



24/10/2025

**RE: Section 5 Declaration R977/25 Texaco Service Station, Douglas
Road, Cork. T12 TX93**

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 25th of August 2025, I wish to advise as follows:

The Question before the Planning Authority was “whether the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork is or is not development and is or is not exempted development.”

A response to a Further Information request was received by the Planning Authority on 06/10/2025. These details are as follows:

1. The agent has submitted a cover letter stating:

“The environmental policy of Valero Energy Ireland to decommission and remove old tanks from the site and so in this case it is proposed to decommission and remove 3 no. existing tanks from site”.

The response from the agent is noted and the removal of the existing tanks is noted. The details of this history file TP15974/90 show that the parent permission permitted 2 no., tanks of 30,000L and 10,000L respectively i.e. a combined capacity of 40,000L. This Section 5 question refers to 3 no. tanks with a combined capacity of 87,000L being replaced with 3 no. tanks with a combined capacity of 80,000L in an alternative location albeit in close proximity to the existing 3 tanks.

The existing capacity of 87,000L and proposed capacity of 80,000L both exceed the granted capacity of 40,000L. The proposal is similar to the Section 5 declaration sought under R973/25 at Texaco Bishopstown. The issue on that file was that the existing tanks have a greater capacity than what is permitted under the parent permission and the works were therefore deemed unauthorised. Works to an unauthorised structure are not exempt. As such it is considered that there would have been an intensification of use associated with the increase in capacity and that permission would have been required for alterations to the permitted tanks. The question posed relates to the existing tanks, their replacement, and (following the FI response) their removal. The existing tanks appear therefore to be unauthorised. As per restriction on exemption outlined under Article 9(1)(a)(viii) of the Planning and Development Regulations 2001 (as amended) no exemptions would apply in this instance – i.e. ‘Development to which article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would - (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.

CONCLUSION

In considering this referral, the Planning Authority has had regard to:

- a) Sections 2, 3 and 4 of the Planning and Development Act 2000, as amended, and
- b) Articles 5, 6 and 9 of the Planning and Development Regulations 2001 (as amended)
- c) Planning history on site including planning permissions 15974/90 and capacities/locations of the permitted underground tanks

and has concluded that the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework ‘is development’ having regard to the definition of works and development under Sections 3 of the Planning and Development Act 2000 (as amended).

It is also concluded that the proposed development:

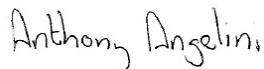
- the existing tanks are unauthorised development having regard to stated capacities of tanks permitted under T.P.15974/90 and would consist of the extension, alteration, repair or renewal of an unauthorised structure contrary to Article 9(1) (a) (vii) of the Planning and Development Regulations 2001 (as amended) and
- would result in the intensification of use on site which raises new planning issues

Therefore, the Planning Authority in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Planning and Development Act (as amended), hereby decides that “*the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork*”

IS DEVELOPMENT and IS NOT EXEMPTED DEVELOPMENT.

Under Section 5(3)(a) of the Planning and Development Act, 2000, you may, on payment of the appropriate fee, refer this declaration for review by An Coimisiún Pleanála within 4 weeks of the date it is issued., 24th of October, 2025.

Is mise le meas,



Anthony Angelini
Assistant Staff Officer
Planning & Integrated Development
Cork City Council

R977/25 Texaco South Douglas Road

To be read in conjunction with the previous planning report dated 22/09/2025 which requested further information detailed below.

FURTHER INFORMATION REQUESTED

1. It is noted within the body of the accompanying planning report that reference is made to the existing 3 tanks being decommissioned and removed (Paragraphs 7.2 and 9.1). The accompanying "An Existing and Decommissioning Works Site Layout Plan" (Drawing P4925-C002) states that the decommissioning comprises of making the existing tanks gas free and foam filling them but there is no mention of removal. The question posed is as follows:

"Whether the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork is or is not development and is or is not exempted development."

The question posed does not refer to the removal of the existing tanks. Based on same, you are requested to clarify if the existing 3 no. tanks are being decommissioned and left in situ or being decommissioned and removed from the site.

RESPONSE TO FURTHER INFORMATION

A response to the Further Information was received by the Planning Authority on 06/10/2025. These details are as follows:

1. The agent has submitted a cover letter stating:

"The environmental policy of Valero Energy Ireland to decommission and remove old tanks from the site and so in this case it is proposed to decommission and remove 3 no. existing tanks from site".

PLANNING ASSESSMENT

The response from the agent is noted and the removal of the existing tanks is noted. The details of this history file TP15974/90 show that the parent permission permitted 2 no., tanks of 30,000L and 10,000L respectively i.e. a combined capacity of 40,000L. This Section 5 question refers to 3 no. tanks with a combined capacity of 87,000L being replaced with 3 no. tanks with a combined capacity of 80,000L in an alternative location albeit in close proximity to the existing 3 tanks.

The existing capacity of 87,000L and proposed capacity of 80,000L both exceed the granted capacity of 40,000L. The proposal is similar to the Section 5 declaration sought under R973/25 at Texaco Bishopstown. The issue on that file was that the existing tanks have a greater capacity than what is permitted under the parent permission and the works were therefore deemed unauthorised. Works to an unauthorised structure are not exempt. As such it is considered that there would have been an intensification of use associated with the increase in capacity and that permission would have been required for alterations to the permitted tanks. The question posed relates to the existing tanks, their replacement, and (following the FI response) their removal. The existing tanks appear therefore to be unauthorised. As per restriction on exemption outlined under Article 9(1)(a)(viii) of the Planning and Development Regulations 2001 (as amended) no exemptions would apply in this instance – i.e. 'Development to which article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would - (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use.'

CONCLUSION

In considering this referral, the Planning Authority has had regard to:

- a) Sections 2, 3 and 4 of the Planning and Development Act 2000, as amended, and
- b) Articles 5, 6 and 9 of the Planning and Development Regulations 2001 (as amended)
- c) Planning history on site including planning permissions 15974/90 and capacities/locations of the permitted underground tanks

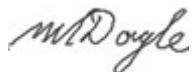
and has concluded that the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework 'is development' having regard to the definition of works and development under Sections 3 of the Planning and Development Act 2000 (as amended).

It is also concluded that the proposed development:

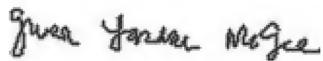
- the existing tanks are unauthorised development having regard to stated capacities of tanks permitted under T.P.15974/90 and would consist of the extension, alteration, repair or renewal of an unauthorised structure contrary to Article 9(1) (a) (vii) of the Planning and Development Regulations 2001 (as amended) and
- would result in the intensification of use on site which raises new planning issues

Therefore, the Planning Authority in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Planning and Development Act (as amended), hereby decides that "*the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork*"

is development and is not exempted development.



Mary Doyle
Executive Planner
23/10/2025



Gwen Jordan McGee
Senior Executive Planner
23/10/2025

**COMHAIRLE CATHRACH CHORCAÍ
CORK CITY COUNCIL**

Community, Culture & Placemaking Directorate,
Cork City Council, City Hall, Anglesea Street, Cork.

R-Phost/E-Mail planning@corkcity.ie
Fón/Tel: 021-4924029
Líonra/Web: www.corkcity.ie

SECTION 5 DECLARATION APPLICATION FORM
under Section 5 of the Planning & Development Acts 2000 (as amended)

1. NAME OF PERSON MAKING THE REQUEST

Valero Energy (Ireland Ltd)

2. POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION IS SOUGHT

Texaco Service Station, Douglas Road, Cork, T12 TX93

3. QUESTION/ DECLARATION DETAILS

PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT:

Sample Question: *Is the construction of a shed at No 1 Wall St, Cork development and if so, is it exempted development?*

Note: only works listed and described under this section will be assessed under the section 5 declaration.

Refer to planning report enclosed - replacement of underground tanks and associated pipework

ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:

(Use additional sheets if required).

Refer to planning report enclosed- exempt under s.4 1h of the PDA, 2000

4. Are you aware of any enforcement proceedings connected to this site?

If so please supply details:

No

5. Is this a Protected Structure or within the curtilage of a Protected Structure?

If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority?

