

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S97A/0362	
1. Location	The Rowan Tree, No 1 Ballyroan Road, Rathfarnham, Dublin 16.		
2. Development	Permission for change of use of part (40 sq.m) shop for the sale of hot food for consumption off the premises (delivery service only) and new shop front and front doors at The Rowan Tree.		
3. Date of Application	06/06/97	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 18/06/97 2.	1. 27/06/97 2.
4. Submitted by	Name: Kiaran O'Malley & Co. Limited, Address: St Heliers, Stillorgan Park,		
5. Applicant	Name: Teresa Borza, Address: 1 Ballyroan Road, Rathfarnham, Dublin 16.		
6. Decision	O.C.M. No. 1754 Date 02/09/97	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	01/10/97	Written Representations	
9. Appeal Decision	30/01/98	Refuse Permission	
10. Material Contravention			
11. Enforcement	Compensation	Purchase Notice	
0	0	0	
12. Revocation or Amendment			
13. E.I.S. Requested	E.I.S. Received	E.I.S. Appeal	
14. Registrar Date Receipt No.	

P/0333/98

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Manager's Orders

AN BORD PLEANÁLA

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

County South Dublin

Planning Register Reference Number: S97A/0362

APPEAL by Teresa Borza care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, Dublin against the decision made on the 2nd day of September, 1997 by the Council of the County of South Dublin to refuse permission for the change of use of shop (40 square metres) for the sale of hot food for consumption off the premises (delivery service only) and provision of new shop front and front doors at The Rowan Tree, 1 Ballyroan Road, Rathfarnham, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1993, permission is hereby refused for the said change of use and the provision of the said shop front and front doors for the reasons set out in the Schedule hereto.

SCHEDULE

1. The site is located in an area zoned "A" - "to protect and improve residential amenity" in the current Dublin County Development Plan which zoning objective is considered reasonable. The proposed development by reason of increased noise and general disturbance in the area at antisocial hours would seriously injure the amenities of residential properties in the vicinity of the site and would, therefore, be contrary to the proper planning and development of the area.
2. It is considered that the proposed development would result in an increase in traffic levels in the vicinity of a heavily trafficked junction. The proposed development would, therefore, endanger public safety by reason of traffic hazard and the obstruction of road users.

Luis O'Leary
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this *30th* day of *January* 1998.

PL 06S.104165

An Bord Pleanála

Page 1 of 1

Order :	Noted.
<i>[Signature]</i>	
Senior Administrative Officer	
in the appropriate powers have been delegated by order	
County Manager.	
19th day of February 1998	

AN BORD PLEANÁLA

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

County South Dublin

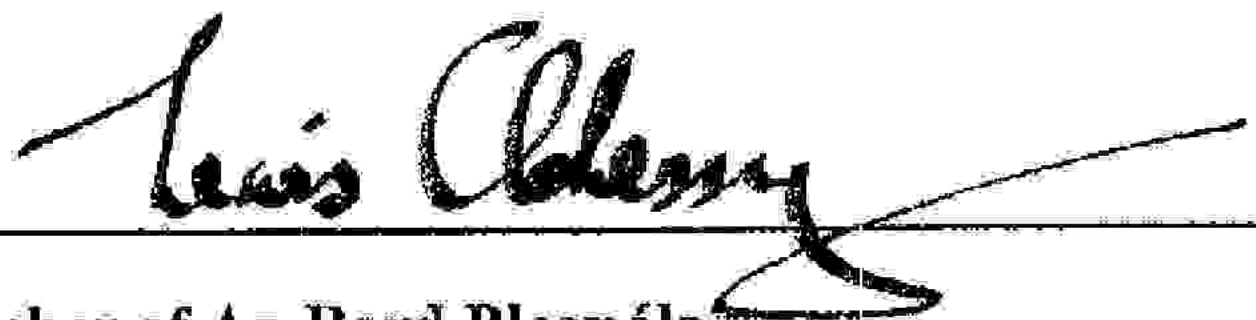
Planning Register Reference Number: S97A/0362

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DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1993, permission is hereby refused for the said change of use and the provision of the said shop front and front doors for the reasons set out in the Schedule hereto.

SCHEDULE

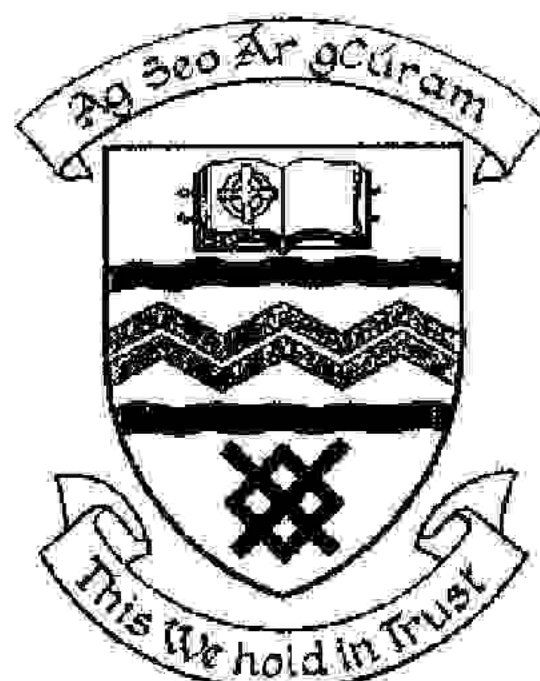
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2. It is considered that the proposed development would result in an increase in traffic levels in the vicinity of a heavily trafficked junction. The proposed development would, therefore, endanger public safety by reason of traffic hazard and the obstruction of road users.



