

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S97A/0218
1. Location	Outer Ring Road Ballyowen Lane, Lucan, Co. Dublin.	
2. Development	Change of use of Unit 7 of previously approved commercial development. (Reg. Ref. S96A/0369) from retail to take-away.	
3. Date of Application	11/04/97	Date Further Particulars (a) Requested (b) Received
3a. Type of Application	Permission	1. 08/05/97 2. 1. 12/05/97 2.
4. Submitted by	Name: Project Architects, Address: Flemings Court, Flemings Place, Dublin 4.	
5. Applicant	Name: Ballymore Homes Ltd., Address: 35-36 St. Stephens Green, Dublin 2.	
6. Decision	O.C.M. No. 1371 Date 10/07/97	Effect AP GRANT PERMISSION
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION
8. Appeal Lodged	08/08/97	Written Representations
9. Appeal Decision	05/12/97	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/0218

APPEAL by Ballyowen Castle Residents Association care of Micheál Ó Broin, 16 Colthurst Road, Lucan, County Dublin against the decision made on the 10th day of July, 1997 by the Council of the County of South Dublin to grant subject to conditions a permission to Ballymore Homes Limited care of Project Architects of Fleming Court, Fleming's Place, Dublin for development described in the public notice as change of use of unit 7 of previously approved commercial development (planning register reference number S96A/0369) from retail to take-away at Outer Ring Road, Ballyowen Lane, Lucan, 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 location of unit 7 within a purpose-built shopping centre with reasonable separation from surrounding houses, 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 property in the vicinity or be otherwise contrary to the proper planning and development of the area.

SECOND SCHEDULE

1. This planning permission relates solely to the change of use of unit number 7 of the retail element of the development and does not relate to any other aspect of the development.

Reason: To clarify the nature and extent of the development.



2. The proposed development shall not be open for trade between the hours of midnight and 0800 hours on any day.

Reason: In the interest of the amenities of the area.

3. Prior to the commencement of development full details of external advertising signs and devices for the premises shall be submitted to and agreed with the planning authority. Signage shall not be internally illuminated.

Reason: In the interest of the visual amenities of the area.

4. 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.

5. No goods, wastes or other materials relating to the use of the unit shall be stored other than within the unit and in particular, shall not be stored within any service yard area other than within specifically designated areas.

Reason: In the interest of the amenities of the area.

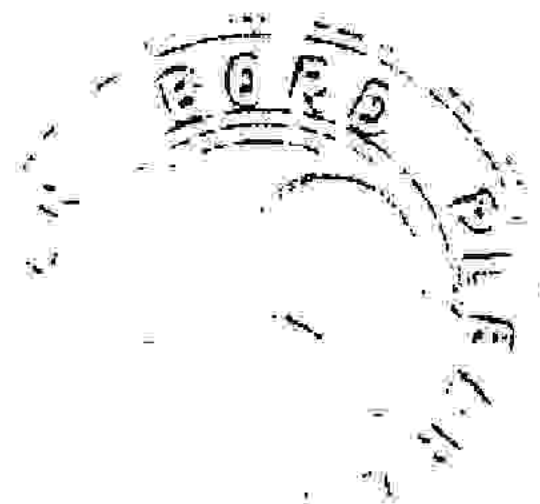
6. Two waste paper bins shall be located adjacent to the entrance to the premises. Details, including positioning and design, shall be submitted to and agreed with the planning authority prior to the commencement of development.

Reason: In the interest of the amenities of the area.

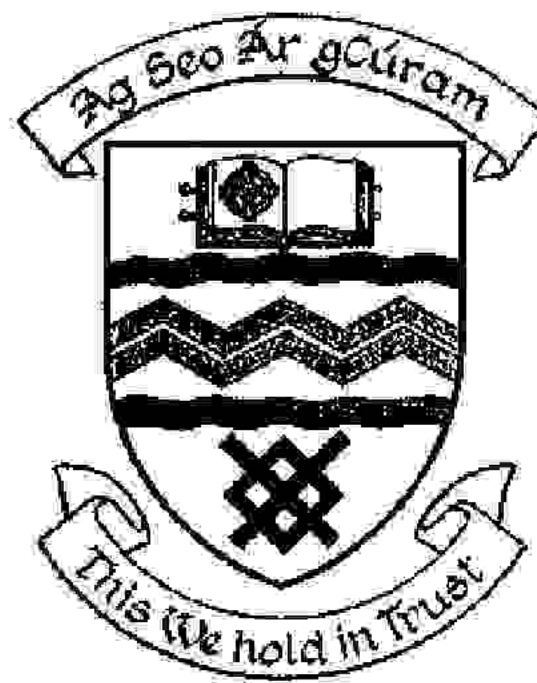


Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 5th day of December 1997.



