



An
Bord
Pleanála

Inspector's Report

ABP-311119-21

Development	Permission for car wash, plantroom, relocation of services, associated site works.
Location	Circle K Service Station, St Peters Road, Walkinstown, Dublin 12, D12 KP9N
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD20A/0189
Applicant(s)	Fareplay Energy Limited
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	James Fitzgerald
Observer(s)	None
Date of Site Inspection	12 November 2021
Inspector	Ian Boyle

1.0 Site Location and Description

- 1.1. The subject site is an existing Service Station, operated by Circle K, which has an address at St. Peter's Road, Dublin 12, D12 KP9N. It is located on the north-eastern side of St. Peter's Road (R112), which is a busy Regional Road. The site is situated between Limekiln Grove, which lies to the north of the site, and Limekiln Lane, which is the south. The Appellant's residential property adjoins the site on its north-eastern boundary, which is No. 1 Limekiln Grove. The property is narrow, relatively long, and runs along the entire shared boundary of the appeal site. The house is situated in the northern part of the site.
- 1.2. The service station canopy and three fuel pumps are located centrally in front of the service station shop. The shop is located within the south-eastern part of the site, and the area to the northwest is largely vacant. There is a small vehicle services machine situated in the northeast corner (air tyre pump, water, vacuum cleaner, etc). Car parking is available onsite at the front of the shop and along the north-eastern edge of the site.
- 1.3. There is a pedestrian access and grassed area, with some medium sized trees, present at the site's north-western boundary. The general character of the vicinity is suburban, residential with a presence of mainly two storey, semi-detached and terrace dwellings.
- 1.4. The site has a stated area of approximately 0.15ha.

2.0 Proposed Development

- 2.1. The proposed development is for the construction and installation of a car wash, car wash plantroom, relocation of services and ancillary site development works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority granted permission on 21st July 2021, subject to 10 no. conditions. The conditions are mainly standard in nature. Condition No. 2 requires a pedestrian route at the northern site boundary to be raised to prioritise pedestrian

access, provision of road markings, and the installation of an EV charging point. Condition No. 5 relates to the preparation of a landscaping scheme. Condition No. 7 includes measures to ensure the control of noise and other emissions (odour, gas, dust, fumes, etc.).

3.1.2. The Planning Authority requested further information relating to 3 no. items in September 2021, including: a request to submit a revised design and layout demonstrating how the proposed development would mitigate any negative impact on the dwelling to the northeast (it was considered that the height of the proposed car wash at 4.75m along the boundary with No.1 Limekiln Grove could cause a potentially unacceptable loss of light and visual impact) (Item 1); submission of a Noise Impact Assessment (Item 2); and submission of a revised Proposed Site Layout Plan identifying existing trees on the site, which are to be retained, and a proposed Landscape Plan which includes a landscape buffer on the site between the proposed development and existing residential property (Item 3).

3.1.3. The Applicant submitted the following further information:

- The proposed car wash was relocated and moved away from the northern boundary by 1.5m. The issues of noise, traffic, visual obtrusion, fumes and smells were proposed to be addressed by enclosing the car wash within a fully contained and roofed structure (see: Dwg Refs: P1976.A01, P1976.A02, P1976.A03 and P1976.C03).
- A Noise Impact Assessment.
- The proposed landscaping details shown on the relevant drawings, which includes the planting of a 1.5m high boundary hedgerow, and a native ivy hedge, along the northeastern boundary were considered acceptable.

3.1.4. Following receipt of further information, the Planning Officer was satisfied that the development was acceptable. It was recommended that permission be granted, subject to conditions.

3.2. Planning Authority Reports

3.3. Planning Report

The Planning Report formed the basis of the Planning Authority's Decision. Having examined the application, and having considered the potential impacts of the development, and the relevant policies of the County Development Plan, the Council Planner recommended a Grant of Permission, subject to 10 no. conditions.

3.4. Other Technical Reports

- Surface Water Drainage: No objection, subject to conditions.
- Roads Department: No objection, subject to conditions.
- Environmental Health Officer: No objection, subject to conditions.

3.5. Prescribed Bodies

- Irish Water: No objection, subject to conditions.

3.6. Third Party Observations

A number of observations were made on the application, including from local residents and representations from third parties. The main issues are summarised as follows:

- The appeal site is located within a built-up residential area along a busy road. Noise level restrictions should be implemented on machinery and equipment during business hours under planning condition.
- Noise is caused by the inflation pump on the premises and a car wash and additional plantroom would cause further noise nuisance.
- The size of the petrol station site is small and any additional facilities would cause increased traffic movements, and the potential for traffic obstructions, due to vehicles waiting to use the car wash and petrol pumps. It is also noted pedestrians walk across the road to the service station, and this is a very busy junction that this may cause a traffic hazard.

