicants. As such, the opportunity to determine these matters in advance, as suggested by TII, was not available to the Applicant. The absence of early coordination between the road authorities should not be attributed to the Applicant, who acted in good faith and with transparency throughout the process.

Finally, refusal of the planning application, despite Condition 6 of the Notification to Grant explicitly requiring liaison with TII prior to any commencement of the development, would be unnecessary and disproportionate. Any necessary engagement between the Applicant and TII can be carried out pursuant to Condition 6, which is the appropriate planning mechanism to enable TII to comply with their statutory responsibilities under the Roads Act 1993.

Project Number: 16\_206A

Project: M1 Business Park – Zones A & F

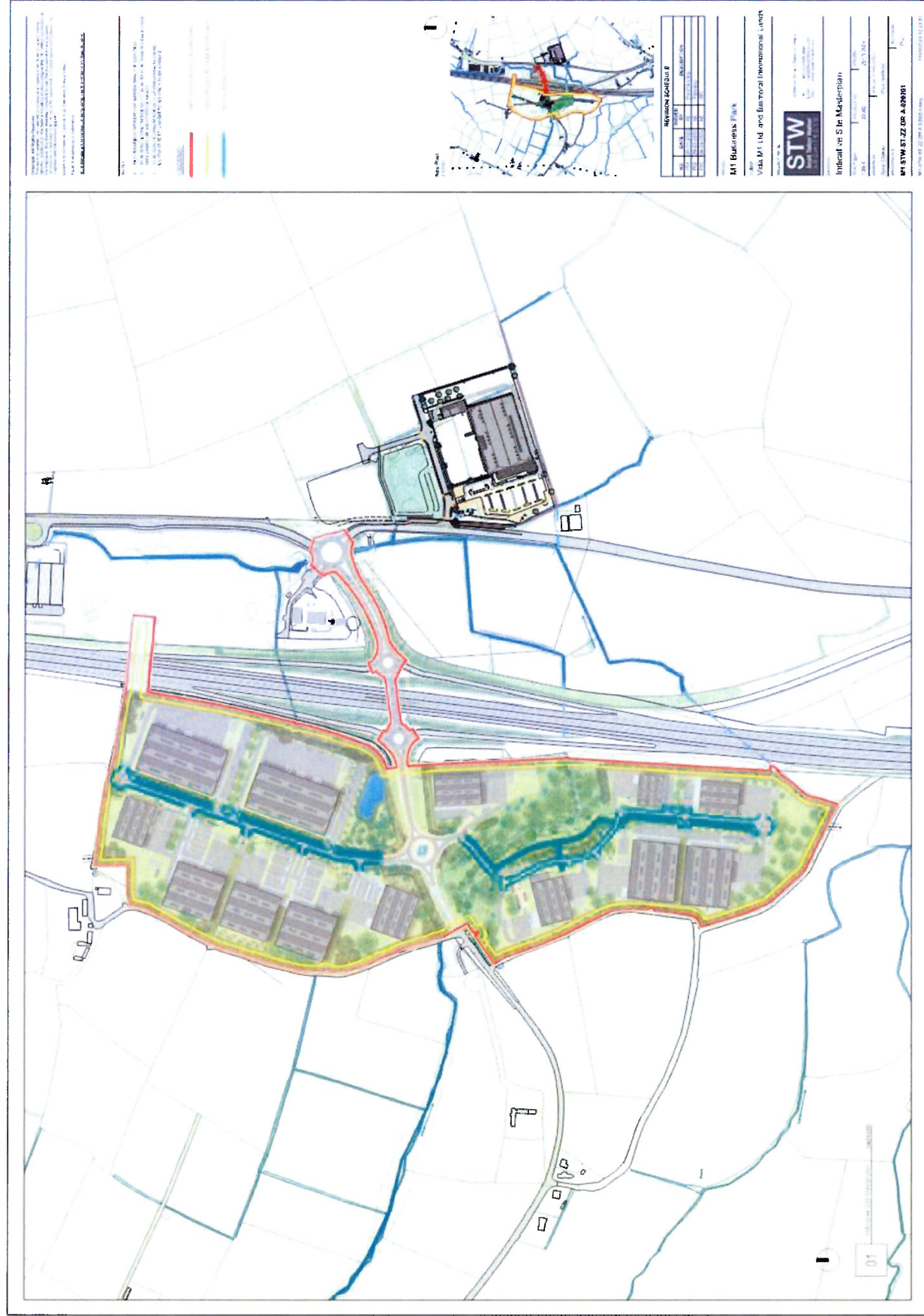
Title: Response to TII Appeal Technical Queries



