



Planning and Development Acts 2000 to 2019

Planning Authority: Donegal County Council

Planning Register Reference Number: 19/50574

Appeal by John Coyle care of Harley Newman Planning Consultants of Bohullion, Burt, County Donegal against the decision made on the 7th day of June, 2019 by Donegal County Council to refuse permission for the proposed development.

Proposed Development: Retention of two number diesel fuel dispensing pumps for use solely by Coyle Fuels vehicles at existing established fuel depot at Bauville, Keeloges and Clonglash, Buncrana, County Donegal.

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 presence of an established business on site and to the ancillary nature of the development to be retained, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The development for which retention is sought 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 within the specified time and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This permission shall be for a period of two years from the date of this Order. The diesel fuel dispensing pumps hereby authorised for the temporary period shall be fully decommissioned within three months of expiry of the temporary permission. Proposals for the removal of the diesel fuel dispensing pumps and associated infrastructure shall be submitted to the planning authority for written agreement within three months of the date of this Order.

Reason: In the interest of orderly development.

3. Within three months of the date of this Order, the applicant shall agree in writing with the planning authority, proposals for a permanent locking mechanism for the fuel pumps to be released when refuelling of Coyle Fuels vehicles only.

Reason: In the interest of orderly development.

4. Within three months of the date of this Order, signage details shall be erected on the pumps to clarify that they are for use by Coyle fuels only.

Reason: In the interest of orderly development.

5. (a) Within three months of the date of this Order, signage details confirming that no diesel, marked gas oil or kerosene products are available for purchase at the site shall be submitted to, agreed in writing with, the planning authority.

- (b) Agreed signage details referred to in condition number 5 (a) shall be erected at the entrance to the facility within two weeks from the date of the written agreement referred to above being issued by the planning authority.

Reason: In the interest of orderly development.

6. Notwithstanding the provisions of the Planning and Development Regulations 2001, no other advertisement signs, advertisement structures, banners, canopies, flags or other projecting elements shall be displayed or erected on the building or within the site without the prior grant of planning permission.

Reason: In the interest of visual amenity.

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

Dated this day of 2019.