6. Was there previous relevant planning application/s on this site?

If so please supply details:

3 Permissions identified – refer to planning report enclosed

7. APPLICATION DETAILS

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square meters (sq. M)

| | |
|--|---|
| (a) Floor area of existing/proposed structure/s | N/A |
| (b) If a domestic extension, have any previous extensions/structures been erected at this location after 1 st October, 1964, (including those for which planning permission has been obtained)? | Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide floor areas. (sq m) N/A |
| (c) If concerning a change of use of land and / or building(s), please state the following: | |
| Existing/ previous use (please circle) | Proposed/existing use (please circle) |
| N/A | N/A |

7. **LEGAL INTEREST**

| | | |
|---|--|----------|
| Please tick appropriate box to show applicant's legal interest in the land or structure | A. Owner <input checked="" type="checkbox"/> | B. Other |
| Where legal interest is 'Other', please state your interest in the land/structure in question | | |
| If you are not the legal owner, please state the name of the owner if available | | |

8. I / We confirm that the information contained in the application is true and accurate:

Signature

Date: 0

CONFIDENTIAL CONTACT DETAILS

These details will not be made available to the public.

9. Applicant:

| | | |
|----------------|--|--|
| <i>Name(s)</i> | | |
| <i>Address</i> | | |

10. Person/Agent acting on behalf of the Applicant (if any):

| | | |
|--|---|-----------------------------|
| <i>Name(s):</i> | | |
| <i>Address:</i> | | |
| <i>Telephone:</i> | | |
| <i>E-mail address:</i> | | |
| Should all correspondence be sent to the above address? (Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

11. Owner Details (if the applicant above is not the legal owner):

| | |
|----------------|--|
| <i>Name(s)</i> | |
| <i>Address</i> | |

12. ADDITIONAL CONTACT DETAILS

The provision of additional contact information such as email addresses or phone numbers is voluntary and will only be used by the Planning Authority to contact you should it be deemed necessary for the purposes of administering the application.

Tel. No. _____

Mobile No. _____

Email Address: _____

For Office Use Only:

ADVISORY NOTES:

The application must be accompanied by the required fee of €80. Payment may be made at the Cork City Council cash desk, by cheque, by telephone with a credit/debit card, or by electronic fund transfer.

The application should be accompanied by a site location map which is based on the Ordnance Survey map for the area, is a scale not less than 1:1000 and it shall clearly identify the site in question.

Sufficient information should be submitted to enable the Planning Authority to make a decision. If applicable, any plans submitted should be to scale and based on an accurate survey of the lands/structure in question.

The application should be sent to the following address:

The Development Management Section, Community, Culture & Placemaking Directorate, Cork City Council, City Hall, Anglesea Street, Cork.

Please email planning@corkcity.ie with any queries.

- The Planning Authority may request other person(s) other than the applicant to submit information on the question which has arisen and on which the declaration is sought.
- Any person issued with a declaration may on payment to An Bord Pleanála refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.
- In the event that no declaration is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a declaration was due to be issued by the Planning Authority.

The application form and advisory notes are non-statutory documents prepared by Cork City Council for the purpose of advising as to the type information is normally required to enable the Planning Authority to issue a declaration under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations 2001 as amended.

DATA PROTECTION

"Cork City Council is committed to fulfilling its obligations imposed by the Data Protection Acts 1988 to 2018 and the GDPR. Our privacy statement and data protection policy is available at <https://www.corkcity.ie/en/council-services/public-info/gdpr/>

We request that you read these as they contain important information about how we process personal data.

1. Plan, drawings and maps accompanying an application for a Section 5 Declaration on exempted development shall all be in metric scale and comply with the following requirements:-
 - * NOTE 2 COPIES OF PLANS AND PARTICULARS ARE REQUIRED
 - (a) site or layout plans shall be drawn to a scale of not less than 1:500 (which shall be indicated thereon), the site boundary shall be clearly delineated in red, and buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant tree stands and other features on, adjoining or in the vicinity of the land or structure to which the application relates shall be shown, land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant or the person who owns the land, which is subject of the application, shall be outlined in blue and wayleaves shall be shown in yellow,
 - (b) other plans, elevations and sections shall be drawn to a scale of not less than 1:200 (which shall be indicated thereon), or such scale as may be agreed with the Planning Authority prior to the submission of the application in any particular case,
 - (c) the site layout plan and other plans shall show the level or contours, where applicable, of any land and the proposed structures relative to Ordnance survey datum or a temporary local benchmark,
 - (d) drawings of elevations of any proposed structure shall show the main features of any buildings which would be contiguous to the proposed structure if it were erected, whether on the application site or in the vicinity at a scale of not less than 1:200, as may be appropriate,
 - (e) plans relating to works comprising reconstruction, alteration or extension of a structure shall be so marked or coloured as to distinguish between the existing structure and the works proposed,
 - (f) plans and drawings of floor plans, elevations and sections shall indicate in figures the principal dimensions (including overall height) of any proposed structure and the site, and site layout plans shall indicate the distances of any such structure from the boundaries of the site,
 - (g) any map or plan which is based on an Ordnance Survey map shall indicate the relevant Ordnance survey sheet number,
 - (h) the north point shall be indicated on all maps and plans other than drawings of elevations and sections,
 - (i) plans and drawings shall indicate the name and address of the person by whom they were prepared.
2. An application for development consisting of or comprising the carrying out of works to a protected structure, or proposed protected structure or to the exterior of a structure which is located within an architectural conservation area in a draft of a proposed development plan or a proposed variation of a development plan, shall, in addition to meeting the requirements above, be accompanied by such photographs, plans and other particulars as are necessary to show how the development would affect the character of the structure.
 3. A planning authority may, by notice in writing, require an applicant to provide additional copies of any plan, drawing, map, photograph or other particular, which accompanies the application.

DM

**DAVID MULCAHY
PLANNING CONSULTANTS LTD**

67 The Old Mill Race, Athgarvan, Co. Kildare

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www.planningconsultant.ie

Company No: 493 133 Directors: D. Mulcahy & M. Mulcahy

PLANNING REPORT

TO SUPPORT SECTION 5
APPLICATION FOR

REPLACEMENT OF UNDERGROUND FUEL TANKS

AT

**TEXACO SERVICE STATION, DOUGLAS ROAD,
CORK, T12 TX93**

Client: VALERO ENERGY (IRELAND) LTD

20th August 2025

1.0 INTRODUCTION

David Mulcahy Planning Consultants Ltd have been instructed by **Valero Energy (Ireland) Ltd** to prepare a planning report to support a section 5 application in relation to replacement of underground replacement fuel tanks at Texaco Service Station, Douglas, Cork, T12 TX93.

A declaration is sought under Section 5 of the Planning and Development Act 2000 (as amended) from Cork City Council to establish:

"Whether the replacement of underground fuel tanks and associated pipework, with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork is or is not development and is or is not exempted development".

This report will demonstrate that the proposed replacement of underground fuel tanks with new fuel tanks is development and is exempted development.

All bold and underlined italics are author's own.

2.0 SITE LOCATION & DESCRIPTION

2.1 Site Location

The subject site is located on the south side of South Douglas Road in Cork - see Fig No.1 below.



Fig No.1: Site Location Map (source: Myplan.ie - OSI Licence No.EN 0080915).

2.2 Site Description

The subject site currently contains a fuel filling station with 3 no. underground fuel tanks south of the fuel pumps (not visible) with a combined capacity of 87,500l.



Fig No.3: Satellite image of the site with approximate location of underground fuel tanks shown – Google Earth Pro, June 2025



Fig No.4: View of site from South Douglas Road (source: Google Street View).

