



An  
Bord  
Pleanála

## Inspector's Report ABP-301212-18

### Development

Development of forecourt with pump islands consisting of: 1) The construction of a solid fuel store/repository. 2) Construction of a forecourt with 4 no. pumps and canopy cover. 3) Installation of 3 no. underground fuel storage tanks with a total fuel storage capacity 100,000 litres, associated pipeworks and overground fill points. 4) Construction of 3 no. car parking spaces and an electric car charging point. 5) Installation of air and water dispensers for vehicles. 6) All ancillary signage, site works, boundary treatments, drainage systems and landscaping. Gross floor space of proposed works 32sqm.

### Location

Cosmona, Loughrea County Galway

### Planning Authority

Galway County Council

### Planning Authority Reg. Ref.

17/1448

### Applicant(s)

Aidan McGuinness



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## 1.0 Site Location and Description

- 1.1. The subject site refers to a vacant site, to the east of an existing car park serving the Loughrea Shopping Centre to the north of Athenry Road in the east Galway village of Loughrea.
- 1.2. The over grown, vacant site is separated from the car park by a series of wire fences. To the immediate north of the site is the residential housing estate Cois Furain and to the north of the residential housing estate The Maltings.

This undeveloped section of land is the subject of two other appeals before the Board: ABP-301208-18 and ABP-302111-18. Discussed in section 4.0 below.

## 2.0 Proposed Development

- 2.1. On the 4<sup>th</sup> October 2017 planning permission was sought for the construction of a forecourt with 4 no. pump and canopy cover, a solid fuel repository, 3 no. underground fuel storage tanks (100,000l capacity) with pipeworks and overground fill points, 3 no. car spaces and an electric charging point, air and water dispensers for vehicles, ancillary signage, site works, boundary treatments, drainage systems and landscaping. Total area 32sq.m.
  - 2.1.1. The application was accompanied by a Planning report which includes a letter of consent from the owners of the site and an AA screening report

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. On the 15<sup>th</sup> February 2018, permission for the proposed development was REFUSED for the following reasons:
  1. Having regard to the nature of the proposed development in such close proximity to residential properties, the traffic movements, noise and general disturbance during night-time hours associated with the type of development proposed, the Planning Authority consider that the proposed development would seriously injure the amenities, or depreciate the value of property in the vicinity of the site and therefore the proposed development would be contrary to the proper planning and sustainable development of the area.

2. It is considered that the proposed development would conflict with the existing parking spaces and traffic circulation areas of the adjoining commercial site and would give rise to conflicting vehicular and pedestrian movements in this area. Therefore if permitted as proposed, it is considered that the development would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise.
3. Having regard to the traffic and transport assessment, road safety audit and partially auto-tracking of vehicles utilising the site, it is considered that the proposed development would materially contravene contrary to Objective TI10 and DM standard 11 of the Galway County Development Plan 2015-2021 and Objective TI17 of the Loughrea Local Area Plan 2012, would constitute a traffic hazard due to the potential for collision of vehicles and pedestrians utilising the subject site, the associated traffic movements through the existing carparking to the site and the cumulative impact in combination with the adjoining planning application (ref. no. 17/1447) and therefore would be contrary to the proper planning and sustainable development of the area.
4. In the absence of a pre-connection query form / evidence correspondence with Irish Water, it has not been demonstrated to the satisfaction of the Planning Authority that the public mains and public sewer has the capacity to cater for the additional loading / demand arising from the proposed development, in terms of water demand, waste water generation and surface water disposal. It is therefore considered that the proposed development if permitted would be prejudicial to public health, has the potential to pose an unacceptable risk to water quality and European Sites including their conservation objectives and qualifying interests and would be contrary to the principles of proper planning and sustainable development.

### 3.2. **Planning Authority Reports**

**Planning Report:** Regarding AA: in the absence of satisfactory information in relation to waste water disposal, hydrocarbon interceptors and bunding proposals, the Planning Authority has insufficient information to screen out likely significant impacts on European site arising from the proposed development at this time. Application site boundaries oversails the existing traffic circulation area and a space

of the shopping centre. Concern over conflicting traffic movements. No traffic and transport assessment, RSA or auto-tracking details submitted. No details of connection to public sewer provided. AA screening report incorrect as it states no fuel storage. No details of water supply. Planning Authority is concerned about the nature of the proposed development in such close proximity to residential properties. Recommendation to refuse permission.