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**
P.O. Box 4122,
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**NOTIFICATION OF DECISION TO GRANT PERMISSION
LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993**

Decision Order Number 1371	Date of Decision 10/07/97
Register Reference S97A/0218	Date 11th April 1997

Applicant Ballymore Homes Ltd.,

Development Change of use of Unit 7 of previously approved commercial development. (Reg. Ref. S96A/0369) from retail to take-away.

Location Outer Ring Road Ballyowen Lane, Lucan, Co. Dublin.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received 08/05/97 /12/05/97

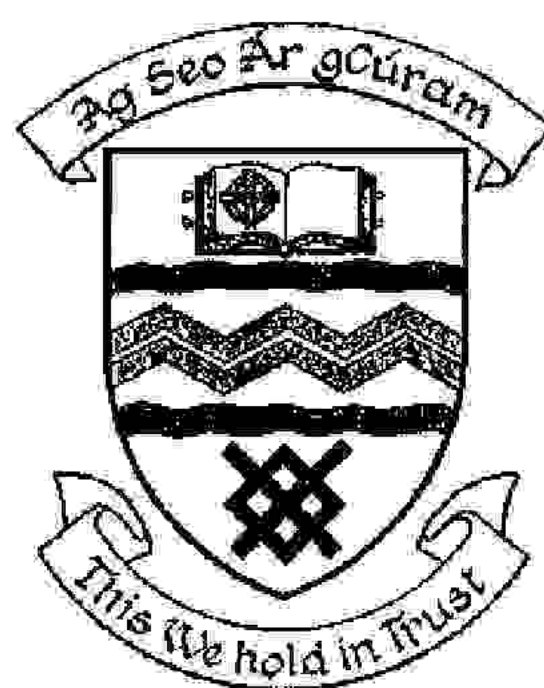
In pursuance of its functions under the above mentioned Acts, the South Dublin County Council, being the Planning Authority for the County Health District of Dublin, did by order dated as above make a **DECISION TO GRANT PERMISSION** in respect of the above proposal.

subject to the conditions (12) on the attached Numbered Pages.
signed on behalf of the South Dublin County Council.

.....^{LB}..... 10/07/97
for SENIOR ADMINISTRATIVE OFFICER

Project Architects,
Flemings Court,
Flemings Place,
Dublin 4.

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Conditions and Reasons

- 1 That arrangements be made with regard to the lodgement of security in the form of an approved Insurance Company Bond or Letter of Guarantee in the sum of £125,000 (one hundred and twenty five thousand pounds) or cash lodgement of £77,000 (seventy seven thousand pounds) in respect of the overall development as required by Condition No. 21 of planning permission granted by An Bord Pleanála under Reference PL 06S.096976, Reg. Ref. S94A/0503; arrangements to be made prior to commencement of development on site.

REASON:

To ensure the satisfactory completion of the development.

- 2 That arrangement be made with regard to the payment of the financial contribution in the sum of £109,340 (one hundred and nine thousand three hundred and forty pounds) in respect of the overall development, as required by Condition No. 22 of planning permission granted by An Bord Pleanála under reference PL 06S.096976, Reg. Ref. S94A/0503; arrangements to be made prior to commencement of development on site.

REASON:

It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or that is proposed to be incurred by the Council on road improvement works and traffic management schemes facilitating the proposed development.

- 3 That arrangement be made with regard to the payment of the financial contribution in the sum of £63,013 (sixty three thousand and thirteen pounds) in respect of the overall development, as required by Condition No. 23 of planning permission granted under An Bord Pleanála under reference PL 06S.096976, Reg. Ref. S94A/0503; arrangements to be made

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prior to commencement of development on site.

