

Paul C. Mealy Dip. Arch. M.R.I.A.I.
Consulting Architect
Main Street, Celbridge,
County Kildare.

Fax: 01-627 1695
Telephone: 01-627 1219

VAT Reg. No: 4606117R

Your ref

My ref:

Date:

FAX TRANSMISSION SHEET:

DESTINATION:

Mr. Richard Whelan
.....
.....
.....
.....

FAX NUMBER:

724876

FROM

N.A. McIntyre Kildare

THIS FAX TRANSMISSION CONSISTS OF 1 PAGES INCLUDING TRANSMISSION SHEET:

REFERENCE:

COMMENTS:

Message from Paul Mealy - sent
written or in hand and will
be submitted within next week to
the dept.

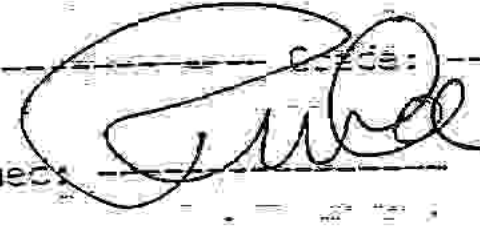
McIntyre

REF.: 91A/0029

CERTIFICATE NO: 24033

PROPOSAL: ~~Block~~ Filling Station
LOCATION: Coldcut Condakin
APPLICANT: Peter Demhsey Ltd

1	2	3	4	5	6	7
DWELLINGS/AREA LENGTH/STRUCT	RATE	AMT. OF FEE REQ.	AMOUNT LODGED	BALANCE DUE	BALANCE DUE	DATE/ RECEIPT NO
Dwellings	£532					
	£516					
	£500 per H ² in excess of 3000 H ² Min. £50					
Trees:	£11.75 per H ² Min. £10					
x .1 foot.	£225 per H ² Min. £10					
x .5 foot.	£225 per H ² Min. £10					
x .1 foot.	£225 per H ² Min. £10					
	£100	£75	£100	£25 overpayment		
x 1000 H ²	£115 per H ² 1,000 H ² Min. £10					
x .1 foot.	£225 per H ² Min. £10					

Column 1 Certified: Signed: _____ Grade: _____ Date: _____
 Column 1 Endorsed: Signed: _____ Grade: _____ Date: _____
 Columns 2,3,4,5,6 & 7 Certified Signed:  Grade: S. O. Date: 15/1/91
 Columns 2,3,4,5,6 & 7 Endorsed: Signed: _____ Grade: _____ Date: _____

DUBLIN COUNTY COUNCIL

PLANNING DEPARTMENT

Register Reference : 91A/0029

Date Received : 11th January 1991

Applicant : Peter Dempsey Ltd.,

Appl. Type : OUTLINE PERMISSI

Development : Petrol service station

LOCATION : Coldcut Road, Coldcut, Clondalkin

O.S. REFS.

17-12

AREA REFERENCE

NOT DONE YET.

HISTORY

FEE CERTIFICATE NO.

FEE CLASS

MEASUREMENT FOR FEES

SIGNED

.....
SENIOR EXECUTIVE DRAUGHTSMAN

DATE

.....

FEE PAID

FEE ASSESSED

BALANCE DUE

CERTIFIED

GRADE

DATE

Paul C. Mealy,
Main Street,
Celbridge,
Co. Kildare.

RW/GC

15/1/91

Re: Proposed petrol filling station at Coldcut, Clondalkin. Reg.Ref. 91A/0029

Dear Sir,

I refer to the above outline planning application received in this department on 17/11/87. The Local Government (Planning and Development)(Exempted Development and Amendment) Regulations, 1984 provide that a planning application shall be accompanied by the following particulars;

- (a) a statement of the area of the land to which the application relates and
- (b) where the application relates to a building or buildings;
 - (i) a statement of the number of dwellings (if any) to be provided and
 - (ii) except in the case of an outline application of a single dwellinghouse or number of such houses, a statement of the gross floorspace of the building or buildings

In accordance with the above article please confirm if any commercial buildings are to be provided at the filling station. A planning fee in respect of proposed commercial buildings should be paid at the rate of £1.75 per metre² (x ½ for outline application).

Yours faithfully,



for PRINCIPAL OFFICER

LOCATION GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1982

ASSESSMENT OF FINANCIAL CONTRIBUTION

REG. REF.: 91A-29.

CONT. REG.:

SERVICES INVOLVED: WATER/FOUL SEWER/SURFACE WATER

AREA OF SITE: 0.63 Acres

FLOOR AREA OF PRESENT PROPOSAL:

MEASURED BY:

M. Beatty

CHECKED BY:

METHOD OF ASSESSMENT:

TOTAL ASSESSMENT

MANAGER'S ORDERED NO: P/ /
DATED

ENTERED IN CONTRIBUTIONS REGISTER:

DEVELOPMENT CONTROL ASSISTANT GRADE

DUBLIN COUNTY COUNCIL

REG. REF: 91/A/29
 LOCATION: Coldcut Road, Coldcut, Clondalkin.
 APPLICANT: Peter Dempsey Ltd.
 PROPOSAL: Petrol service station.
 DATE LODGED: 11th January, 1991.

This application is for outline permission for a petrol service station at Coldcut Road, Clondalkin. The proposed development is located approx. 80 m. from the Western Parkway Motorway.

The proposal intends access to a 'new' 9m. wide carriageway which connects Ballyfermot Road to the Palmerstown-Clondalkin Road involving a fly-over the Western Parkway.

The road improvement line indicated on the attached map is incorrect and if further consideration is given to this application this should be clarified. However, adequate vision is available in both directions.

If permission is being contemplated it should be subject to:-

1. Road boundary ^{to be} ~~being~~ shown correctly on lodged plans.
2. A contribution towards road works which have removed a hazardous section of Coldcut Road (directly facilitating this proposal) to be determined at time of approval/full permission.

PLANNING DEPT.	
DEVELOPMENT CONTROL SECT	
Date	26. 2. 91
Time	10.30

MA/MM 22/2/91

SIGNED: Michael Atkinson

ENDORSED: E. Madden

DATE: 25-2-91

DATE: 25th Feb 91

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

County Dublin

Planning Register Reference Number: 91A/0029

014972/91 22/10/91

FINANCIAL CONTRIBUTION :-
AMOUNT NIL
F REFUSAL

APPEAL by Peter Dempsey Limited care of Paul C. Mealy of Main Street, Celbridge, County Kildare against the decision made on the 7th day of March, 1991 by the Council of the County of Dublin to refuse an outline permission for development comprising the construction of a petrol service station at Coldcut Road, Coldcut, Clondalkin, County Dublin.