- There are Circle K car washes already at on Templeville Road 1.2km (2 minute drive) and a further six car washes available in the wider area. There is no need for a further car wash in this location.
- There is no proposed buffer screen of planting, or landscaping, between the petrol station and the residents on Limekiln Grove. The proposal would be visually look unsightly from the main road.
- There are environmental concerns regarding air pollution, smell, rubbish and the felling of 5 no. mature trees. The water usage of up to 1.3m litres of water challenges the *SDCC Climate Change Action Plan 2019 – 2024* and there is already reduced water pressure in the area.
- The proposed height, inclusive of the splash screen, is excessive at 4.75m and could dwarf the residential property next to it due to its proximity.
- The Development Plan states that petrol stations must adhere to certain policies and should not unduly detract from surrounding amenities within a residential development.
- There are discrepancies in the submitted Application Form and that the proposal is against a number of Development Plan policies.
- There are concerns regarding signage, advertising, flags and canopies and these can have a detrimental visual impact on a residential street, and on property prices.

4.0 Planning History

Subject Site

ABP Ref. PL06S.129959 (Reg. Ref. S02A/0148): An Bord Pleanála granted permission for the redevelopment of an existing petrol filling station, including the demolition of an existing building, and the provision of new forecourt shop, with a hot/cold food counter and new forecourt layout, including underground storage tank facility, pumps, petrol interceptor, illuminated forecourt canopy and ancillary signage on 27th September 2002.

Reg. Ref. 91A/0357: The Planning Authority granted permission to use the existing service station shop on the site for 50% for the sale of goods related to the motor industry, and 50% goods not related to the motor industry, on 13th May 1991.

5.0 Policy Context

5.1. Development Plan

5.1.1. Zoning

- The site is zoned 'Objective RES, Existing Residential' – 'To protect and/or improve residential amenity' under the *South Dublin County Council Development Plan 2016 – 2022* ('Development Plan'). Table 11.2 (Zoning Objective 'RES') lists 'Petrol Station' as 'open for consideration' under this zoning.
- Land uses that are listed as open for consideration may be acceptable, subject to detailed assessment against the principles of proper planning and sustainable development, and the relevant policies, objectives and standards set out in the Development Plan. Proposed uses in this category are subject to full assessment on their own merits and may only be permitted where they do not materially conflict with other aspects of the County Development Plan.
- The surrounding land in the vicinity of the site is also zoned 'RES, Existing Residential'.
- The appeal site is similarly zoned under the *Draft South Dublin County Development Plan 2022-2028* as 'RES'.

5.1.2. Motor Fuel Stations

Section 11.3.6(iv) of the Development Plan includes specific policy objectives in relation to motor fuel stations / service stations. Whilst this policy is noted, I also note that the service station, and the forecourt shop with its related facilities, already exist and are established and permitted on the site. The proposed development is for a car wash and car wash plantroom, and, therefore, would be an extension of an already permitted use.

The Development Plan states that petrol stations, while necessary, have the potential to cause disturbance, nuisance and detract from the amenities of an area and as such, proposals for new, or extended outlets, will be carefully considered. Motor fuel stations will not generally be encouraged within the core retail area of urban centres or in rural areas. Of particular relevance to the proposed development is the following policy objective:

- *Development proposals will be required to demonstrate that noise, traffic, visual obtrusion, fumes, and smells will not detract unduly from the amenities of the area and in particular from sensitive land uses such as residential development.*

5.1.3. Other Local Policy

Economic and Tourism (ET) Policy 1 Overarching

It is the policy of the Council to support sustainable enterprise and employment growth in South Dublin County and in the Greater Dublin Area, whilst maintaining environmental quality.

5.2. Natural Heritage Designations

No designations apply to the subject site.

The closest European Site is the Glenasmole Valley SAC (Site Code: 001209), which is approximately 6.3km to the south. The South Dublin Bay and Tolka Estuary SPA (Site Code 004024) and South Dublin Bay SAC (Site Code: 000210) are roughly 7.8km to the east.

The site is located approximately 2.4km to the north of the Dodder Valley (pNHA) (Site Code 000991).

