



An
Bord
Pleanála

Inspector's Report

ABP-322002-25

Development

A high-power electric vehicle charging hub and associated infrastructure consisting of the following; (i) Installation of 10 No. electric vehicle charging bays & 5 No. charging units, (ii) Installation of new canopy above EV charging spaces with internal illuminated signage, (iii) installation of a new ESB Substation and, (iv) All other associated site development works including, new landscaping and boundary treatment, and surface water drainage infrastructure including the installation of new Class B By-Pass Klargestar oil and fuel separator and permeable paving.

Location

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

Planning Authority

South Dublin County Council

Planning Authority Reg. Ref.

SD24A/0267W

Applicant(s)

Circle K Ireland Energy Group Limited

Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party v Decision
Appellant(s)	Circle K Ireland Energy Group Limited
Observer(s)	None.
Date of Site Inspection	21 st May, 2025
Inspector	Robert Speer

1.0 Site Location and Description

- 1.1. The proposed development site is located along the southern side of the R148 Regional Road / Chapelizod Bypass as it by-passes Palmerstown, Dublin 20, approximately 1.4km east of Junction 7 on the M50 Motorway, in a predominantly residential area where it occupies a position between Nos. 39 and 41 Palmerstown Drive. The site itself has a stated site area of 0.529 hectares, is rectangular in shape, and is presently occupied by an existing service station (Circle K, Parkway West Service Station) encompassing a single-storey amenity / retail unit and a canopied forecourt area with 4 No. pump islands, customer parking, air / water / vacuum services, and an automated brush car wash. In addition to the service station, the extended site area also includes for an extent of well-maintained green space located alongside the southern and eastern perimeter site boundaries with mature tree planting dominating the boundary shared with No. 41 Palmerstown Drive to the immediate east. Vehicular access is obtained directly from the R148 to the north with a left in / left out arrangement to and from the service station, however, pedestrian access is also available via a public right of way on the western side of the station which extends between Palmerstown Drive to the south and the R148 Regional Road.

2.0 Proposed Development

- 2.1. The proposed development, as initially submitted to the Planning Authority, consists of the construction of a high-power electric vehicle charging hub and associated infrastructure which will include the following:

- The installation of 10 No. electric vehicle charging bays & 5 No. charging units;
- The erection of a new canopy above the EV charging spaces with internally illuminated signage;
- The installation of a new ESB Substation; and
- Associated site development works, including new landscaping, boundary treatment, and surface water drainage infrastructure (including the installation of a Class B By-Pass Klargest oil & fuel separator and permeable paving).

2.2. The Board is advised that the grounds of appeal have been accompanied by a set of revised drawings which detail an amended proposal intended to address the concerns of the Planning Authority. The principal revisions proposed can be summarised as follows:

- The relocation of the existing automated car wash and associated plant room from the easternmost extent of the service station to new locations sited to the west (rear) of the service station building along with the provision of a new dedicated circulatory system.
- The repositioning of the proposed electric vehicle charging hub and the associated infrastructure further west to occupy that area vacated through the relocation of the car wash. This will serve to significantly reduce the extent to which the proposed EV charging hub encroaches onto those lands zoned as 'OS: Open Space'.
- The provision of bicycle stands and 4 No. bollards adjacent to the ATM unit adjoining the northern elevation of the service station building.

2.3. For the purposes of clarity, the Board is advised that the amended proposals provided with the grounds of appeal have not been accompanied by new public notices.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On 5th February, 2025 the Planning Authority issued a notification of a decision to refuse permission for the following single reason:

- Under the South Dublin County Development Plan, 2022-2028, the zoning objective for the lands on which the development is proposed is 'OS' – 'To preserve and provide for open space and recreational amenities'. The proposed development for a high-power electric vehicle charging hub and associated infrastructure would form part of and be ancillary to a petrol station use. A 'Petrol Station' use is listed as Not Permitted under Table 12.15: Zoning Objective 'OS': To preserve and provide for open space and recreational amenities' of the County Development Plan. In this regard, the

proposed development would materially contravene the zoning objective of the site and the South Dublin County Development Plan, 2022-2028. Thus, the proposed development would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Details the site context, planning history and the relevant policy considerations while summarising the contents of the various submissions and reports received with respect to the proposed development. It proceeds to state that while the subject site includes an existing service station located on lands zoned as *'RES: To protect and / or improve residential amenity'*, the proposed development will occur on lands zoned as *'OS: To preserve and provide for open space and recreational amenities'*. In this regard, it is noted that there is no specific provision for EV parking as a land use in Table 12.15: *'Zoning Objective 'OS': Use Classes Related to Zoning Objective'* of the Development Plan and that while a *'Car Park'* is listed as *'Open for Consideration'*, this is for *'small-scale amenity or recreational purposes only'*. Furthermore, the suggestion by the applicant that the proposal amounts to a *'Public Service'* which would be *'Open for Consideration'* on lands zoned as *'OS'* is rejected, principally on the basis that the development would form part of and be ancillary to an existing service station use which is *'Not Permitted'* within the *'OS'* zoning. With respect to the submission that the proposal could be assessed as a *'Non-Conforming Use'*, this has similarly been rejected by reference to the qualifying criteria set out in the Development Plan and as the planning history of the site indicates that use of the *'OS'* lands as part of the service station is not permitted (and was specifically omitted as part of PA Ref. No. SD06A/0092 / ABP Ref. No. PL06S.218785). Accordingly, while it is acknowledged that the provision of EV charging infrastructure is supported in principle by the Development Plan, the subject proposal is considered to materially contravene the applicable *'OS'* land use zoning objective.

In terms of the potential impact on residential and visual amenity, the report recommends the omission of internal illumination from the proposed signage before raising concerns as regards the alteration of lands zoned as *'OS'* between the

existing service station and neighbouring residential properties, including the impact on mature trees & vegetation and the alteration of ground levels.

