

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S97A/0377	
1. Location	Site adjacent to and north east on No. 1., Spawell Cottages, Tallaght Road, Spawell, Co. Dublin.		
2. Development	Permission sought for the construction of a new petrol service station to include service station building with shop, canopy over pump islands, car washes and signs		
3. Date of Application	12/06/97	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: E. J. Riney, Address: Texaco (Ireland) Limited, Texaco House,		
5. Applicant	Name: Texaco (Ireland) Limited, Address: Texaco House, Ballsbridge, Dublin 4.		
6. Decision	O.C.M. No. 1591 Date 08/08/97	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	03/09/97	Written Representations	
9. Appeal Decision	18/03/98	Grant Permission	
10. Material Contravention			
11. Enforcement		Compensation	Purchase Notice
12. Revocation or Amendment			
13. E.I.S. Requested	E.I.S. Received	E.I.S. Appeal	
14. Registrar Date Receipt No.	

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

County South Dublin

Planning Register Reference Number: S97A/0377

APPEAL by John Kennedy care of Dowling Kilpatrick of 33 Kildare Street, Dublin and by Lorna Casey of 5 Rossmore Park, Templeogue, Dublin and by Texaco (Ireland) Limited care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 8th day of August, 1997 by the Council of the County of South Dublin to grant subject to conditions a permission to the said Texaco (Ireland) Limited for development comprising the construction of a petrol service station to include service station building with shop, canopy over pump islands, car washes and signs at site adjacent to and north-east of 1 Spawell Cottages, Tallaght Road, Spawell, County Dublin in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1993, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

Having regard to the provisions of the current development plan for the area relating to the development of the road network in the area, to the proposed discontinuance of use of an existing petrol filling station in the vicinity, to the location of the proposed development within the 40 mph speed limit, it is considered that the proposed development, subject to compliance with the conditions set out in the Second Schedule, would be acceptable in terms of traffic safety and convenience, would not seriously injure the amenities of the area and would not be contrary to the proper planning and development of the area.

aa.

SECOND SCHEDULE

1. Landscaping and boundary treatment shall be in accordance with the requirements of the planning authority. Detailed proposals shall be submitted to and agreed with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity in an area reserved for the protection and improvement of high amenity.

2. All landscaping shall be completed within six months of commencement of trade.

Reason: In the interest of visual amenity in an area reserved for the protection and improvement of high amenity.

3. The roof of the proposed shop premises shall be pitched and tiled/slatted so that it is harmonious and consistent with the design and finish of adjoining residential property.

Reason: To assimilate the development into the topography and streetscape of the area and in the interest of the proper planning and development of the area.

4. The external finish and materials of the shop premises shall be harmonious with adjacent residential property and such details shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity in an area reserved for the protection and improvement of high amenity.

5. Canopy design, signage, colour, materials and illumination shall be in accordance with the requirements of the planning authority. Details shall be submitted to and agreed with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity in an area reserved for the protection and improvement of high amenity.

6. Any additional advertising or illuminated signage shall be the subject of an application for permission.

Reason: In the interest of visual amenity in an area reserved for the protection and improvement of high amenity and in the interest of traffic safety.

7. Details of the signage and shopfront in relation to colour, materials and level of illumination shall be agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and traffic safety.

8. All service cables associated with the proposed development (such as electrical and telephone cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

9. 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 and to ensure a proper standard of development.

10. Five off-street car parking spaces shall be provided and clearly marked out on the site. These shall not conflict with the fuel loading area.

Reason: In the interest of the proper planning and development of the area.

11. Queuing for car washing shall be directed along the east side of the site.

Reason: In the interest of residential amenity.

12. The developer shall pay a sum of money to the planning authority as a contribution towards the expenditure that is proposed to be incurred by the planning authority in respect of screen planting along the east and south boundaries of the site facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be as agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.

Payment of this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

Reason: It is considered reasonable that the developer should contribute towards the expenditure proposed to be incurred by the planning authority in respect of works facilitating the proposed development.

as.