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, outline permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

1. The development would contravene materially a development objective indicated in the Dublin County Development Plan, 1983 to use the land of which the site forms part "to preserve and provide for open space and recreational amenities". This objective is considered reasonable and the proposed development would, therefore, be contrary to the proper planning and development of the area.
2. The proposed development would be visually obtrusive and would, therefore, seriously injure the amenities of the area.

Ann Cw. Quinn

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

Dated this 24th day of September, 1991.



Order Noted: L.D.
Dated: 22/10/91
<i>[Signature]</i> ASSISTANT CITY AND COUNTY MANAGER
to whom the appropriate powers have been delegated by order of the Dublin City and County Manager.
Dated 21 st day of October 1991

COMHAIRLE CHONTAE ATHA CLIATH

Appeals

TO: N. Prendergast,
S.E.D.C.

REG. REF. 91A/29

RE: Proposed petrol service station at Coldcut Road, Coldcut,
Clondalkin for Peter Dempsey Ltd.

I attach for your observations memo/letter dated 9th April, 1991 from An Bord Pleanala.

Please reply before: 8th May, 1991

S.M. Kellan
for Principal Officer

DATED: 24 April 1991

OBSERVATIONS:

No comments req'd. at this time. SMK 25/4

Lined area for observations, currently blank except for the handwritten note at the top.

Signature of person making observations: _____

Countersigned: _____
(S.E.D.C.)

DATE: _____

DATE: _____

DUBLIN COUNTY COUNCIL

REG. REF:

91/A/29

LOCATION:

Coldcut Road, Coldcut, Clondalkin.

APPLICANT:

Peter Dempsey Ltd.

PROPOSAL:

Petrol service station.

DATE LODGED:

11th January, 1991.

PB

This application is for outline permission for a petrol service station at Coldcut Road, Clondalkin. The proposed development is located approx. 80 m. from the Western Parkway Motorway.

The proposal intends access to a 'new' 9m. wide carriageway which connects Ballyfermot Road to the Palmerstown-Clondalkin Road involving a fly-over the Western Parkway.

The road improvement line indicated on the attached map is incorrect and if further consideration is given to this application this should be clarified. However, adequate vision is available in both directions.

If permission is being contemplated it should be subject to:-

1. Road boundary ^{to be} being shown correctly on lodged plans.
2. A contribution towards road works which have removed a hazardous section of Coldcut Road (directly facilitating this proposal) to be determined at time of approval/full permission.

PLANNING DEPT.	
DEVELOPMENT CONTROL SECT	
Date	<i>11/3rd/91</i>
Time	<i>9.10</i>

MA/MM 22/2/91

SIGNED: *Michael Arthur*

ENDORSED: *E. Madden*

DATE: *25-2-91*

DATE: *25th Feb '91*

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Register Reference : 91A/0029

Date Received : 11th January 1991

Correspondence : Paul C. Maaly, Arch.,
Name and : Main St.,
Address : Celbridge,
Co. Kildare

Development : Petrol service station

Location : Coldcut Road, Coldcut, Clondalkin

Applicant : Peter Dempsey Ltd.,

App. Type : Outline Permission

Zoning :

This is an application for OUTLINE PERMISSION for a petrol filling station at Coldcut Road, Clondalkin for Peter Dempsey Ltd. No details are given as to whether a petrol station shop is proposed.

The proposed site which is long and irregular in shape has an area of 2,000 sq.m (stated) i.e. approximately 0.5 acres. It is located to the south of the newly realigned Coldcut Road which runs west from Palmerstown Road/Kennelsfort Road to the Fonthill Road. Drawings submitted identify a site frontage of c. 40 metres.

This site adjoins the C.I.E. social club and grounds to the east. Lands immediately to the west are undeveloped. This proposed site is located to the west of the new flyover over the Western Parkway Motorway.

The existing site is flat and is bounded to the north with pallisade fencing on a dwarf wall. There is an existing entrance onto Coldcut Road.

There is an existing storage shed/workshop to the rear of the site. Various items of machinery are stored on site and a sign on the front gate refers to P. Dempsey Plant Hire.

The proposed site is located in an area zoned 'F' - "to preserve and provide for open space and recreational amenities" in the Dublin County Development Plan, 1983, and forms part of the open space zoning which extends along the motorway at this location. This 'F' zoning extends to the west of the site. Lands to the north are zoned for industry.

Petrol filling stations are not permitted in areas zoned 'F' and the proposed development therefore represents a Material Contravention of the Dublin County Development Plan, 1983.

The proposed site is flat and relatively exposed. A development for a petrol filling station (with illuminated canopy signs etc.) would be visually

COMHAIRLE CHONTAE ÁTHA CLIATH

Record of Executive Business and Manager's Orders

Reg. Ref: 91A/0029

Page No: 0002

Location: Coldcut Road, Coldcut, Clondalkin

obtrusive and detrimental to the achievement of this zoning objective.

Roads Department report notes that the road improvement line shown on the drawings submitted is incorrect. Report also notes that adequate vision is available in both directions.

I recommend that a decision to REFUSE OUTLINE PERMISSION be made under the Local Government (Planning and Development) Acts, 1963-1990, for the following reasons:-

REASONS FOR REFUSAL

- 01 The site is located in an area zoned in the County Development Plan "to preserve and provide for open space and recreational amenities". The proposed development would contravene materially ^{the development objective indicated} ~~that objective and~~ ^{in the Dublin County Development Plan 1982 for the use primarily of this site for open space and recreational amenities.} ~~would be contrary to the proper planning and development of the area.~~
- 02 The proposed development of a petrol filling station would be visually obtrusive in an area zoned "to preserve and provide for open space and recreational amenities" and as such would be contrary to the proper planning and development of the area.

msf *James Mullowney*
.....
for Dublin Planning Officer

W. J. Keenan
Endorsed:.....
for Principal Officer

Order: A decision pursuant to Section 26(1) of the Local Government (Planning and Development) Acts, 1963-1990 to REFUSE OUTLINE PERMISSION for the above proposal for the (2) reasons set out above is hereby made.