The remainder of the report considers issues such as the access and parking arrangements (deferring to the report received from the Roads Dept.) before concluding that permission should be refused for the reason stated.

3.2.2. *Other Technical Reports*

Environmental Health Department: No objection, subject to conditions.

Roads Department (as referenced in the Planning Report): States that a minimum distance of 6m has been afforded to cars reversing from the proposed parking spaces and that there would appear to be sufficient room to allow cars to manoeuvre within the EV parking area thereby negating any requirement for swept-path analysis. In terms of car parking, it is considered that inadequate detail has been provided and there is a need to further explain the existing & proposed parking numbers. It is further noted that some of the existing parking spaces would appear to conflict with the entrance and egress points to / from the proposed EV charging area. The report subsequently recommends that the applicant be required by way of a request for further information to submit a car parking strategy (along with a revised parking layout clearly demonstrating the existing & proposed parking arrangements) and a bicycle parking strategy. In the event of a grant of permission, it is also recommended that a condition be attached requiring the submission of details of all road markings and signage.

(N.B. This report is not available digitally and is absent from the 'Planning Portal' of the Local Authority's website).

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

3.4.1. A single submission was received from an interested third party and the principal grounds of objection / areas of concern raised therein can be summarised as follows:

- The construction and (24-hour) operation of the development will significantly increase noise pollution in the area thereby adversely impacting on the residential amenity of neighbouring housing.

- The overall design, size, scale and illumination of the proposed development will detract from the visual amenity and character of the area and will also obstruct existing views from the front of the objector's property.
- The illuminated signage and the other lighting proposed will give rise to unacceptable levels of light pollution.
- The loss of a valuable green space / amenity area to the detriment of the area and local biodiversity.
- Given the proximity of an electrical substation to the objector's property, concerns arise as regards the potential long-term health impacts due to the emission of electromagnetic fields (EMFs).
- The potential for anti-social behaviour, including loitering, littering and increased noise / general disturbance, due to the 24-hour operation of the development.

4.0 Planning History

4.1. On Site:

- 4.1.1. PA Ref. No. SD24A/0241W. Was granted on 5th February, 2025 permitting Circle K Ireland Retail Limited permission for (i) installation of new 4,750lt above ground self-bunded fuel storage tank with integrated dispenser (ii) associated signage, and (iii) all associated site development works.
- 4.1.2. PA Ref. No. SD22A/0147. Was granted on 30th August, 2022 permitting Circle K Ireland Retail Ltd. permission for 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.
- 4.1.3. PA Ref. No. SD20A/0106 / ABP Ref. No. ABP-309286-21. Was refused on appeal on 9th September, 2021 refusing Circle K Ireland Limited permission for (i) single storey extension to the rear of existing forecourt retail unit and internal and external

alterations to provide an amenity building with retail area (100m² 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, (ii) associated revisions to site layout, and (iii) all associated site and developments.

- Having regard to the Guidelines for Planning Authorities – Retail Planning issued by the Department of the Environment, Community and the Gaeltacht in 2012 and policies R1 and R2 of the South Dublin County Council Development Plan, 2016-2022 which require the adoption of a sequential approach for locating new retail development, the Board considered that, in the absence of evidence of a robust sequential assessment, there was insufficient justification for the proposed retail space in the development to significantly exceed the net floorspace of 100 square metres recommended for Motor Fuel Stations in Section 11.3.6(iv) of the development plan. In the absence of evidence for a sequential approach, the Board concluded that the proposed development would be contrary to the Retail Planning Guidelines and the development plan, and would, therefore, be contrary to the proper planning and sustainable development of the area.

- 4.1.4. PA Ref. No. SD16A/0188. Was granted on 26th August, 2016 permitting Topaz Energy Ltd. permission for the 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.
- 4.1.5. PA Ref. No. SD15A/0360. Was refused on 27th January, 2016 refusing Esso Ireland Ltd. permission for the retention of the erection 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.
- 4.1.6. PA Ref. No. SD06A/0092 / ABP Ref. No. PL06S.218785. Was granted on appeal on 19th January, 2007 permitting Esso Ireland Ltd. permission to re-develop an existing petrol filling station to comprise demolition of existing shop, canopy, pumps and provision of new forecourt shop with restaurant area including the sale of hot food for

consumption in 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, I.D. sign, together with ancillary works, as amended by the revised public notice received by the planning authority on 30th May, 2006.

- 4.1.7. PA Ref. No. SD03A/0027 / ABP Ref. No. PL06S.202432. Was granted on appeal on 1st August, 2003 permitting Maxol Ltd. permission for alterations to existing forecourt building / shop to include a change of use of office / part storage area to retail use including ancillary works to accommodate same.

4.2. On Adjacent Sites:

None.

4.3. Other Relevant Files:

- 4.3.1. PA Ref. No. SD24A/0132W. Was granted on 28th January, 2025 permitting Maxol Ltd.:
- Permission for the change of use and incorporation of the unused lands into the service station site and removal of the intervening boundary; Construction of an EV Charging Hub (consisting of 6 No. EV charging car parking spaces, canopy, substation and ancillary plant, and associated signage); Revisions to the overall site layout, motorbike and bicycle parking, alterations to vehicular circulation, relocation of air and water services, offset fills, vents and associated chambers; Provision of replacement foul water treatment plant with associated plant and percolation area, foul drain infrastructure for future connection to foul sewer, and new external lighting; changes to levels, hard and soft landscaping including revised boundary treatments, associated site servicing (water supply, foul and surface water drainage including surface water attenuation measures), all other associated site development works above and below ground.
 - Permission for the retention of: An external gas tank with associated enclosure; Extensions to the filling station building comprising an entrance porch / lobby area and back of house extension; Alterations to the internal layout of the building including the incorporation of a back of house area into

the front of house area, increasing circulation spaces; Extended café/restaurant for the sale of hot and cold food for consumption both on and off the premises, including a change of use to restaurant use of a 20m² area.

