

An  
Bord  
Pleanála

**Board Order**  
**ABP-314104-22**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D21A/1141**

**Appeal** by Conor Kelly of Baltrae, Dublin Road, Bray, County Dublin, and by Olga Hill of Whiteways, Dublin Road, Bray, County Dublin against the decision made on the 23<sup>rd</sup> day of June, 2022 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a permission to Circle K Ireland Retail Limited, care of McArdle Doyle Limited of Second Floor, Exchange Building, The Long Walk, Dundalk, County Louth, in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** (i) Car wash, (ii) Car wash plant room with water recycling system and (iii) all associated structures, drainage, and site development works at Circle K Beechwood Service Station, Dublin Road, Bray, County Dublin. The proposed development was revised by further public notices received by the planning authority on the 31<sup>st</sup> day of May, 2022.

**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.**

## Reasons and Considerations

The Board was satisfied that the proposed development comprising a car-wash facility, within an established motor fuel service station, would be compatible with the applicable zoning objective E set out in the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and with the wider relevant provisions of the plan. The Board was also satisfied that, subject to compliance with the conditions set out below, the proposed development would not be detrimental to the residential amenities of the area, would not be prejudicial to public health and would be acceptable in terms of traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 31st day of May 2022, 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

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

2. The operation of the car-wash facility shall be between the hours of 0700 and 2200 on any day.

**Reason:** In the interest of the amenities of nearby residential property.

3. Prior to commencement of operation of the car-wash, the developer shall erect a splash screen (2.2 metres in height) for the full width of the car-wash gantry located between it and the house 'Baltrae' to the south.

**Reason:** To mitigate against potential fugitive spray from the car-wash, in the direction of the adjoining house, in the interest of residential amenity.

4. The noise level from the car-wash shall not exceed 55 db (A) rated sound level at the nearest noise-sensitive location (boundary with 'Baltrae' to the south) between the hours of 0700 and 1900 on any day and shall not exceed 50 db (A) rated sound level between the hours of 1900 and 2200 on any day. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To protect the residential amenities of property in the vicinity.

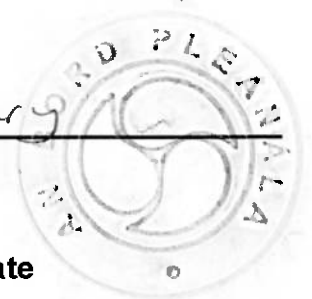
*Patricia Calleary*

**Patricia Calleary**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**



Dated this 15<sup>th</sup> day of November 2023.