

Comhairle Chontae Atha Cliath Theas

PR/0190/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0363

Application Date: 20-Sep-2022

Submission Type: Additional
Information

Registration Date: 23-Jan-2023

Correspondence Name and Address:

McArdle Doyle 2nd Floor, Exchange Building, The
Long Walk, Dundalk, Co. Louth

Proposed Development:

A new unmanned service station development consisting of construction of new petrol filling station forecourt with 4 dispensers, 2 underground fuel storage tanks with canopy structure (covering c. 235sq.m and 6.2m in height) with associated signage; Widen existing site entrance to the north-east of the site and creation of new egress location onto the Fonthill Road along the northern boundary to allow one-way internal road network incorporating new pedestrian crossing over existing footpath at site egress location; Automatic brush car wash and adjoining jet car wash with water recycling system; Single storey services building structure comprising of a car wash plant room and comms room area (gross floor area 16.3sq.m.) ; 4 electric charging bays, each comprising of a parking space and electric vehicle charging unit and associated signage; 3-room ESB substation to cater for EV charging infrastructure (gross floor area 38.3sq.m.); Air/Water services area with 2 car parking spaces; 2 internally illuminated double-sided totem signs, 1 at site entrance (4m high x

1.91m wide) with advertising area 15.3sq.m and 1 adjacent the new site egress location (5.8m high x 1.91m wide) with advertising area 22.16sq.m; All other associated underground and overground infrastructure, drainage, lighting, CCTV unmanned systems, landscaping and site development works.

Location:

Fonthill Road, Liffey Valley, Clondalkin, Dublin 22

Applicant Name:

Certas Energy Ireland Limited

Application Type:

Permission

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Description of Site and Surroundings:

Site Area:

Stated as 0.268 ha

Site Description:

The subject site is located to the south-east of Liffey Valley Shopping Centre, directly west of the M50 motorway and north of B&Q Retail unit and ancillary carpark and to the south-east of the Tesco foodstore.

The character of the surrounding area is defined by the retail and commercial uses associated with the Major Retail Centre of Liffey Valley Shopping Centre.

Proposal

Permission is sought for:

- A new unmanned Filling Station comprised of:
 - A forecourt area containing 4 No. fuel dispensers covered by a canopy structure which covers an area of approximately 235 sq.m and has an approximate height of 6.1m.
 - 4 No. underground fuel storage tanks with an approximate overall capacity of 100,000 Litres.
 - The provision of 4 No. Electric Vehicle parking bays with associated charging points.
 - An ESB Substation associated with the EV Charging Station, measuring approximately 4.9m in width, 8.2m in length and with a flat roof profile with an approximate height of 2.8m. The substation has an approximate gross floor area of 38.3 sq.m.
 - An automatic brush car wash surrounded by screens with an approximate height of 3.2m and a jet wash surrounded by screens with an approximate height of 2.2m.
 - A Plant and Comms Room associated with the car wash facilities, measuring approximately 3.23m in width, 6.24m in length and with a flat roof profile with an approximate height of 3.2m. The Plant and Comms room has an approximate gross floor area of 16.3 sq.m.
- Widening of the existing site entrance to the northeast of the subject site to approximately 8.35m and the creation of a new site egress in the north western corner onto Fonhill Road with an approximate width of 5.69m, and a pedestrian footpath crossing with tactile paving.

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- Photovoltaic Panels on top of the forecourt canopy structure, covering an approximate area of 13.66 sq.m.
- Signage including a 4m high totem I.D. signage at the vehicular entrance and a 5.8m high totem I.D. signage at the egress to the site, both of which are internally illuminated and include LCD price display panels.
- All ancillary site works above and below ground.

Zoning:

The site is subject to zoning objective - 'MRC' '*To protect, improve and provide for the future development of a Major Retail Centre*' under the South Dublin County Development Plan 2022-2028.

Overlap is also indicated with the following Development Plan Map layers:

- Bird Hazards
- Approach surface (Casement Aerodrome)
- Outer Horizontal Surface (Casement Aerodrome)
- Outer Horizontal Surface (Dublin)

SEA Sensitivity Screening

No overlaps indicated with the relevant SEA Sensitivity Layers.

Consultations

Drainage and Water Services Department: Additional Information required.

Irish Water: No objection, subject to conditions.

Roads Department: No objection, subject to conditions.

Parks and Public Realm Department: Additional Information required.