All at the Maxol Service Station, Newcastle Road, Adamstown, Lucan, Co. Dublin, K78 X4E1 (c. 0.29 ha) and the adjoining unused lands (c. 0.13 ha) to the south located at the junction of Newcastle Road and the Adamstown Industrial Estate access road.

- 4.3.2. PA Ref. No. 2459 / ABP Ref. No. ABP-319631-24. Was granted on appeal on 19th December, 2024 permitting Ard Services Ltd. permission for the provision of high-power electric vehicle charging points and associated infrastructure consisting of the following: (i) the installation of 8 No. electric vehicle charging bays and 4 No. charging units, (ii) the installation of a new modular substation, (iii) associated revisions to existing paved and landscaped area, (iv) the erection of associated signage, (v) all associated site development works, including lighting, drainage infrastructure and line marking, all at Circle K Caherdavin Service Station, Ennis Road, Limerick, Co., Limerick.

5.0 Policy and Context

5.1. National and Regional Policy

5.1.1. Project Ireland 2040 - The National Planning Framework: First Revision (April, 2025):

The National Planning Framework (NPF) sets out a vision for the future development of the country and includes strategic goals in respect of transitioning to a low carbon and climate resilient society. It contains a number of relevant National Strategic Outcomes (NSOs) and National Policy Objectives (NPOs) including:

NSO 8: Sustainable Mobility:

- Electric Vehicles will also have an important role to play in transforming the Irish transport system into one that is green and sustainable, as part of the wider transformation that will see people walking, cycling and taking public transport to their destinations. The Electric Vehicle Charging Infrastructure

Strategy 2022- 2025 sets out the Government's pathway for delivering a publicly accessible EV charging network that meets citizens' needs.

- Charging Network Plan sets out the provision for high powered charging provision on the national road network and will see banks of chargers installed every 60km on our motorway network. The draft Local EV Infrastructure Network Plan, focusses on the provision of charging at neighbourhood and destination locations and requires Local Authorities to take a lead in developing local area network plans as well as coordinating the facilitation and rollout of this EV infrastructure.
- Expand attractive alternatives to car transport to reduce congestion and emissions and enable the transport sector to cater for the demands associated with longer-term population and employment growth in a sustainable manner through the following measures:
 - Support delivery of EV charging at a national level in line with Climate Action Plan targets to transition.

5.1.2. Climate Action Plan, 2024:

The Climate Action Plan, 2024 was approved by Government on 21st May, 2024 and aims to build upon the last plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings.

Section 15.2.5.2: '*Zero Emissions Vehicles Ireland Work Programme and Electrification Strategy*' of the Plan states that improvements in vehicle technology and the electrification of the vehicle fleet is the measure expected to deliver the single largest amount of direct emissions abatement in the Climate Action Plan and thus will form a critical component of the pathway to decarbonisation. Reference is also made to the publication of the National EV Charging Infrastructure Strategy and the draft National En-Route EV Charging Plan.

Extract from Table 15.6: '*Key Actions to Deliver Abatement in Transport for the period 2024-2025*':

Measure	CAP2024	CAP2025
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EV Charging Infrastructure Strategy & ZEVl work programme	Ongoing delivery of Destination Charge Point Scheme – including sports clubs and community facilities.	Ongoing delivery of Destination Charge Point Scheme – including sports clubs and community facilities.
	Roll out of key elements of EV Infrastructure Strategy.	Roll out of key elements of EV Infrastructure Strategy.
	Review financial and taxation incentives to further the transition of energy efficient vehicle fleets, considering actions to support and deliver a just and equitable EV transition.	Review financial and taxation incentives to further the transition of energy efficient vehicle fleets, considering actions to support and deliver a just and equitable EV transition.

5.1.3. **Climate Action Plan, 2025:**

The Climate Action Plan, 2025 builds upon the 2024 CAP by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan, 2024. The Plan provides a roadmap for taking decisive action to halve Ireland's emissions by 2030 and achieve climate neutrality by no later than 2050, as committed to in the Climate Action and Low Carbon Development (Amendment) Act, 2021. Section 14.2.4 refers to '*Zero Emissions Vehicles Ireland (ZEVl) programme initiatives*', including the overarching National EV Charging Infrastructure Strategy, the National En-Route EV Charging Plan, and the Regional and Local EV Charging Network Plan, 2024- 2030.

5.1.4. **Electric Vehicle Charging Infrastructure Strategy, 2022-2025:**

This Strategy sets out a pathway for the delivery of a national electric vehicle (EV) charging network in support of the Climate Action Plan ambition of almost a million

EVs on Irish roads by 2030, and to ensure that EV charge point infrastructure provision remains ahead of demand. The strategy focuses on 7 key user groups, each with its own unique travel and charging requirements. It does so by following an individual's journey from the planning stages to their return home, and giving insight into practical infrastructure adjustments that could make their experience easier.

5.1.5. Electric Vehicle Infrastructure Implementation Plan, 2023:

This Plan is an initial set of actions and deliverables that support the delivery of the Electric Vehicle Charging Infrastructure Strategy, spanning charging schemes, policies, and strategy-related work. In its current and future iterations, the Plan will provide a comprehensive range of new and expanded measures to support the delivery of electric vehicle charge point infrastructure. In turn, this infrastructure will support the Climate Action Plan ambition that nearly 1 in 3 private cars will be an electric vehicle by 2030. The outcomes of the plan will be supported by complementary actions from other relevant national policies and strategies, which will support delivery of the Climate Action Plan goals.

5.1.6. Eastern & Midland Regional Economic and Spatial Strategy, 2019-2031:

The RSES provides a long-term strategic planning and economic framework for the development of the Eastern & Midland Region and represents a significant evolution of regional policy making which replaces the previous Regional Planning Guidelines. A key underlying principle of the Strategy is the need to enhance climate resilience and to accelerate a transition to a low carbon society. Relevant Policy Objectives include:

- *RPO 7.42:* Local authorities shall include proposals in statutory land use plans to facilitate and encourage an increase in electric vehicle use, including measures for more recharging facilities and prioritisation of parking for EVs in central locations.