REASON:

To ensure the satisfactory completion of the development.

- 4 Subject to the conditions set out below, the development shall be undertaken in accordance with the submitted plans and details and shall otherwise accord with the terms and conditions of planning permission Ref. PL 06S.096976 (South Dublin County Council Ref. S94A/0503) as amended by planning permission Ref. S96A/0369 including the financial conditions and conditions relating to the phasing of the individual elements of the overall development as set down in these permissions.

REASON:

In the interests of the proper planning and development of the area.

- 5 This planning permission relates solely to the change of use of unit no. 7 of the retail element of the development and does not relate to any other aspect of the development.

REASON:

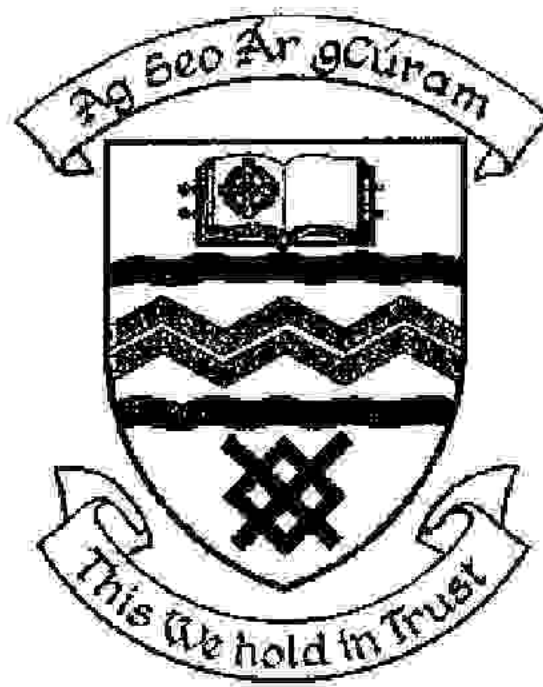
In the interest of clarity.

- 6 The proposed development shall not be open for trade between the hours of 12 midnight and 08.30 hours on each day.

REASON:

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

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- 7 Prior to the commencement of development details for proposed internal layout and design of the proposed development as well as ventilation and odour abatement measures related to the proposed use shall be submitted to and be to the satisfaction of the Planning Authority.

REASON:

In the interests of residential amenity and the proper planning and development of the area.

- 8 Prior to the commencement of development full details of all proposed external advertising signs and devices for the premises and the site shall be submitted to and be to the satisfaction of the Planning Authority. Signage shall not be internally illuminated.

REASON:

In the interest of the control of advertising with respect to the visual amenities of the area having regard to the location of unit 7 in relation to Ballyowen Castle.

- 9 Notwithstanding condition no. 8 above, no additional advertising signs shall be painted or erected on the premises or the site without first receiving a separate planning permission from South Dublin County Council, whether or not such advertising signs or devices might otherwise constitute exempted development.

REASON:

In the interests of the control of advertising with respect to the visual amenities of the area.

- 10 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.

REASON:

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In order to comply with the Sanitary Services Acts, 1878-1964.

- 11 No goods, wastes or other materials relating to the use of the unit shall be left, kept or stored other than within the unit and in particular shall not be left, kept or stored within any service yard area other than within specifically designated areas.

REASON:

In the interest of a proper standard of development and residential amenity.

- 12 At least two waste paper bins shall be located adjacent to the entrance to the premises. Details, including positioning and design, shall be submitted to and be to the satisfaction of the Planning Authority, prior to the commencement of development.

REASON:

In the interests of the control of litter with respect to the visual and residential amenities of the area.

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

Order Number 0859	Date of Order 08/05/97
Register Reference S97A/0218	Date 11th April 1997

Applicant Ballymore Homes Ltd.,

Development Change of use of Unit 7 of previously approved commercial development. (Reg. Ref. S96A/0369) from retail to take-away.

Location Outer Ring Road Ballyowen Lane, Lucan, Co. Dublin.

Dear Sir/Madam,

An inspection carried out on 2/5/97 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
 - (b) whether application is for Permission, Outline Permission, or Approval.

Project Architects,
Flemings Court,
Flemings Place,
Dublin 4.

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- (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.

08/05/97