



An
Bord
Pleanála

Board Direction
BD-006553-20
ABP-306850-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/09/2020.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to –

The planning history of the site, the pattern of existing and permitted development in the area and the nature and extent of the proposed development, it is considered that subject to the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity would not adversely impact on the visual amenity or character of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions

- 1 The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and

particulars submitted the 17th day of January 2020 except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars. In default of agreement, the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

- 2 Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permissions granted on 10st day of December 2009 under appeal ref PL07.221318, planning register reference number 06/3886 as extended by 12/1428 and 17/1600, and any agreements entered thereunder. This permission shall expire on 31st day of December 2021.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

- 3 PA c 6

4. The road works associated with the proposed development including the setting out of the entrances, paving and surface finishes shall be carried out and completed in accordance with the requirements of the planning authority. The recommendations of the Traffic and Transport Assessment and Road Safety Audit shall be implemented. Pedestrian crossing facilities shall be provided at all junctions. Prior to the commencement of development full details of works to the public road and public realm shall be agreed in writing with the Planning Authority. All works shall be carried out at the applicant's / developer's expense.

Reason: In the interest of traffic safety and orderly development.

- 5 An Electric Vehicle Charging Point shall be provided at a suitable location within the site and shall be operational prior to the commencement of operation of the proposed filling station. Details of the location of this facility shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In order to provide for an appropriate standard of development.

- 6 The site shall be used as a petrol filling station and no part shall be used for the sale, display, or repair of motor vehicles.

Reason: In the interest of protecting the amenities of the area.

7. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard the developer shall –
- (a) Notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
 - (b) Employ a suitably qualified archaeologist who shall monitor all site excavations and other excavation works, and
 - (c) Provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authorities considers appropriate to remove.

In default of any of these requirements the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

8. No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the canopy on the forecourt building or anywhere within the curtilage of the site) unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

9. The hours of operation of petrol forecourt shall be between 07:00 hours and 23:00 hours.

Reason: In the interest of the residential amenities of property in the vicinity.

10. (a) Details of the materials, colours and textures or all external finishes shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

(b) PA c7

Reason: In the interest of visual amenity.

11. The applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

12. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services, and shall be agreed in writing with the Planning Authority prior to commencement of development.

Reason: In the interests of public health and to ensure a proper standard of development.

13. All service cables associated with the proposed development (such as electrical, television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of the visual amenities of the area.

14. A waste management plan including the provision for the storage, separation and collection of all waste, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of the permitted use.

Reason: In the interest of public health and the amenities of the area.

15. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction / demolition waste.

Reason: In the interests of public safety and residential amenity.

16. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

Board Member

Date: 25/09/2020

Terry Prendergast