Dated : *7 March 1991*

K.O. Sullivan
.....
ASSISTANT CITY AND COUNTY MANAGER

to whom the appropriate powers have been delegated by order of the Dublin City and County Manager dated

..... *21st February 1991*

Seol aon fhreagra chun
(Reply to)

AN RÚNAÍ
(The Secretary)

faoin uimhir seo:—
(Quoting)



AN ROINN COSANTA
(Department of Defence)

TEACH NA PÁIRCE
(Park House)

BAILE ÁTHA CLIATH, 7
(Dublin, 7)

2/50719

Teileafón 01/308288 771881

12 February, 1991.

Dear Sir,

Re: Planning Applications which might affect the use
of Casement Aerodrome, Baldonnel, Co. Dublin.

I am directed by the Minister for Defence to refer to applications:

- 90A/2349 - C. Brady, Newtown Upper, Rathcoole.
- 91A/0019 - K. & C. Kelly, 5 Castle Crescent, Clondalkin.
- 91A/0023 - Toyota (Ireland) Ltd., Killeen Road, Dublin 12.
- 91A/0029 - Peter Dempsey Ltd., Coldcut Road, Coldcut, Clondalkin.

No objection is seen to these developments provided they are not of exceptional height.

91A/0011 - P. McGinn, 54 The Grove, Kingswood Heights, Dublin 24.

No objection is seen to this development provided it does not exceed 11M. in height above ground level.

Yours sincerely,

JOHN P. MORAN
EXECUTIVE OFFICER

The Secretary,
Dublin County Council,
Planning Department,
Irish Life Mall,
Lower Abbey Street,
Dublin 1.

PLANNING DEPT.
DEVELOPMENT CONTROL UNIT
Date 14.2.91
11.0

91A/0029
14 FEB 91

SS only

P

Register Reference : 91A/0029

Date : 23rd January 1991

Development : Petrol service station

PB

LOCATION : coldcut Road, coldcut, Clondalkin

Applicant : Peter Dempsey Ltd.,

App. Type : OUTLINE PERMISSION

Planning Officer : P. BYRNE

Date Recd. : 11th January 1991

PLANNING DEPT.
 DEVELOPMENT CONTROL SECT
 Date 6/Mar/91
 Time 1.00

Attached is a copy of the application for the above development .Your report would be appreciated within the next 28 days.

Yours faithfully,

Paul Tobin

DUBLIN CO. CO.
 -7 FEB 1991
 SAN SERVICES

DUBLIN CO. CO.
 PRINCIPAL OFFICER
 SANITARY SER.
 -5 MAR 1991
 Returned: *GB*

Date received in sanitary services

FOUL SEWER

There is no record of a Foul Sewer in the immediate vicinity of the site. It will be necessary for the applicant to indicate the system to which it is proposed to discharge & how it is intended to access it.

SURFACE WATER

As for foul sewer - there is no record of a s.w. sewer in the immediate vicinity of the site.

SENIOR ENGINEER,
SANITARY SERVICES DEPARTMENT,
46/49 UPPER O'CONNELL STREET,
DUBLIN 1

J. Rice
26/2/91

Register Reference : 91A/0029

Date : 23rd January 1991

ENDORSED _____

DATE _____

WATER SUPPLY... Water available from 300 & A.C. on
 opposite site of ROAD. 4" Branch connection
 termination in a hydrant will be required.
 A water supply into the service station will
 be necessary. Other standard requirements will
 apply i.e. 24 hour storage, connections swabbing
 and disinfection by H.E. personnel at
 applicants expense. Fire office comment should
 be sought.

ENDORSED _____

DATE _____

J. Collins 8/2/91

75 copy 29/2/91

B. Nut 12/2/91

DUBLIN COUNTY COUNCIL.

REG. REF: 91/A/29

LOCATION: Coldcut Road, Coldcut, Clondalkin.

APPLICANT: Peter Dempsey Ltd.

PROPOSAL: Petrol service station.

DATE LODGED: 11th January, 1991.

This application is for outline permission for a petrol service station at Coldcut Road, Clondalkin. The proposed development is located approx. 80 m. from the Western Parkway Motorway.

The proposal intends access to a 'new' 9m. wide carriageway which connects Ballyfermot Road to the Palmerstown-Clondalkin Road involving a fly-over the Western Parkway.

The road improvement line indicated on the attached map is incorrect and if further consideration is given to this application this should be clarified. However, adequate vision is available in both directions.

If permission is being contemplated it should be subject to:-

1. Road boundary ^{to be} being shown correctly on lodged plans.
2. A contribution towards road works which have removed a hazardous section of Coldcut Road (directly facilitating this proposal) to be determined at time of approval/full permission.

MM 22/2/91

SIGNED: Michael Atwaters

DATE: 25-2-91

ENDORSED: E. J. Allen

DATE: 25 Feb 91

Tim Brück
Tim Brück.

Register Reference : 91A/0029

Date : 23rd January 1991

PB

.....
ENDORSED _____ DATE _____

WATER SUPPLY. Water available from 500 ft A.C. on
 opposite site of ROAD. 4" Branch Connection
 transmission is a hydrant will be required.
 A water supply into the service station will
 be necessary. Other standard requirements will
 apply i.e. 20 hour storage, connections swabbing
 and disinfection by DCO personnel at
 applicants expense. Fire office comment should
 be sought. J. Cuthbert 8/2/91

ENDORSED _____ DATE _____

75 copy 23/2/91
 B. M. 12/2/91

PLANNING DEPT.	
DEVELOPMENT CONTROL	
Date	5/3rd/91
Time	4:00

SS only.

Register Reference : 91A/0029

Date : 23rd January 1991

Development : Petrol service station

LOCATION : Coldcut Road, Coldcut, Clondalkin

Applicant : Peter Dempsey Ltd.,

App. Type : OUTLINE PERMISSION

Planning Officer : P.BYRNE

Date Recd. : 11th January 1991

Attached is a copy of the application for the above development .Your report would be appreciated within the next 28 days.

Yours faithfully,

Paul Galvin

DUBLIN

- 7 FEB 1991

SAN SERVICES

DUBLIN CO. CO.
PRINCIPAL OFFICER
SANITARY SE

- 5 MAR 1991

Returned: *[Signature]*

Date received in Sanitary Services

FOUL SEWER

There is no record of a Foul Sewer in the immediate vicinity of the site. It will be necessary for the applicant to indicate the system to which it is proposed to discharge & how it is intended to access it -

SURFACE WATER

As for foul sewer - there is no record of a s.w. sewer in the immediate vicinity of the site.

SENIOR ENGINEER,
SANITARY SERVICES DEPARTMENT,
46/49 UPPER O'CONNELL STREET,
DUBLIN 1

J. Rice
26/2/91

DUBLIN COUNTY COUNCIL

PLANNING DEPARTMENT

Register Reference : 91A/0029

Date Received : 11th January 1991

Applicant : Peter Dempsey Ltd.,

Appl.Type : OUTLINE PERMISSI

Development : Petrol service station

LOCATION : Coldcut Road, coldcut, clondalkin

O.S.REFS.

