



Administrative Officer,
Planning Department,
South Dublin County Council,
County Hall Tallaght,
Dublin 24,
D24 A3XC.

20th May 2022

Our Ref: CON22069

RE: APPLICATION FOR PLANNING PERMISSION FOR THE REDEVELOPMENT OF THE EXISTING CIRCLE K PARKWAY WEST SERVICE STATION, THE HILL, LUCAN ROAD, PALMERSTOWN, DUBLIN 20.

Dear Sir/Madam,

We, Coakley O'Neill Town Planning Ltd. of NSC Campus, Mahon, Cork, have been instructed by our clients, Circle K Ireland Retail Ltd., to lodge this planning application for the redevelopment of their existing Circle K Service Station on the Lucan Road in Palmerstown.

The site is located on the southern side of the R148 Chapelizod Bypass, to the southeast of Palmerstown Village which lies on the opposite side of the roadway.

It comprises a long-established service station, Circle K Parkway West, which incorporates a single storey amenity building, totalling 189sqm in area and located centrally on the site, with a canopied forecourt, fuel islands and associated parking, services and access routes surrounding same. The existing station provides a convenience retail use, along with other service station services.

A residential estate, Palmerstown Drive, is located to the south and rear of the station with Nos. 39 and 41 adjoining its boundary. Pedestrian access, via a public right of way on the western side of the station, is available from this side of the station. Otherwise, all access is via the Bypass to the north.

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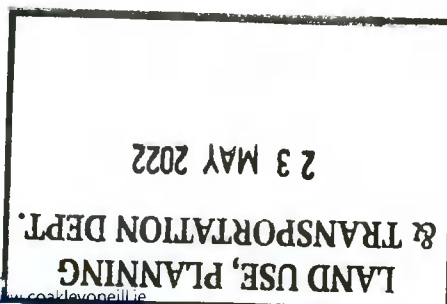




Figure 1. Aerial View of Service Station from North (Source Google Maps, annotated Coakley O'Neill Ltd.)

The existing commercial use at the site has been established for an extended period. The following planning history is identified.

- **Application Register Reference SD20A/0106, Appeal Case Reference: ABP309286-21:** Permission refused for the construction of a single storey extension to rear of existing forecourt retail unit and internal and external alterations to provide an amenity building with retail area (100sq.m max), restaurant/café area with hot and cold meals and refreshments for sale for consumption on and off the premises; associated customer seating, customer wcs; back of house with ancillary office; staff welfare facilities; storage and plant areas; ancillary off-licence; associated revisions to site layout and all associated site and development works.
- **Application Register Reference SD16A/0188:** Permission granted for removal of existing palisade fence and the erection of a new wall and railings on the western boundary of the station adjoining the walkway linking the N4 with Palmerstown Drive and the erection of new railings on the existing southern boundary wall.
- **Application Register Reference SD15A/0360:** Permission refused for the retention of a 2.5m high steel palisade fence located near the western boundary and adjacent to a walkway linking the N4 with Palmerstown Drive and permission to paint the aforementioned fence green and to install a planting bed at the foot of the fence on the service station side.

- **Application Register Reference SD06A/0092, Appeal Case Reference PL06S.218785:** Planning permission granted subject to conditions, for the redevelopment of the Petrol Filling Station comprising: demolition of shop, canopy, pumps and provision of new forecourt shop with restaurant area including the sale of hot food for the consumption on and off the premises, off licence, ATM machine, stores, signage, new forecourt layout including forecourt canopy, petrol pumps, shop signage, shop plant compound, waste compound, underground fuel storage tanks, car parking, automatic car wash, jet wash, car wash plant room, ID sign and ancillary works.

Although this permission by the Board was not implemented, it is relevant that it was made having regard to the established use of the site and the scale of the proposed development and that it permitted a 246.2sqm amenity building with a 98sqm retail shop, an off-licence, and the sale of hot food for consumption on and off the premises.