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A Third Party Appeal was received from a resident at No. 1 Limekiln Grove, which is the dwelling adjoining the appeal site on its north-eastern boundary. The appeal submission reiterates many of the concerns raised in the third party observations

lodged previously to the Planning Authority. The main grounds of appeal are summarised as follows:

- There are various deficiencies in relation to the planning documentation / application form submitted to the Planning Authority.
- The proposed use (car wash) is not in accordance with the zoning objective for the site, which is existing residential. The proposed use is 'Industry-General' or 'Industry-Special' and, therefore, not permitted under the Development Plan.
- The development proposal has not demonstrated that the issues of noise, traffic, visual obtrusion, fumes and smells have been addressed and this detail was not included in the application.
- Various non-compliance and issues relating to unauthorised development are raised, including in relation to a lighting structure that is close to a bedroom within the house and higher than the height of service station canopy. The light is operational all night.
- Concern raised regarding the structural integrity of the boundary wall at the front of the property, which is at risk of failing due to the proposed raising of the ground level on foot of the proposed development.
- Ongoing issues relating to litter, noise, and light spill should be addressed before the car wash is constructed.
- There are no details regarding the lighting of the proposed car wash.
- The proposed car wash structure is of excessive height and will not be in harmony with the surrounding residential area.
- Various car parking, vehicle queuing, pedestrian access, and vehicular access issues are raised, including whether there is adequate space onsite for vehicle manoeuvrability.
- Runoff from the proposed car wash could contain pollutants, such as petrol, diesel and oil, that would ultimately enter watercourses and negatively impact biodiversity. The runoff could also lead to flooding problems and drainage on the site is a problem.

- The existing industrial washing machines that are onsite do not have planning permission.
- Spray from the proposed car wash could enter the Appellant's site and be a nuisance.
- The car wash plantroom will have a visual impact on the Appellant's property.
- There hours of operation for the proposed car wash are not specified in the application documentation.
- A maintenance programme for the proposed car wash inceptor has not been provided.
- The proposed car wash would lead to problems associated with legionella.
- The proposed development will have an unacceptable noise impact on the Appellant's property. The submitted documentation does not include any noise rating or proposed mitigation measures.
- The proposed landscaping detail is insufficient and it appears that the existing mature trees on the northern boundary of the site will be removed as part of the proposal. There is no provision to ensure that the health and longevity of an existing sycamore tree that is situated near the path will be maintained. The proposed machine room will be situated on top of the roots, which would be dangerous if the tree were to topple.
- There is insufficient detail regarding the proposed, shared boundary between the appeal site and Appellant's property.
- The process, and assessment, completed by the Planning Authority was flawed and the conditions recommended by the Council's EHO were not included in the Decision.

6.2. Applicant Response

6.3. Planning Authority Response

- The Planning Authority confirms its Decision. The issues raised in the appeal have been covered in the Planner's Report.

7.0 **Assessment**

The main planning considerations relevant to this appeal case are:

- Zoning
- Residential Amenities
- Noise
- Traffic and Access
- Other Issues
- Appropriate Assessment

7.1. **Zoning**

- 7.1.1. The proposed development comprises an extension of the services currently on offer through the existing, permitted service station use that is on the site. The proposed car wash, and car wash plantroom, would increase the capacity of the service station, offer an expanded range of services, and alter the current design and layout of the development.
- 7.1.2. The Development Plan 'Table 11.2 (Zoning Objective 'RES')' lists a 'Petrol Station' as 'open for consideration' under the zoning, subject to a detailed assessment against the principles of proper planning and sustainable development. Having regard to this, the amenity of residential properties in the area must be carefully considered as part of this appeal assessment. See Sections 7.2 to 7.5 below.

7.2. **Residential Amenities**

- 7.2.1. The appeal site is bounded by residential uses to the northwest, northeast and southeast. To the southwest, across St. Peter's Road, there are also dwellings present. The proposed development, which is for a car wash and associated plantroom, would comprise an increase in activity on the site in terms of potential for visual impact, noise, traffic movements, car washing activities, and water and wastewater demands.