Environmental Health Officer: No objection, subject to conditions.

Transport Infrastructure Ireland: No report received at time of writing.

National Transport Authority: No report received at time of writing.

Irish Aviation Authority: No objection.

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Submissions/Observations /Representations

Final date for submissions/observations – 24th October 2022.

None received.

Relevant Planning History

SD13A/0183

Construction of a 6 no. pump (12 stand) petrol station incorporating a single storey service station shop (and associated signage) with a gross floor area of c. 92sq.m., an automatic car wash/jet wash with ancillary plant, a forecourt canopy (covers c. 420sq.m. and 5.8m in height) and associated signage; underground storage tanks, a tanker fill point, circulation areas, 2 no. internally illuminated double-sided totem signs (5.8m x 1.91m) with a total advertising area of 22.15 sq.m per sign, access from and egress onto the realigned internal link road permitted under Reg. Ref. No. SD12A/0014, ancillary site boundary and landscaping works and all associated site development works.

SDCC Decision: Grant Permission, subject to conditions.

The decision of South Dublin County Council was subject to 2 No. Third Party Appeals to An Bord Pleanála, under ABP Ref. PL06S.242.740.

ABP Decision: Grant Permission, subject to conditions.

NB: On 27th February 2019 an Extension of Duration was Granted under **SD13A/0183/EP**. To date, the development has not been completed.

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded.

Relevant Policy in South Dublin County Council Development Plan 2022-2028

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

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Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Section 9.4.4 Additional Retail Floorspace and Sequential Growth

There are retail opportunity sites and vacant units in the core retail areas of Tallaght, Liffey Valley Shopping Centre and Clondalkin Town Centres. The projected population increase outlined in the Core Strategy and the associated additional expenditure will support the long-term viability of these established centres. It will also assist in reducing vacancy and provide opportunities for extension and renovation.

EDE8 Objective 6:

To facilitate and provide for the refurbishment and replacement of obsolete floorspace and promote the use of vacant floorspace within our town, village and district centres taking account of the relevant zoning and placemaking objectives.

Section 9.5.2 Liffey Valley Shopping Centre

EDE10 Objective 1:

To support Liffey Valley as a Major Retail Centre (MRC) and allow for the growth of the existing shopping centre and complementary leisure / entertainment, retail warehouse and commercial land uses.

EDE10 Objective 2:

To support and facilitate consolidation of the quantum and quality of the retail offering at the Liffey Valley Major Retail Centre.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

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Chapter 12 Implementation and Monitoring

Relevant Government Policy

Project Ireland 2040 National Planning Framework, Government of Ireland (2018).

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Assessment

The main issues for assessment are:

- Zoning and Council Policy.
- Residential and Visual Amenity.
- Signage.
- Drainage and Water Services.
- Vehicular Access and Car parking.
- Parks and Public Realm.
- Green Infrastructure.
- Screening for Environmental Impact Assessment.
- Screening for Appropriate Assessment.

Zoning and Council Policy

The application site is subject to land-use zoning objective 'MRC' – '*To protect, improve and provide for the future development of a Major Retail Centre.*' A Petrol Station is a use which is 'Permitted in Principle' on lands zoned 'MRC'. The proposed development is therefore permissible in principle, subject to its being in accordance with the relevant provisions of the South Dublin County Development Plan 2022-2028.

Section 12.9.5(iv) of the Development Plan outlines the requirements for Applications for Motor Fuel Stations. An assessment of the proposed development of this Planning Application against each of the requirements of Section 12.9.5(iv) is outlined below:

(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:

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

The Applicant has included a Traffic and Transport Assessment. The Roads Department have indicated no objections to the proposed development, subject to **CONDITIONS**. The Report of the HSE Environmental Health Officer has indicated no objection to the proposed development, subject to **CONDITIONS** in relation to noise levels during construction, refuse storage, lighting and operational noise levels. Owing to the distance of the subject site to the nearest residential dwellings and the location within the Liffey Valley major retail centre it is considered that the proposal is appropriate and will successfully integrate into the receiving context.

- *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 of the area, the use of standard corporate designs and signage may not be acceptable;*

It is considered that, owing to the location of the subject site within the Liffey Valley major retail centre and the design of the proposed development, it will successfully integrate into the receiving context.