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

Dated this 30th day of January 1998.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



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

Telefon: 01-462 0000
Facs: 01-462 0104

PLANNING
DEPARTMENT
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-462 0000
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NOTIFICATION OF DECISION TO REFUSE PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

Decision Order Number 1754	Date of Decision 02/09/97
Register Reference S97A/0362	Date 6th June 1997

Applicant Teresa Borza,
Development Permission for change of use of part (40 sq.m) shop for the sale of hot food for consumption off the premises (delivery service only) and new shop front and front doors at The Rowan Tree.
Location The Rowan Tree, No 1 Ballyroan Road, Rathfarnham, Dublin 16.

Floor Area Sq Metres
Time extension(s) up to and including 15/09/97
Additional Information Requested/Received 18/06/97 /27/06/97

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

.....
for SENIOR ADMINISTRATIVE OFFICER

Kiaran O'Malley & Co. Limited,
St Heliers,
Stillorgan Park,
Blackrock,
Co. Dublin.

SOUTH DUBLIN COUNTY COUNCIL
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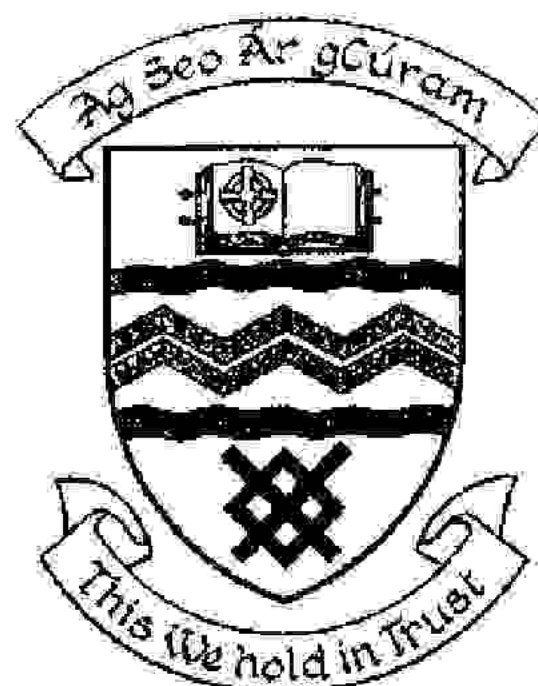
Reasons

- 1 The site is in an area zoned to protect and improve residential amenities in the Development Plan. The proposed development constitutes an additional type of use and would necessitate an encroachment of a residential garden for the purposes of commercial parking which would be contrary to the zoning objective for the area. The proposed development by reason of increased noise generated by delivery vans/ bicycles, odours, general disturbances at anti-social hours and intensification of a commercial use would seriously injure the amenities and depreciate the value of property in the vicinity and is thereby contrary to the zoning objective for the area.
- 2 It is considered that the proposed development would result in an increase demand for car parking at peak demand times associated with the public house and would therefore result in on-street parking demand in the vicinity of the heavily trafficked junction. The proposed development would therefore endanger public safety by reason of traffic hazard.

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

Decision Order Number 1701	Date of Decision 25/08/97
Register Reference S97A/0362	Date 6th June 1997

Applicant Teresa Borza,
App. Type Permission
Development Permission for change of use of part (40 sq.m) shop for the sale of hot food for consumption off the premises (delivery service only) and new shop front and front doors at The Rowan Tree.

Location The Rowan Tree, No 1 Ballyroan Road, Rathfarnham, Dublin 16.

Dear Sir / Madam,

In accordance with Section 26 (4A) of the Local Government (Planning and Development) Act 1963 as amended by Section 39 (f) of the Local Government (Planning and Development) Act 1976 the applicant has furnished his consent in writing to the extension by the Council of the period for considering this application within the meaning of sub-section 4 (a) of section 26 , up to and including 01/09/97

Yours faithfully

.....
for SENIOR ADMINISTRATIVE OFFICER

26/08/97

Kiaran O'Malley & Co. Limited,
St Heliers,
Stillorgan Park,
Blackrock,
Co. Dublin.

SOUTH DUBLIN COUNTY COUNCIL
COMHAIRLE CHONTAE ÁTHA CLIATH THEAS



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

Order Number 1197	Date of order 18/06/97
Register Reference S97A/0362	Date 6th June 1997

Applicant Teresa Borza,

Development Permission for change of use of part (40 sq.m) shop for the sale of hot food for consumption off the premises (delivery service only) and new shop front and front doors at The Rowan Tree.

Location The Rowan Tree, No 1 Ballyroan Road, Rathfarnham, Dublin 16.

Dear Sir/Madam,

An inspection carried out on 12/6/97 has shown that a site notice was not erected in respect of your planning application. Before this application can be considered, you must erect a notice on the site or structure, and submit the following to the Department:

- (a) two copies of the text of the notice
- (b) two plans showing the position of the notice on the land or structure
- (c) a statement of the date on which the notice is erected

The notice must be maintained in position for at least one month and must fulfill the following conditions:-

- 1. Must be durable material
- 2. Must be securely erected in a conspicuous position easily visible and legible by persons using the public road
- 3. Must be headed "Application to Planning Authority".
- 4. Must state:

- (a) Applicant's name

Kiaran O'Malley & Co. Limited,
St Heliers,
Stillorgan Park,
Blackrock,
Co. Dublin.

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REG REF. S97A/0362

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- (b) whether application is for **Permission, Outline Permission, or Approval.**
- (c) nature and extent of development including number of dwellings (if any)
- (d) that the application may be inspected at the Planning Department, South Dublin County Council, Town Centre, Tallaght, Dublin 24.

No further consideration will be given to this application until you comply with these requirements.

Yours faithfully,

.....
for Senior Administrative Officer.

19/06/97