3.2.1. On the 28<sup>th</sup> November 2017, the applicant emailed requesting an extension of time until the 16<sup>th</sup> February.

3.2.2. On the 25<sup>th</sup> January the applicant submitted **unsolicited additional information**. The report addresses four areas. It can be summarised as follows:

#### **Impact on Residential Amenity**

- The Noise Impact Assessment states that the noise impact on the closest residential neighbours arises from vehicle noise entering and existing the filling station and fuel store. The NIA states that the impact will not be adverse. With the proposed noise mitigation measures will not be significantly different than the existing noise levels in the area.

#### **Traffic and Transport**

- Letter of consent from land owner giving consent to the use of the lands was submitted with the application. A Traffic and Transport Assessment and a Road Safety Audit have been undertaken and are submitted as unsolicited further information. The assessment includes auto-track movements for the proposed development. It is submitted that the proposed development will not conflict with or reduce the existing car parking – which has a surplus of 77 no. spaces. The proposed development has limited car parking requirements. The TTA shows sufficient capacity on the road network.

#### **Water Services**

- Area Engineer for Loughrea confirms that there is sufficient capacity in the existing sewers and treatment plant to cater for the proposed development.
- The subject site overlaps with the site (08/2505: retail / commercial building and associated car parking) for which the permission has not been fully developed. The proposed development involves a decreased loading rate than that permitted.

- Planning permission 08/2505 was approved for storm water from the entire site (of which the subject application forms a portion) to be discharged to the public sewer on the main road. The currently proposed development has already been catered for in the sewers and attenuation tanks installed as part of 08/2505 and therefore will result in no increase in outflow to the public storm sewers. Appendix 4-1 provides a revised services drawing which includes Aco type drains around the petrol dispensing area and fuel offloading bay, a 10,000l full retention bypass hydrocarbon interceptor. No overground fuel storage tanks are proposed.

### **Health & Safety**

- Location of underground tanks, fill points and vents are in accordance with best practice guidelines. Appendix 5-1 provides details.

3.2.3. **Second Planners Report 15/02/18:** Report relates to proposed development on adjoining site (see ABP-301208-18) – mention of kitchen extractor fans etc. Last line states that the principle of a filling station at the site is not in accordance with the proper planning and sustainable development of the area.

### **3.3. Third Party Observations**

3.3.1. Objection from residents of adjoining housing estates Cois Furain, The Maltings and Tí na Rí. Objections regarding: proximity of fuel tank, deep foundation, noise and activity, carcinogenic fumes, impact on property prices, proximity to other filling stations in the area, lack of traffic analysis, lack of screening, cumulative impacts from adjoining proposals and no detail on hours of operation.

## **4.0 Planning History**

4.1.1. Planning Authority Reg. Ref. **08/2505:** Planning permission granted for the construction of a retail / commercial development comprising two buildings, including a supermarket (unit 1), department store (unit 2).

4.1.2. **ABP-302111-18:** Third party appeal currently before the Board by The Malting Residents against the decision of Galway County Council to grant permission to Aidan McGuinness for the construction of five number residential units and associated domestic garage together with the provision of vehicular and pedestrian access from the Athenry Road (N66) via 'The Maltings' residential development immediately



south of the proposed site on a site adjacent to the Loughrea Shopping Centre and The Maltings residential development.

- 4.1.3. **ABP-301208-18:** First party appeal before the Board against the decision of the Planning Authority to refuse permission for the development of 2 no. 'drive-thru' restaurant / take-away units (476sq.m.). Unit 1 (138sq.m.) comprises a kitchen / serving area, waiting area and staff area. Unit 2 (302sq.m.) comprises kitchen, serving area, waiting area, seating area, male and female toilets and staff welfare area. A 31sq.m. lobby area would serve both units. A two-lane drive-thru would include 2 no. order points and 2 no. collection points. The proposed development includes outdoor seating, signage and boundary treatments, all on a site of 0.13ha.