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AREA REFERENCE

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HISTORY

FEE CERTIFICATE NO. _____

FEE CLASS

--	--	--	--

MEASUREMENT
FOR FEES

--	--	--	--

SIGNED

DATE

SENIOR EXECUTIVE DRAUGHTSMAN

FEE PAID

FEE ASSESSED

BALANCE DUE

--

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CERTIFIED _____

GRADE _____

DATE _____

Our Ref: PL 6/5/85481
Your Ref:
P.A. Reg. Ref: 91A/29

The Principal Officer,
Dublin County Council,
Planning Department,
Irish Life Centre,
Block 2,
Lower Abbey Street,
Dublin 1.

Date: 24 SEP 1991

Appeal re: Outline permission for erection of
petrol filling station at Coldcut Road, Coldcut,
Clondalkin, County Dublin.

Dear Sir,

An order has been made by An Bord Pleanála
determining the above-mentioned appeal under the
Local Government (Planning and Development) Acts,
1963 to 1990. A copy of the order is enclosed.

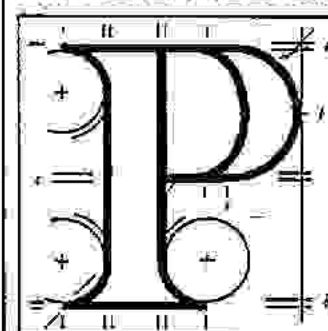
Yours faithfully,


Angela Bermingham.

Encl.

BP 352

PK
An Bord Pleanála



Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

27/9

26 91

210

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

County Dublin

Planning Register Reference Number: 91A/0029

APPEAL by Peter Dempsey Limited care of Paul C. Mealy of Main Street, Celbridge, County Kildare against the decision made on the 7th day of March, 1991 by the Council of the County of Dublin to refuse an outline permission for development comprising the construction of a petrol service station at Coldcut Road, Coldcut, Clondalkin, County Dublin.

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1990, outline permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

SCHEDULE

1. The development would contravene materially a development objective indicated in the Dublin County Development Plan, 1983 to use the land of which the site forms part "to preserve and provide for open space and recreational amenities". This objective is considered reasonable and the proposed development would, therefore, be contrary to the proper planning and development of the area.
2. The proposed development would be visually obtrusive and would, therefore, seriously injure the amenities of the area.

Ann Cw. Quirew

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

Dated this *24th* day of *September*, 1991.

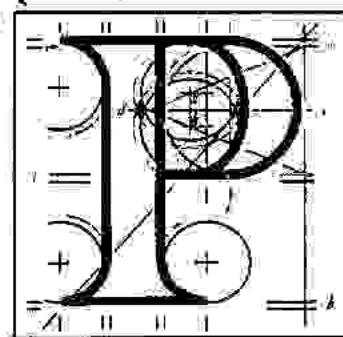


Our Ref: PL 6/5/85481
P.A. Reg. Ref: 91A/29

PK
28/6

27 JUN 91

An Bord Pleanála



Floor 3 Blocks 6 & 7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

The Secretary,
Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

Date: 25th June 1991.

Appeal re: Erection of a petrol service station at
Coldcut Road, Coldcut, Clondalkin, County Dublin.

Dear Sir/Madam,

Enclosed for your information is a copy of
correspondence received in relation to the
above-mentioned appeal. While it is not necessary
for you to furnish any comments on the
correspondence, you may do so if you wish. Any such
comments should be forwarded within twenty-one days
of the date of this letter to ensure that they will
be taken into consideration in the determination of
the appeal.

Please quote the above appeal reference number in
any further correspondence.

Yours faithfully,

Suzanne Lacey
Suzanne Lacey

Encl.

BP 553

Paul C. Mealy Dip. Arch. M.R.I.A.I.
Consulting Architect
Main Street, Celbridge,
County Kildare.

VA Reg. No: 4696117R

Fax: 01-627 1695
Telephone: 01-627 1219

Your ref: PL/6/5/85481

My ref: 613PCM.004

Date: 21.6.91

An Bord Pleanala,
Floor 3, Blocks 6 & 7,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

RE: ERECTION OF PETROL SERVICE STATION
AT COLDCUT ROAD, COLDCUT, CLONDALKIN, CO. DUBLIN

Dublin County Council Planning Ref: 91A/29

Dear Sirs,

I refer to the above appeal and to the request for substantiated grounds of appeal.

We have delayed in submitting further grounds of appeal while we were endeavouring to establish the longterm proposals which may be contained within the current review of the Development Plan.

We now wish to make the following submission for your consideration.

My Client has an established use on the site for his plant hire business. Further investment in the premises and the site with the consequential improvement in the visual amenity of the area is not financially viable due to the unsuitable zoning. The longterm consequence of this will be dereliction of the site which will be in conflict with current new legislation.

The applicant considers that a petrol filling station would be an appropriate service to be provided from this site and would make the point that it does not require to have the illuminated canopy referred to in the planners report. Alternative canopies with a more suitable design could be provided if considered necessary.

The technical reports indicate that there are no insurmountable reasons to refuse this application on technical grounds. Refusal will ultimately lead to a further deterioration of the premises and we would consider this not to be in accordance with the proper planning and development of an area. As stated in the planners reports the land to the north of Coldcut Road is zoned for industry.

Page 1 of 2

.....continued

Development of this site for the intended purpose would be consistent with the overall industrial usage of the general area.

Yours faithfully,



Paul C. Mealy Dip. Arch. MRIAI



An Bord Pleanála,
Floor 3,
Blocks 6 & 7,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

Our Ref: 91A/0029

Your Ref: PL6/5/85481

Date: 18 June 1991

RE: Proposed petrol service station at Coldcut Road,
Coldcut, Clondalkin for Peter Dempsey Ltd.

Dear Sir/Madam,

I refer to your letter dated 9th April, 1991, enclosing correspondence regarding the above appeal.

It is considered that the grounds of appeal do not raise any new matter which in the opinion of the Planning Authority would justify a change of attitude to the proposed development. The points raised have been dealt with in the Planning Authority's decision order dated 7th March, 1991.

Yours faithfully,



for Principal Officer.

COMHAIRLE CHONTAE ATHA CLIATH

Tel.: 724755
Ext. 268/269

Planning Department,
Irish Life Centre,
Lr. Abbey Street,
Dublin 1.