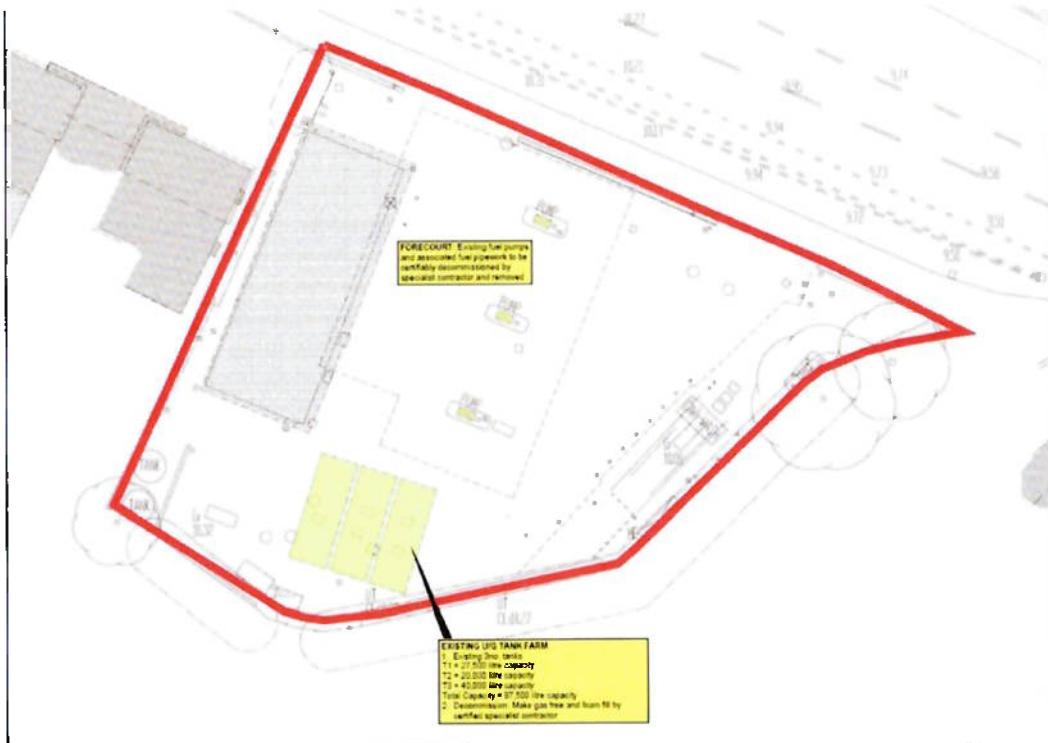


Fig No.5 Extract from site layout plan prepared by JA Gorman Consulting Engineers showing location of existing tanks.

3.0 PLANNING CONTEXT

3.1 Zoning

The site is zoned Z01 Sustainable Residential Neighbourhoods under Cork City Development Plan 2022-2028.

There are no development plan objectives associated with the site.



Fig No.6 Extract from Cork City Development Plan 2022-2028 zoning map.

4.0 PLANNING HISTORY

4.1 Subject Site

There is no record of any planning history relating to the subject site based on a review of the Cork City online planning enquiry system.

A review based on the address for the site revealed a grant of permission for a replacement sign under Reg. Ref. 95/20091 and a grant of permission to extend the area of the existing service station to include a retail service station under Reg. Ref. 97/21813.

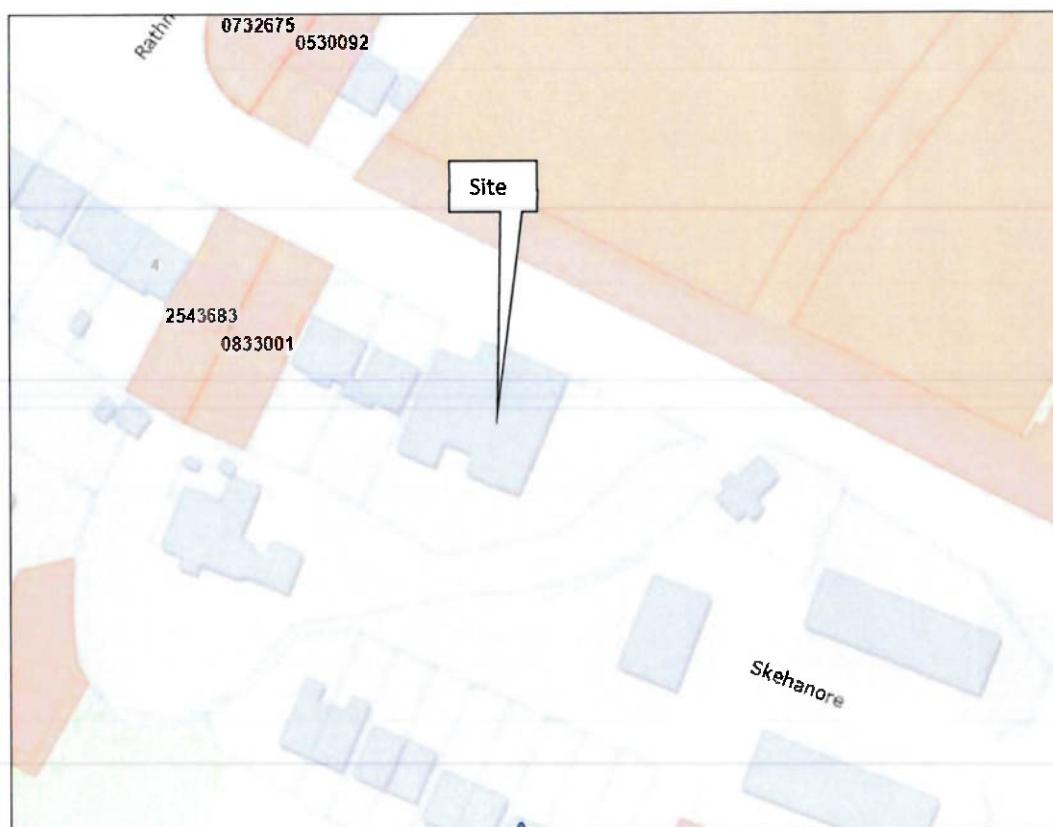


Fig No.7 Extract from Cork Co. Co. planning maps showing recent planning applications received.

5.0 DESCRIPTION

5.1 Introduction

At present there are 3 no. underground fuel tanks with a cumulative capacity of 87,500 litres.

The tanks are over 25 years old and single skin so it is best practice is to replace them.

The applicant intends to replace the existing 2 no. tanks (one divided into 2 compartments) with a combined capacity of 80,000l - refer to JA Gorman Drawings where replacement tanks are identified.

The proposed replacement underground fuel tank will be located in broadly in the same location as the existing fuel pumps.



Fig No.6 Extract from site layout plan prepared by JA Gorman Consulting Engineers showing location of proposed new tanks (2 in total)

6.0 RELEVANT LEGISLATION

6.1 Development

Section 3(1) of the Planning and Development Act, 2000 definitions:

'development' is "the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land".

"structure" means "any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

(a) where the context so admits, includes the land on, in or under which the structure is situate"

"works" includes "any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal".

6.2 Section 4 (1) (h) of the PDA,2000

Development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures.

7.0 ESTABLISHED PRECEDENT

7.1 Introduction

The following precedents relating to underground fuel storage tanks are considered relevant.

7.2 An Coimisiún Pleanála - Case reference: RL05.RL3489

Donegal Co. Co. case Reference: S5 16/17

In ACP determination Ref No. RL.3489, the application sought a referral as to whether the installation of 2 underground fuel storage tanks of 40,000 lts. capacity each and decommissioning of an existing 28,000 lts. tank is or is not development or is or is not exempted development for a site in Ballyraine, Letterkenny, Co. Donegal.

The Board considered the fact that the “new tanks are to be located in a different location to the tank which is being de-commissioned and the existing tank is not being replaced but being left in situ albeit that it is being taken out of use, and could not therefore be considered as works for the maintenance, improvement or other alteration of a structure”.

The current case is different in that the replacement tanks will be in the broadly the same location as the existing tanks and the existing tanks will not be left in situ – they will be decommissioned and removed.