13. The developer shall pay a sum of money to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of the provision of a public water supply and sewerage facilities facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be as agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.

In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

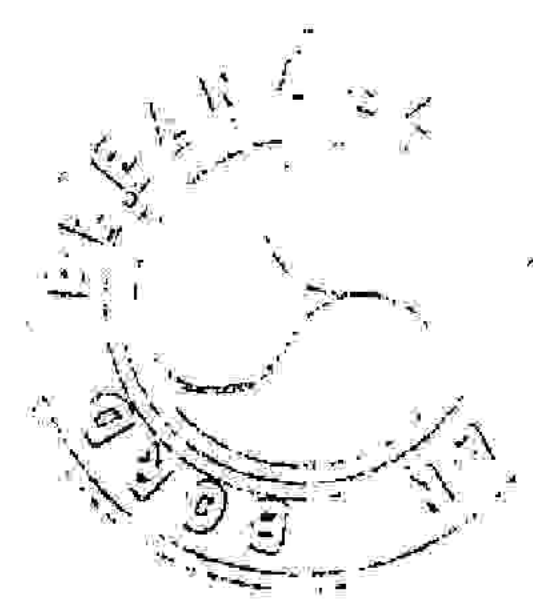
Reason: It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.

The developer shall pay a sum of money to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of road construction works facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be as agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.

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Ann. Quinn
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.
Dated this 18th day of March, 1998.



AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

County South Dublin

Planning Register Reference Number: S97A/0377

APPEAL by John Kennedy care of Dowling Kilpatrick of 33 Kildare Street, Dublin and by Lorna Casey of 5 Rossmore Park, Templeogue, Dublin and by Texaco (Ireland) Limited care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 8th day of August, 1997 by the Council of the County of South Dublin to grant subject to conditions a permission to the said Texaco (Ireland) Limited for development comprising the construction of a petrol service station to include service station building with shop, canopy over pump islands, car washes and signs at site adjacent to and north-east of 1 Spawell Cottages, Tallaght Road, Spawell, County Dublin in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1993, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

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2. All landscaping shall be completed within six months of commencement of trade.

Reason: In the interest of visual amenity in an area reserved for the protection and improvement of high amenity.

3. The roof of the proposed shop premises shall be pitched and tiled/slatted so that it is harmonious and consistent with the design and finish of adjoining residential property.

Reason: To assimilate the development into the topography and streetscape of the area and in the interest of the proper planning and development of the area.

4. The external finish and materials of the shop premises shall be harmonious with adjacent residential property and such details shall be agreed in writing with the planning authority prior to commencement of development.

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Reason: In the interest of visual amenity and traffic safety.

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Reason: In the interest of orderly development and the visual amenities of the area.

9. 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 and to ensure a proper standard of development.

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In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

Reason: It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.

14. The developer shall pay a sum of money to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of road construction works facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be as agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.

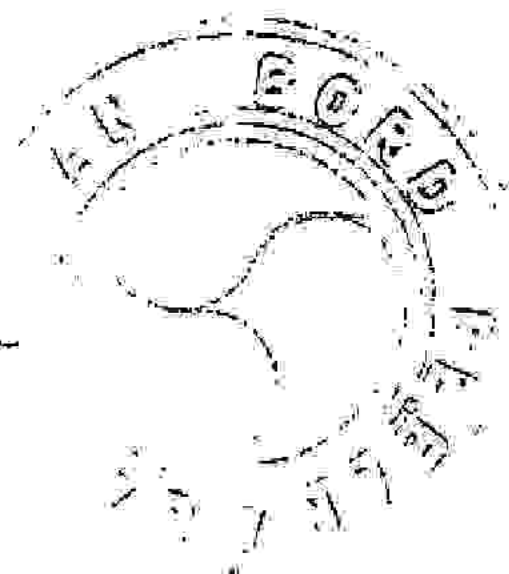
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Ann Lyn Quinn

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

Dated this 18th day of March, 1998.



SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

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NOTIFICATION OF DECISION TO GRANT PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 1591	Date of Decision 08/08/97
Register Reference S97A/0377	Date 12th June 1997

Applicant Texaco (Ireland) Limited,

Development Permission sought for the construction of a new petrol service station to include service station building with shop, canopy over pump islands, car washes and signs

Location Site adjacent to and north east on No. 1., Spawell Cottages, Tallaght Road, Spawell, Co. Dublin.

Floor Area Sq Metres

Time extension(s) up to and including 01/10/97

Additional Information Requested/Received /

In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by Order dated as above make a **DECISION TO GRANT PERMISSION** in respect of the above proposal.

Subject to the conditions (22) on the attached Numbered Pages.
Signed on behalf of the South Dublin County Council.

.....
for SENIOR ADMINISTRATIVE OFFICER

08/08/97

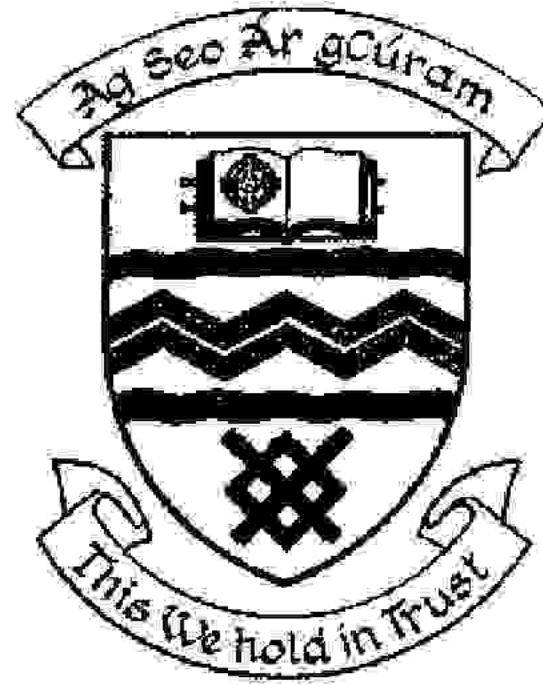
E. J. Riney,
Texaco (Ireland) Limited,
Texaco House,
Ballsbridge,
Dublin 4.

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Conditions and Reasons

- 1 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.

REASON:

To ensure that the development shall be in accordance with the permission and that effective control be maintained.

- 2 In respect of boundary treatment the following shall apply:

- . A plinth wall and railing shall be provided along the east boundary. The wall shall be externally faced with a maintenance free material and internally it shall be harmonious with the external finish of the shop premises. The railing shall be of solid steel and painted in a dark/muted colour. The overall height shall not exceed 2 metres.
- . A 0.5m high boundary wall shall be provided along the road frontage and shall be harmonious in materials and finish with the shop premises.
- . A 2m high wall suitably capped and rendered shall be provided along the rear northern boundary.
- . A wall shall be provided along the boundary with adjoining residential property. The wall shall be a height not exceeding .5m over a distance of 5m as measured from the front boundary and for the remainder shall be a height of 2.2m. The wall over a distance of 20m as measured from the front boundary shall be harmonious in materials and finish with shop premises and shall be externally finished to the requirements of the adjoining residents. This condition shall not apply in the event that the adjoining residents would prefer the

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retention of the hedge.

REASON:

In the interest of visual amenity in an area reserved for the protection and improvement of high amenity and in the interest of orderly development and residential amenity.

- 3 All landscaping shall be completed within six months of commencement of trade and shall be maintained to a high standard.

REASON:

In the interest of visual amenity in an area reserved for the protection and improvement of high amenity.

- 4 That the roof of the proposed shop premises shall be pitched and tiled/slanted such that it is harmonious and consistent with the design and finish of adjoining residential property.