Your Ref.: PL6/5/85481
Our Ref.: 91a/29

24 April 1991

An Bord Pleanála,
Blocks 6 and 7,
Irish Life Centre,
Lr. Abbey Street,
Dublin 1.

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1983

Proposal: Proposed petrol service station at Coldcut Road, Coldcut, Clondalkin

Applicant: Peter Dempsey Ltd.

Dear Sir,

With reference to your letter dated 9th April 1991 I enclose herewith:-

- (1) & (2) A copy of the application which indicated the applicant's interest in the land or structure.
- (3) A copy of the public notice given, i.e. Irish Press, 2nd January, 1991.
- (4) The plan(s) received from the applicant on 11th January, 1991.
- (6) & (7) A certified copy of Manager's Order P/965/91, dated 7th March, 1991 together with technical reports in connection with the application.

Yours faithfully,

M. Murtagh
for Principal Officer.

Encls.

Our Ref: PL 6/5/85481
Your Ref: 91a/29

Dublin County Council,
Planning Department,
Block 2,
Irish Life Centre.

Date: 9th April 1991

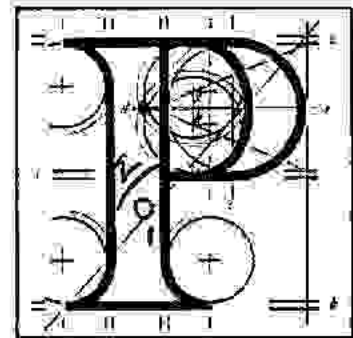
Planning authority decision re: Erection of a petrol
service station at Coldcut Road, Coldcut,
Clondalkin, County Dublin.

Dear Sir/Madam,

Enclosed is a copy of an appeal under the Local
Government (Planning and Development) Acts, 1963 to
1990, in relation to the above-mentioned decision.
So that consideration of the appeal may proceed, you
are requested to forward to the Board within two
weeks:

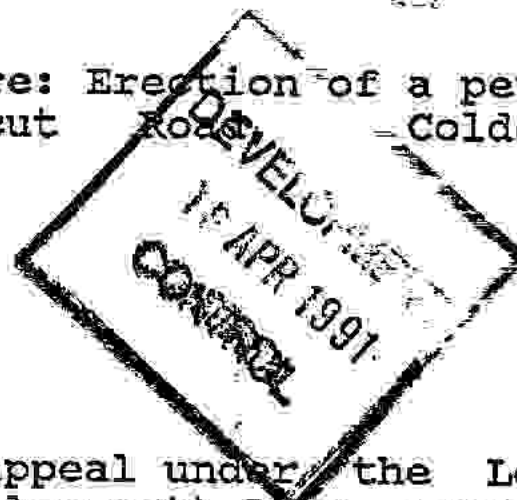
- (1) The application made to the planning authority.
- (2) Particulars of the applicant's interest in the
land or structure, as supplied to the planning
authority.
- (3) A copy of the public notice, whether published
in a newspaper or on the site.
- (4) Any drawings, maps, particulars, information,
evidence or written study received or obtained
from the applicant, including the ordnance
survey number.
- (5) Copies of requests (if any) to the applicant for
further information relating to the application
under appeal and copies of reply and documents
(if any) submitted in response to such requests.
- (6) A certified copy of the relevant Manager's
Order.
- (7) Copies of any technical or other reports
relevant to the decision on the application.
- (8) Particulars and relevant documents relating to
previous decisions affecting the same site or
relating to applications for similar development
close by.

8 210
PA
17/4.
An Bord Pleanála



Floor 3 Blocks 6&7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

11 APR 91



Please note that the other party/parties to the appeal are being notified that copies of the planning authority documents relevant to the decision which gave rise to the above-mentioned appeal will be available for inspection at your offices after the expiration of a period of fourteen days from the date of this letter. It would be appreciated if parties could be facilitated in this regard.

Copies of the representations or observations made to the planning authority in relation to the application should not be sent to the Board. It is assumed that the planning authority has notified observers of the decision made and of the right of appeal.

The planning authority may make to the Board, in writing, such observations on the appeal as it thinks fit. Where practicable, any such observations should be submitted with the documents listed above but the furnishing of the documents should not be held up until observations are available. In any event, to ensure that they will be taken into account in the determination of the appeal, any such observations should be furnished within one month of the date of this letter.

Please quote the above appeal reference number in any further correspondence.

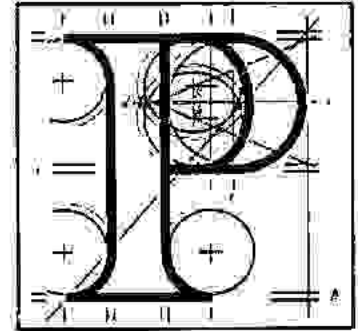
Yours faithfully,


Miriam Baxter.

Encl.

BP 005

An Bord Pleanála



Floor 3 Blocks 6&7
Irish Life Centre
Lower Abbey Street
Dublin 1
tel (01) 728011

Paul C. Mealy Dip. Arch. M.R.I.A.I.
Consulting Architect
Main Street, Celbridge,
County Kildare.

VAT Reg. No: 4696117R

Fax: 01-627 1695
Telephone: 01-627 1219

Your ref:

My ref: 513PCM-003

Date: 11.11.91

An Bord Pleanála,
Blocks 6 & 7,
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

PROPOSED FILLING STATION AT COLDCUT, CLONDALKIN, CO. DUBLIN
Planning Register Reference: 91A/0029

Dear Sirs,

I enclose herewith my cheque for £100. 00.

On behalf of the Applicant, Peter Dempsey Limited, I wish to appeal against Dublin County Council's decision to refuse planning permission for the above development.

I enclose herewith a copy of Dublin County Council's decision indicating references and dates.

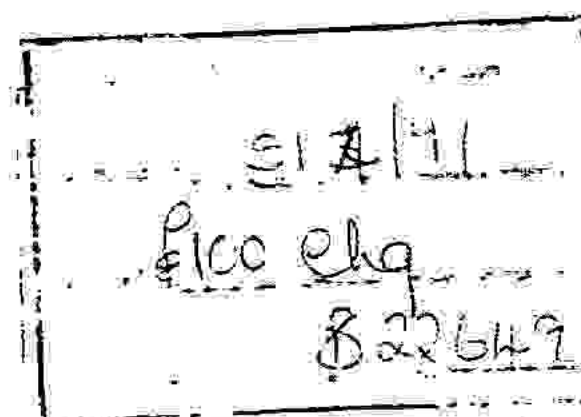
The grounds for appeal are that we consider with the recent developments in the area of the application and in particular the new network of major roads that refusal for a petrol filling station is inappropriate.

