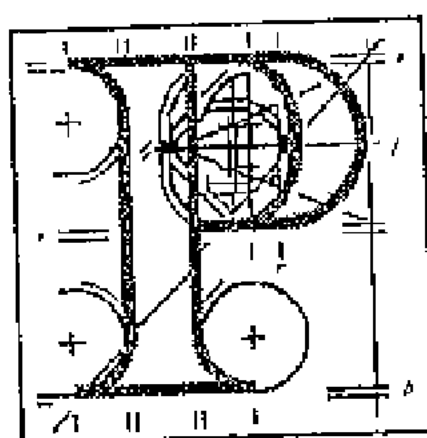


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1999 and Planning & Development Act 2000 Planning Register (Part 1)	Plan Register No.  S98A/0499	
1. Location	Unit 3, Old River House, Templeogue, Dublin 6W.		
2. Development	Change of use from retail to restaurant and the erection of a single storey pitched roof extension to rear.		
3. Date of Application	21/07/98	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 22/01/2001 2.
4. Submitted by	Name: Gerard Rust Architect, Address: Dundalk Club, Roden Place, Square,		
5. Applicant	Name: Ben Leung, Address: Emerald Court, Ranelagh, Dublin 6.		
6. Decision	O.C.M. No. 0575  Date 21/03/2001	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	20/04/2001	Written Representations	
9. Appeal Decision	13/11/2001	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 1999

County South Dublin

Planning Register Reference Number: S98A/0499

**APPEAL** by Liam Webb and others care of Philip J Staunton Architects of the Old Coach House, 22 Aungier Street, Dublin against the decision made on the 21<sup>st</sup> day of March, 2001 by the Council of the County of South Dublin to grant subject to conditions a permission to Ben Leung care of John Sugars and Partners of The Mews, 17 Leinster Square, Dublin for development comprising the change of use from retail to restaurant and the erection of a single storey pitched roof extension to rear at Unit 8, Old River House, Tempogue, Dublin in accordance with plans and particulars lodged with the said Council:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1999, 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 location of the property in an area for which the zoning objective, as set out in the current Development Plan for the area, is to protect, provide for and/or improve local centre facilities, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would be in accordance with the proper planning and development of the area.

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## SECOND SCHEDULE

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by the drawings received by the planning authority on the 22<sup>nd</sup> day of January, 2001, except as may otherwise be required in order to comply with the following conditions.

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

2. The signage for the proposed development shall be restricted to the fascia and hardwood surround to the front façade of the proposal. Lettering shall take the form of hand painted traditional type lettering or individually mounted lettering. Lighting shall be restricted to back lighting of individual letters or strip lighting concealed at fascia level. No internally illuminated signage shall be used.

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

3. Water supply and drainage arrangements, including disposal of all wastewater from commercial kitchens, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of amenity and public health.

4. Fumes from the kitchen shall be vented to eaves level in accordance with the detailed requirements of the planning authority.

**Reason:** In the interest of residential amenity and public health.

5. 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 works facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be 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.

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6. 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 car parking facilities facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be 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.



*Brian Hunt*

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

Dated this 13<sup>th</sup> day of November 2001.