- 7.2.2. The original proposal sought to locate the proposed car wash facility within 0.7m of the boundary wall with No.1 Limekiln Grove, which is the Appellant's property. The proposed plantroom was to be situated approximately 3m north of the proposed car wash and on the shared boundary.
- 7.2.3. The Applicant, as part of their further information response, and having regard to the proximity of the existing residential dwellings to the northeast of the site, submitted a revised layout. The revised layout setback the car wash facility off the north-eastern boundary by 1.5m.
- 7.2.4. Furthermore, the car wash would be housed within an enclosed, roofed structure with an overall height of 4.4 metres, approximately. The intention of housing the car wash inside this structure is to reduce the potential for noise and spray whilst the facility is in operation. The plantroom would be in the northeast corner of the site, have an overall height of roughly 3.2m and have a blockwork finish.
- 7.2.5. The further information response also proposed to implement improved landscaping measures, including the planting of a hedgerow along the northeastern section of the shared boundary with the residential property. The proposed landscaping details are shown in submitted Landscape Plan (Drwg. No. PP325), where it is noted the boundary hedgerow will be maintained at a height of 1.5m with 4 no. plants per linear metre. The addition of this planted screen would lessen the potential for visual impact. I note that the specific plant species are not identified on the drawing. However, this is considered a minor issue and could be addressed, via condition, if permission is granted by the Board.
- 7.2.6. As noted above, the site has been in commercial use as a service station for many years. In terms of visual impact, the proposed use does not differ significantly from that use, and, despite its proximity to the residential properties, I consider it to be acceptable. The revised design submitted by the Applicant would be acceptable, in my opinion, and would not detract significantly from the visual amenities of the area. The revised design, and increased setback distance from the site's northeast boundary, is preferable to the previously proposed design and layout, which comprised a cranked aluminium column and splash screen, and would have been closer to the shared boundary and neighbouring landowner's property. I also do not

consider that the presence of the proposed structures on the site would give rise to an unacceptable loss of daylight.

- 7.2.7. In relation to the potential escape of spray or water from the site during car wash operations, this is unlikely to happen given the enclosed nature of the car wash facility.
- 7.2.8. With regards to potential light spill and glare caused by the proposed development, no public lighting assessment has been undertaken. Therefore, it is difficult to review the extent of lighting that could be generated by the proposed development, although I would expect this to be minimal against the backdrop of the existing service station shop, lighting columns and forecourt canopy. It is also unclear, however, if the Applicant intends to provide any public lighting for the pedestrian access – for example, in the form of low lying pillar lights, or similar – which would be advantageous, in my view, and in the interests of public safety. Therefore, in the event of a Decision to Grant Permission, the design and extent of public lighting for the proposed development should be subject to condition.

7.3. Noise

- 7.3.1. Car wash activities carried out on the site involving the use of pumps, vacuums driers, etc., as well as vehicle movements, would give rise to potential increased noise emissions.
- 7.3.2. The appeal site is located on a busy thoroughfare (St Peters Road), where there is, generally, a constant flow of traffic. Therefore, background noise is at a higher level than that which could be considered normal for area in a secluded residential setting.
- 7.3.3. The Applicant submitted a Noise Impact Assessment as part of their further information response and I note that background noise levels were measured on the boundary with No. 1 Limekiln Grove (i.e. the Appellant's property). The report found that the predicted noise levels at each of the sensitive receptors tested were within the noise levels recommended by the World Health Organisation (WHO). The predicted noise level for No. 1 Limekiln Grove were referenced as R1, R2 and R3 and recorded as 54.8, 50.8 and 51.0dB Laeq, respectively, which are within the WHO recommended daytime noise limits of 55dB Laeq. The report, ultimately, found

that the operational noise caused by the proposed development would likely be low, and of an acceptable impact during daytime hours.

- 7.3.4. Based on my observations of the existing activities onsite, and within the surrounding vicinity, and the information contained in the Noise Impact Assessment, I conclude that potential noise generated from the operation of car washing equipment, and additional vehicular movements onsite, would be unlikely to give rise to significant disturbance or nuisance impacts, or have a significant detrimental impact on adjacent residential amenities. The activity would, therefore, not be contrary to the zoning objective for the site, which is protect and/or improve residential amenity.
- 7.3.5. I note, however, that Section 2.0 of the report states that the proposed development will operate during the 'daytime hours between 07:00 and 23:00 with no night-time operations'. In my opinion, I consider that the late-night opening time of 11pm would be excessive, and that a more reasonable closing time for the car wash would instead be 7pm. Furthermore, an opening time of 9am would be appropriate in my view, for the same reason.
- 7.3.6. In this regard, I note that the Council's Environmental Health Officer (EHO) prepared a detailed report post receipt of the Applicant's further information submission, which noted that the garage, itself, was the subject of two previous noise complaints to the Council in 2015 and 2016, respectively. The complaints specifically concerned the use of the air pump for tyre inflation, which I note is currently at the northeast corner of the appeal site, close to the Appellant's property, and near where the proposed car wash and plantroom would be situated. In both noise complaint cases, it was restricting the hours of operation of the air pump that was sought as remediation by the Council.
- 7.3.7. The Council's EHO also states that it is not unreasonable to assume a potential noise impact would emanate from the use of a car wash facility in this location. The noise survey prepared by the Applicant indicates that the car wash facility can operate without causing an undue increase in background noise for the area, but it is noted, in the experience of the Council's EHO, that such a development can still attract noise complaints, regardless of the absence of any increase in background noise. Referring to their experience of noise complaints at this location, the EHO recommended that restricting the hours of operation was a key element in resolving