## 5.0 Policy Context

### 5.1. Loughrea Local Area Plan 2012-2018

- 5.1.1. The 2012-2018 plan was extended up to and including 24<sup>th</sup> July 2022. The subject site is located in an area zoned C2- commercial / mixed use. The objective for the zone is to "Promote the development of commercial and complementary mixed uses on suitable lands that can provide focal points for the provision of services to surrounding neighbourhoods/areas and opportunities for commercial enterprises, retail developments and employment creation and which do not undermine the vitality and viability of the town centre".
- 5.1.2. Within C2 zones the following development management standards apply:
- Plot ratio 0.40 to 1.00
  - Site coverage 70%
- 5.1.3. Within C2 zoned lands a household fuel depot is permitted in principle and a petrol station is an open for consideration use. Note 2 in the LAP states that a "A use that is classified as Open for Consideration is one that the local authority may permit where it is satisfied that the suggested form of development will be compatible with the policies and objectives for the zone, will not conflict with permitted uses and conforms to the proper planning and sustainable development of the area, including the policies and objectives set out in the Plan

### 5.2. Natural Heritage Designations

- 5.2.1. The subject site is 0.5km north of the Lough Rea SPA and Lough Rea SAC.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- 6.1.1. A first party appeal against the decision of the Planning Authority to refuse permission has been submitted by an agent on behalf of the applicant. The submission gives details on the background to the appeal, the planning history of the site and the policy framework that they state supports the proposed development. The grounds of the appeal can be summarised as follows:

#### **Reason no. 1**

- The proposed petrol filling station will be closed during night-time hours, it will open between 07.00 and 23.00.
- A detailed Noise Impact Assessment is submitted with the appeal. (appendix 4-1)
- The main noise source assessed in the NIA is from vehicles entering and exiting the petrol station and fuel store. The NIA has found that the predicted noise levels at the nearest noise sensitive locations will not be adverse.
- With the proposed noise mitigation measures the noise impact has been shown to be low. The constant daytime and evening traffic on the surrounding road network and the adjoining retail development will continue to dominate the noise climate. The noise generated from the proposed development will not significantly affect the existing noise levels.
- A cover letter from the acoustic consultants refutes and clarifies the various points raised in the Planners report (appendix 4-2).

#### **Reasons no. 2 and 3**

- A Traffic and Transport Assessment and a Road Safety Audit were submitted to the Planning Authority. The TTA concludes that the proposed development will be adequately accommodated by the existing access junctions and surrounding road network. Appendices 4-3, 4-4 and 4-5.
- The RSA did not identify any issues of concern.
- The TTA and the RSA established categorically that the proposed development would not constitute a traffic hazard nor would it result in road and / or junction capacity issues.

#### **Reason no. 4**

- The applicant's engineers met with the Loughrea Area Engineer who confirmed that there is sufficient capacity in the existing public sewer and treatment plant to accommodate the proposed development.
- A pre-connection enquiry has been made to Irish Water (ref. no. 3246414399)
- The subject site overlaps with the site of a previous planning application that was not implemented. This permission was for a much larger development. Loading calculations clearly demonstrate the capacity in the treatment system for the slight increase in loading from the proposed development. A services drawing identifies the proposed connection to the public sewer.
- The storm water from the proposed development has already been catered for in the design capacity of the existing sewers and attenuation tanks installed as part of the 2008 permission. There will be no increase in the outflows to the public storm sewers.

6.1.2. The appeal submission states that the proposed development will result in the beneficial development of a vacant infill site within the settlement of Loughrea. The proposed development will create employment and economic development. The proposed development complies with the development plan and all other policy documents. The Board is requested to grant permission.

6.1.3. The appeal is accompanied by a number of Appendices. These can be summarised as follows:

- Appendix A: decision of Galway County Council
- Appendix B: letter of consent from adjoining development
- Appendix C: letter from Consulting Engineers stating that the location of the underground fuel storage tanks, fill points and vents are in accordance with current good practice guidelines. Extract APEA Guidance 'Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations' Section 4.4.2 and 4.4.5 submitted. Traditionally the vast majority of filling stations are located with houses nearby. Excavation of 3.5-4m deep pits for the underground tanks will be to best practice. Walls greater than 6.5m from the tanks will not be affected by the excavation.