- **Application Register Reference SD03A/0027, Appeal Case Reference PL06S.202432:** Planning permission granted for alterations to existing forecourt building/shop to include a change of use of office/part storage area to retail use; also related ancillary works to accommodate same at Maxol Service Station subject to conditions.
- **Application Register Reference: S97A/0567, Appeal Case Reference PL06S.104834** Planning permission granted for the retention of car wash, recycling plant building, gas storage tank and associated fence and site works; air, vacuum, mat clean, water service point; gas and diesel pump; site egress to north west end of site; 2 refuse bins; 2 condensers to west elevation of forecourt building; advertising signage as scheduled; relocated brick site wall to eastern end of site and existing boundary wall to south of site; together with 2 associated car washes, screens, off set fill point and drainage fittings subject to conditions.

The key national guidelines for consideration are the **Retail Planning Guidelines for Planning Authorities, 2012**.

The relevant commentary within the Guidelines for retail development at service stations is as follows:

4.11.9 Retailing and Motor Fuel Stations

Convenience shops are part of the normal ancillary services provided within motor fuel stations. In rural areas, they can have a very important function as the local shop or small supermarket. However, such shops should remain on a scale appropriate to the location, and their development should only be permitted where the shopping element of the station would not seriously undermine the approach to retail development in the development plan.

The floorspace of the shop should not exceed 100 M2 net; where permission is sought for a floorspace in excess of 100 M2, the sequential approach to retail development shall apply, i.e. the retail element of the proposal shall be assessed by the Planning Authority in the same way as would an application for retail development (without petrol/diesel filling facilities) in the same location.....In considering applications for

development, attention should also be given to the safety aspects of circulation and parking within the station forecourt.....

Relevant policies and objectives on service stations in the **South Dublin County Development Plan, 2016** are set out in **Section 11.3.6(iv)** as follows:

(iv) Motor Fuel Stations 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. Development proposals for motor fuel stations should address the following:

- 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.
- Motor fuel stations should be of high-quality design and integrate with the surrounding built environment. In urban centres, where the development would be likely to have a significant impact on the historic or architectural character the area, the use of standard corporate designs and signage may not be acceptable. Forecourt lighting, including canopy lighting, should be contained within the site and should not interfere with the amenities of the area.
- The forecourt shop should be designed so as to be accessible by foot and bicycle, with proper access for delivery vehicles. The safety aspects of circulation and parking within the station forecourt should be fully considered. Retailing activities should be confined to the shop floor area, except in the case of sales of domestic fuel, where some external storage may be permissible. The external storage of gas cylinders and solid fuel, should be limited in area and confined to strictly defined specifically designed compounds adjoining the shop/forecourt and be subject to adequate measures being taken for visual appearance, security and safety.
- The sale of retail goods from petrol stations should be restricted to convenience goods and only permitted as an ancillary small scale facility. The net floorspace of a fuel station shop shall not exceed 100 sq.metres. Where permission is sought for a retail floorspace in excess of 100 sq.metres, the sequential approach to retail development shall apply (i.e. the retail element shall be assessed as a proposed development in its own right). Workshops for minor servicing (e.g. tyre changing, puncture repairs, oil changing) may be permitted in circumstances where they would not adversely impact the operation of the primary petrol station use and local amenities, particularly with regard to proximity to dwellings or adjoining residential areas.
- Motor fuel stations and service areas in proximity to the National Road network will be assessed with regard to the Spatial Planning and National Roads Guidelines for Planning Authorities DECLG, (2012).

The site is subject to two zoning objectives where a majority of the site is zoned under **Objective RES** – 'To protect and/or improve residential amenity.' A small area of the site is zoned **Objective OS** - 'to preserve and provide for Open Space'.

In the **Draft South Dublin County Development Plan, 2022**, no changes are proposed to the site's zoning objectives.