the noise issues in relation to the tyre inflation pump on the site. Ultimately, the Council's EHO recommended that strict hours of operation should be included as a separate condition if permission were granted.

- 7.3.8. In summary, and having regard to the above, I recommend that the hours of operation for use of the car wash should be limited to be between 9am and 7pm, daily. This would achieve a reasonable balance between enabling the commercial use of the car wash, while also respecting the residential amenity of the neighbouring houses.
- 7.3.9. In relation to the existing vehicle services unit, which includes the tyre inflation pump, I note that this is proposed to be relocated to accommodate the proposed development, and that it would be moved further away from the Appellant's property. It would also be situated on the far side of the car wash and plantroom and would, therefore, be likely to be less audible when in use for these reasons.

7.4. Traffic and Access

- 7.4.1. The appeal site is located within a built-up, inner urban area, within the 50kph speed limit. Access to the site is provided from St Peters Road and development along this road is predominantly residential in nature.
- 7.4.2. The subject site has been in commercial use for a considerable time. The proposed use is likely to generate greater volumes of traffic and increased turning movements onsite. However, the autotracking analysis, submitted by the Applicant, shows that private vehicles entering and exiting the site to use the proposed car wash could do so safely and without undue risk. Also, having regard to the character of the adjoining road, and the availability of adequate sightlines for the site, I do not consider that the proposed development would be unacceptable in terms of traffic safety and convenience.
- 7.4.3. I note also that the Planning Authority's Roads Department has reviewed the proposal and has no objection, subject to conditions. In this regard, Condition No. 2 of the Council's Notification of the Decision to Grant Permission requires the proposed pedestrian route at the northeastern site boundary to be raised to prioritise pedestrian access, the provision of road markings, and installation of an EV charging point.

7.5. Other Issues

Removal of Existing Trees on Northern Boundary

- 7.5.1. The Appellant states that the proposed landscaping detail is insufficient and it appears that the existing mature trees on the northern boundary of the site will be removed as part of the proposal.
- 7.5.2. I have reviewed the Landscape Plan (Drwg. No. PP325) and Site Layout Plan Proposed (Drwg. No. P1976.C03), which was submitted as further information. Whilst the removal of the 5 no. trees is not explicitly denoted on these drawings, it is clear, given the location of the proposed car wash access road, that these trees are intended to be removed. The Applicant also states in their further information response that the existing *sorbus*, in the proposed car wash access road, are to be removed. I consider the removal of the trees acceptable and note that the Applicant is proposing various soft landscaping features, and planting, across the wider site, including along the shared north-eastern boundary of the site.
- 7.5.3. The Appellant also raises a concern that there is no provision to ensure the health and longevity of an existing sycamore tree that is situated to the north of the site on the far side of the pedestrian path. They state that the proposed machine room will be situated on top of the tree roots, which could cause a danger if the tree were to topple. It does not appear to me that the plantroom would encroach into the critical root zone of this tree. In any event, I note that the Planner's Report states that the Parks Department have no objection to the proposal, subject to conditions, and have not raised this as an issue.

Boundary Wall

- 7.5.4. The Appellant raises a concern regarding the structural integrity of the shared boundary wall at the front of their property, which may be at risk due to the raising of the ground level to accommodate the proposed development.
- 7.5.5. I consider that this can be adequately addressed by way of requiring the Applicant to prepare and submit a structural survey and construction methodology statement to the Planning Authority, prior to commencement of development, indicating the means proposed to ensure the structural stability of the wall will be maintained.

Drainage and Water Usage

- 7.5.6. Runoff from the proposed car wash containing potential pollutants, such as petrol, diesel and oil, can be addressed by ensuring there is separation between foul and surface water drainage for the proposed development. I note that the Council's Water Services Department recommended conditions to this effect, and that they are included in the Planning Authority's Notification of Decision to Grant Permission (Condition No. 3). I note also that Irish Water have no objection, subject to including standard conditions.