- Appendix 4-1: Noise Impact Assessment provides details of the existing environment. Construction noise will arise from site clearance works and construction traffic. The NIA has predicted the noise impact of the proposed petrol station and fuel store on the closest residential neighbours. The specific noise sources include cars entering and exiting, most frequently during the day, less frequently in the evening. The process of re-fuelling is not a significant noise source and no forecourt music will be played. The NIA finds that the predicted specific noise levels at the nearest noise sensitive locations will have a negligible long-term impact. Cumulative noise levels of the proposed petrol station and the adjoining proposed drive-thru restaurant are stated to be within the guidelines and therefore will not be a significant noise impact.
- Appendix 4-2: letter regarding the Noise and Odour Impact Assessment (for adjoining development). States that it refers to the subject and the adjoining development. States that the Planning Authority's concern about night time use is not relevant as the proposed petrol station will cease operation at 23.00. The Letter notes that the Planning Authority's reason for refusal refers to kitchen extractor fans and notes that these are not part of the proposed development. Regarding the Planning Authority's statement about lack of assessment of the cumulative impacts, the letter states that the week-long baseline survey assessed the existing development and refers to both proposed developments.
- Appendix 4-3: Traffic and Transport Assessment: The proposed development will be adequately accommodated on the existing access junctions and surrounding road network.
- Appendix 4-6: Letter from Consulting Engineers regarding capacity of the existing treatment plant. Includes details of the previous planning application and an email from Irish Water regarding a Pre Connection Enquiry.

## 6.2. Planning Authority Response

- 6.2.1. None on file.

## 7.0 Assessment

7.1.1. I have examined the file and the planning history, considered national and local policies and guidance and inspected the site. I am satisfied that the issues raised adequately identify the key potential impacts and I will address each in turn as follows:

- Principle of development
- Traffic
- Impact on Residential Amenity
- Connection to Treatment System
- Appropriate Assessment
- Environmental Impact Assessment

### 7.2. Principal of Development

7.2.1. The subject site is located in an area zoned for mixed use commercial development (C2). According to the Loughrea LAP which has been extended to 2022, the development objective for C2 lands is to promote the development of commercial and complementary mixed uses on suitable lands that can provide focal points for the provision of services to surrounding neighbourhoods / areas and opportunities for commercial enterprises which do not undermine the vitality and viability of the town centre.

7.2.2. It is considered that the key phrases of the above objective for the proposed development are that the lands must be suitable, that the proposed development must be complementary and that it must not undermine the town centre.

7.2.3. In terms of the suitability of the land, I share the concern of the Planning Authority that the proposed development is in close proximity to two residential housing estates (Cois Furain to the north and The Maltings to the south). I note that Galway County Council has issued a notice of their intention to grant permission to the subject applicant for a further 5 no. houses to the immediate right of the proposed development. This permission is currently before the Board on appeal (ABP-302111-18). The issue of the impact of the proposed development on residential amenity is discussed in greater detail below.

- 7.2.4. It is not clear from the plans submitted with the application how and where customers are to pay for the fuel they purchase – either at the 4 no. pumps or from within the fuel store / repository. Are the pumps to be self-service? It is usual to see a shop / pay point in conjunction with filling points. Further it is not clear what service is to be provided from the fuel store. Is it a shop from which customers can buy fuel? In which case the terminology of ‘fuel store / repository’ is slightly misleading. Or if it is to provide storage only, the question must be asked: what will be stored, for what purpose and for what duration? If fuel is to be stored, the Board must be made aware of the nature and extent so that it may assess the impact of odour or other such effects on the adjoining residential properties to the immediate north. The information before the Board is lacking in detail.
- 7.2.5. The planning permission for the Loughrea shopping centre (reg. ref. 08/2505) proposed a second building on that part of the site that forms the subject appeal site. The applicant states that this building was never developed but does not provide any detail of how this affected the compliance of the planning permission. Should the Board decide to grant permission, they may wish to seek further information – particularly with regard to the use of the permitted car park as it is the submission of the applicant that excess capacity exists.

### **7.3. Impact on Residential Amenity**

- 7.3.1. The impact of the proposed development on the residential amenity of property in the vicinity of the subject site in terms of traffic, noise, smells and general disturbance formed the first reason of the Planning Authority’s decision to refuse. In responding to this reason, the appellant submitted a noise impact assessment, and a traffic and transport assessment.
- 7.3.2. I note that a letter from the consultant who prepared the Noise impact assessment states that the reports took account of the subject application and that proposed on the adjoining site (concurrent appeal before the Board ABP-301208-18). The NIA does not however address the proposed 5 no. residential units to the east of the subject site however. While permission for same was lodged after the submission of the current appeal to the Board, the author of the NIA was aware of the proposal as the dwellings are shown on drawings within the NIA.