REASON:

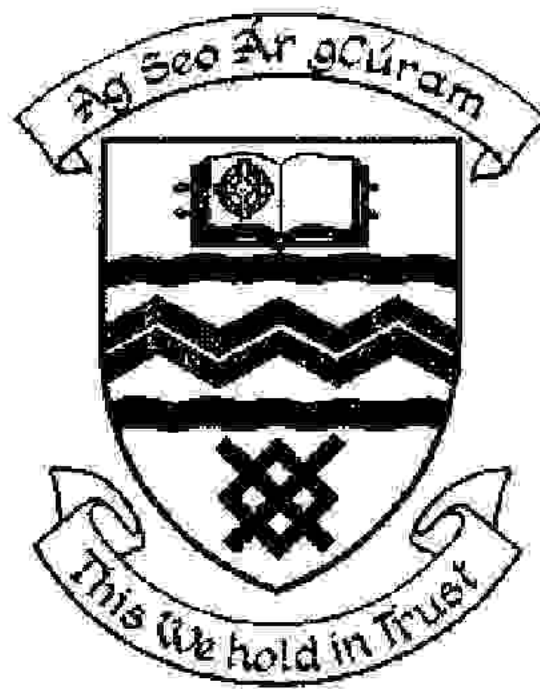
To assimilate the development into the topography and streetscape of the area and in the interest of the proper planning and development of the area.

- 5 That external finish and materials of shop premises shall be harmonious with adjacent residential property and such details shall be discussed and agreed in writing with the Planning Authority prior to commencement of such development on site.

REASON:

In the interest of visual amenity in an area reserved for the protection and improvement of high amenity.

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- 6 That in respect of the canopy fascia the following shall apply:
- . the scale and design of canopy shall be revised such that the structure will be harmonious with the surrounding environs. A reduced canopy and tiled/ slated pitched roof will be required subject to design details.
 - . no illumination or signage in the south facing fascia shall be permitted.
 - . the level of illumination and signage shall be substantially reduced in the east elevation.
 - . all details of design of canopy, of signage, colour, materials and illumination shall be discussed with and submitted for written agreement of the Planning Authority prior to commencement of such development.

REASON:

In the interest of visual amenity in an area reserved for the protection and improvement of high amenity.

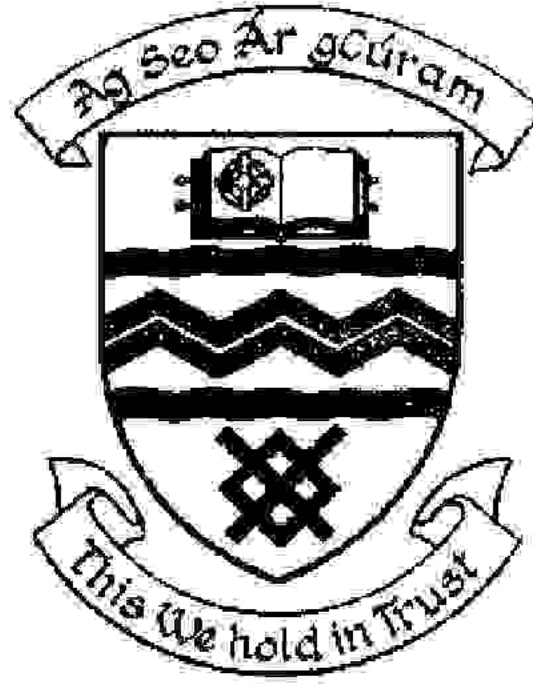
- 7 Notwithstanding the provision of the Local Government (Planning and Development) Regulations 1994 any additional advertising or illuminated signage shall require a grant of permission by the Planning Authority or An Bord Pleanála on appeal.

REASON:

In the interest of visual amenity in an area reserved for the protection and improvement of high amenity and in the interest of traffic safety on a national route.

- 8 That details of signage and shop front in relation to colour, materials, and level of illumination shall be agreed

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in writing with the Planning Authority prior to commencement of such development.

REASON:

In the interest of visual amenity and traffic safety.