- *Forecourt lighting, including canopy lighting, should be contained within the site and should not interfere with the amenities of the area;*

The proposed lighting for the subject scheme would appear to be contained within the subject site. However, should the Planning Authority be minded to Grant Permission for the proposed development, it is considered appropriate that a **CONDITION** be attached requiring the Applicant to submit a detailed lighting design to be agreed in writing with the Public Lighting Department of South Dublin County Council, prior to the commencement of development.

- *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*

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and be subject to adequate measures being taken for visual appearance, security and safety;

There is no retail shop within the proposed petrol station. The Roads Department have indicated that they are satisfied within the proposed layout of the forecourt.

- *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.m. Where permission is sought for a retail floorspace in excess of 100 sq.m, the sequential approach to retail development shall apply (that is, the retail element shall be assessed as a proposed development in its own right);*

There is no retail shop within the proposed development.

- *Workshops for minor servicing (for instance, 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;*

Aside from the 2 No. service parking bays and associated air, water and vacuum station, there is no workshop/servicing area.

- *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).*

Although the subject site is located within close proximity to the M50, it is not directly accessible from the motorway and is appropriately located within the Liffey Valley major retail centre. It is considered that the proposal will not have an adverse impact on the national road network.

Having regard to the information provided by the Applicant it is considered that the proposed development is compliant with Section 12.9.5(iv) of the South Dublin County Development Plan 2022-2028.

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Residential and Visual Amenity

There are no residential uses in the vicinity of the subject site, as such it is considered that the proposed Petrol Station will not have an adverse impact on the residential amenity of adjacent properties.

In terms of the potential visual impact of the proposal, it is considered that owing to the nearest residential dwellings being located approximately 150m to the east on the opposite side of the M50 and the surrounding streetscape of the subject site within the Liffey Valley major retail centre, the visual impact of the proposed development on the receiving context would be negligible.

Signage

The proposed development includes the provision of 4m high totem I.D. signage at the vehicular entrance and a 5.8m high totem I.D. signage at the egress to the site, both of which are internally illuminated and include LCD price display panels.

The proposed signage appears to be in line with standard practice for similar filling station totem signs and adheres to the legal requirement to clearly display fuel pricing at the entrance to filling stations under the Retail Price (Diesel and Petrol) Display Order, 1997. The Planning Authority also accepts that, owing to the distance from the nearest residential dwelling, the proposed illuminance will not result in a significant adverse impact on the visual and residential amenity of the subject site's receiving context.

Drainage and Water Services

The Report of the Drainage and Water Services Department has indicated that the following **ADDITIONAL INFORMATION** is required:

- The attenuation provided on site (60m³) is undersized by approximately 60%. The applicant is required to propose additional attenuation features.
- The applicant shall submit a drawing and report showing the implementation of additional Sustainable Urban Drainage Systems (SuDS) features. SuDS features could include but are not limited to:
 - Swale
 - Tree pits
 - Water butts
 - Other such SuDS

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Irish Water have indicated no objection to the proposed development, subject to the following **CONDITIONS:**

- *Prior to the commencement of development, the applicant or developer shall enter into a water connection agreement(s) with Irish Water. All development shall be carried out in compliance with Irish Water Standards codes and practices.
Reason: In the interest of public health and to ensure adequate water facilities.*
- *Prior to the commencement of development, the applicant or developer shall enter into a water connection agreement(s) with Irish Water. All development shall be carried out in compliance with Irish Water Standards codes and practices.
Reason: In the interest of public health and to ensure adequate water facilities.*

It is considered that **ADDITIONAL INFORMATION** should be requested from the Applicant, to address the concerns of the Drainage and Water Services Department. In providing a revised Drainage and Water Services Layout, an appropriate level of attenuation and the adoption of Sustainable Urban Drainage Systems should be utilised where possible. In preparing the revised Drainage and Water Services Layout, the Applicant should have regard to the Sustainable Drainage Explanatory Design & Evaluation Guide (2022), a copy of which is available on the South Dublin County Council website.

Vehicular Access and Car Parking

The Report of the Roads Department provides the following assessment of the proposed development:

'The access is from an existing roundabout. There is plenty of visibility at the access and exit. There is provision for 4no. EV charging spaces. The layout has been auto tracked and functions well. As there is no retail provision there is no need for additional parking, although the county development plan requires 1no per 250m² of GFA, it is not required in this instance'.

On the basis of the above outlined assessment, the Roads Department have indicated no objection to the proposed development, subject to the following **CONDITIONS:**

- Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened entrance.
- The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, to improve forward visibility for vehicles.