7.3 Woodstock Service Station, Woodstock Street, Athy, County Kildare: ABP Ref: 35.RL.2850

Questions came before An Coimisiún Pleanála as to whether the renovation of a service station to include:

-
1. **the removal of underground fuel storage tanks (20,000 litres) and the installation of two underground fuel storage tanks (30,000 litres);**
 2. the construction of a new drainage layout and services duct layout;
 3. the erection of four number "Amber" signs and droplet logo signs on the stanchions of the canopy structure;
 4. the erection of new side cladding and three number "Amber" signs and droplet logos on the canopy structure; and
 5. the erection of new cladding and the new logo "Diesel", "Petrol", "Costcutter" "Hotfood/Deli" and "Fresh Coffee" on the roadside double pole ID sign;
- at Woodstock Service Station, Woodstock Street, Athy, County Kildare, are or are not exempted development:

An Coimisiún Pleanála, in considering this referral, had regard particularly to –

- (a) section 4 of the Planning and Development Act 2000, as amended,
- (b) articles 6, 9 and Part 2 of Schedule 2 to the Planning and Development Regulations 2001, and
- (c) the planning history of the site.

An Bord Pleanála concluded, *inter alia*, that –

- (a) The removal of underground fuel storage tanks (20,000 litres) and the installation of two underground fuel storage tanks (30,000 litres) of limited scale, located underground, does not result in intensification of the site, does not raise new planning issues and comes within the scope of section **4(1)(h) of the Planning and Development Act, 2000**;

Therefore An Coimisiún Pleanála , decided that the said renovation of a service station at Woodstock Service Station, Woodstock Street, Athy, County Kildare is **exempted development**.

**7.3 Passage West, County Cork: An Coimisiún Pleanála Reference Number:
04.RL.3069**

A question arose as to whether the **removal of two oil tanks of 2,500 litres and 3,000 litres capacity with their replacement with a 5,000 litre tank** at the site of an established fuel depot business at Marmullane, Pembroke, Passage West, County Cork is or is not development or is or is not exempted development.

An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) articles 5, 6, and 9 of the Planning and Development Regulations, 2001, as amended, and
- (c) Class 21 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001:

An Coimisiún Pleanála concluded that -

- (a) the removal of two fuel tanks and their replacement with a single tank does not result in intensification of use of the site,
- (b) does not result in a material alteration of the external appearance of the site, and
- (c) does not raise new planning issues and comes **within the scope of section 4(1)(h) of the Planning and Development Act, 2000:**

An Coimisiún Pleanála decided that the said removal of two oil tanks and their replacement with a larger tank at the site of an established fuel depot business at Marmullane, Pembroke, Passage West, Co. Cork is development and is **exempted development.**

7.4 Recent Local Authority Decisions

We refer also to decisions by Dun Laoghaire Rathdown Co. Co. in 2021, Wicklow Co. Co. in 2025, Offaly Co. Co. in 2025 to declare the replacement of underground tanks as being exempted development.



Comhairle Contae County Council

Comhairle Contae Dhoine Laoghaire-Rathdown County Council, Halla an Chointe, Dun Laoghaire, Co. Dún Laoghaire-Rathdown County Council, County Hall, Dun Laoghaire, Co. Dublin, Ireland, A96 EK7
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Planning Department
Rannsóig Pleanála
Registry Section
Clárán Carolan
Asst. Staff Officer
Direct Tel: 01 2054863

David Mulcahy
67, Old Mill Race
Athgarvan
Newbridge
Co Kildare

Reference No: Ref12421
Application Type: Declaration on Development and Exempted Development Act
- Section 5, Planning & Development Act (as amended)
Registration Date: 16-Sep-2021
Decision Date: 08-Oct-2021
Location: Texaco, Rochestown Service Station, Rochestown Avenue, Dun Laoghaire, Co. Dublin, A96 EK7
Development Works: Whether the replacement of 4 no underground fuel storage tanks (cumulative capacity of 110000 litres) and underground fill points with 3 no. new underground tanks of 120,000 litre tanks and underground fill points at Texaco, Rochestown Service Station, Rochestown Avenue, Dun Laoghaire, Co. Dublin, A96 EK79 is or is not exempt development.

NOTIFICATION OF DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

In pursuance of its functions under the Planning & Development Act, 2000 (as amended), Dún Laoghaire-Rathdown County Council has, by Order No. REF145/21 Dated 08-Oct-2021 decided to issue a Declaration pursuant to Section 5 of the Planning & Development Act 2000 (as amended), to, David Mulcahy 67, Old Mill Race, Athgarvan, Newbridge, Co Kildare that having regard to:

- (a) Sections 2,3 and 4(1)(h) of the Planning and Development Act 2000, as amended,
- (b) Article 6 and Article 9(1)(a) of the Planning and Development Regulations, 2001 (as amended),
- (c) The plans and particulars lodged with this Section 5,
- (d) An Bord Pleanála RL2850 and RL3069,

the replacement of 4 no underground fuel storage tanks (cumulative capacity of 110000 litres) and underground fill points with 3 no. new underground tanks of 120,000 litre tanks and underground fill points at Texaco, Rochestown Service Station, Rochestown Avenue, Dun Laoghaire, Co. Dublin, A96 EK79, constitutes development and constitutes exempted development.

Dated: 08-Oct-2021 Signed: Claire Carolan
For Senior Executive Officer.

NOTE: Where a Declaration is issued under Section 5, any Person issued with such a Declaration, may, on payment to An Bord Pleanála, 64, Marlborough Street, Dublin 1, of a fee of €220, refer the Declaration for review, within 4 weeks of the date of issue of the Declaration.



743-Section 5 Notice is Exempt Development



COMHAIRLE CONTAE CHILL MHADEÁIN Wicklow County Council

Pláináil, Forbairt Eacnamaolachta agus Tuaithé
Planning, Economic and Rural Development

Áras An Chontae / County Buildings
C/0 Athy Road / 200 Athy
Kildare, Tel: (046) 281589
Fax: (046) 281602
Email: plained@wcc.ie
Website: www.wcc.ie/plained

DECLARATION IN ACCORDANCE WITH ARTICLE 5 (2) (A) OF THE PLANNING & DEVELOPMENT ACT 2000 AS AMENDED

Applicant: Cedarglade Ltd

Location: Centra/Circle K, Church Road, Greystones, Co. Wicklow

Reference Number: EX54/2025

CHIEF EXECUTIVE ORDER NO. CE/PERD/2025/541

Section 5 Declaration as to whether "the replacement of underground fuel tanks and associated pipe works with new underground tanks and associated pipework" at Centra/Circle K, Church Road, Greystones, Co. Wicklow constitutes exempted development within the meaning of the Planning and Development Act, 2000(as amended).

Having regard to:

- a) Details submitted with the Section 5 referral
- b) Planning Permissions Register Reference PRR 93/545 and PRR 92/8523
- c) Appeal Reference RL 3489, RL 2850 and RL 3069
- d) Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended)

Main Reasons with respect to Section 5 Declaration:

- 1) The removal and replacement of existing Petrol/ Diesel Tanks and associated pipework would be works, and therefore development having regard to the definition as set out in Section 3 (1)(a) of the Planning and Development Act 2000(as amended).
- 2) No intensification of usage would arise as a result of the replacement of the tanks.
- 3) The works would come within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as they would consist of the carrying out of works for the maintenance/ improvement of the existing petrol station, and would not have any impact on the externally appearance of the structure given the location underground and therefore would not materially affect the character of the petrol station.

The Planning Authority considers that "the replacement of underground fuel tanks and associated pipe works with new underground tanks and associated pipework" at Centra/Circle K, Church Road, Greystones, Co. Wicklow is development and is exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed

DEVELOPMENT

Dated 21 May 2025



This is a scanned document. If you require a legible version, please contact the Planning, Economic and Rural Development Department. All correspondence should be addressed to the Director of Services, Planning, Economic and Rural Development.



OFFALY COUNTY COUNCIL
DECLARATION UNDER SECTION 5 OF THE
PLANNING & DEVELOPMENT ACT 2000, AS AMENDED

REFERENCE: DEC 25/66

NAME OF APPLICANT: Cederglade Ltd

ADDRESS FOR CORRESPONDENCE: C/o David Mulcahy Planning Consultants Ltd, 67 Old Mill Race, Athgarvan, Newbridge, Co. Kildare.

