

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 15/35

An Bord Pleanála Reference Number: PL 09.245788

APPEAL by Sofa Properties Limited care of Cunnane Stratton Reynolds of 3 Molesworth Place, Dublin against the decision made on the 23rd day of October, 2015 by Kildare County Council to refuse permission.

PROPOSED DEVELOPMENT: Extension to the Esso Service Station and Spar Shop to include a single storey extension to the existing coffee area, area 73 square metres and associated site works at Clane Road, Celbridge, County Kildare.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations 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

Section 19.10.5 of the Kildare County Development Plan 2011-2017 seeks to maintain a secondary role for service station shops that is ancillary to the primary fuel sales use. It is considered that the proposed extension together with the extended retail area in excess of what has been previously authorised would result in a shop no longer ancillary to the service station use, which would result in it becoming a significant destination in its own right. It is considered that the proposed development would seriously injure the residential amenity of surrounding residential uses and would materially contravene Section 19.10.5 of the said development plan.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the proposed development would materially contravene the said development plan and would seriously injure residential amenity.

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

Dated this day of 2016.