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- The level of illumination of the lighting for the signs shall be reviewable at any time by the Roads Department in the interests of traffic safety, and adjustments shall be made by the applicant at their own expense if required to do so by South Dublin County Council.
- Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

Having regard to the Report of the Roads Department, it is considered that the proposed development will not have an adverse impact on the adjacent road network and that, subject to conditions, the proposal is acceptable in terms of traffic and pedestrian safety.

Parks and Public Realm

The Report of the Parks and Public Realm Department notes that the following **ADDITIONAL INFORMATION** is required to facilitate a complete assessment of the proposed development:

- *There are concerns with the lack of information submitted in relation to existing trees and hedgerows within the site. The applicant is requested to submit detailed Tree Survey Report for the trees within and within falling distance of the proposed development area. This shall comprise a detailed Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan all in accordance with, BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report shall be carried out by an independent, qualified Arborist. A tree bond may be required based on the results of the tree survey.*
- *The proposed drainage system is not acceptable and is contrary to SDCC County Development Plan objectives for sustainable drainage. The applicant is requested to revisit the design of the proposed development and submit revised plans and particulars to include:*
 - i) *Above ground natural multifunctional (amenity, biodiversity, water treatment/quality and attenuation) SUDS such as green roofs, permeable pavement, bioretention areas, rain gardens, filter drains, swales, bioretention tree pits. Underground tanks should be avoided as they will only be considered as a last resort after the full extent of sustainable natural solutions have been explored.*
 - ii) *Demonstrate the biodiversity value of SuDS - especially important given the site is in a Primary Green Corridor.*
 - iii) *Existing and modified flows.*
 - iv) *Detailed design of SUDs features showing how they work.*

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- v) *A comprehensive SUDS management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage.*
 - vi) *Landscape and drainage proposals to be consistent in SuDS proposals.*
- *All planning applications are required to demonstrate how they contribute to the protection or enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the application submission (refer SDCC CDP 2022-2028 Section 12.4.2 Green Infrastructure and Development Management). The applicant is requested to submit a plan that shows an overall approach to the delivery of landscape, green infrastructure and SuDS having regard to the following.*
 - i) *In the case of small-scale developments this may consist of a simple landscape plan which includes objectives to protect or restore existing on site GI assets, provides for connection to local or primary GI corridors or includes elements which allow the site to act as a local stepping stone;*
 - ii) *Where the development site is located within or close to a Core or Corridor the development should, at a minimum, protect any existing GI assets and enhance same (for example, not breaking a GI Corridor but enhancing same with a connecting piece of planting, retaining hedgerows or woodlands);*
 - iii) *The characteristics and assets of the proximate GI Core, Corridor or Stepping Stone should be reflected within proposed development, for example continuation of hedgerows, tree planting, waterways;*
 - iv) *Development should seek to enhance or restore features that act as ecological corridors, particularly water features, hedgerows, tree lines, areas of un-cultivated land. These, or some element of them, should be incorporated into the proposed development to create pathways for wildlife and / or increase amenity value;*
 - v) *Development sites which are not located proximate to designated GI Cores or Corridors should identify the nearest designated GI Core, Corridor or Stepping Stone and make provision for GI interventions on the site which could eventually provide a link to local Stepping Stones, Cores or Corridors;*
 - vi) *Developers should be aware that ecological corridors can also act to quickly spread non-native invasive species. Therefore, identification and control of invasive species site should be included in planning applications and the GI Plan*

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vii) *The Green Infrastructure Plans shall include:*

- *Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County;*
 - *Site survey and analysis, identifying existing GI Infrastructure and key assets within the site;*
 - *Indicate how the development proposals link to and enhance the wider GI Network of the County;*
 - *Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site.*
-
- *The applicant has not submitted any information in relation to the Green Space Factor. The quantity and quality of green infrastructure provided by new development will be improved by the implementation of a Green Space Factor (GSF) for South Dublin. The GSF is a measurement that describes the quantity and quality of landscaping and GI across a defined spatial area. This measurement comprises a ratio that compares the amount of green space to the amount of impermeable 'grey' space in a subject site. As a planning tool, this ratio is used to assess both the existing green cover within a site and the impact of new development, based on the quantity and quality of new green space provided. Greening factors have been adopted and implemented across the UK, Europe and the United States to help ensure that new development makes a positive contribution to the local environment. By ensuring that new development meets minimum standards for the provision of GI the GSF aims to secure a positive contribution to biodiversity, amenity, air quality, stormwater management, temperature regulation and other ecosystem services. The GSF prioritises the retention of existing GI features within a subject site, in order to support the protection of the County's existing GI network. At the same time, the GSF will ensure that new development incorporates new landscaping and GI features, contributing to the enhancement of the overall GI network. Chapter 12, section 12.4.2 provides further detail on the requirements for the GSF as part of planning applications. The Green Space Factor calculator and Guidance Note can be found online in the adopted plan related documents at <https://www.sdcc.ie/en/devplan2022/adopted-plan/related-documents>.*
 - *There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The landscape proposals to be prepared by a suitably qualified landscape architect who shall liaise with the Drainage Engineer to deliver multifunctional SuDS, i.e., amenity, biodiversity, water treatment and attenuation.*