NATURE OF APPLICATION: request for declaration under Section 5 of the Planning & Development Act 2000, as amended as to whether or not replacement of underground tanks (as detailed in the submitted documentation) is or is not development and is or is not exempted development.

LOCATION OF DEVELOPMENT: Centra/Top Service Station, Main Street, Shinrone, Co. Offaly

WHEREAS a question has arisen as to whether or not replacement of underground tanks (as detailed in the submitted documentation) is or is not development and is or is not exempted development at the existing Centra/Top Service Station, Main Street, Shinrone, Co. Offaly.

AS INDICATED on the particulars received by the Planning Authority on the 8th May 2025.

AND WHEREAS Cederglade Ltd, C/o David Mulcahy Planning Consultants Ltd, 67 Old Mill Race, Athgarvan, Newbridge, Co. Kildare has requested a declaration on the said question from Offaly County Council;

AND WHEREAS Offaly County Council, in considering this declaration request, had regard particularly to:

(a) Section 2(1), 3(1) and 4(1)(h), of the Planning & Development Act 2000, as amended

AND WHEREAS Offaly County Council has concluded that the proposed works is development and is exempted development.

NOW THEREFORE Offaly County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that:

- The replacement of underground tanks (as detailed in the submitted documentation) is development and is exempted development at the existing Centra/Top Service Station, Main Street, Shinrone, Co. Offaly.

MATTERS CONSIDERED In making its decision, the Planning Authority had regard to those matters to which, by virtue of the Planning and Development Acts and regulations made thereunder, it was required to have regard. Such matters include any submissions and observations received by it in accordance with statutory provisions.

Note: Any person issued with a Declaration may on payment to An Bord Pleanála, 64 Marlborough Street Dublin 2 of such fees as may be described refer a declaration for review by the board within four weeks of the issuing of the Declaration.

8.0 APPROPRIATE ASSESSMENT SCREENING

8.1 Requirement for Appropriate Assessment Screening

It is noted that Section 177U (9) of the PDA, 2000 (as amended) states that "*In deciding upon [a declaration or a referral under section 5] of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.]*".

The subject site is not situated within or adjacent to any Natura 2000 site. The closest Natura 2000 site, **Cork Harbour SPA** is situated **c.945m** from the site (see diagram below) and there is no direct pathway to same (hydrological or ecological).

It is submitted therefore that there is no material risk to protected habitats in the Cork Harbour SPA or any other Natura 2000 site.

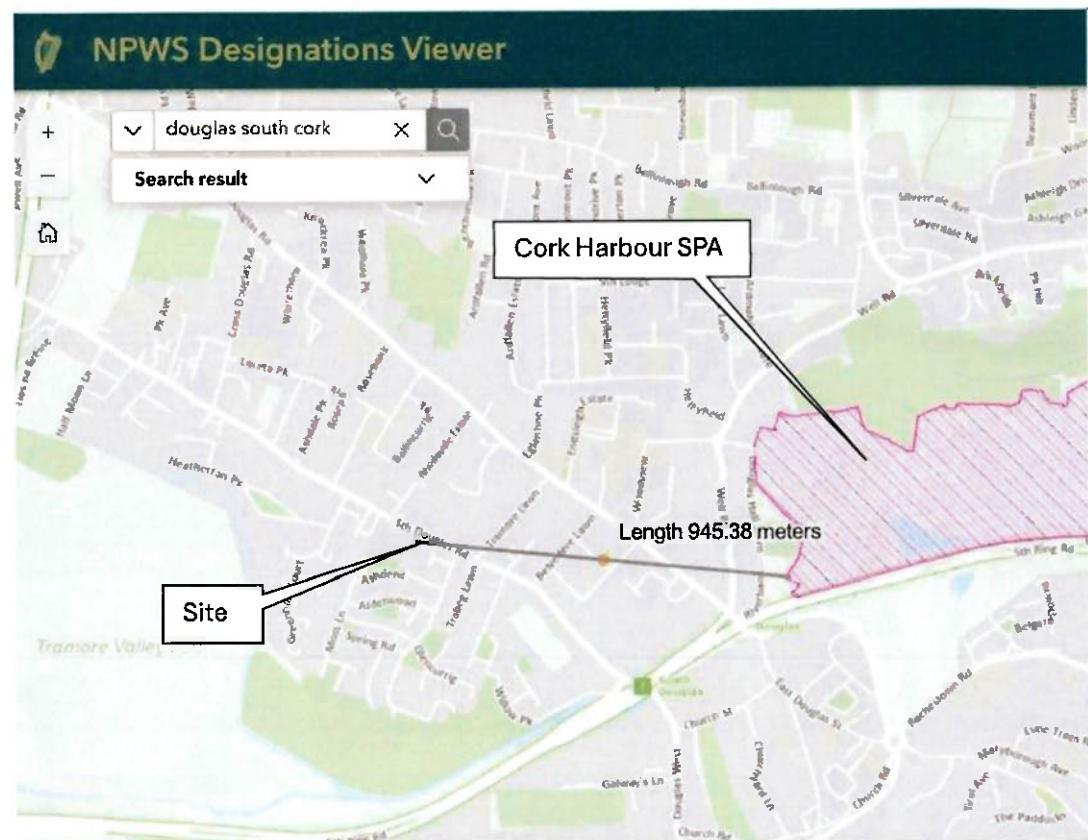


Fig. No.8 Location of site relative to Natura 2000 sites (source: EPA Mapping).

9.0 EXEMPTION

9.1 Introduction

The question before the Council is "Whether the replacement of underground fuel tanks and associated pipework, with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork is or is not development and is or is not exempted development".

Works

There is no dispute that the removal and installation of the underground tanks and associated pipework constitutes works; the key question is are they exempted development?

Exempt Development

Under Section 4 1 h of the PDA the key tests are as follows:

1. Development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure,

The replacement fuel tanks can reasonably be described as improvement (as more high spec replacement) or alteration of an existing structure – the structure being the established filling station infrastructure - of which the underground tanks and pipework form part of ie. they are directly connected to the fuel pumps and wider filling station.

The replacement tanks are at broadly the same location as the original tanks and the existing tanks will be decommissioned and removed.

2. being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the

appearance inconsistent with the character of the structure or of neighbouring structures.

The replacement tanks will be located underground and will not be visible and therefore will not affect the character of the structure or any neighbouring structures.

Whilst it is fully accepted that every case is assessed on its own merits, due regard has to be had to the An Coimisiún Pleanála decisions at Woodstock in Athy and Passage West, County Cork as well as the local authority declarations referred to above.

In those cases the removal of underground fuel storage tanks and the installation of replacement storage tanks was not deemed to require planning permission by virtue of s.4 (1) (h) of the PDA, 2000, as amended.

10.0 CONCLUSION

The question before the Council is:

“Whether the replacement of underground fuel tanks and associated pipework, with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork is or is not development and is or is not exempted development”.

This report has demonstrated that the replacement of the underground fuel tanks and associated pipework is exempted development under s.4 (1) (h) of the PDA, 2000. The underground infrastructure being replaced forms part of the established structure, namely the filling station forecourt. The replacement of the underground infrastructure involves improvement/alteration of an existing structure. There is no requirement for a Stage II Appropriate Assessment.

There is established precedent for similar type development by An Coimisiún Pleanála and various local authorities.

The Council are therefore requested to confirm the s.5 declaration that the works are **DEVELOPMENT AND ARE EXEMPTED DEVELOPMENT**.

SEPARATE ENCLOSURES

No.1 Drawings prepared by JA Gorman Consulting Engineers.

- i. OS Map with site outlined in red
- ii. Existing Site Plan showing existing underground tank and pipework
- iii. Proposed Site Plan showing replacement underground tank and pipework



Comhairle Cathrach Chorcaí

Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Valero Energy (Ireland) Ltd.,

22/09/2025

RE: Section 5 Declaration R977/25 – Texaco Service Station, 25
Douglas Road, Cork

A Chara,

With reference to your request for a Section 5 Declaration at the above-named property, received on 25/08/2025.

In framing the question to the planning authority, the applicant states in Q2 of the application form states: "*Refer to planning report enclosed – exempt under s.4 1h of the PDA, 2000*".