5.2. Local Policy:

5.2.1. South Dublin County Development Plan, 2022-2028:

Land Use Zoning:

The extent of the proposed development site presently occupied by the existing petrol filling / fuel service station is zoned as *‘RES: To protect and / or improve residential amenity’* whereas the remainder of the site area comprising those lands alongside the eastern and southern perimeter boundaries is zoned as *‘OS: To preserve and provide for open space and recreational amenities’*.

Other Relevant Sections / Policies:

Chapter 1: Introduction, Strategic Vision and Climate Action

Section 1.8: Climate Action

Policy CA1: Climate Action (CA): To support the implementation of International and National objectives on climate action including the Climate Action and Low Carbon Development Acts (and any amending legislation), the ‘Climate Action Plan 2021’ (and any updated Plans) and ensure that South Dublin’s Climate Change Action Plan and County Development Plan are aligned.

CA1 Objective 1: To collaborate with the Eastern Midland Regional Authority (EMRA), the Dublin Metropolitan Climate Action Regional Office (Dublin CARO), City of Dublin Energy Management Agency (Codema) and the Sustainable Energy Authority of Ireland (SEAI) to achieve the climate action policies and objectives set out in the Eastern and Midland Region Spatial and Economic Strategy (consistent with RPO 3.1, 36, 7.4, 7.30, 7.31, 7.32, 7.33, 7.35, 7.38, 7.40, 7.42, 7.43, 7.7 of the RSES).

CA1 Objective 2: To ensure spatial and infrastructure planning are consistent with climate mitigation and adaptation objectives.

CA1 Objective 3: To implement the South Dublin County Council Climate Change Action Plan 2019-2024 (SDCC CCAP) or superseding plans and to facilitate a just transition to a climate resilient low carbon County (consistent with SO8 of the NPF, RPO 7.32, 7.33 of the RSES).

Section 1.9: Climate Action and the Role of the Development Plan

Chapter 4: Green Infrastructure:

Policy GI1: Overarching: Protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.

GI1 Objective 1: To establish a coherent, integrated and evolving GI Network across South Dublin County with parks, open spaces, hedgerows, trees including public street trees and native mini woodlands (Miyawaki-Style), grasslands, protected areas and rivers and streams and other green and blue assets forming strategic links and to integrate and incorporate the objectives of the GI Strategy throughout all relevant land use plans and development in the County.

GI1 Objective 2: To implement and monitor the South Dublin County GI Strategy during the lifetime of this plan and develop a fit for purpose GI scoring for the County which will support ongoing identification, protection, enhancement and management of GI in the County and which will enable the assessment and monitoring of GI interventions in the County.

GI1 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.

Section 4.2.1. Biodiversity

Section 4.2.4: Recreation and Amenity (Human Health and Wellbeing)

Policy GI6: Human Health and Wellbeing: Improve the accessibility and recreational amenity of the County's GI in order to enhance human health and wellbeing while protecting the natural environment within which the recreation occurs.

GI6 Objective 1: To support a hierarchy of accessible open spaces and recreational facilities, appropriate for neighbourhood size and catchment area, which are adaptable and capable of accommodating multiple uses (See Chapter 8: Community and Open Space)

Chapter 7: Sustainable Movement:

Section 7.1: Sustainable Movement and Climate Action

Section 7.10.2: Electric Vehicle Charging

Policy SM7: Car Parking and EV Charging: Implement a balanced approach to the provision of car parking with the aim of using parking as a demand management measure to promote a transition towards more sustainable forms of transportation, while meeting the needs of businesses and communities

SM7 Objective 5: To support the expansion of the EV charging network by increasing the provision of designated charging facilities for Electric Vehicles on public and private land in partnership with the ESB and other relevant stakeholders; and to support the Dublin Regional EV Parking Strategy

SM7 Objective 10: To ensure that parking provision, including the provision of EV charging facilities, does not detract from the comfort and safety of pedestrians and cyclists, visual amenity or the character of an area (refer also to Chapter 10: Energy)

Chapter 8: Community and Open Space

Chapter 10: Energy:

Section 10.2.3: Electric Vehicles

Policy E4: Electric Vehicles: Promote the delivery of EV charging facilities in accordance with relevant regulations and national and regional policy and guidance. (see also Chapter 7: Sustainable Movement and Chapter 12: Implementation and Monitoring).

E4 Objective 1: To support the implementation of the EV charging strategy for the Dublin Region.

E4 Objective 2: To ensure that EV charging points are installed such that they do not cause significant obstruction to lower carbon forms of transportation (that is, footpaths, cycle lanes, access to DART or Luas stations, or bus lanes / stops).

Section 10.2.10: *Green Infrastructure*

Policy E11: Green Infrastructure: Implement the Council's Green Infrastructure Strategy as an essential element of building resilience to climate change whilst ensuring healthy placemaking and delivering on the compact growth approach, in accordance with National and Regional Policy and the National Climate Action Plan.

E11 Objective 1: To ensure the implementation of policy and objectives on tree planting, protection of trees on site and development management standards in relation to new development as set out in the Green Infrastructure, Heritage and Implementation Chapters of this plan.

Chapter 11: Infrastructure and Environmental Services:

Section 11.7: Environmental Quality: Air, Noise and Light

Chapter 12: Implementation and Monitoring

Section 12.7.5: Car Parking / Charging for Electric Vehicles (EVs):

- EV charging shall be provided in all residential, mixed use and commercial development and shall comprise a minimum of 20% of the total parking spaces provided, with higher provision within this range required in urban areas.
- The remainder of the parking spaces should be constructed to be capable of accommodating future charging points.
- In residential and mixed-use schemes EV charging should be provided in blocks or pods unless it can be satisfactorily demonstrated that it can be provided in a more satisfactory and efficient manner.
- It should be designed and located in such a way as to ensure passive surveillance and avoid anti-social behaviour.