Further and fuller grounds of appeal shall be submitted when the files in the Planning Office have been inspected in detail.

Yours faithfully,

Paul Mealy

Paul C. Mealy Dip. Arch. M.R.I.A.I.



Encl.

Page 1 of 1



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

NOTIFICATION OF DECISION TO REFUSE OUTLINE PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963-1990.

Decision Order Number : P/ 0965 /91 Date of Decision : ~~11th~~ ^{7th} March 1991
Register Reference : 91A/0029 Date Received : 11th January 1991
Applicant : Peter Dempsey Ltd.,
Development : Petrol service station
Location : Coldcut Road, Coldcut, Clondalkin
Time Extension(s) up to and including :
Additional Information Requested/Received : //

In pursuance of its functions under the above mentioned Acts, the 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 OUTLINE PERMISSION in respect of the above proposal.

For the Reasons set out on the attached Numbered Pages.

NUMBER OF REASONS:- 2.....ATTACHED.

Signed on behalf of the Dublin County Council.....
for Principal Officer

Date:.....7/3/91.....

Paul C. Mealy, Arch.,
Main St.,
Celbridge,
Co. Kildare

NOTES

1. An appeal against the decision may be made to An Bord Pleanala. The applicant may appeal within one month from the date of receipt by him of this notification. ANY OTHER PERSON may appeal within twenty one days beginning on the date of this decision.

2. An appeal shall be in writing and shall state the subject matter and grounds of appeal. It should be addressed to:-

An Bord Pleanala,
Blocks 6 and 7
Irish Life Centre,
Lower Abbey Street,
Dublin 1.

3. An appeal lodged by an applicant or his agent with An Bord Pleanala will be invalid unless accompanied by the prescribed fee.

(a) An appeal against a decision relating to commercial development by the person by whom the application was made must be accompanied by a fee of £100 (one hundred Pounds).

"Commercial Development" means development for the purposes of any professional, commercial or industrial undertaking, development in connection with the provision for reward of services to persons or undertakings, or development consisting of the provision of two or more dwellings, but does not include development for the purposes of agriculture.

(b) An appeal other than an appeal mentioned at (a) above, including third party appeal must be accompanied by a fee of £50 (fifty pounds)

(c) A party to an appeal making a request to An Bord Pleanala for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanala a fee of £50 (fifty pounds).

(d) A person who is not a party to an appeal must pay a fee of £15 (fifteen pounds) to An Bord Pleanala when making submissions or observations to An Bord Pleanala in relation to an appeal.

4. If the Council makes a decision to grant permission/approval and there is no appeal to An Bord Pleanala against this decision, PERMISSION/APPROVAL will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/APPROVAL after the withdrawal.

5. Approval of the Council under the Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.

Reg. Ref. 91A/0029
Decision Order No. P/ 0965 /91
Page No: 0002



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1,
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

R E A S O N S F O R R E F U S A L

- 01 The site is located in an area zoned in the County Development Plan "to preserve and provide for open space and recreational amenities". The proposed development would contravene materially a development objective indicated in the Dublin County Development Plan 1983 for the use primarily of this site for open space and recreational amenities.
- 02 The proposed development of a petrol filling station would be visually obtrusive in an area zoned "to preserve and provide for open space and recreational amenities" and as such would be contrary to the proper planning and development of the area.

NOTES

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5. Approval of the Council under the Building Bye-Laws must be obtained and the terms of the approval must be complied with in the carrying out of the work before any development which may be permitted is commenced.

Building Control Department,
Liffey House,
Tara Street,
Dublin 1.
Telephone: 773066



Bloc 2, Ionad Bheatha na hEireann,
Block 2, Irish Life Centre,
Sraid na Mainistreach Iacht,
Lower Abbey Street,
Baile Atha Cliath 1.
Dublin 1.
Telephone. (01)724755
Fax. (01)724896

Register Reference : 91A/0029

Date : 15th January 1991

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1990

Dear Sir/Madam,

DEVELOPMENT : Petrol service station
LOCATION : Coldcut Road, Coldcut, Clondalkin
APPLICANT : Peter Dempsey Ltd.,
APP. TYPE : OUTLINE PERMISSION

With reference to above, I acknowledge receipt of your application received on 11th January 1991.

Yours faithfully,

.....
PRINCIPAL OFFICER

Paul C. Mealy, Arch.,
Main St.,
Celbridge,
Co. Kildare



PLEASE READ INSTRUCTIONS AT BACK BEFORE COMPLETING FORM. ALL QUESTIONS MUST BE ANSWERED.

1. Application for Permission Outline Permission Approval Place in appropriate box.
Approval should be sought only where an outline permission was previously granted. Outline permission may not be sought for the retention of structures or continuances of uses.

2. Postal address of site or building COLD CUT CLONDALKIN CO. DUBLIN
(If none, give description sufficient to identify)

3. Name of applicant (Principal not Agent) PETER DEMPSEY LIMITED

Address AS (2) ABOVE Tel. No. 264 823

4. Name and address of person or firm responsible for preparation of drawings PAUL C MEALY DIP ARCH MR(IA) MAIN STREET CELBRIDGE CO. KILDARE Tel. No. 01-6271219

5. Name and address to which notifications should be sent AS (4) ABOVE

6. Brief description of proposed development PETROL FILLING STATION

7. Method of drainage MAINS 8. Source of Water Supply MAINS

9. In the case of any building or buildings to be retained on site, please state:
(a) Present use of each floor or use when last used NONE

(b) Proposed use of each floor
10 Does the present use or change of use require demolition of the building or any part thereof? NO

11(a) Area of Site c 2000 Sq. m.

(b) Floor area of proposed development OUTLINE APPLICATION Sq. m.

(c) Floor area of buildings proposed to be retained within site NONE Sq. m.

12. State applicant's legal interest or estate in site (i.e. freehold, leasehold, etc.) FREEHOLD

13. Are you now applying also for an approval under the Building Bye Laws?
Yes No Place in appropriate box. NO - OUTLINE PLANNING ONLY

14. Please state the extent to which the Draft Building Regulations have been taken in account in your proposal:
OUTLINE PLANNING PERMISSION

15. List of documents enclosed with application.
SITE LOCATION MAP G13/001

16. Gross floor space of proposed development (See back) OUTLINE PERMISSION ONLY Sq. m.

No of dwellings proposed (if any) - Class(es) of Development CLASS B

Fee Payable £ 100.00 Basis of Calculation FLAT RATE
If a reduced fee is tendered details of previous relevant payment should be given

Signature of Applicant (or his Agent) Paul Dwyer

Application Type OUTLINE FOR OFFICE USE ONLY

Register Reference 91A/0029

Amount Received £ 1.2.0

Receipt No

Date

DUBLIN COUNTY COUNCIL
Planning Department
RECEIVED
11 JAN 1991
REG NO
APPLICATION TYPE O/P/A/B/L
No L D S

Shirley
2/1/91

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) REGULATIONS 1977 to 1984.

