



An  
Bord  
Pleanála

## Inspector's Report

### ABP-318492-23

<b>Development</b>	Change of use from retail use to retail with ancillary off licence use and relocation of retail main entrance door.
<b>Location</b>	Camlin Service Station, Dublin Road, Ardnacassa, Longford.
<b>Planning Authority</b>	Longford County Council
<b>Planning Authority Reg. Ref.</b>	2360148
<b>Applicants</b>	Camlin Services Ltd
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant</b>	Liam Madden
<b>Date of Site Inspection</b>	15 <sup>th</sup> March 2024
<b>Inspector</b>	Dolores McCague

## Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision .....	3
3.1. Decision .....	3
3.2. Planning Authority Reports .....	3
3.3. Third Party Observations .....	4
4.0 Planning History.....	4
5.0 Policy Context.....	4
5.1. Development Plan.....	4
5.2. Natural Heritage Designations .....	4
5.3. EIA Screening .....	5
6.0 The Appeal .....	5
6.1. Grounds of Appeal .....	5
6.2. Applicant Response .....	5
7.0 Assessment .....	6
7.2. Appropriate Assessment .....	6
7.3. Principle of the Development .....	6
7.4. Other Issues.....	7
8.0 Recommendation.....	7
9.0 Reasons and Considerations.....	8
10.0 Conditions .....	8

## **1.0 Site Location and Description**

- 1.1.1. The site is an existing filling station on Dublin Road; Camlin Service Station, Dublin Road, Ardnacassa, Longford. Existing retail uses extend along this side of the Dublin Road as far as this site.
- 1.1.2. There is an EV charging point on the site.

## **2.0 Proposed Development**

- 2.1.1. The development consists of change of use from retail use to retail with ancillary off-license use and relocation of retail main entrance door along western elevation. The change of use applies to an area of 23m<sup>2</sup>.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. The planning authority decided to grant permission subject to 6 conditions, including:
  - 2) Recycling of wastes
  - 3) No display or storage of goods, produce, waste, plant, packaging or crates, machinery or equipment shall be stacked or stored in this store except within such buildings or storages areas
  - 4) Maintenance of the adjoining and/or adjacent public road network during the course of the construction works.
  - 5) Existing road and land drainage.
  - 6) Energy efficiency.

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

- 3.2.1. Planning Reports

The applicant proposes to alter the internal layout which will result in the need to move the entrance 2 metres to the north.

The proposed development site is located within lands zoned “Town Core” in Longford County Development Plan 2021-2027. The proposed amendments to the existing permission are considered to be in keeping with the zoning provision.

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

- 3.3.1. A third party observation on the file has been read and noted.

## **4.0 Planning History**

05700042 – Permission was granted for development consisting of redevelopment of ex. filling station forecourt, including 5 no. new underground tanks and all associated services; new paving and car parking areas, new brush-wash carwash facility; new jetwash concrete pad, defining of entrances / exits with bollards at 8.0m width with new front boundary fence between the new bollards: replacement of 2 no. ex. roadside ID signs, similar to existing; refurbishment of ex. canopy: refurbishment and extension by c. 50 sq. m. of ex. shop / facilities building, including incorporation of ex. service bay in shop area, with new plaster finish to exterior of building, new feature signage on upper fascias, facing south and east and new signage to fascias, temporary shop building c. 50 sq. m. to east side, with temporary vehicular entrance and parking area off Ardnacassa Lawns.

## **5.0 Policy Context**

### **5.1. Development Plan**

- 5.1.1. The operative plan is Longford County Development Plan 2021-2027
- 5.1.2. Appendix 1A has a zoning map for the town in which the site is zoned town core.

### **5.2. Natural Heritage Designations**

- 5.2.1. The nearest Natura site is Brown Bog SAC (site code 002346) c4.5km to the west.

### **5.3. EIA Screening**

- 5.3.1. The proposed development is not of a class of development in Schedule 5, Parts 1 and 2. EIA screening is not required.

## **6.0 The Appeal**

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

- 6.1.1. A third party appeal has been submitted by Liam Madden, the grounds include -
- For the last few years there has been a nearly total absence of drunken brawling in the streets late at night.
  - Other demographic changes are mentioned.
  - The pattern of drinking alcohol has changed.
  - Changes in petrol stations are mentioned. The applicant was one of the stations to avail of the maximum area allowance.
  - Petrol stations will soon be a thing of the past. The future is home charged electric cars.
  - It is illogical and irrational to permit takeaway alcohol at petrol stations which are fading away.
  - Ribbon development is mentioned.
  - The country has more than enough supermarkets with off-licence areas.
  - The development plan does not permit alcohol takeaway bulk buying at petrol station kiosks.
  - The proposal is unsustainable development, contrary to policy and an EU Directive.