- 9 That the Planning Authority shall reserve the right to require the reduction of illumination where in its opinion such illumination seriously impinges on the visual amenity, residential amenity or may tend to cause distraction to road users.

REASON:

In the interest of amenity and traffic safety.

- 10 That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

REASON:

To protect the amenities of the area.

- 11 That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.

REASON:

In the interest of amenity.

- 12 That prior to commencement of development the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.

REASON:

In the interest of safety and the avoidance of fire hazard.

- 13 That prior to commencement of development the requirements of the Principal Environmental Health Officer be ascertained and strictly adhered to in the development.

REASON:

In the interest of health.

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- 14 That all requirements of the Environmental Services Department in respect of water supply and drainage including the disposal of surface water shall be ascertained prior to commencement of development and shall strictly adhered to.
REASON:
In the interest of the proper planning and development of the area.
- 15 That in respect of surface water drainage the developer shall provide interceptors in accordance with the requirements of the Environmental Services Department of the Planning Authority.
REASON:
In the interest of the proper planning and development of the area.
- 16 That 5 off street car park spaces shall be provided and clearly marked out on the site. These shall not conflict with fuel loading area.
REASON:
In the interest of the proper planning and development of the area.
- 17 That queuing for car washing shall be directed along the East side of the site.
REASON:
In the interest of residential amenity.
- 18 Forecourt lighting shall be restricted to that which is necessary for the operation of the petrol station.
REASON:
In the interest of residential and visual amenity.
- 19 That a financial contribution in the sum of money equivalent to the value of £3,000 (three thousand pounds) as at 1st January, 1997 shall be paid by the developer to South Dublin County Council towards the cost of screen planting along the East and South boundaries of the site.

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REASON:

To provide for substantial screening of the development in the interest of visual amenity in an area reserved for the protection and improvement of high amenity.

- 20 That the proposed 6 no. Tilia Green Spire along the west boundary shall be semi-mature and shall be planted during the first planting season after commencement of development.

REASON:

In the interest of residential amenity.

- 21 That a financial contribution in the sum of £1,550 (one thousand five hundred and fifty pounds) be paid by the proposer to South Dublin County Council towards the cost of provision of public services in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site.

REASON:

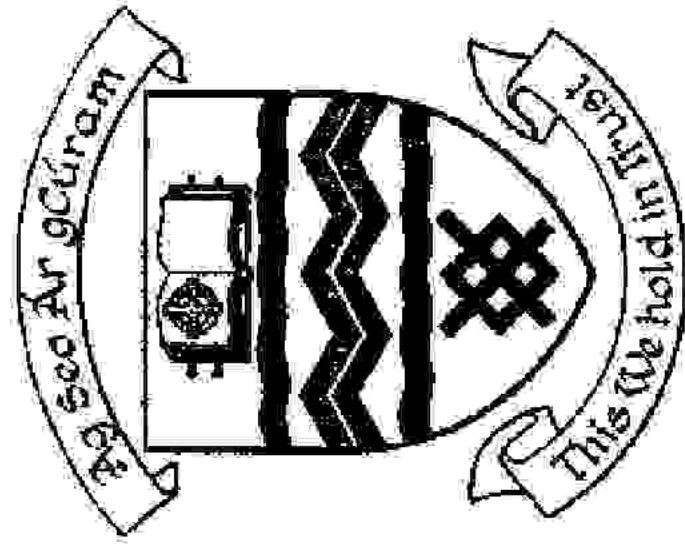
The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.

- 22 That a financial contribution in the sum of money equivalent to the value of £9,000 (nine thousand pounds) as on 1st January, 1991, updated in accordance with the Wholesale Price Index - Building and Construction (Capital Goods) as published by the Central Statistics Office to the value pertaining at the time of payment shall be paid by the proposer to South Dublin County Council towards the cost of roads improvements and traffic management in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site.

REASON:

It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or

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that is proposed to be incurred by the Council on road
improvement works and traffic management schemes
facilitating the proposed development.