- The applicant should indicate the mechanism for EV charging and payment (for example, fob / credit card or other means) and should ensure that it is available to residents and visitors.
- EV charging facilities should not impinge on shared parking allocation.
- EV charging facilities should not obstruct or impinge on walking or cycling paths.
- Charge points should avoid areas which are already restricted by existing street furniture for example, bollards, road signs, benches, bike racks.
- Charge points should not impede lower carbon forms of passenger transport.
- Charge points should not be located at the back of the footpath (that is, the side furthest from the road) to avoid cables becoming a trip hazard.
- For residential multi-unit buildings, the necessary ducting for all car parking spaces should be installed, allowing provision for additional electrical infrastructure.
- For new dwellings with in-curtilage parking, appropriate infrastructure should be provided to allow for installation of a charging point at a later date.

Section 12.9: *Economic Development and Employment:*

Section 12.9.5: *Retail Development: (iv) Motor Fuel Stations*

5.2.2. Dublin Local Authority Electric Vehicle Charging Strategy: Enabling the transition to Electric Vehicles for the Dublin Region:

This report contains the 2022-2030 electric vehicle charging strategy that has been developed for the Dublin Local Authorities. The objective of this study was to assess what infrastructure should be deployed and where, the number of charging points needed, the level of investment that will be required over the next 10 years, and to explore the roles the Councils could play in the infrastructure roll out.

It notes that while the Department of Transport's 'Electric Vehicle Charging Infrastructure Strategy, 2022-2025' considers neighbourhood Electric Vehicle Charging Points to be the main solution for those without access to private home charging, due to the nature of the Dublin region (considerable space constraint in places) and Dublin's aim to encourage a shift away from private car use in the city

centre, the Dublin Local Authorities strategy considers a different priority, namely, the prioritisation of rapid (hub) charging over slow-fast neighbourhood chargers.

5.3. Natural Heritage Designations

5.3.1. The following natural heritage designations are located in the general vicinity of the proposed development site:

- Liffey Valley Proposed Natural Heritage Area (Site Code: 000128), approximately 37m north of the site.
- Grand Canal Proposed Natural Heritage Area (Site Code: 001204), approximately 2.5km south of the site.
- Royal Canal Proposed Natural Heritage Area (Site Code: 002103), approximately 2.95km north-northeast of the site.

5.4. EIA Screening

5.4.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations, 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of this report.

6.0 The Appeal

6.1. Grounds of Appeal

- In response to the decision to refuse permission on the basis that locating the proposed EV charging points on lands zoned as '*OS: To preserve and provide for open space and recreational amenities*' would materially contravene that land use zoning objective and the Development Plan, the Board is requested to consider the accompanying revised proposal which has relocated the EV charging points and the associated canopy outside of those lands zoned as 'Open Space' as much as possible. It shows the EV charging points located further west towards the main fuel forecourt and the relocation of the existing

automated brush car wash to the western side of the site (and to the rear of the main retail building). This revised layout will continue to allow for vehicles to safely access & egress the site without unduly impacting on the operational efficiency of the forecourt.

- There is significant policy emphasis at national level in support of reducing the country's carbon footprint and providing for additional and alternative fuel infrastructure. This is reiterated at a local level in the Development Plan by reference to Section 7.10.2, Policy SM7, SM7 Objective 5, and Policy R4: 'Electric Vehicles'. Cognisance should also be taken of the development management standards set out in Section 12.9.5(iv) of the Plan as regards proposals for the development of motor fuel stations.
- The Planning Authority has indicated that it is supportive of the overall principle of the proposed development although permission was refused on the basis that the proposal would materially contravene the 'Open Space' land use zoning objective.
- The revised proposal submitted with the grounds of appeal is significantly less impactful in the context of the 'Open Space' land use zoning as the proposed development will be primarily located on those lands zoned as 'Existing Residential' which make up the entirety of the service station operation.
- While there will continue to be a small encroachment into the 'Open Space' land use zoning, in the context of the original proposal this will be significantly less impactful i.e. approximately 114m² of green space will be impacted by the revised proposal when compared to c. 705m² in the original layout.

Considering that the existing car wash plant room is located on lands zoned 'OS', the extent of encroachment represents c. 5% of the total 'OS' zoned area, restricted to a narrow strip adjacent to the existing station forecourt.

The extent of the encroachment now proposed is not material and it is submitted that the revised proposal achieves an appropriate balance between facilitating the proposed development while also preserving the function of those lands to the east zoned as 'Open Space'.

- There should be an acknowledgement that the context of the subject open space is unique as it is not readily accessible to the public and does not function as useable open space. Moreover, it does not include any amenity areas or seating and is in the private ownership of the service station operator. It is in no way reflective of other lands zoned as 'Open Space' that are in public ownership and actively used as recreation / amenity areas by the public.
- The 'Open Space' designation on site relates to its role in screening and buffering the service station from adjoining residential properties (as was acknowledged by the reporting inspector in the assessment of ABP Ref. No. PL06S.218785). The role and function of the open space will not be materially impacted or compromised by the revised proposal (nor will any boundary screening or trees be removed).
- It should be noted that the existing car wash / recycling building is already located within that part of the site zoned as 'Open Space'. The subject proposal reflects this long-established arrangement.
- A service station has operated at this location since 1961 and it has, by necessity, evolved over time in line with commercial realities and customer expectations. Most recently, the service station has sought to move away from fossil fuel retailing to electric charging and convenience retailing uses.
- The submitted proposal comprises a reasonable expansion and modification of the existing service station use through the provision of EV charging infrastructure while also allowing for the relocation of the existing automated brush wash.
- In the context of the various Development Plan policies and objectives supporting and promoting positive climate change action, including the provision of EV charging points, it is submitted that a material contravention of the Development Plan does not arise in this instance.
- In the event the Board is of the opinion that the proposed development amounts to a material contravention of the Development Plan, permission could be granted pursuant to Section 32(2)(b) of the Planning and

Development Act, 2000, as amended, in accordance with national policy on climate change:

‘Permission for the proposed development should be granted having regard to [the] regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government’.