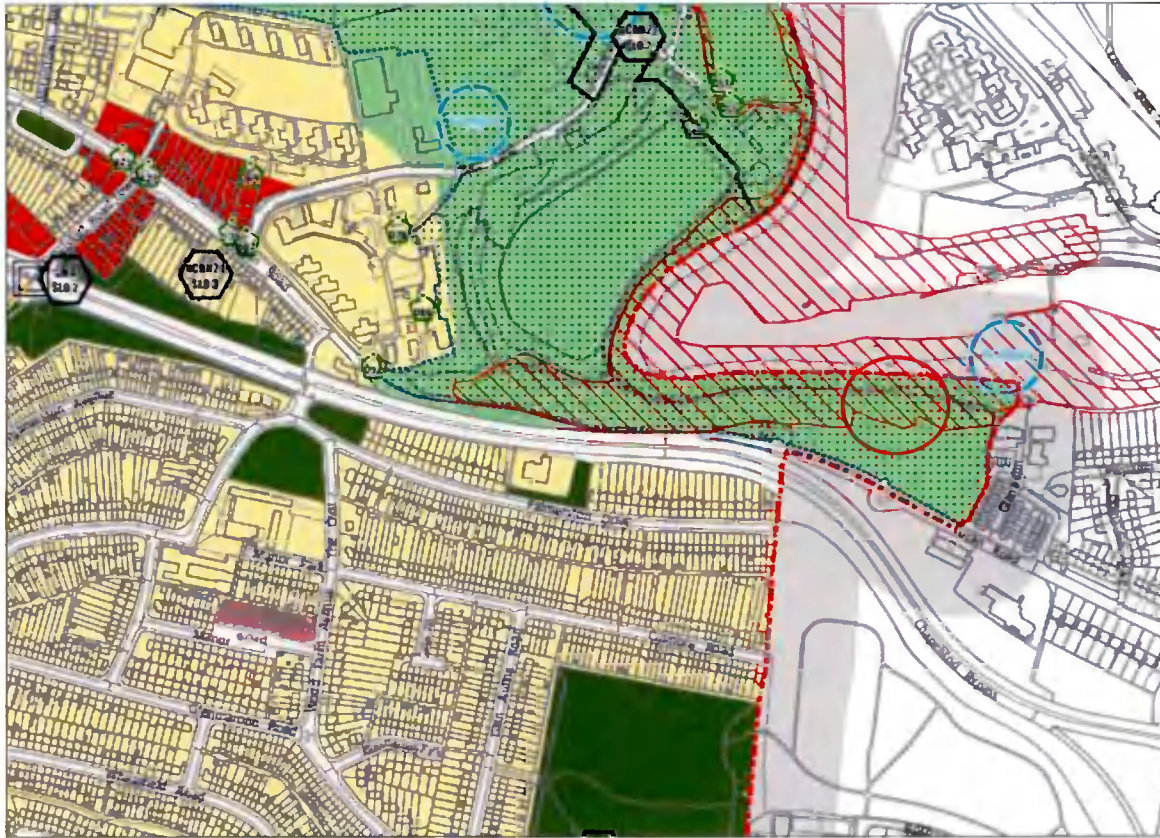


Figure 2: Site Proposed Zoning (Extract from Map 2 of Draft South Dublin County Development Plan, 2022)

The proposed development will consist of:

- i. Revisions to the internal layout of the existing forecourt amenity building to incorporate an increase in net retail floor area to 89sqm, a new deli with hot and cold meals and refreshments for sale for consumption on and off the premises and changes to customer toilets, back of house areas, staff welfare facilities, and storage and plant areas
- ii. Revisions to the building elevations including new entrance door and glazing.
- iii. All associated drainage works and other site development works.

The application therefore seeks permission for a minor redevelopment of the service station. The primary use will remain the same. The service station will continue to operate as a fuel station, but looks to expand the range of services, including additional retail floorspace and a deli area, ancillary to its primary use as a service station. This is in line with customer and market expectations and the changing nature of forecourt retailing.