Procedural Matters

- 7.5.7. The Appellant states that the Planning Authority did not follow due process in terms of assessing the planning application. A list of observations and issues are referenced on Pages 1 and 2 of the Appeal under the heading 'Application Information'.
- 7.5.8. It is submitted, by the Appellant, that inadequate information was submitted as part of the application, and that certain, compulsory answers were omitted from the application form in relation to matters concerning flooding, planning history, a trade effluent licence, and others.
- 7.5.9. In terms of this alleged shortfall in the application documentation, there does not appear to be any fundamental details, in my view, that have been omitted, which would undermine third party rights, or equate to a deficient planning application.

Issues concerning non-compliance unauthorised development

- 7.5.10. Notwithstanding the Appellant's argument that the existing service station development, or elements part thereof, is unauthorised, it is noted that enforcement matters are a function reserved for the relevant Local Authority. It would, therefore, be inappropriate for the Board to comment on or assess such matters, particularly as they are separate to the examination of this appeal case.

Advertising

- 7.5.11. The concerns regarding signage, advertising, flags and canopies can be addressed via condition.

7.6. Appropriate Assessment

- 7.6.1. Having regard to the nature and small scale of the proposed development; which is for an car wash and car wash plantroom and ancillary works at an existing Service Station, located within an urban and serviced area, and the distance from the nearest European site; no Appropriate Assessment issues arise. Therefore, it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

8.0 Recommendation

- 8.1. I recommend that planning permission be granted for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the provisions of the *South Dublin County Council Development Plan 2016 – 2022*, including the policy objectives contained in Section 11.3.6(iv) ‘Motor Fuel Stations’, the pattern of development in the area, and that the existing service station is permitted and established onsite, it is considered that, subject to compliance with the conditions set out below, the proposed car wash, associated car wash plantroom and ancillary site works, would not seriously injure the residential amenities or of property in the area, or give rise to unacceptable noise, traffic, visual obtrusion, fumes, or smells, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 on 24 th June 2021, 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
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	<p>of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2	<p>The car wash, and all activities occurring therein, shall only operate between the hours of 0900 and 1900.</p> <p>Reason: To protect the residential amenities of nearby property.</p>
3	<p>The noise level shall not exceed 55 dB(A) rated sound level as measured at any point along the boundary of the site.</p> <p>Reason: To protect the residential amenities of property in the vicinity of the site.</p>
4	<p>The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise or noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining premises or public place in the vicinity.</p> <p>Reason: In the interests of public health and to contain dust arising from construction and to prevent nuisance being caused to occupiers of buildings in the vicinity.</p>
5	<p>Public lighting shall be provided in accordance with a scheme, which shall include lighting along the pedestrian route at the northeastern corner of the site, details of which shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. Such lighting shall be provided prior to prior to commencement of development</p> <p>Reason: In the interests of amenity and public safety.</p>
6	<p>Prior to commencement of development, detailed structural drawings and a construction methodology statement, indicating the means proposed to ensure the protection of the structural stability of the boundary wall between the subject site and adjoining residential property to the northeast shall be submitted to and agreed in writing with the Planning Authority.</p>

	Reason: In the interest of preserving the architectural integrity and heritage value of the retained structures.
7	<p>No advertisement or advertisement structure shall be erected or displayed on the permitted car wash or plantroom unless authorised by a further grant of planning permission.</p> <p>Reason: In the interest of visual amenity.</p>
8	<p>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.</p> <p>Reason: In the interest of visual amenity.</p>
9	<p>Details of the proposed arrangements for all hard and soft landscaping and boundary treatment, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The planting shall be carried out in accordance with the agreed scheme and shall be completed within the first planting season following the substantial completion of external construction works. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenities.</p>
10	<p>The developer shall enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development.</p> <p>Reason: In the interest of public health.</p>
11	<p>a) The 'Proposed relocated pedestrian access route' to the north east shall be raised to prioritise pedestrian access and slow vehicles exiting the washing facility.</p> <p>b) Road markings shall be installed at the exit point of the 'Car Wash Access Road' to prioritise vehicles moving in and out of the development.</p>

	<p>c) The developer shall install 1 electrical parking space.</p> <p>REASON: In the interest of public safety and the proper planning and sustainable development of the area.</p>
12	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the [residential] amenities of property in the vicinity.</p>
13	<p>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.</p> <p>Reason: In the interests of public safety and residential amenity.</p>

Ian Boyle
Planning Inspector

19th November 2021