Furthermore, there have been multiple incidences of proposals having been granted planning permission for development at service stations which include for new EV charging infrastructure. In this respect:

‘Permission for the proposed development should be granted having regard to the pattern of development and permissions granted, in the area since the making of the development plan’.

For example:

- PA Ref. No. SD24A/0132W: Permission granted in January, 2025 for the development of EV charging facilities at the Maxol Service Station, Newcastle Road, Adamstown, Co. Dublin, K78 X4E1.
- PA Ref. No. 2459 / ABP Ref. No. PL91.319631: Permission granted on appeal in December, 2024 for the development of electric vehicle charging points and associated infrastructure at the Circle K Caherdavin Service Station, Ennis Road, Limerick.
- The proposed development is in keeping with precedent established elsewhere, and coupled with the minor encroachment proposed onto the ‘Open Space’ zoning, can give the Board confidence of the proposal’s compliance with the proper planning of such uses.
- The principle use of the site as a service station will be maintained with the proposed EV charging spaces providing for an additional ancillary use. The purpose and role of the open space will also be maintained.

6.2. Planning Authority Response

- It is accepted that the South Dublin County Development Plan, 2022-2028 contains supportive policies and objectives regarding the provision of electric vehicles charging (Section 7.10.2).

Notwithstanding, the revised layout submitted by the applicant demonstrates that the proposal (as amended) would still be partly located within the “OS” zoning objective of the site, with particular reference to the EV charging hub and associated canopy, low masonry wall and footpath. Accordingly, it is considered that the reason for refusal has not been fully overcome and thus the proposed development (as amended) would continue to materially contravene the “OS” zoning objective of the site.

- Ancillary existing structures and features on site, including a car wash, are proposed to be relocated to the western side of the main petrol station building. Having regard to same, this element of the amended proposal would need to be assessed, including with regard to Roads and Planning aspects.

6.3. Observations

None.

6.4. Further Responses

None.

7.0 Assessment

7.1. From my reading of the file, inspection of the site and assessment of the relevant policy provisions, I conclude that the key issues raised by the appeal are:

- Procedural issues
- The principle of the proposed development
- Overall design and layout / visual impact
- Impact on residential amenity

- Traffic implications
- Appropriate assessment

These are assessed as follows:

7.2. Procedural Issues:

7.2.1. At the outset, I would advise the Board that the first party appeal has been accompanied by a complete set of drawings detailing an amended development proposal in an effort to resolve those matters which have led to the decision of the Planning Authority to refuse permission. The principal revisions contained therein can be summarised as follows:

- The relocation of the existing automated car wash and associated plant room from the easternmost extent of the service station to new locations sited to the west (rear) of the service station building along with the provision of a new dedicated circulatory system.
- The repositioning of the proposed electric vehicle charging hub and the associated infrastructure further west to occupy that area vacated by the relocated car wash. This will serve to significantly reduce the extent to which the proposed EV charging hub encroaches onto those lands zoned as 'OS: Open Space'.
- The provision of bicycle stands and 4 No. bollards adjacent to the ATM unit adjoining the northern elevation of the service station building.

7.2.2. It is at the discretion of the Board as to whether or not these revised plans are taken into consideration in its determination of the subject appeal, however, it is my opinion that the extent of the changes proposed, with particular reference to the relocation of the car wash facility, are significant and could potentially give rise to material planning consequences in terms of impacts on the residential amenity of neighbouring properties (including No. 39 Palmerstown Drive). In this regard, it is of relevance to note that third parties have not been afforded the opportunity to comment on the amended proposals and, therefore, I would suggest that the significant additional information provided deviates materially from the proposal as originally submitted and would necessitate the publication of revised notices.

Accordingly, I have confined my assessment of the subject appeal to the development design as was lodged with the Planning Authority.

- 7.2.3. In the event the Board is amenable to considering the amended proposals as submitted with the grounds of appeal, it is recommended that the applicant be required to submit revised public notices as appropriate in advance of any decision.

7.3. The Principle of the Proposed Development:

- 7.3.1. The proposed development site encompasses two distinct elements with the existing petrol filling / service station component (inclusive of its forecourt, car wash facility, ancillary services, and circulatory & parking areas) located on lands zoned as '*RES: To protect and / or improve residential amenity*' while the remainder of the site, which generally comprises an extent of well-maintained green space alongside the eastern and southern perimeter boundaries, is zoned as '*OS: To preserve and provide for open space and recreational amenities*'. It is proposed to locate the new EV charging hub and associated infrastructure entirely within those lands zoned as '*OS: Open Space*' and therefore it is necessary to determine whether or not such a development would be permissible within that land use zoning.
- 7.3.2. In its assessment of the proposal as originally lodged (please refer to the 'Record of Executive Business and Chief Executive's Order'), the Planning Authority has analysed the case put forward in the applicant's supporting 'Planning Statement' wherein it has been asserted that the proposed development can be considered to comprise the extension of a '*non-conforming use*' (in reference to the existing service station) pursuant to Section 12.2.1 of the County Development Plan. Consideration has also been given to the alternative suggestion that the proposed development can be categorised as a '*public service*' which would be '*open for consideration*' on lands zoned as '*OS: Open Space*' in accordance with Table 12.15 of the Development Plan.
- 7.3.3. With respect to '*Non-Conforming Uses*', while I would concede that the lands zoned as '*OS: Open Space*' are in the same ownership as the existing service station operation (located on those lands zoned as '*RES: To protect and / or improve residential amenity*') and that this arrangement would appear to be well established, having reviewed the planning history of the wider site, I am in agreement with the Planning Authority that neither the existing petrol / service station nor any grant of

planning permission pertaining to same extends its use into those lands zoned as 'Open Space'. In this regard, I am inclined to suggest that the 2 No. land use zonings on site are most likely purposively intended to reflect the authorised usage of the broader site. Accordingly, on the basis that the existing service station use does not extend into the 'OS' land use zoning, the proposed development of the EV charging hub cannot be considered to involve the extension or expansion of a 'non-conforming use' as defined by Section 12.2.1 of the Development Plan.