Outline of requirements for applications for permission or Approval under the Local Government (Planning & Development) Acts 1963 to 1983. The Planning Acts and Regulations made thereunder may be purchased from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2.

1. Name and Address of applicant.
 2. Particulars of the interest held in the land or structure, i.e. whether freehold, leasehold, etc.
 3. The page of a newspaper, circulating in the area in which the land or structure is situate, containing the required statutory notice. The newspaper advertisement should state after the heading Co. Dublin.
 - (a) The address of the structure or the location of the land.
 - (b) The nature and extent of the development proposed. If retention of development is involved, the notice should be worded accordingly. Any demolition of habitable accommodation should be indicated.
 - (c) The name of the applicant.
- NB. Applications must be received within 2 weeks from date of publication of the notice.**
4. Four (4) sets of drawings to a stated scale must be submitted. Each set to include a layout or block plan, proposed and existing services to be shown on this drawing, location map, and drawings of relevant floor plans, elevations, sections, details of type and location of septic tank (if applicable) and such other particulars as are necessary to identify the land and to describe the works or structure to which the application relates (new work to be coloured or otherwise distinguished from any retained structures). Buildings, roads, boundaries and other features bounding the structure or other land to which the application relates shall be shown on site plans or layout plans. The location map should be of scale not less than 1: 2500 and should indicate the north point. The site of the proposed development must be outlined in red. Plans and drawings should indicate the name and address of the person by whom they were prepared. Any adjoining lands in which the applicant has an interest must be outlined in blue.
 5. In the case of a proposed change of use of any structure or land, requirements in addition to 1, 2, & 3 are.
 - (a) a statement of the existing use and the proposed use, or, where appropriate, the former use and the use proposed.
 - (b) (i) Four (4) sets of the drawings to a stated scale must be submitted. Each set to consist of a plan or location map (marked or coloured in red so as to identify the structure or land to which the application relates) to a scale of not less than 1:2500 and to indicate the North point. Any adjoining lands in which the application has an interest must be outlined in blue.
 - (ii) A layout and a survey plan of each floor of any structure to which the application relates.
 - (c) Plans and drawings should indicate the name and address of the person by whom they were prepared.
 6. Applications should be addressed to: Dublin County Council, Planning Department, Irish Life Centre, Lr. Abbey Street, Dublin 1. Tel. 724755.

SEPTIC TANK DRAINAGE: Where drainage by means of a septic tank is proposed, before a planning application is considered, the applicant may be required to arrange for a trial hole to be inspected and declared suitable for the satisfactory percolation of septic tank effluent. The trial hole to be dug seven feet deep at or about the site of the septic tank. Septic tanks are to be in accordance with I.I.R.S. S.R. 6:75.

INDUSTRIAL DEVELOPMENT:

The proposed use of an industrial premises should, where possible, be stated together with the estimated number of employees, (male and female). Details of trade effluents, if any, should be submitted.

Applicants to comply in full with the requirements of the Local Government (Water Pollution) Act, 1977 in particular the licencing provisions of Sections 4 and 16.

<u>PLANNING APPLICATIONS</u>			<u>BUILDING BYE-LAW APPLICATIONS</u>		
CLASS NO.	DESCRIPTION	FEE	CLASS NO.	DESCRIPTION	FEE
1.	Provision of dwelling — House/Flat,	£32.00 each	A.	Dwelling (House/Flat)	£55.00 each
2.	Domestic extensions/other improvements.	£16.00	B.	Domestic Extension (improvement/alteration)	£30.00 each
3.	Provision of agricultural buildings (See Regs.)	£40.00 minimum	C.	Building — Office/ Commercial Purposes	£3.50 per m ² (min. £70.00)
4.	Other buildings (i.e. offices, commercial, etc.)	£1.75 per sq. metre (Min. £40.00)	D.	Agricultural Buildings/Structures	£1.00 per m ² in excess of 300 sq. metres (min. - £70.00) (Max. - £300.00)
5.	Use of land (Mining, deposit or waste)	£25.00 per 0.1 ha (Min £250.00)	E.	Petrol Filling Station.	£200.00
6.	Use of land (Camping, parking, storage)	£25.00 per 0.1 ha (Min. £40.00)	F.	Development or Proposals not coming within any of the foregoing classes.	£9.00 per 0.1 ha (£70.00 min.)
7.	Provision of plant/machinery/tank or other structure for storage purposes.	£25.00 per 0.1 ha (Min. £100.00)			Min. Fee £30.00
8.	Petrol Filling Station.	£100.00			Max. Fee £20,000
9.	Advertising Structures.	£10.00 per m ² (min £40.00)			
10.	Electricity transmission lines.	£25.00 per 1,000m (Min. £40.00)			
11.	Any other development.	£5.00 per 0.1 ha (Min. £40.00)			

Cheques etc. should be made payable to: Dublin County Council.

Gross Floor space is to be taken as the total floor space on each floor measured from the inside of the external walls.

For full details of Fees and Exemptions see Local Government (Planning and Development) (Fees) Regulations 1984.

COMHAIRLE CHONTAE ÁTHA CLIAITH

PAID BY **DUBLIN COUNTY COUNCIL**
46/49 UPPER O'CONNELL STREET,
DUBLIN 1.

CASH
CHEQUE
M.O.
B.L.
I.T.

Issue of this receipt is not an
acknowledgement that the fee
tendered is the prescribed application
fee. N 28295

£100.00

Received this 11th day of Jan 1991

from Peter Deasy

the sum of one hundred Pounds
Pence, being 60 for outlay

planning application of Colinet Mandakin

Michael O'Keefe

[Signature]
Cashier

S. CAREY Class
Principal Officer

Message ENCLOSED ARE THE FOLLOWING
1 Cheque for £100.00
2 Newspaper Ad L.P. 1/1/1991
3 Application Form
4 Site Location map (in duplicate)

- With my compliments;
- As requested;
- Please telephone to discuss;
- For your comments;
- For your information;
- Please acknowledge receipt;
- Please note message.

