



Planning and Development Acts 2000 to 2020

Planning Authority: Wicklow County Council

Planning Register Reference Number: 20/426

Application for Leave to Appeal against the decision of the planning authority by Paschal Bermingham and Breda Bermingham of 45 Main Street, Arklow, County Wicklow having an interest in land adjoining the land in respect of which Wicklow County Council decided on the 4th day of February, 2021 to grant subject to conditions a permission to Ard Services Limited care of care of McArdle Doyle Limited of Second Floor, Exchange Building, The Long Walk, Dundalk, County Louth.

Proposed Development: (i) Demolition of existing roadside fuel forecourt and associated canopy, (ii) demolition of southern part of existing premises, (iii) construction of a new 3 island fuel forecourt associated illuminated canopy, underground and overground fuel infrastructure, (iv) internal and external alterations and change of use of existing premises to provide a new forecourt amenity building with retail area, (100 square metres maximum), ancillary restaurant/café area with hot and cold meals and refreshments for sale for consumption on and off the premises, associated customer seating, ancillary off-licence, customer WCs, back of house with ancillary office, staff welfare facilities, storage and plant areas, (v)

operator signage, (vi) associated revisions to site layout including revised entrance and exit arrangements, new footpath and boundary treatment to R772 Dublin Road, car and bicycle parking, site lighting and refuse compound, and (vii) all associated site and development works; all at Circle K Safeway Service Station , Dublin Road (R772) , Arklow, County Wicklow as amended by the revised public notice received by the planning authority on the 8th day of January, 2021.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, 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

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of conditions imposed by the planning authority to which the grant is subject.

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

Dated this day of 2021.