### **6.2. Applicant Response**

The applicant response includes

- Appellant lives 800m from the proposed development.

- The provision of an off-licence in a filling station is commonplace and it is vital to the sustainability of the applicant's business to provide this service in order to remain competitive with other filling station and provide a service that customers expect.
- It is not the function of the planning system to address social issues associated with alcohol.
- Board case 28.243509 is quoted.
- The net 100 sq m cap will not be exceeded.
- Modern filling stations are adapting to cater for EV charging but this will take some time. In the meantime there will still be a demand for fuel services for the foreseeable future. The convenience retail element will remain critical to modern filling stations irrespective of the gradual transition to e-charging.
- It is acceptable in terms of the zoning.

## **7.0 Assessment**

- 7.1.1. I consider that the main issues which arise in relation to this appeal are as follows: appropriate assessment, the principle of the development, and other issues and the following assessment is dealt with under those headings.

### **7.2. Appropriate Assessment**

- 7.2.1. Having regard to the nature and scale of the proposed development, I am satisfied that no appropriate assessment issues arise and 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.

### **7.3. Principle of the Development**

- 7.3.1. Notwithstanding that it is located some distance from the historic town centre of Longford, the site is zoned town core,
- 7.3.2. The proposed change of use is acceptable in principle.

## **7.4. Other Issues**

### **Alcohol Consumption**

- 7.4.1. The grounds of appeal refers to problems with alcohol consumption; also that the pattern of drinking alcohol has changed; that the country has more than enough supermarkets with off-licence areas; and that the development plan does not permit alcohol takeaway bulk buying at petrol station kiosks.
- 7.4.2. The applicant states in response that it is not the function of the planning system to address social issues associated with alcohol.
- 7.4.3. The grounds of appeal is likely to be correct in stating that the pattern of drinking alcohol has changed. It has moved towards an increase in home consumption which increases the demand for 'off-sales'. There is nothing in the development plan which prohibits alcohol takeaway buying at petrol stations. Alcohol sale, although requiring planning permission, is similar to the sale of other convenience items such as food and beverages, some of which occurs at outlets associated with petrol filling stations.
- 7.4.4. The sale of alcohol is licensed and any social issues which arise in relation to this site can be dealt with under the license arrangements. In my opinion there is nothing in the subject location which makes it unsuitable for the sale of alcohol under licence for consumption off the premises.

### **Future Filling Stations**

- 7.4.5. The grounds of appeal is also likely to be correct in stating that the future is electric cars. However it will not be solely home charged electric cars.
- 7.4.6. As pointed out in the appeal response modern filling stations are adapting to cater for EV charging. It remains to be seen what other changes will arise in the future in relation to filling stations, but it doesn't appear to me that this should be a reason to refuse or modify the proposed development.

## **8.0 Recommendation**

- 8.1.1. In accordance with the foregoing I recommend that the proposed development be permitted, for the following reasons and considerations, in accordance with the following conditions.

## 9.0 Reasons and Considerations

The proposed change of use from retail use to retail with ancillary off-license use is permitted in the town core. The proposed change of use and relocation of retail main entrance door will not increase the retail area and is compatible with the use of the building as a retail sales area associated with a petrol filling station, accordingly the proposed development would 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, 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 No display or storage of goods, produce, waste, plant, packaging or crates, machinery or equipment shall be carried out except within buildings or storages areas in respect of which planning permission has been granted.

**Reason:** In the interests of amenity

3 No consumption of alcohol shall take place within the site.

**Reason:** In the interests of orderly development.



I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

---

Planning Inspector

8<sup>th</sup> May 2024

## **Appendices**

Appendix 1 Photographs

Appendix 2 Longford County Development Plan 2021-2027 extracts

## Appendix 3 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	318492		
<b>Proposed Development Summary</b>	The development consists of change of use from retail use to retail with ancillary off-license use and relocation of retail main entrance door along western elevation. The change of use applies to an area of 23m <sup>2</sup>		
<b>Development Address</b>	Camlin Service Station, Dublin Road, Ardnacassa, Longford.		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	/
		<b>No</b>	No further action required
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>		Class.....	EIA Mandatory EIAR required
<b>No</b>	/		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
<b>No</b>	/	N/A	No EIAR or Preliminary Examination required
<b>Yes</b>		Class/Threshold.....	Proceed to Q.4

**4. Has Schedule 7A information been submitted?**

<b>No</b>	/	<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_