

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Fingal County**

**Planning Register Reference Number: F15A/0398**

An Bord Pleanála Reference Number: PL 06F.245753

**APPEAL** by Rafal Kalinowski care of CQA Architects of 4 Cooldriona Court, Main Street, Swords, County Dublin against the decision made on the 20<sup>th</sup> day of October, 2015 by Fingal County Council to refuse permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Retention of the existing use of the lands as a car wash and valet facility and permission for two number concrete wash bays, a covered valeting bay, new signage and all associated site works at 29 Dublin Road (also known as Milton Terrace), Swords, County Dublin.

## **DECISION**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board 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 included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

Having regard to the provisions of the Fingal Development Plan 2011-2017, it is considered that, subject to compliance with the conditions set out below, the retention of the said use and the proposed development would be acceptable for a three year period, and accordingly would not compromise the future development potential of a town centre site close to the centre of Swords. The development proposed for retention and the proposed development would not, therefore, be detrimental to the vitality and vibrancy of Swords town centre, would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would be in accordance with the proper planning and sustainable development of the area.

## CONDITIONS

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, 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 and the development shall be retained and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to commencement of development, a revised site layout plan shall be submitted to and agreed in writing with the planning authority which:
  - (a) provides a parking plan which separates commercial and residential parking on the site,
  - (b) shows a separate metered water connection for the development, and
  - (c) indicates the omission of the proposed signage to the front of Number 29 Dublin Road.

**Reason:** In the interest of clarity and orderly development.

3. The car wash/car valeting use hereby permitted shall cease within three years of the date of this order except where planning permission for a further period shall have been granted by the planning authority or by An Bord Pleanála on appeal.

**Reason:** To allow for assessment of the appropriate form of development for the site. in the context of the plan making process.

4. The development shall operate between 0900 hours and 1700 hours Monday to Saturday only.

**Reason:** To protect the residential amenities of the area.

5. Surface water treatment shall comply with the requirements of the planning authority.

**Reason:** In the interest of public health.

6. No signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site or on adjoining lands under the control of the applicant unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2016.**