

An
Coimisiún
Pleanála

Direction
CD-021113-25
ABP-320233-24

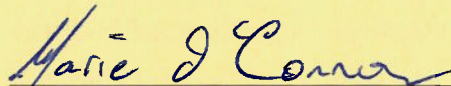
The submissions on this file and the Inspector's report were considered at a meeting held on 29/10/2025.

The Commission decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Planning

Commissioner:

Date: 31/10/2025


Marie O'Connor

DRAFT WORDING FOR ORDER

Reasons and Considerations

1. Having regard to the absence of sufficient detail in the application in relation to the existing surfacewater drainage and effluent treatment system it is considered that the applicant has not demonstrated that the retention of the oil spill store and overground bunded fuel tanks within the revised site boundaries will not result in a risk of deterioration of any waterbody or be prejudicial to public health and the retention of the development would, therefore, be contrary to proper planning and sustainable development.
2. Having regard to the design, scale and nature of the proposed development comprising a significantly larger new service station than the existing

premises which would be located on a restricted site in an unserved rural area and in the absence of sufficient information to demonstrate that the proposed development would comply with the policies and design standards set out in Table DM7: Design Guidelines for Service Stations of the Limerick Development Plan 2022-2028, the Commission is not satisfied that it has been adequately demonstrated that the proposed development has addressed public health, environmental, amenity, traffic safety and retail impact considerations. Accordingly, the proposed scheme would be contrary to that provision of the Limerick Development Plan 2022-2028 and would therefore, be contrary to the proper planning and sustainable development of the area.

3. The proposed development involves using accesses and exits onto a designated Strategic Road (R513) where it is an objective of the planning authority under Objective TR O41 of the Limerick Development Plan 2022-2028 to prohibit developments that would generate additional traffic and require direct access onto a strategic regional road in areas where speed limits in excess of 50km/h apply. In the absence of sufficient documentation, the Commission is not satisfied that the proposed development would not generate additional traffic movements onto the R513 designated Strategic Regional Road, contravene Objective TR O41 of the Limerick Development Plan 2022-2028, undermine the operational capacity of the road and therefore, considered the proposed development would be contrary to the proper planning and sustainable development of the area.
4. On the basis of the submissions made in connection with the application and appeal, the Commission is not satisfied that the applicant has demonstrated that the existing wastewater treatment system on site has the capacity to serve the proposed development having regard to the scale of development proposed. Furthermore, it is noted that the proposed forecourt extension would be located within the area of the existing septic tank and percolation. Accordingly, notwithstanding the proposed use of the existing septic tank and percolation area, it has not been demonstrated that that effluent from the development can be satisfactorily treated and disposed of on site. The proposed development would, therefore, be prejudicial to public health.

Note:

The Commission noted that the Inspector considered that there was a material contravention of Objective TRO41 however given that this is an operational service station with existing access points onto the R513 it was considered that in the absence of sufficient information indicating if additional traffic would be generated by the proposed development that it could not be satisfied that it was a material contravention of the Development Plan.