

An  
Bord  
Pleanála

**Board Direction**  
**BD-019000-25**  
**ABP-319783-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/02/2025.

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 established existing development on site, the scale of the development proposed and the existing road infrastructure serving the development, it is considered that, subject to compliance with conditions set out below that the proposed development would not result in intensification of use at the site, would not endanger public safety by reason of a traffic or pedestrian hazard due to the fact that there are established entry and exit points serving the petrol station and the proposal is not directly served by the N4 National Primary Route but by a slip lane which is segregated from the National Primary Route where the 50kmph speed limit applies. The proposed development would therefore be acceptable in terms of traffic safety and convenience and would 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 to the local authority on the 28<sup>th</sup> day of March 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The net floor area of the shop within the petrol station i.e. the area to which the public have access, shall not exceed 100 sq. metres (net) as per paragraph 2.4.3 of the Retail Planning Guidelines for Planning Authorities, 2012.

**Reason** In the interest of clarity

3. Site development and building works shall be carried out only between the hours of 0700 and 1800 Mondays to Fridays inclusive, between 0800 to 1300 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the amenities of properties in the vicinity.

4. All necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.

**Reason:** To protect the amenities of the area.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of



development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

**Reason:** To prevent flooding and in the interests of sustainable drainage.

6. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreement(s) with Uisce Eireann.

**Reason:** In the interest of public health.

7. Details of all external signage fittings and fixtures shall be submitted to proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

8. Details of the materials, colours, and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

9. Full design details of the proposed lighting scheme, including any mitigation measures, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public amenity and clarity.

10. Details of a revised road markings layout that includes all markings within the site, and specifically includes pedestrian walkways, and vehicle priority where the car-wash traffic meets the forecourt traffic upon exiting the site shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of safety.

11. Post completion of the development, a full Stage 4 Road Safety Audit (that includes a review of RSA Item 2.1) shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** To ensure an adequate level of traffic safety.



12. Prior to the commencement of development, the applicant should liaise with the National Transport Authority (NTA) with regard to the design for the Bus Connects CBC at this location and should demonstrate consistency with this.

**Reason:** In the interest of safety and to ensure that the proposed development does not compromise the future delivery of the Busconnects project.

13. The landscaping scheme shown on drawing number (Dwg. No. 23189\_LP), as submitted to the planning authority on the 24<sup>th</sup> day of October, 2023 shall be carried out within the first planting season following substantial completion of external construction works.

In addition to the proposals in the submitted scheme, the following shall be carried out:

- (i) The submitted Planting Plan (Dwg. No. 23189\_LP) shall be implemented in full by the applicant.
- (ii) All hard and soft landscape works shall be completed in full accordance with the submitted plans.
- (iii) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS: 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
- (iv) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012 "Trees in Relation to Design, Demolition and Construction – Recommendations".
- (v) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

(vi) The height of proposed berms/mounding shall be increased and proposed boundary planting bulked up in order to reduce the visual impact of the proposed development.

(vii) A certificate of effective completion of the agreed landscape scheme shall be submitted to the Planning Authority by the appointed landscape architect/consultant for the scheme upon completion of the landscape works, such certificate to be prepared by a qualified Landscape Architect/Consultant.

**Reason:** In the interest of residential and visual amenity.

14. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety and amenity.

15. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

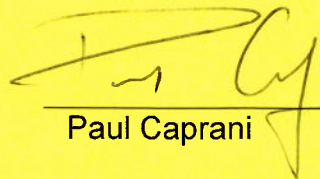
**Reason:** In the interest of proper planning and sustainable development.



16. The developer shall pay to the planning authority a financial contribution of in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

**Board Member**

  
Paul Caprani

**Date:** 21/02/2025