

Coakley O'Neill Town Planning
NSC Campus
Mahon
Cork.

**NOTIFICATION TO GRANT PERMISSION
PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING
REGULATIONS THEREUNDER**

Final Grant Order No.:	1111	Date of Final Grant:	30-Aug-2022
Decision Order No.:	0891	Date of Decision:	18-Jul-2022
Register Reference:	SD22A/0147	Date:	23-May-2022

Applicant: Circle K Ireland Retail Ltd.

Development: Revisions to the internal layout of the existing forecourt amenity building to incorporate an increase in net retail floor area to 89sq.m; 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; storage and plant areas; Revisions to the building elevations including new entrance door and glazing; all associated site and development works.

Location: Circle K Parkway West Service Station, The Hill, Lucan Road, Palmerstown, Dublin 20

Time extension(s) up to and including:

Additional Information Requested/Received:

A Permission has been granted for the development described above, subject to the following conditions.

Conditions and Reasons:

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. 1. The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.
REASON: In the interest of public health.
2. Noise levels arising from construction activities and the on-going operation of the development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood.
REASON: In the interest of public health

3. No equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 hours on Saturdays nor after 19:00 hours on weekdays and 13:00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

REASON: In the interest of public health

4. Clearly audible and impulsive tones at noise sensitive locations during the evening and night shall be avoided irrespective of the noise level.

REASON: In the interest of public health

5. The noise and odour control measures listed in the odour risk assessment and the noise impact assessment must be implemented in full in order to limit odour and noise associated with the development.

Refuse

6. A suitable location for the storage of refuse shall be provided during the operation phase of the proposed development so as to prevent a public health nuisance.

REASON: In the interest of public health.

Drainage

7. Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.

REASON: In the interest of public health.

Pest Control

8. The applicant shall put in place a pest control contract for the site for the duration of any construction works.

REASON: In the interest of public health.

Lighting

9. Lighting to be used on site must not be intrusive to any light sensitive location including residential properties and public places in close proximity to the development.

REASON: In the interest of public health.

Water Supply

10. The water supply to the kitchen/food service areas shall be directly from the rising mains.

REASON: In the interest of public health

3. (a) The service station unit shall not be used for the sale of hot food for consumption off the premises unless the sale of such food is subsidiary to the primary use of the premises.
(b) The retail floor space shall be limited to 89sq.m in area.
(c) The proposed buildings shall be used solely as a petrol station with ancillary retail unit with associated ancillary deli. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, as amended, no change of use or subdivision of the units shall occur without a prior grant of planning permission.
REASON: In the interest of clarity and in the interests of orderly development and to ensure the proper planning and sustainable development of the area.
4. Drainage - Surface Water.
Prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:
1.1 a drawing showing the existing and proposed surface water layout of development site.
1.2 a drawing showing what SuDS (Sustainable Drainage Systems) are proposed for the development. Guidance of SuDS can be found at South Dublin County Council Website sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf Example of SuDS include:
- Green roofs - Permeable paving - Planter boxes or other such SuDS
1.3 a drawing and report where and how surface water will be attenuated to green field run off rates (Qbar) or 2 litres/second/hectare whichever is greater.
- The Developer shall ensure that there is complete separation of the foul and surface water

drainage for the proposed development.

- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

5. Signage.

No advertising sign(s) or structure(s) (including any signs installed to be visible through windows), banners, canopies, flags, or other projecting elements shall be erected except those, which are exempted development, without the prior approval of the Planning Authority or An Bord Pleanála on appeal.

REASON: In the interest of visual amenity, compliance with development plan policies and the proper planning and sustainable development of the area.

6. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

7. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays. Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the

area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

NOTES :

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. Please log onto www.localgov.ie and click on BCMS link.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1: Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.

M. Crowley

_____01-Sep-2022
for Senior Planner