

An
Bord
Pleanála

Board Direction
BD-016921-24
ABP-318250-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/07/2024.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the A zoning objective that applies to this site, as set out in the Dun Laoghaire Rathdown County Development Plan 2022 – 2028, the site history and nature and scale of the proposed development, subject to the removal of the proposed brush wash and compliance with the conditions set out below, the Board considered the proposed development would be consistent with the provisions of the current Development Plan, specifically section 12.6.7 'Service Stations', and would not seriously injure the residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions


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| 1. | The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the |
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	<p>further plans and particulars received by the planning authority on the 22nd August 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The proposed Brush Wash located adjoining the southern site boundary shall be omitted from the development.</p> <p>Reason: In the interest of residential amenity.</p>
3.	<p>(a) The premises shall not operate outside the periods 0600 hours to 2100 hours during the week, 0700 hours to 2000 hours on Saturday and 0800 to 2000 hours on Sundays and on bank holidays.</p> <p>(b) The jet wash, all air compressors and all vacuums shall not operate outside the periods 0800 hours to 1900 hours during the week and 1000 hours to 1800 hours at the weekend and on bank holidays.</p> <p>(c) All column mounted floodlights or lamp standards at or proximate to the southern boundary shall not operate after 1800 hours.</p> <p>Reason: In the interests of residential amenity and the proper planning and sustainable development of the area.</p>
4.	<p>Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
5.	<p>Prior to commencement of development, revised details and drawings for the following shall be submitted to and agreed in writing with the planning authority:</p>

	<p>(a) Adequate pedestrian access and priority from the proposed development to the Clonkeen Road</p> <p>(b) Provision of an additional EV charging point within the site or alternatively the remaining non-EV charging spaces shall be provided with ducting to facilitate and accommodate any future charging infrastructure.</p> <p>(c) A minimum of one EV charging space shall be suitable for use by persons with disabilities.</p> <p>Reason: In the interest of the proper planning and sustainable development of the area.</p>
6.	<p>Details of the materials, colours and textures of all the external finishes to the proposed service station retail building shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
7.	<p>No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.</p> <p>Reason: In the interest of visual amenity.</p>
8.	<p>All lighting used within the site curtilage shall be directed and cowled so as not to interfere with passing traffic or the adjoining residential properties.</p> <p>Reason: In the interest of residential amenity and traffic safety.</p>
9.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between the hours of 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p>

	Reason: In order to safeguard the amenities of property in the vicinity.
10.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p>
11.	<p>All service cables associated with the proposed development shall be run underground within the site.</p> <p>Reason: In the interest of orderly development and the visual amenities of the area.</p>
12.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

Board Member


Martina Hennessy

Date: 05/07/2024