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- a) *A Landscape Masterplan to scale of not less than 1:200 showing:*
- i) *The species, variety, number, size and locations of all proposed planting*
 - ii) *Details of Hard landscape works, specifying surface material and furniture*
 - iii) *Details of additional natural SuDs features such as green roofs, bioretention rain gardens, swales, SuDS bioretention tree pits/linear trenches; showing how they work as part of an overall treatment train.*
 - iv) *Tree planting along the northern boundary. Trees to be a minimum 18-20cm girth, native and/or pollinator friendly species.*
 - v) *Levels, Detailed Cross Sections and Elevations*
- b) *Planting material where possible should be Irish Grown Nursey Stock and the importation of foreign planting material should be avoided within the proposed planting scheme.*

Green Infrastructure

The subject site is located within the M50 Primary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4) and Table 4.1. It is noted that the application does include details of the proposed drainage layout or any SuDS measures. As outlined previously, the Applicant should be requested to provide **ADDITIONAL INFORMATION** in relation to the Green Infrastructure Plan and Green Space Factor for the proposed development.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no 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.

Screening for Appropriate Assessment

An assessment of the potential impact of the proposed development on the Natura 2000 Network is outlined below:

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Table 1: Description of the project and site characteristics

Planning File Reference	SD22A/0363
Brief description of the project	A new unmanned service station development consisting of construction of new petrol filling station forecourt with 4 dispensers, 2 underground fuel storage tanks with canopy structure (covering c. 235sq.m and 6.2m in height) with associated signage; Widen existing site entrance to the north-east of the site and creation of new egress location onto the Fonthill Road along the northern boundary to allow one-way internal road network incorporating new pedestrian crossing over existing footpath at site egress location; Automatic brush car wash and adjoining jet car wash with water recycling system; Single storey services building structure comprising of a car wash plant room and comms room area (gross floor area 16.3sq.m.) ; 4 electric charging bays, each comprising of a parking space and electric vehicle charging unit and associated signage; 3-room ESB substation to cater for EV charging infrastructure (gross floor area 38.3sq.m.); Air/Water services area with 2 car parking spaces; 2 internally illuminated double-sided totem signs, 1 at site entrance (4m high x 1.91m wide) with advertising area 15.3sq.m and 1 adjacent the new site egress location (5.8m high x 1.91m wide) with advertising area 22.16sq.m; All other associated underground and overground infrastructure, drainage, lighting, CCTV unmanned systems, landscaping and site development works.
Brief description of site characteristics	Vacant site with extant permission for a petrol station (SD13A/0183/EP). Site appears to have been cleared but to date the development has not been completed.
Application accompanied by a NIS Y/N	N

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Table 2: Identification of European Sites which may be impacted by the project

European Site	List of Qualifying Interest/ Special Conservation Interest	Distance from proposed development (m/km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Glenasmole Valley SAC	3 Qualifying Interests CO001209.pdf (npws.ie)	12.5 km	No	No
South Dublin Bay SAC	4 Qualifying Interests ConservationObjectives.rdl (npws.ie)	13.5 km	Potential indirect hydrological pathway via proposed foul and surface water networks.	Yes
South Dublin Bay and River Tolka Estuary SPA	14 Qualifying Interests ConservationObjectives.rdl (npws.ie)	14.5 km	Potential indirect hydrological pathway via proposed foul and surface water networks.	Yes
Hodgestown Bog NAH	4 No. qualifying interests Hodgestown Bog NHA National Parks & Wildlife Service (npws.ie)	28 km	No	No
Rye Water Valley / Carton SAC	3 Qualifying Interests CO001209.pdf (npws.ie)	14.5 km	No	No