Under Part 1.0 Introduction of the accompanying planning report the following is stated:

"A declaration is sought under Section 5 of the Planning and Development Act 2000 (as amended) from Cork City Council to establish:

"Whether the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork is or is not development and is or is not exempted development."

Having considered the particulars submitted with the application and the relevant legislation, it is recommended that the following further information be sought:

1. It is noted within the body of the accompanying planning report that reference is made to the existing 3 tanks being decommissioned and removed (Paragraphs 7.2 and 9.1). The accompanying "An Existing and Decommissioning Works Site Layout Plan" (Drawing P4925-C002) states that the decommissioning comprises of making the existing tanks gas free and foam filling them but there is no mention of removal. The question posed is as follows:



"Whether the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork is or is not development and is or is not exempted development."

The question posed does not refer to the removal of the existing tanks. Based on same, you are requested to clarify if the existing 3 no. tanks are being decommissioned and left in situ or being decommissioned and removed from the site.

It is thus considered that **FURTHER INFORMATION** is required.

Is mise le meas,


Assistant Staff Officer
Planning & Integrated Development
Cork City Council

| | | |
|----------------------------------|---|---|
| PLANNER'S REPORT Ref. R977/25 | | Cork City Council Planning & Integrated Development Directorate, |
| Application type | Section 5 Declaration | |
| Description | <i>"Whether the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork is or is not development and is or is not exempted development."</i> | |
| Location | Texaco Service Station, 25 Douglas Road | |
| Applicant | Valero Energy (Ireland) Ltd. | |
| Date | 22/09/2025 | |
| Recommendation | <i>Request Further Information</i> | |

In this report 'the Act' means the Planning and Development Act 2000 (as amended) and 'the Regulations' means the Planning and Development Regulations 2001 (as amended), unless otherwise indicated.

1. Requirements for a Section 5 Declaration

Section 5(1) of the Planning and Development Act 2000 as amended states,

5.—(1) If any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.

The requirements for making a section 5 declaration are set out in the Act.

2. The Question before the Planning Authority

In framing the question to the planning authority, the applicant states in Q2 of the application form states: *"Refer to planning report enclosed – exempt under s.4 1h of the PDA, 2000".*

Under Part 1.0 Introduction of the accompanying planning report the following is stated:

"A declaration is sought under Section 5 of the Planning and Development Act 2000 (as amended) from Cork City Council to establish:

"Whether the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork is or is not development and is or is not exempted development."

3. Site Description

The site is an existing service station with associated retail element along the South Douglas Road.

4. Legislative Provisions

4.1 The Act

Section 2(1),

*"structure" means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and –
(a) where the context so admits, includes the land on in or under which the structure is situate...'*

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3(1),

In this Act, "development" means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or 'the making of any material change in the use of any structures or other land'

Section 4(1)(h),

The following shall be exempted developments for the purposes of this Act-development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Section 4(2),

Section 4(2) provides that the Minister may, by regulations, provide for any class of development to be exempted development. The principal regulations made under this provision are the Planning and Development Regulations 2001-2013.

Section 5(1),

(See section 1 of this report)

Section 177U (9) (screening for appropriate assessment)

In deciding upon a declaration or a referral under section 5 of this Act a planning authority or the Board, as the case may be, shall where appropriate, conduct a screening for appropriate assessment in accordance with the provisions of this section.

4.2 The Regulations

Article 6 (1)

Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column.

Article 9 (1)

Development to which article 6 relates shall not be exempted development for the purposes of the Act

–

*(a) (i) if the carrying out of such development would... contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,
(a) (ii) endanger public safety by reason of traffic hazard or obstruction of road users.*

(b) (viii) consist of or comprise the extension, alteration, repair or renewal of an unauthorised structure or a structure the use of which is an unauthorised use,

5. Planning History

TP 21813/97: Permission granted for the extension of existing service station building to include increased retail area, relocation of existing WC'S, office and stores, also the provision of a wash pad to rear with ancillary drainage, the relocation and scaling down of the service area and all related construction works, at Douglas service station, South Douglas Rd

TP 20091/95: Permission granted for replacement signage.

TP 15974/90: Permission granted to redevelop the existing service station, new building, canopy, pumps, signs, tanks, and service area. (Details include demolish existing building and canopy and replace with a smaller shop building and larger canopy; new water tank, new storage area and new car wash facilities)

Other details on this file:

Refers to: "The service station, developed some 22 years ago (TP817 and TP1039), has since been altered by the installation of a large canopy, its subsequent alteration, and erection of a large sign (TP2646, TP12476 and TP12486)".

No reference or mapping of underground tanks.

TP12476/85 & ACP Ref PL28/5/69744: Permission granted for alterations to canopy and new signs at South Douglas Service Station.

TP12486/85: Permission granted for the erection of replacement signs at South Douglas Service Station.

6. Relevant Referral Decisions from An Coimisiún Pleanála

| Ref | Address | Description | Of Note | Status of a) Existing tanks; and b) Location | Decision |
|--------|------------------------|--|---|--|--|
| RL3489 | Letterkenny Donegal | Install 2 fuel tanks and decommissioning of existing. | An Bord Pleanála has concluded that the installation of two underground fuel storage tanks of 40,000 litres capacity each and the decommissioning of an existing 28,000 litres tank could not be considered as being within the scope of section 4(1)(h) of the Planning and Development Act, 2000 as the new tanks are to be located in a different location to the tank which is being decommissioned and the existing tank is not being replaced but | Existing tanks being left in place. | Is development and is not exempt |

| | | | | | |
|--------|----------------------|--|--|--|--------------------------------------|
| | | | being left in situ, albeit that it is being taken out of use, and could not, therefore, be considered as works for the maintenance, improvement or other alteration of a structure | | |
| RL3233 | Castletroy, Limerick | The replacement of 4 underground storage tanks | (a) does not result in an intensification of use, and (b) does not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures and, therefore, comes within the scope of section 4(1)(h) of the Planning and Development Act 2000 | 4 no. tanks being "decommissioned". 4 new tanks being located immediately north of existing fuel tanks. No details available to view to ascertain if the existing are being removed or left in situ. | Is Development and is exempt (4.1.h) |
| RL2850 | Athy, Co. Kildare | Removal of 2 underground tanks and installation of 2 underground tanks | Replacement of tanks must be viewed in the context of the overall filling station. Existing removed. | Existing removed. Unknown if location is the same. | Is Development and is exempt (4.1.h) |

7. Relevant Referral Decisions from Cork City Council

| Ref | Address | Description | Of Note | Status of a) Existing tanks; and b) Location | Decision |
|------|--------------------|---|---|--|-----------------------------------|
| R973 | Texaco Bishopstown | replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework | Issue that existing tanks have a greater capacity than what is permitted under parent permission. Therefore they are unauthorised. Works to an unauthorised structure are not exempt. | Removal and replacement in same location | Is Development and is not exempt. |

8. ASSESSMENT

8.1 Development

The first issue for consideration is whether or not the matter at hand is '*development*'.

'*Development*' as defined in the Act (3)(1) comprises two possible chief components: '*the carrying out of any works on, in, over or under land*', or '*the making of any material change in the use of any structures or other land*'. In order to ascertain whether or not the subject use is considered to be development as so defined, consideration must first be given to whether any works on, in, over or under land have or will be carried out, and secondly to whether any material change in the use of any structures or other land have or will take place.

'*Works*' is defined in section 2(1) of the Act as '*the carrying out of any works on, in, over, or under land*' including '*any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal, and in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.*'.

The question relates to the replacement of the existing tanks with new tanks and associated piping. The new tanks will have to be constructed and placed in situ underground involving excavation. Therefore, it is concluded that the proposal is considered both works and development.

8.2 Exempted development

The next issue for consideration is whether or not the matter at hand is exempted development.

The proposed works are not listed within Schedule 2 Part 1 of the Planning and Development regulations 2001 (as amended) which lists Exempted Development.

In terms of whether such development constitutes exempted development or not I make the following assessment:

In this case the structure having regard to its definition outlined above is taken to mean the petrol station and its associated underground tanks.