Dublin County Council
Planning Section
Irish Life Centre
Lower Abbey Street
Dublin 1

DUBLIN COUNTY COUNCIL
Planning Dept Registry Section
APPLICATION RECEIVED

Your ref: 11 JAN 1991
My ref: 613 No. 9/A/29
Date: 9/1/1991
APPLICATION TYPE O/P/A/BB



1-349

Lodge

567

UND.

UND.

567

420

Harelawn

Tank

Tank

775

ROAD IMPROVEMENT LINE

4-073

6-357

C

O

IL

10

DUBLIN COUNTY COUNCIL
Planning Dept Registry Section
APPLICATION RECEIVED

11 JAN 1991

91A 29

APPLICATION TYPE: P/A/BBL
D S

074

12-813

5-100

No	Date	Revisions

- 1 Copyright Reserved
- 2 Builder to check all levels and dimensions
- 3 Work to figured dimensions only
- 4 Refer to consultant's drawings where appropriate
- 5 Check size of all proprietary items with manufacturer and fix in accordance with their instructions
- 6 Refer all discrepancies to architect for direction

Job: PETROL FILLING STATION

Client: Peter Dempsey Ltd

Drq title: SITE LOCATION MAP

Scale: 1:2500

Date: Jan 1991

Drq Ref: 613/01

Paul C. Mealy Dip. Arch. M.R.I.A.I.
Consulting Architect,
Main Street, Calbridge, Co. Kildare.
Telephone: 01-6271219 Fax: 01-6271695

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7-758

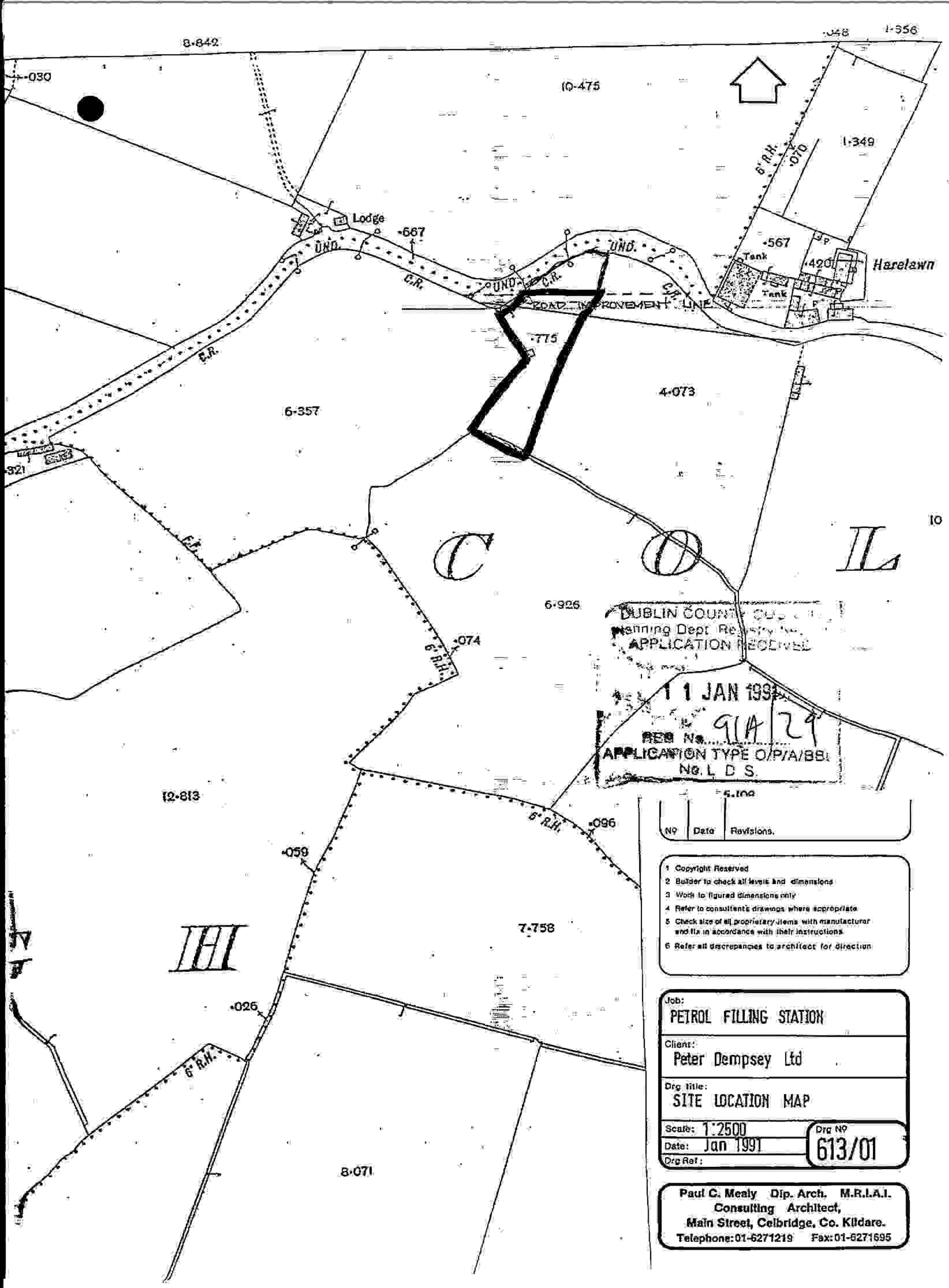
III

026

6' R.H.

096

8-071



DUBLIN COUNTY COUNCIL
 Planning Dept. Receiving Unit
 APPLICATION RECEIVED
 11 JAN 1991
 REF No. 91A/29
 APPLICATION TYPE O/P/A/BB
 No. L.D.S.

No	Date	Revisions

- 1 Copyright Reserved
- 2 Builder to check all levels and dimensions
- 3 Work to figured dimensions only
- 4 Refer to consultant's drawings where appropriate
- 5 Check size of all proprietary items with manufacturer and fit in accordance with their instructions
- 6 Refer all discrepancies to architect for direction

Job: **PETROL FILLING STATION**

Client: **Peter Dempsey Ltd**

Dwg title: **SITE LOCATION MAP**

Scale: **1:2500** Dwg No: **613/01**

Date: **Jan 1991**

Dwg Ref: _____

Paul C. Mealy Dip. Arch. M.R.I.A.I.
 Consulting Architect,
 Main Street, Celbridge, Co. Kildare.
 Telephone: 01-6271219 Fax: 01-6271695