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Table 3: Assessment of Likely Significant Effects

Identify all potential direct and indirect impacts (alone or in combination) that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project:	
Likely Impacts	Possible Significance of Impacts (duration, magnitude etc.)
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	<p>During the construction stage there is the potential for surface water run-off. However, the hydrological connection to the Dublin Bay sites is indirect and weak. The construction phase would not result in significant environmental impacts that could affect European Sites within the wider catchment area.</p>
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g., collision risks) • Potential for accidents or incidents 	<p>Foul and surface water would ultimately lead to the Dublin Bay sites. Surface water would firstly be managed onsite as much as possible. The hydrological connections are indirect and weak, and the separation distance is significant, such that there is no real likelihood of any significant effects on European Sites in the wider catchment area.</p>
<p>In-combination/Other</p>	<p>All extant developments are similarly served by urban drainage systems and the WWTP and have been screened out for appropriate assessment. No likely significant in-combination effects are identified.</p>

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Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?
Yes
No X

Table 4: Screening Determination Statement

Assessment of significance of effects:		
Describe how the proposed development (alone or in-combination) is/is not likely to have significant effects on European site(s) in view of its conservation objectives.		
<p>On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:</p> <ul style="list-style-type: none"> • the nature and scale of the proposed development, • the intervening land uses and distance from European sites, • the lack of direct connections with regard to the Source-Pathway-Receptor model, <p>it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives. An appropriate assessment is not, therefore, required.</p>		
Conclusion:		
	Indicate (X)	Recommendation
It is clear that there is no likelihood of significant effects on a European site	X	The proposal can be screened out. Appropriate assessment not required.
It is uncertain whether the proposal will have a significant effect on a European site		Request further information to complete screening Request NIS Refuse permission
Significant effects are likely		Request NIS Refuse permission
Completed by	Conor Doyle	
Date	10 TH November 2022	

Conclusion

The proposed development is acceptable in principle having regard to the zoning objective of the subject site and the policies and objectives of the South Dublin County Development Plan 2022-2028. However, **ADDITIONAL INFORMATION** is required in relation to the drainage and water services infrastructure and the Green Infrastructure Plan, to facilitate a complete assessment of the proposed development.

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Recommendation

I recommend that ADDITIONAL INFORMATION be requested from the applicant with regard to the following:

1. The Applicant is requested to provide the following to facilitate a complete assessment of the proposed development:
 - (i) The attenuation provided on site (60m³) is undersized by approximately 60%. The applicant is required to propose additional attenuation features.
 - (ii) The applicant shall submit a drawing and report showing the implementation of additional Sustainable Urban Drainage Systems (SuDS) features. SuDS features could include but are not limited to:
 - o Swale
 - o Tree pits
 - o Water butts
 - o Other such SuDS.
2. The Applicant is requested to submit detailed Tree Survey Report for the trees within and within falling distance of the proposed development area. This shall comprise a detailed Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan all in accordance with, BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report shall be carried out by an independent, qualified Arborist.
3. The Applicant is requested to submit a plan that shows an overall approach to the delivery of landscape, green infrastructure and SuDS having regard to the following:
 - i) In the case of small-scale developments this may consist of a simple landscape plan which includes objectives to protect or restore existing on site GI assets, provides for connection to local or primary GI corridors or includes elements which allow the site to act as a local stepping stone;
 - ii) Where the development site is located within or close to a Core or Corridor the development should, at a minimum, protect any existing GI assets and enhance same (for example, not breaking a GI Corridor but enhancing same with a connecting piece of planting, retaining hedgerows or woodlands);
 - iii) The characteristics and assets of the proximate GI Core, Corridor or Stepping Stone should be reflected within proposed development, for example continuation of hedgerows, tree planting, waterways;
 - iv) Development should seek to enhance or restore features that act as ecological corridors, particularly water features, hedgerows, tree lines, areas of un-cultivated land. These, or some element of them, should be incorporated into the proposed development to create pathways for wildlife and / or increase amenity value;