In the planning report which accompanies the Section 5 application, it is stated that the subject site currently contains a fuel filling station with 3 no. underground fuel tanks to the south of the fuel pumps. These have a combined capacity of 87,000L. Page 8 of same states "*that the tanks are over 25 years old and single skin, so it is best practice to replace them*" and also refers to the applicant's intention "*to replace the existing 2 no. tanks (one divided into two compartments) with a combined capacity of 80,000L.*"



Fig No.6 Extract from site layout plan prepared by JA Gorman Consulting Engineers showing location of proposed new tanks (2 in total)

Extract from Page 9 of the Planning Report which accompanies this Section 5 application: Existing and Proposed site layout

It is not clear from the application of the existing tanks are to be removed from the site or whether they are being decommissioned and remaining in situ. Paragraph 7.2 on page 11 of the accompanying Planning Report concludes that this application differs from an ACP Ref No. 3489

"The current case is different in that the replacement tanks will be in the broadly the (sic) same location as the existing tanks and the existing tanks will not be left in situ – they will be decommissioned and removed.

Paragraph 9.1 (1) on page 19 of the accompanying Planning Report provides the following statement:

"The replacement tanks are at broadly the same location as the original tanks and the existing tanks will be decommissioned and removed."

The map which companies the application shows that the location of the 2 new tanks (with one divided into 2 no. compartments) is further east of the existing 3 tanks. An Existing and Decommissioning Works Site Layout Plan (Drawing P4925-C002) states that the decommissioning comprises of making the existing tanks gas free and foam filling them (by certified specialist contractor). This suggests that the existing tanks are to be left in place.



Section 4(1)(h),

The following shall be exempted developments for the purposes of this Act-development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

To summarise and for clarity, the proposal is for the installation of 2 no. new tanks (with one being divided into two compartments) while it is not entirely clear if the existing 3 no. tanks are being decommissioned and left in situ or being removed. Clarification to be sought.

9. ENVIRONMENTAL ASSESSMENT

9.1 Screening for Environmental Impact Assessment

Having regard to the contents of Article 103 (as amended by Article 14 of the Planning and Development (Amendment) (No 3) Regulations 2011) and Schedule 7 of the Planning and Development Regulations 2001 (as amended) it is considered that the proposed development by reason of its nature, scale and location would not be likely to have significant effects on the environment. Accordingly, it is considered that an environmental impact statement is not required to be submitted.

9.2 Screening for Appropriate Assessment

Section 177U (9) of the Act requires planning authorities to screen applications for a section 5 declaration for appropriate assessment. The provisions of the *Habitats Directive*, the *Appropriate Assessment Guidelines for Planning Authorities 2009* (revised 2010) and the Act are noted. The relevant European sites are the Cork Harbour SPA (site code 004030) and the Great Island Channel cSAC (site code 001058). Having regard to the location of the proposed development site relative to these European sites and related watercourses and to the nature and scale of the proposed development it is considered that the proposed development would not affect the integrity of the European sites referred to above. Accordingly, it is considered that appropriate assessment is not required.

10. RECOMMENDATION

Based on the above, it is recommended that the following further information be sought:

1. It is noted within the body of the accompanying planning report that reference is made to the existing 3 tanks being decommissioned and removed (Paragraphs 7.2 and 9.1). The accompanying "An Existing and Decommissioning Works Site Layout Plan" (Drawing P4925-C002) states that the decommissioning comprises of making the existing tanks gas free and foam filling them but there is no mention of removal. The question posed is as follows:

"Whether the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas, Cork is or is not development and is or is not exempted development."

The question posed does not refer to the removal of the existing tanks. Based on same, you are requested to clarify if the existing 3 no. tanks are being decommissioned and left in situ or being decommissioned and removed from the site.



Mary Doyle
Executive Planner



Gwen Jordan McGee
Senior Executive Planner

The Development Management Section,
Community, Culture & Placemaking Directorate,
Cork City Council, City Hall,
Anglesea Street, Cork.

02nd October 2025.

**RE: Further Information Section 5 Declaration R977/25 Texaco Service Station, 25
Douglas Road, Cork**

To whom it may concern,

Your request for further information dated 22nd September 2025 last refers to :

1. It is noted within the body of the accompanying planning report that reference is made to the existing 3 tanks being decommissioned and removed (Paragraphs 7.2 and 9.1). the accompanying “An existing and decommissioning works site layout plan” (Drawing P4925-C002) states that the decommissioning comprises of making the existing tanks gas free and foam filling them but there is no mention of removal. The question is posed as follows:

“Whether the replacement of underground fuel tanks and associated pipework with new underground fuel tanks and associated pipework at Texaco Service Station, Douglas Cork is or is not development and is or is not exempted development”

The question posed does not refer to the removal of the existing tanks, based on same, you are requested to clarify if the 3 no. existing tanks are being decommissioned and left in situ or being decommissioned and removed from the site.

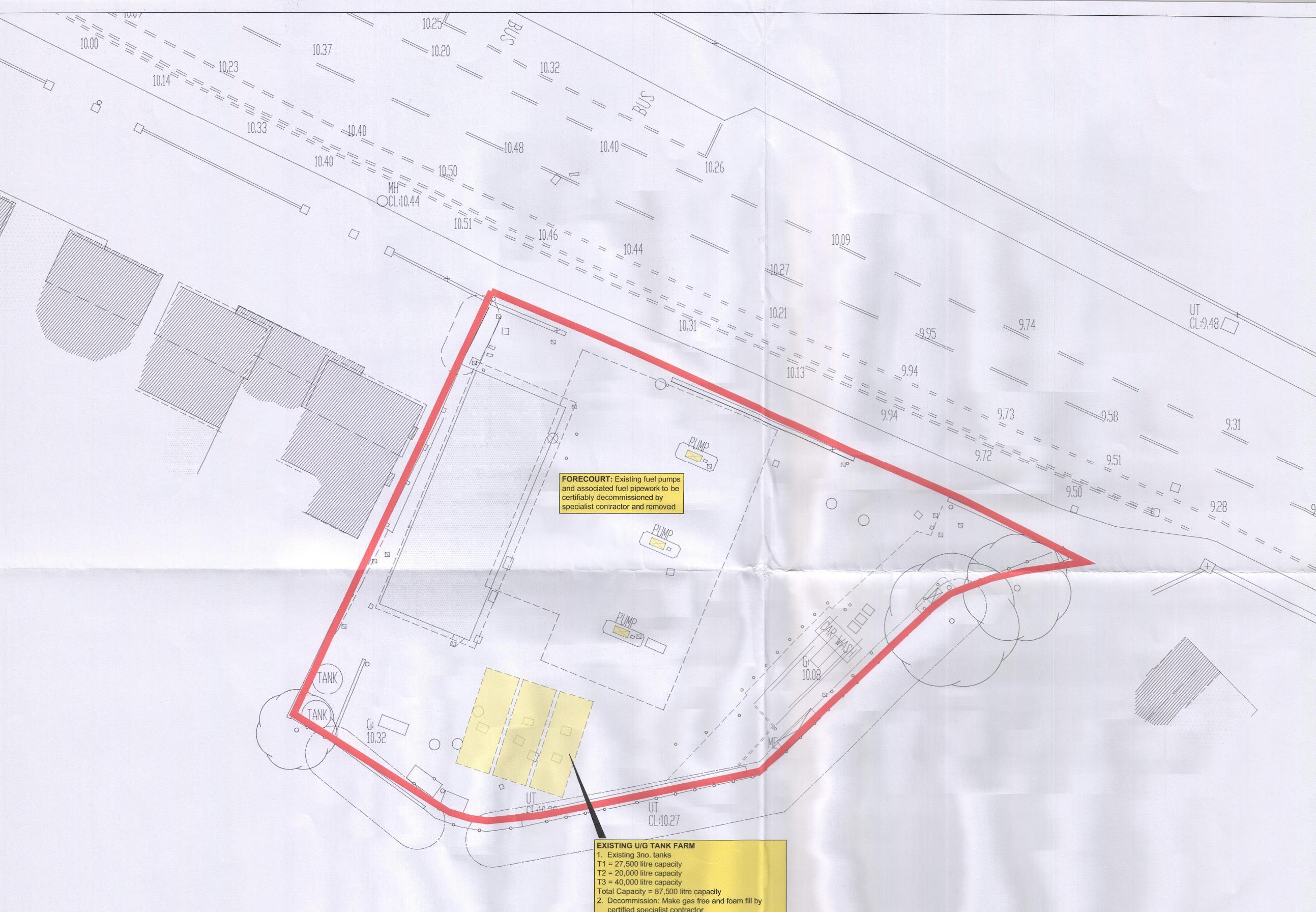
It is environmental policy of Valero Energy Ireland to decommission & remove old tanks from the site and so in this case it is proposed to decommission and remove 3 no. existing tanks from site.