- 7.3.4. In terms of the alternative proposition offered by the applicant that the proposed development can be classed as a '*public service*' and thus would be '*open for consideration*' on lands zoned as 'OS' in accordance with Table 12.15 of the Plan, I am similarly inclined to concur with the analysis of the Planning Authority that the development in question would not satisfy the definition of a '*public service*' as set out in Appendix 6: '*Definition of Use-Classes*' of the Plan i.e. '*A building or part thereof or land used for the provision of public services. Public services include all service installations necessarily required by electricity, gas, telephone, radio, telecommunications, television, drainage and other statutory undertakers, it includes public lavatories, public telephone boxes, bus shelters, bring centres, green waste and composting facilities*'. The proposed development is intended to function in a capacity ancillary to the existing service station and thus will effectively operate as an extension of that premises (as further evidenced by its utilisation of the same servicing and access arrangements). In this regard, it should be noted that use as a '*petrol station*' is '*Not Permitted*' on lands zoned as 'OS' by reference to Table 12.15 of the Plan.
- 7.3.5. The assessment by the case planner has also surmised whether or not the proposed development amounts to the provision of '*EV parking*' as a land use and if any such '*car park*' would be permissible or otherwise open for consideration on lands zoned as 'Open Space'. Notwithstanding my own position that a clear distinction can be drawn between 'EV parking' and the proposed development of an 'EV charging hub', it is apparent from a review of Table 12.15 of the Development Plan that use as a 'car park' on lands zoned as 'OS' is only 'open for consideration' when intended for small-scale amenity or recreational purposes and thus the subject proposal would be excluded from any such consideration.

- 7.3.6. In addition to the foregoing, given that an EV charging hub is not specifically listed as a use class in Table 12.15 of the Plan (nor is it included in Appendix 6: 'Definition of Use-Classes'), it is appropriate to revert to the provisions of Section 12.2.1(v) which state the following:

'Uses that have not been listed under the land use zoning tables will be considered on a case-by-case basis in relation to conformity with the relevant policies, objectives and standards contained within the Plan, particularly in relation to the zoning objective of the subject site and its impact on the development of the County at a strategic and local level'.

- 7.3.7. While I would acknowledge that the development of EV charging infrastructure is supported in principle by various policy provisions in the Development Plan, with particular reference to Policy E4: '*Electric Vehicles*' (which promotes the delivery of EV charging facilities in accordance with relevant regulations and national and regional policy and guidance) and SM7 Objective 5 (which supports the expansion of the EV charging network by increasing the provision of designated charging facilities for Electric Vehicles on public and private land in partnership with the ESB and other relevant stakeholders; and to support the Dublin Regional EV Parking Strategy), with additional support lent to the proposal by the Plan's broader climate action ambitions, in my opinion, these do not serve to override the clearly stated objective of the open space land use zoning which aims '*To preserve and provide for open space and recreational amenities*' and finds further support in Chapters 4 (Green Infrastructure) & 8 (Community and Open Space) of the Plan. Although each of the aforementioned policy objectives are entirely reasonable, I would not consider it appropriate in this instance to lend greater weight to those in support of the development EV infrastructure to the detriment of those advocating for the protection and preservation of open space. Indeed, while it could be argued that the proposed development accords with those policy objectives in support of electric vehicles charging hubs, it is clear that any such development on the subject site would not be conducive to the preservation and provision of open space. In contrast, any decision to refuse the proposed development on the subject site would not necessarily undermine the wider policy support in favour of EV infrastructure. Therefore, on balance, I am of the opinion that the development of an EV charging hub on lands

expressly zoned for 'Open Space' purposes would not be permissible in this instance.

7.3.8. Having established that the proposed development does not involve the extension or expansion of an existing 'non-conforming use' and is 'Not Permitted' on lands zoned as 'OS' by reference to Section 12.2.1 and Table 12.15 of the Development Plan, I am satisfied that the subject proposal would materially contravene the land use zoning objective for the site.

7.3.9. At this point, and for the purposes of completeness, I would draw the Board's attention to Section 37(2)(b) of the Planning and Development Act, 2000, as amended, which states that where a planning authority has decided to refuse permission on the grounds that a proposed development materially contravenes the development plan, the Board may only grant permission where it considers that:

- (i) the proposed development is of strategic or national importance,
- (ii) there are conflicting objectives in the development plan or the objectives are not clearly stated, insofar as the proposed development is concerned, or
- (iii) permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or
- (iv) permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.

7.3.10. Therefore, in order to assist the Board in its decision-making capacity, the proposed development has been assessed against the above criteria as follows:

- (i) Given the small scale and localised nature of the proposed development, it is not considered to be of strategic or national importance.
- (ii) The objectives of the Development Plan are clear and without conflict insofar as the proposed development is concerned.

- (iii) Notwithstanding the broader support lent to the principle of the proposed development by national and regional policy, including the Eastern & Midland Regional Economic and Spatial Strategy, 2019-2031, having regard to the limited nature and scale of the proposed development, a grant of permission would not be warranted in this instance by reference to same.
- (iv) Having reviewed the pattern of development, and permissions granted, in the area since the making of the development plan, a grant of permission for the proposed development would not be warranted in this instance.

7.3.11. By way of further comment, and for the purposes of clarification, the Board is advised that the amended proposal submitted with the grounds of appeal will also encroach onto those lands zoned as 'Open Space', albeit to a lesser extent than the original design.