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The *Retail Planning Guidelines* fully acknowledge that convenience retail shops are now part of the normal ancillary services provided within motor fuel stations. The service station is generally focused on a different retail market to shops within urban areas. In particular, its main customers are road users and commuters, who stop to get a limited range of top up convenience goods and avail of food and drinks as they continue on their journeys.

It is relevant to highlight that the *Guidelines* do not preclude retail developments at service stations in excess of 100sqm net, rather, they state that in respect of any development in excess of 100sqm net the sequential approach will apply, and the retail element should be assessed in the same way as would an application for retail development.

Nonetheless, the net retail area proposed here is 89sqm and therefore **not subject to** a requirement for further sequential assessment.

In this regard, the reason for refusal presented in the most recent application at the site, Ref SD20A/0106, is not applicable.

No site layout changes are proposed. The open buffer on the southern boundary is not impacted by this proposal and will continue to function as intended.

With respect to the zoning objectives for the site, we note that these do not reflect the established and permitted use. In any event, under the site's zoning objective local shops are permitted in principle and restaurant/café, off-licence, petrol station and neighbourhood shop uses are all open for consideration.

That the site is zoned residential is not usual. A large number of established service stations are so zoned across the city. Planning Authorities, including South Dublin County Council and An Bord Pleanála, have granted planning permissions for service station development on residentially zoned lands in numerous instances, not just at the subject site.

With respect to this, given the minor nature of the proposals - involving a reorganisation of the internal layout of the existing forecourt building - there will be no undue negative impacts upon the surrounding residential amenity in terms of noise or nuisance.

There are no built or natural heritage designations on the site, and it is not located within a flood risk zone

In terms of access and car parking, the station will utilise the existing access points. It is submitted that no significant or undue increase in traffic generation to the detriment of the public road network will arise.

In terms of services and utilities, the site will utilise existing services. The minor elevational changes proposed to the building are in keeping with the commercial nature of the service station and will result in an improved visual impact.

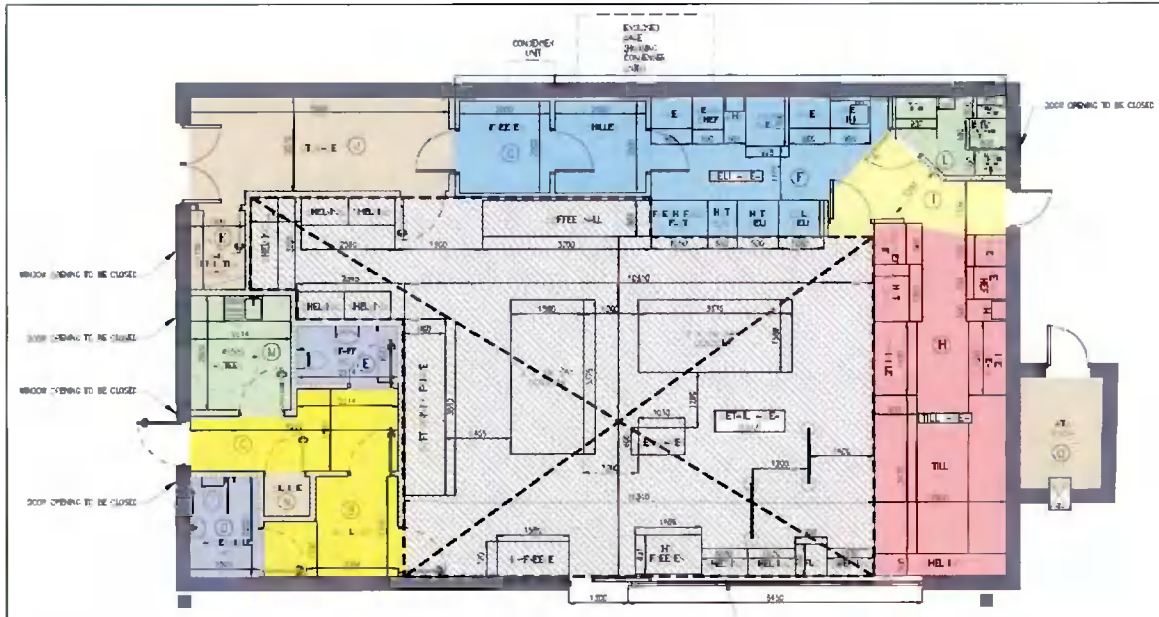


Figure 3: Proposed floor plan (Source: McArdle Doyle, 2022).