- 7.3.3. Section 4.2.1 of the **Noise Impact Assessment** states that the main noise source will be the movement of vehicles to and from the filling station and the fuel store. It states that there will not be a car wash or any other plant / equipment that is likely to generate noise. No forecourt music will be played and the use of the filling pumps does not generate significant noise. Vehicles entering and existing the site are assessed as moving point noise sources. The noise impact has been assessed at an operational year of 2020 without the proposed development, with the adjoining proposed restaurant / drive-thru only, with the petrol filling station only and with both proposed developments. Using the 10% increase in traffic volumes from the Traffic Impact Assessment, section 4.2 of the NIA states that this will not result in a discernible change in noise level at the nearby residential properties. The NIA states that a doubling of traffic volumes is required to allow for a noise level increase of 3dB(A) – the level at which a noticeable change is experienced.
- 7.3.4. Tables 11 and 12 show that currently, without any development the noise level experienced at the rear window of no. 27 The Maltings is greater than the daytime limit of 55dB L<sub>AEq</sub>. Should both the proposed filling station and the restaurant / drive thru proceed, the level would rise to 60dB during the AM peak and 64.7 during the PM peak. I note that the NIA does not assess the impact of the cumulative noise impact on the 5 no. houses recently granted by the Planning Authority which are considerably closer than no. 27 The Maltings. Without evidence to the contrary one must assume that the noise level experienced by the new dwellings would be similar to or greater than that at no. 27.
- 7.3.5. I am not satisfied that a robust and comprehensive assessment of the likely impact of the proposed development and that proposed on the adjoining sites has been undertaken. I agree with the conclusion of the Planning Authority that a degree of uncertainty, and lack of detail regarding the proposed development has been submitted to the Board. I am not satisfied that the cumulative impacts of the proposed development have taken account of the proposed residential development to the east, of which the author of the NIA was aware.
- 7.3.6. Given the sensitivity of a late-night development in such close proximity to residential dwellings, it is considered that there is no room for error, omission or assumption. The findings of the NIA do not categorically demonstrate that there will not be a significant impact on the residential amenity of the adjoining residential areas. Petrol

stations are open for consideration in C2 zones, where the proposed development will not conflict with the permitted uses. It is considered that the proposed development would conflict with the long-established residential use in the immediate area.

#### **7.4. Traffic**

- 7.4.1. The traffic and transport assessment refers to both the subject development and the proposed adjoining drive thru / restaurant. An opening year of 2020 and a future year of 2035 are used as the basis of the report. In order to assume a worst-case scenario, it was assumed that all trips to the two developments would be single purpose new trips to the site. The TTA assumes a trip generation of 36 no. trips in and out of the site during the AM peak and 26 no. trips in and out during the PM peak. The report concludes that the existing access junctions and surrounding road network can accommodate the proposed development and that of the drive-thru/ restaurant on the adjoining site.

#### **7.5. Connection to Treatment System**

- 7.5.1. The Planning Authority's final reason for refusal referred to a lack of communication with Irish Water about the proposed connection to the public mains. In response, the appellant has submitted an email from Irish Water, acknowledging the applicant's pre-connection enquiry.
- 7.5.2. The appellant refers to the 2008 permission for the shopping centre which included a second building on the subject site. The appellant submits that it was demonstrated at that time that the public mains has the capacity to deal with a second set of development on the subject site and that the Planning Authority in approving that development accepted the capacity issues. The Board will note that the previous planning decision was made a decade ago and that the town of Loughrea has seen significant expansion and development in that time. Permitting a development on data from ten years ago is not recommended.
- 7.5.3. The appellant refers to a meeting with the Area Engineer who indicated that sufficient capacity exists. That submission has not been corroborated by the Planning Authority.