7.4. Overall Design and Layout / Visual Impact:

7.4.1. The proposed development is intended to function as an extension / expansion of the petrol / service station and in this regard I am satisfied that its overall design is both compatible with and comparable to the existing construction on site, with particular reference to the forecourt canopy (noting that the canopy structure proposed as part of the EV charging hub will actually be lower in height than both the existing forecourt canopy and the service station building). I am not of the opinion that the design is so discordant or visually incongruous as to be out of the character with the surrounding pattern of development or to warrant a refusal of permission given the site context.

7.4.2. While I would acknowledge the bold colours and distinctiveness of the corporate branding proposed, I am inclined to suggest that an objective evaluation of the visual impact would conclude that the signage in question is reasonably comparable to that employed by the existing service station. Furthermore, the proposed signage will be set back from the public road and will be screened in part by existing boundary treatment and landscaping. Cognisance should be taken of the limited additional visual impact attributable to the proposed signage when taken in context given its small size and scale when compared to the existing service station. On balance, I would suggest that any concerns arising as regards the display of signage (including

any illumination) and external lighting could be satisfactorily addressed by way of condition in the event of a grant of permission.

7.5. Impact on Residential Amenity:

- 7.5.1. Having regard to the site location in a predominantly residential area, the planning history and established use of much of the site area as a service station with an ancillary retail component (including an off-licence), the overall scale, design and positioning of the proposed development, including its separation from adjacent housing, and the level of screening already in place along the site perimeter, I am satisfied that the proposed development will not give rise to any significant additional detrimental impact on the residential amenity of neighbouring properties by reason of increased noise or disturbance etc., subject to the imposition of suitable conditions as regards the display of signage and the provision of lighting etc.
- 7.5.2. With respect to the loss of open space consequent on the proposed development, while I would acknowledge the Planning Authority's concerns, it should be noted that the area in question is in private ownership and would not appear to be readily open to the public for active or passive recreational / amenity purposes.

7.6. Traffic Implications:

- 7.6.1. The existing access / egress arrangement serving the site (with a left in / left out arrangement to and from the service station onto the R148 Chapelizod Bypass) will not change as a result of the proposed development. Furthermore, I would not expect the additional levels of traffic likely to be generated by the proposed development to give rise to any noticeable traffic impact (noting that with the gradual transition to EVs there will a corresponding decline in the demand for fossil-fuel derived products).
- 7.6.2. Within the site itself there would appear to be sufficient space available to accommodate the manoeuvring of vehicles, and although some concerns have been raised as regards the adequacy of the remaining parking space numbers consequent on the proposed development, in my opinion, overall parking availability on site would appear reasonable. Nevertheless, should the Board be minded to grant permission, a condition could be imposed requiring the submission of an updated parking strategy and layout for the site.

7.7. Appropriate Assessment:

7.7.1. Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive):

7.7.2. I have considered the proposed development, which comprises a high-power electric vehicle charging hub and associated infrastructure consisting of the following; (i) Installation of 10 No. electric vehicle charging bays & 5 No. charging units, (ii) Installation of new canopy above EV charging spaces with internal illuminated signage, (iii) installation of a new ESB Substation and, (iv) All other associated site development works including, new landscaping and boundary treatment, and surface water drainage infrastructure including the installation of new Class B By-Pass Klargestester oil and fuel separator and permeable paving, all at Circle K, Parkway West Service Station, The Hill, Lucan Road, Palmerstown, Dublin 20, in light of the requirements S177U of the Planning and Development Act, 2000, as amended.

7.7.3. The subject site is located approximately 8.5km east of the Rye Water Valley / Carton Special Area of Conservation (Site Code: 001398) and c. 8.9km west of the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024).

7.7.4. The proposed development comprises the construction of a high-power electric vehicle charging hub and associated infrastructure which will include the following:

- The installation of 10 No. electric vehicle charging bays & 5 No. charging units;
- The erection of a new canopy above the EV charging spaces with internally illuminated signage;
- The installation of a new ESB Substation; and
- Associated site development works, including new landscaping, boundary treatment, and surface water drainage infrastructure (including the installation of a Class B By-Pass Klargestester oil & fuel separator and permeable paving).

7.8. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

7.8.1. The reasons for this conclusion are as follows:

- The small scale and nature of the proposed development;
- The site location in a built-up urban area where public services are available;
- The limited ecological value of the lands in question;
- The distance between the appeal site and European sites and the absence of hydrological or other ecological pathways to any European site; and
- The contents of the appropriate assessment screening report and determination completed by South Dublin County Council.

7.8.2. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

7.8.3. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act, 2000) is not required.

8.0 Recommendation

8.1. Having regard to the foregoing, I recommend that the decision of the Planning Authority be upheld in this instance and that permission be refused for the proposed development for the reasons and considerations set out below:

9.0 Reasons and Considerations

1. Having regard to the location of the proposed development on lands zoned as 'OS: Open Space' in the South Dublin County Development Plan, 2022-2028, with the stated land use zoning objective 'To preserve and provide for open space and recreational amenities', and to the nature of the development proposed, which will function in a capacity ancillary to the existing service station thereby operating as an extension of that premises, and noting that use as a 'Petrol Station' is 'Not Permitted' on lands zoned as 'OS: Open Space' by reference to Table 12.15 of the Plan, it is considered that the proposed development would contravene materially the said zoning objective and would be contrary to the proper planning and sustainable development of the area.

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.

Robert Speer
Senior Planning Inspector

28th May, 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

Case Reference	ABP-322002-25
Proposed Development Summary	A high-power electric vehicle charging hub and associated infrastructure consisting of the following; (i) Installation of 10 No. electric vehicle charging bays & 5 No. charging units, (ii) Installation of new canopy above EV charging spaces with internal illuminated signage, (iii) installation of a new ESB Substation and, (iv) All other associated site development works including, new landscaping and boundary treatment, and surface water drainage infrastructure including the installation of new Class B By-Pass Klargestester oil and fuel separator and permeable paving.
Development Address	Circle K, Parkway West Service Station, The Hill, Lucan Road, Palmerstown, Dublin 20.
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1 . EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: _____