In light of all of the above, it is submitted that there will not be a significant adverse impact on surrounding amenities arising from noise, traffic, nuisance, or litter, by reference to the pattern of land uses in the immediate vicinity and the proven good management practices of the applicants.

Notwithstanding, any operational issues associated with the proposed development can be set to comply with the requirements of the Local Authority and by way of standard planning conditions.

The nearest designated Natura 2000 site is the Rye Water Valley/Cartron SAC, approximately 8.5km to the west (Site Code 001398). To the east, approximately 8.9km away is the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024).

Any requirement for Appropriate Assessment has been screened out for this proposed development having regard to the lack of ecological or hydrological connections between the development site and any European designated site. This conclusion reflects those decisions previously made for development proposals at the site and in the immediate vicinity.

We are satisfied that the proposed development is in compliance with both the objectives of the Retail Planning Guidelines for Planning Authorities, 2012 and the provisions of both the South Dublin County Development Plan 2016 and the Draft South Dublin County Development Plan, 2022, and is therefore in accordance with the proper planning and sustainable development of the area.

On this basis, we respectfully ask the Planning Authority to grant permission for the proposed development.

In accordance with the requirements of the Planning and Development Regulations, 2001 as amended, the following items are enclosed as part of this application:

- 2 no. copies of the newspaper notice published in The Irish Daily Star on the 20th May 2022
- 2 no. copies of the site notice erected on 20th May 2022
- 6 no. copies of this cover letter
- 6 no. copies of the completed application form
- 6 no. copies of the Site Location Maps
- 6 no. copies of Architectural Drawings prepared by McArdle Doyle
- 6 no. copies of Noise Impact Assessment prepared by RSK
- 6 no. copies of Odour Impact Assessment prepared by RSK

A cheque for the planning application fee of €779.40 is enclosed.

We trust the above information is satisfactory, and we look forward to a favourable decision in due course.

Yours sincerely,



Dave Coakley
Coakley O'Neill Town Planning Ltd.

DRAWING REGISTER AND ISSUE RECORD

PROJECT NAME: Circle K Parkway West
PROJECT NO: P1534



Sheet no. 2
ARCHITECTURAL

DWG NO	SIZE	DRAWING TITLE	ISSUED FOR:		
			DAY	MONTH	YEAR
P1534. C01	A1	SITE LOCATION MAP	25	04	
P1534. C02	A1	EXISTING SITE LAYOUT			
P1534. A01	A1	EXISTING FLOOR PLAN			
P1534. A02	A1	PROPOSED FLOOR PLAN			
P1534. A03	A1	EXISTING ELEVATIONS			
P1534. A04	A1	PROPOSED ELEVATIONS			
P1534. A05	A1	EXISTING CONTIGUOUS ELEVATIONS			
P1534. A06	A1	PROPOSED CONTIGUOUS ELEVATIONS			
P1534. A07	A1	PROPOSED FLOOR PLAN AREAS			
DISTRIBUTION					
CLIENT					
MAIN CONTRACTOR					
SUB-CONTRACTORS					
SUB-CONSULTANTS					
SITE					
OTHER					
LOCAL AUTHORITY					
ISSUED BY: BH					

CODE KEY	
R-Review	A-Approval
I-Information	P-Planning
T-Tender	F-Fire Cert
D-Disability Access Cert	C-Construction
S-Soft Copy	U-USB/Disc
H-Hard Copy	(n)-No. Hard Copies