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- v) Development sites which are not located proximate to designated GI Cores or Corridors should identify the nearest designated GI Core, Corridor or Stepping Stone and make provision for GI interventions on the site which could eventually provide a link to local Stepping Stones, Cores or Corridors;
 - vi) Developers should be aware that ecological corridors can also act to quickly spread non-native invasive species. Therefore, identification and control of invasive species site should be included in planning applications and the GI Plan.
 - vii) The Green Infrastructure Plans shall include: - Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County; - Site survey and analysis, identifying existing GI Infrastructure and key assets within the site; - Indicate how the development proposals link to and enhance the wider GI Network of the County; - Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site.
4. There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The landscape proposals to be prepared by a suitably qualified landscape architect who shall liaise with the Drainage and Water Services Department and Parks and Public Realm Department to deliver multifunctional SuDS, i.e. amenity, biodiversity, water treatment and attenuation.
- a) A Landscape Masterplan to scale of not less than 1:200 showing:
 - i) The species, variety, number, size and locations of all proposed planting
 - ii) Details of Hard landscape works, specifying surface material and furniture.
 - iii) Details of additional natural SuDS features such as green roofs, bioretention rain gardens, swales, SuDS bioretention tree pits/linear trenches; showing how they work as part of an overall treatment train.
 - iv) Tree planting along the northern boundary. Trees to be a minimum 18-20cm girth, native and/or pollinator friendly species.
 - v) Levels, Detailed Cross Sections and Elevations
 - b) Planting material where possible should be Irish Grown Nursey Stock and the importation of foreign planting material should be avoided within the proposed planting scheme.

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Additional Information

Additional Information was requested on 14th November 2022.

Additional Information was received on 23rd January 2023.

The Additional Information received was not deemed to be significant, as such the Applicant was not required to erect a Site Notice or publish a Newspaper Notice.

Submissions/Observations

No submissions / observations received.

Assessment

The following Additional Information was received from the Applicant on 23rd January 2023:

- Letter of Response prepared by McArdle Doyle dated 20th January 2023.
- Drawing No. P1956.C03 – Proposed Site Layout prepared by McArdle Doyle.
- Drawing No. P1956.C04 – Proposed Drainage and Watermain Layout prepared by McArdle Doyle.
- Drawing No. P1956.C11 – Proposed Paving Layout prepared by McArdle Doyle.
- Drawing No. P1956.C31 – SuDS Drainage Details prepared by McArdle Doyle.
- Arboricultural Report prepared by Charles McCorkell Arboricultural Consultancy dated December 2022.
- Landscape Further Information Response prepared by Jane McCorkell Landscape.
- Drawing No. PP397-01-01 – Existing Site Survey prepared by Jane McCorkell Landscape.
- Drawing No. PP397-01-02 – Existing Green Factor Analysis prepared by Jane McCorkell Landscape.
- Drawing No. PP397-02-01 – Proposed Landscape Plan prepared by Jane McCorkell Landscape.
- Drawing No. PP397-02-02 – Landscape Green Factor Objectives prepared by Jane McCorkell Landscape.
- Drawing No. PP397-02-03 – Green Factor Surface Type prepared by Jane McCorkell Landscape.
- Drawing No. PP397-03-01 – Tree and Services Plan with Sections prepared by Jane McCorkell Landscape.
- Drawing No. PP397-04-01 – Landscape Specifications prepared by Jane McCorkell Landscape.

The Additional Information provided by the Applicant will be assessed below in the context of the 4 No. items of Additional Information requested by the Planning Authority on 14th November 2022.

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Additional Information Item No. 1

In response to Additional Information Item No. 1(i) the Applicant has increased the size of the attenuation tank to approximately 98m³. Accompanying attenuation/stormwater calculations have also been provided.

In addition to the increased size of the attenuation tank and in response to Additional Information Item 1(ii), Drawing No. P1956.C11 prepared by McArdle Doyle outlines the provision of permeable paving to provide additional interception storage. Drawing No. P1956.C04 prepared by McArdle Doyle also indicates the addition of 2 No. 650 litre water butts, 3 No. rain gardens and a swale along the western and southern boundaries of the site.

The Drainage and Water Services Department and Irish Water have assessed the Applicant's response to Additional Information, with their Reports indicating no objection subject to conditions.

Having regard to the increased attenuation tank capacity and the additional SuDS measures, it is considered that the Applicant has successfully addressed Additional Information Item No. 1.

Additional Information Item No. 2

In response to Additional Information Item No. 2 the Applicant has provided an Arboricultural Report prepared by Charles McCorkell Arboricultural Consultancy. The Report includes a metod station, tree survey and impact assessment of the proposed development. The Report concludes that the proposed development will not impact trees and neighbouring trees can be successfully protected during the construction phase of the development.

