



Planning and Development Acts 2000 to 2018

Planning Authority: Laois County Council

Planning Register Reference Number: 19/21

Appeal by John Kelly of 43 Cluain Mor, Clybaun Road, Galway against the decision made on the 28th day of February, 2019 by Laois County Council to grant subject to conditions a permission to Dunne's Service Station care of Leslie Colton of Underhill, Rathmore, Stradbally, County Laois in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of a 24-hour fuel card dispensing pump and all associated site works at Abbeyleix Road, Portlaoise, County Laois.

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 General Business zoning objective of the site, to the established use of the site as a filling station and to separation of the site from surrounding residential uses and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The development proposed for retention would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

3. No advertisement or advertisement structure other than those shown on the drawings submitted with the planning application shall be erected or displayed on the canopy, on the forecourt building or anywhere within the curtilage of the site unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

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

Dated this day of 2019.