## 7.6. **Appropriate Assessment**

- 7.6.1. The subject site is located 0.5km to the north of the **Lough Rea SAC (site code 000304)** and **Lough Rea SPA (site code 004134)**.
- 7.6.2. Lough Rea is a hard water lake situated directly south of the town of Loughrea, Co. Galway. The lake is 2.5 km at its longest axis. The underlying geology of the area is of Carboniferous limestone and water transparency is very high. The lake, which is fed by springs and by a stream, reaches a maximum depth of 15 m. the qualifying interest for the SAC is [3140] Hard oligo-mesotrophic waters with benthic vegetation of Chara spp, otherwise described as 'Hard Water Lakes'. The conservation objective for this qualifying interest is to maintain or restore the favourable conservation condition of the hard water lake. Favourable conservation status of a habitat is achieved when: its natural range, and area it covers within that range, are stable or increasing, and the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and the conservation status of its typical species is favourable. The site is largely surrounded by intensively farmed pasture and consequently the main threat to the lake comes from agricultural run-off. The lake is also vulnerable to nutrient input from the town of Loughrea.
- 7.6.3. The qualifying interests for Lough Rea SPA are A056 Shoveler *Anas clypeata* and A 125 Coot *Fulica atra*. The conservation objective for the site is to maintain or restore the favourable conservation condition of the two bird species.
- 7.6.4. An AA screening report was submitted with the application. Section 2.2.2 provides details of best practice control measures incorporated into the project design which will limit the potential for impact during the construction phase. The screening report states that there will be no impact on the conservation objectives of any designated site and there is no need to proceed to a stage 2 NIS.
- 7.6.5. I have a number of concerns about the screening report. It is reasonable to assume the report was carried out for the subject development and that on the adjoining site (proposed restaurant / drive-thru ABP-301208-18). I am not satisfied that the screening report has correctly assessed the subject development however. For example I note that section 2.2.2.4 states that there will be no fuel stored on the site at any time. It is not clear if this statement refers to the construction phase only as

the proposed development does provide for the storage of fuel both above and underground. Further, I note that Table 4.1 describes the development as the development of a retail unit and a drive thru.

- 7.6.6. Given the nature of the proposed development (storage of fuel both over and underground) and the qualifying interest of the Lough Rea SAC (hard water lakes), the source – pathway – receptor that can be identified is that of surface and / or foul water contaminated by fuel spillages from the subject site entering Lough Rea. Having regard to the precautionary principle, it is considered that the possibility of effects on the conservation objectives of the Lough Rea SAC cannot be reasonably excluded. In the case of reasonable doubt / uncertainty as to the absence of significant effects a Stage 2 AA must be carried out. Such an assessment has not been undertaken for the proposed development.
- 7.6.7. I note that the Planning Authority did not include the matter of AA as a reason for refusal, instead focusing in the capacity of and connection to public sewer. The Board may wish to consider the matter a new issue therefore.

## **7.7. Environmental Impact Assessment Screening**

- 7.7.1. Having regard to nature of the development comprising extension to and alteration of an existing dwelling and the urban location of the site there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **8.0 Recommendation**

- 8.1.1. It is considered that the proposed development of a petrol filling station and a fuel store is not an appropriate use in such close proximity to a number of residential areas. Where two zones converge, it is best practice that the more sensitive zoning be given greater weight in consideration of impacts. While the wider area appears to accommodate the supermarket easily and without significant impact on the adjoining residential area, the proposed development is significantly closer to the boundaries of the residential estates. The noise and general disturbance buffer provided to the supermarket by the car park is not available to the proposed development, it being

within metres of the boundary walls of private rear gardens. Further, the nature and extent of the proposed development has not been sufficiently clarified.

8.2. It is considered that insufficient detail has been submitted regarding the proposed development and the possible impacts on the residential amenity of the adjoining properties, both existing and proposed. It is considered as three separate applications have been made on a relatively restricted site beside a large shopping centre and a number of residential areas, that this requires a strategic assessment of the cumulative impact of all proposed development on the immediate and wider area. It is recommended that permission be refused for the following reasons:

- 1 The proposed development of petrol filling station with 4 no. pumps, underground storage tanks and fuel repository / store on a site zoned for mixed use commercial and retail development is unacceptably close to existing and proposed residential development. It is considered that the proposed uses are not a complementary use on a suitable site as required by the C2 zoning objective of the Loughrea LAP which has been extended to 2022. The proposed development is considered to be contrary to the proper planning and sustainable development of the area
- 2 It has not been demonstrated that the proposed development, in addition to the development proposed on the adjoining sites can be safely accommodated by the existing public sewer network. The proposed development, if permitted would therefore be prejudicial to public health.

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Gillian Kane  
Senior Planning Inspector

09 November 2018