The Parks and Public Realm Department have assessed the Applicant's Additional Information Response, with their Report indicating no objection. It is therefore considered that Additional Information Item No. 2 has been successfully addressed.

Additional Information Item No. 3

A detailed Landscape and Green Infrastructure package has been prepared by Jane McCorkell Landscape Architects in response to Additional Information Item No. 3. It is noted that the Landscape Report outlines that the proposed development would result in a Green Factor Score of approximately 0.30. However, as a result of the proposed landscape and planting plan and green infrastructure strategy for the subject site, a score of 0.5 has been achieved.

The Parks and Public Realm Department have assessed the Applicant's Additional Information Response, with their Report indicating no objection. It is therefore considered that Additional Information Item No. 3 has been successfully addressed.

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Additional Information Item No. 4

In response to Additional Information Item No. 4 the Jane McCorkell Landscape Architects have provided a Landscape Masterplan, Tree and Service Plan with associated section details and Landscape Specifications.

The Parks and Public Realm Department have assessed the Applicant's Additional Information Response, with their Report indicating no objection. It is therefore considered that Additional Information Item No. 4 has been successfully addressed.

Other Considerations

Development Contributions

Development Contributions	
Planning Reference Number	SD22A/0363
Summary of permission granted & relevant notes:	A new unmanned service station development consisting of construction of new petrol filling station forecourt with 4 dispensers, 2 underground fuel storage tanks with canopy structure (covering c. 235sq.m and 6.2m in height) with associated signage
Are any exemptions applicable?	No
If yes, please specify:	
Is development commercial or residential?	Commercial
Standard rate applicable to development:	112.57
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€112.57
Area of Development (m2)	54.6
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	54.6
Total development contribution due	€6,146.32

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SEA Monitoring

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Unmanned Filling Station (Services Building and Substation)	54.6 sqm
Land Type	Site Area (Ha)
Brownfield / Urban Consolidation	0.268 Ha

Conclusion

Having regard to the policies outlined in the South Dublin County Development Plan 2022-2028 and the Additional Information provided by the Applicant, it is considered that, subject to conditions, the proposed development generally adheres to the key policies, objectives and guidance and would not be contrary to the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 23rd January 2023, 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.

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2. Drainage - Irish Water.
 - (a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.
 - (c) 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, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
3. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water. All development shall be carried out in compliance with Irish Water Standards codes and practices.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.
4.
 - (i) Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened entrance.
 - (ii) The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, to improve forward visibility for vehicles.
 - (iii) The level of illumination of the lighting for the signs shall be reviewable at any time by the Roads Department in the interests of traffic safety, and adjustments shall be made by the applicant at their own expense if required to do so by South Dublin County Council.
 - (iv) Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.
5. 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. A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.

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

6. 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.

7. (i) A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.
- (ii) The applicant shall put in place a pest control contract for the site for the duration of the construction works.
- (iii) 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.

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(iv) Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night time. Clearly audible and impulsive tones at

noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

(v) Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.

8. Public Realm Lighting Scheme.

Prior to the commencement of development the applicant/owner shall submit the following for the written agreement of the Planning Authority:

A Public Realm Lighting Scheme for the public realm of the development as approved, designed to provide for high quality public lighting throughout the public realm of the site, prepared by competent a public lighting design consultant.

In addition, the applicant shall ensure that the Public Realm Lighting scheme shall be designed to minimise potential glare and light spillage and shall be positioned and/or cowed away from residential properties, public roads and any bat roosts or areas with bat activity. The Public Realm Lighting Scheme should also have regard to the landscaping requirements for the site to avoid root or crown spread from any existing or proposed tree. Any adjustments deemed necessary in this respect by the Council shall be carried out by the applicant, owner or developer at their own expense

REASON: In the interests of public health and safety, the orderly development of the site, amenity, and to prevent light pollution and in the interests of the proper planning and sustainable development of the area.

9. Restrictions on Signage.

Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the development or within the curtilage of the site, unless authorised by a grant of planning permission.

REASON: To protect the visual amenities of the area and in the interest of the proper planning and sustainable development of the area.

10. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €6, 146.32 (Six Thousand, One Hundred and Forty Six Euro and Thirty Two Cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning

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Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended). The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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REG. REF. SD22A/0363

LOCATION: Fonthill Road, Liffey Valley, Clondalkin, Dublin 22



**Conor Doyle,
Assistant Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 20/02/23


**Gormla O'Corrain,
Senior Planner**