We trust this response is sufficient for you to make a decision on our application. If you require any additional information please do not hesitate to contact our office.

Yours sincerely,



On behalf of
J.A. Gorman Consulting Engineers Ltd



- GENERAL NOTES:**
- WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS
 - ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE
 - ANY DISCREPANCIES FOUND ON THIS DRAWING SHOULD BE IMMEDIATELY REPORTED TO THE ENGINEERS
 - THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ENGINEERS DRAWINGS, SPECIFICATIONS AND CONTRACT DOCUMENTS
 - ALL WORKS ARE TO BE IN ACCORDANCE WITH THE RELEVANT AND CURRENT HEALTH AND SAFETY LEGISLATION
 - SPECIFICATION OF THE WORKS TO BE TO THE APPROPRIATE IRISH STANDARD OR THE EQUIVALENT BRITISH STANDARD

| RMCL | JG | JG | SECTION 5 APPLICATION | 23.07.25 |
|------|-------|------|-----------------------|-------------|
| Rev | Drawn | Chkd | Appd | Description |

SECTION 5 APPLICATION

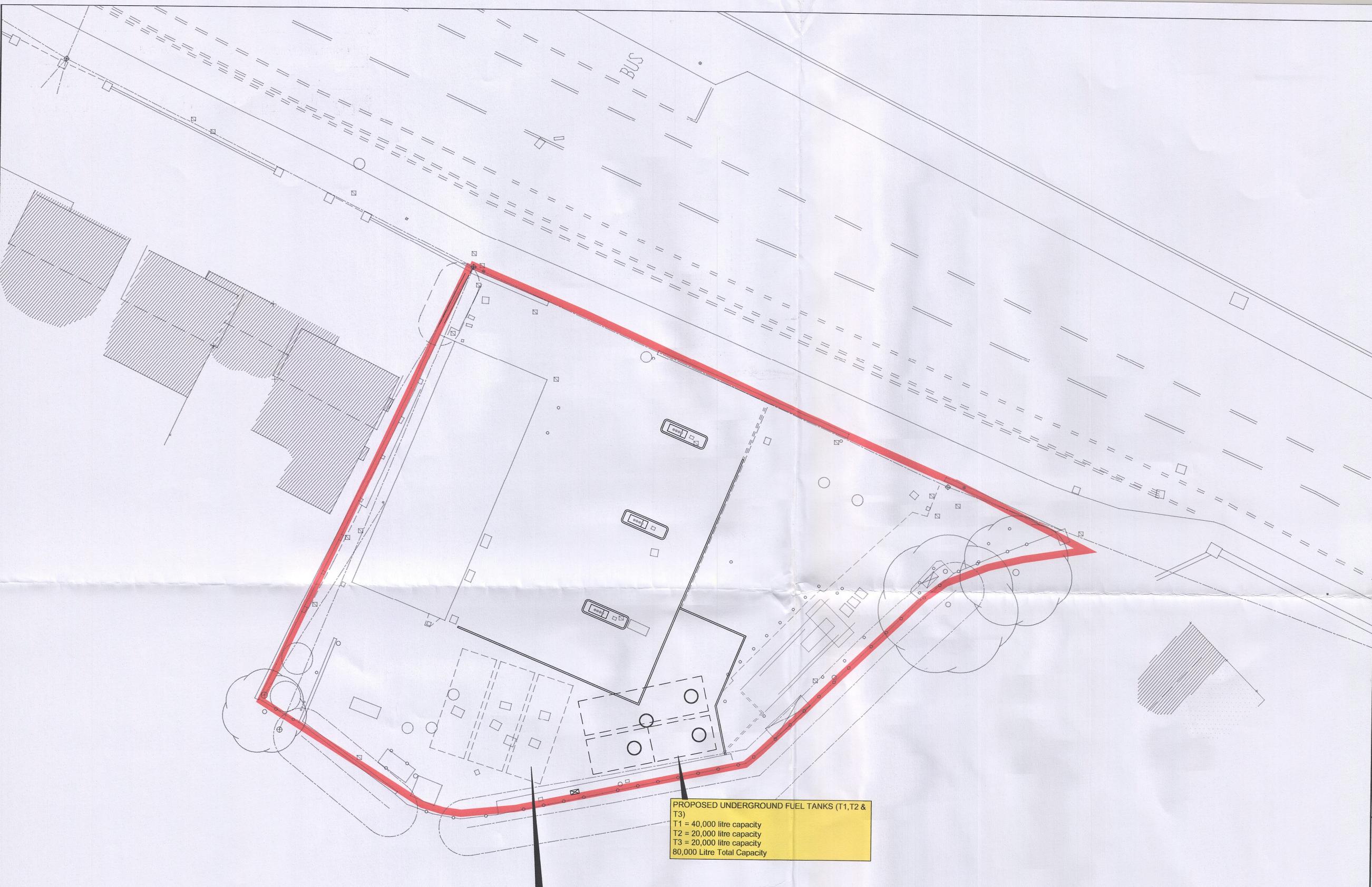


Forest Park,
Mullingar, Co. Westmeath.
Tel: 044-9347338 / 9347341
Fax: 044-9347400
Email: info@jagorman.ie
Web: www.jagorman.ie

CLIENT:
VALERO ENERGY (IRELAND) LTD

PROJECT TITLE:
PROPOSED UNDERGROUND TANK FARM REPLACEMENT AT TEXACO SERVICE STATION, DOUGLAS ROAD

| PLOT SIZE: | PLOT SCALE: | DRAWN BY: |
|-------------|-------------|-----------|
| A2 | 1:200 | RMCL |
| PROJECT No: | DRAWING No: | REV: |
| 4925 | P4925-C002 | - |



PROPOSED SITE PLAN

SCALE ~ 1:200

EXTENT OF SITE OUTLINED IN RED (extent of this application)

GENERAL NOTES:

- WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS
- ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE
- ANY DISCREPANCIES FOUND ON THIS DRAWING SHOULD BE IMMEDIATELY REPORTED TO THE ENGINEERS
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ENGINEERS DRAWINGS, SPECIFICATIONS AND CONTRACT DOCUMENTS
- ALL WORKS ARE TO BE IN ACCORDANCE WITH THE RELEVANT AND CURRENT HEALTH AND SAFETY LEGISLATION
- SPECIFICATION OF THE WORKS TO BE TO THE APPROPRIATE IRISH STANDARD OR THE EQUIVALENT BRITISH STANDARD

| SECTION 5 APPLICATION | | | | | 28.07.25 |
|-----------------------|-------|------|------|-------------|----------|
| Rev | Drawn | Chkd | Appd | Description | Date |

SECTION 5 APPLICATION



Forest Park,
Mullingar, Co. Westmeath.
Tel: 044-9347338 / 9347341
Fax: 044-9347400
Email: info@jagorman.ie
Web: www.jagorman.ie

CLIENT: VALERO ENERGY (IRELAND) LTD

PROJECT TITLE: PROPOSED UNDERGROUND TANK FARM REPLACEMENT AT TEXACO SERVICE STATION, DOUGLAS ROAD

PROPOSED SITE PLAN GENERAL ARRANGEMENT

| PLOT SIZE: A2 | PLOT SCALE: 1:200 | DRAWN BY: RMCL |
|---------------------|---------------------------|-------------------|
| PROJECT No: 4925 | DRAWING No: T4925-C003 | REV: 1 |