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## **Appendix A – Proposed Development Masterplan**





## Appendix B – Design Criteria Comparison TII vs NTA

Relevant Design Criteria	TII PE-PMG-02045 / DN-GEO-03047-04	Cycle Design Manual	CSEA Comments
<b>Minimum Horizontal Separation at 60kph Speed Limit</b>	1.0m desirable minimum 0.5m absolute minimum (departure from standard)	Inside + Outside Clearance: 1.0m MAX	The design was updated to omit the horizontal separation distance due to the significant earthworks that would be required on TII infrastructure, including embankment modifications. This design approach was reviewed and accepted by Fingal County Council during the planning process.
<b>Dynamic Sight Distance (DSD)</b>	10km/h Design (on approach to junction): 15m 30km/h Design (all cycleways): 65m	10km/h Design (on approach to junction): 15m 30km/h Design (all cycleways): 65m	Design complies
<b>Stopping Sight Distance (SSD)</b>	10km/h Design (on approach to junction): 15m 30km/h Design (all cycleways): 35m	10km/h Design (on approach to junction): 15m 30km/h Design (all cycleways): 35m	Design complies
<b>Minimum Horizontal Radius</b>	10km/h Design (on approach to junction): 4m 30km/h Design (all cycleways): 25m	10km/h Design (on approach to junction): 4m 30km/h Design (all cycleways): 25m	Design complies
<b>Vertical Alignment (Gradient)</b>	Desirable Minimum: 0.5% Desirable Maximum: 3% One Step Below Desirable Maximum: 5%	Desirable Minimum: 0.5% Desirable Maximum: 3% Absolute Maximum: 5%	Design complies
<b>Cross Sections (Widths) - Low Volume @ &lt;1,500 users per day</b>	Shared Use Two Way Cycle Facility with Pedestrians:	Desirable Minimum Central Width: 4.0m	Design complies

	3.0m One Step Below Desirable Minimum: 2.0m	Absolut Minimum Central Width: 3.0m	
<b>Junction Visibility - Set-back Distance from edge of carriageway (X - distance)</b>	<p>Cycle route approach to a road - Desirable Minimum:</p> <p>4.0m Cycle route approach to a road - Absolute Minimum: 2.0m</p>	<p>Cycle route approach to a road - Desirable Minimum: 4.0m</p> <p>Cycle route approach to a road - Absolute Minimum: 2.0m</p>	Design complies
<b>Junction Visibility - Visibility Distance from the Minor Road (Y - distance) - 60kph</b>	<p>At-grade crossings shall only be provided at single lane entries and exits to reduce the width of crossing and the interaction with motorised traffic. In such cases, the preferred crossing facility is a bend-out crossing of the minor road located between 10 and 15 metres from the circulatory carriageway of the roundabout. A splitter island shall be provided on the minor road, and the island shall be a minimum of 3.5 metres in width.</p>	N/A	<p>The design complies with relevant guidance, as crossings are located at single-lane entries and set back between 10 and 15 metres from the circulatory carriageway; a splitter island is not required in this context. The inclusion of a controlled crossing was reviewed and agreed upon with Fingal County Council.</p>



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