

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S96A/0179	
1. Location	Kilnamanagh Filling Station, Mayberry Road, Kilnamanagh.		
2. Development	Replace existing sales building with a convenience store building of 228 sq.m. selling groceries, confectionery, snack food, tobacco and motor goods, install a car wash portico, extend existing canopy, renew company signs and insignia and carry out any ancillary contingent works.		
3. Date of Application	28/03/96	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: Niall Montgomery and Partners, Address: 27 Merrion Square North, Dublin 2.		
5. Applicant	Name: Irish Shell Limited, Address: Beech Hill, Clonskeagh, Dublin 4.		
6. Decision	O.C.M. No. 0953 Date 24/05/96	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect	

8. Appeal Notified	27/06/96	Written Representations	
9. Appeal Decision	23/10/96	Refuse Permission	
10. Material Contravention			
11. Enforcement 0	Compensation 0	Purchase Notice 0	
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

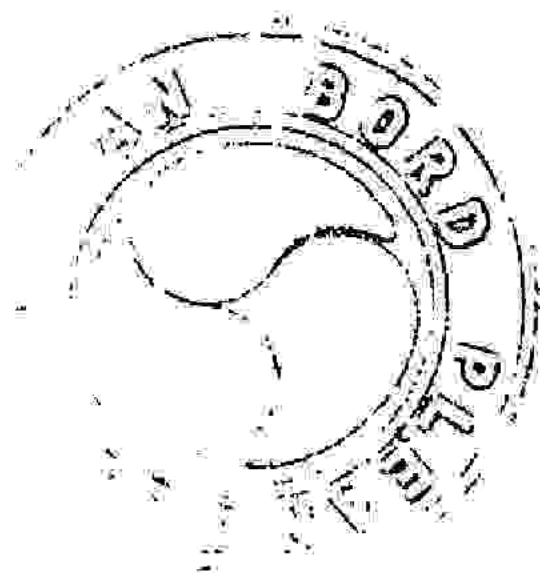
Planning Register Reference Number: S96A/179

APPEAL by Irish Shell Limited care of Kieran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 24th day of May, 1996 by the Council of the County of South Dublin to refuse permission for development comprising the replacement of existing sales building with a convenience store building of 228 square metres selling groceries, confectionery, snack food, tobacco and motor goods, installation of a car wash portico, extension of existing canopy, renewal of company signs and insignia and the carrying out of any ancillary contingent works at Kilnamanagh Filling Station, Mayberry Road, Kilnamanagh, County Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1993, permission is hereby refused for the said development for the reason set out in the Schedule hereto.

SCHEDULE

It is an objective of the planning authority, as set out in the current development plan for the area, to limit the total area devoted to retail sales within petrol stations and that the retail area shall be in scale with the size of the filling station. This objective is considered reasonable. Having regard to the ancillary nature of retail space in a petrol filling station development, it is considered that the proposed retail area is excessive. The proposed development would, therefore, contravene materially this objective and be contrary to the proper planning and development of the area.



Margaret Byrne

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

Dated this 23rd day of October 1996.

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6. Decision	O.C.M. No. 0953 Date 24/05/96	Effect RP REFUSE PERMISSION	
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11. Enforcement	Compensation	Purchase Notice	
0	0	0	
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SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS

Bosca 4122,
Lár an Bhaile, Tamhlacht,
Baile Átha Cliath 24.

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PLANNING
DEPARTMENT
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Dublin 24.

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

Decision Order Number 0953	Date of Decision 24/05/96
Register Reference S96A/0179	Date 28th March 1996

Applicant Irish Shell Limited,

Development Replace existing sales building with a convenience store building of 228 sq.m. selling groceries, confectionery, snack food, tobacco and motor goods, install a car wash portico, extend existing canopy, renew company signs and insignia and carry out any ancillary contingent works.

Location Kilnamanagh Filling Station, Mayberry Road, Kilnamanagh.

Floor Area Sq Metres

Time extension(s) up to and including

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 **REFUSE PERMISSION** in respect of the above proposal.

for the (2) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

..... 24/05/96
for SENIOR ADMINISTRATIVE OFFICER

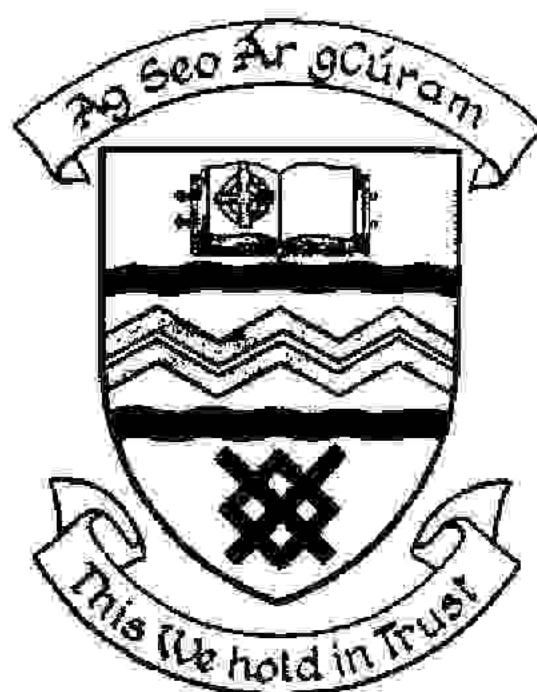
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REG REF. S96A/0179



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Reasons

- 1 The proposed development would materially contravene section 3.8.2.ii of the 1993 Dublin County Development Plan which states inter alia as follows:-

"The total area devoted to retail sales, within a petrol station shall not exceed 40 sq. metres and shall be in scale with the size of the filling station"

The proposed development would, therefore, be contrary to the proper planning and development of the area.

- 2 The proposed retail development by virtue of its size represents a retail facility on a site zoned for residential purposes at some distance from the established neighbourhood centre for the area. Its development would, therefore, be contrary to the proper planning and development of the area.