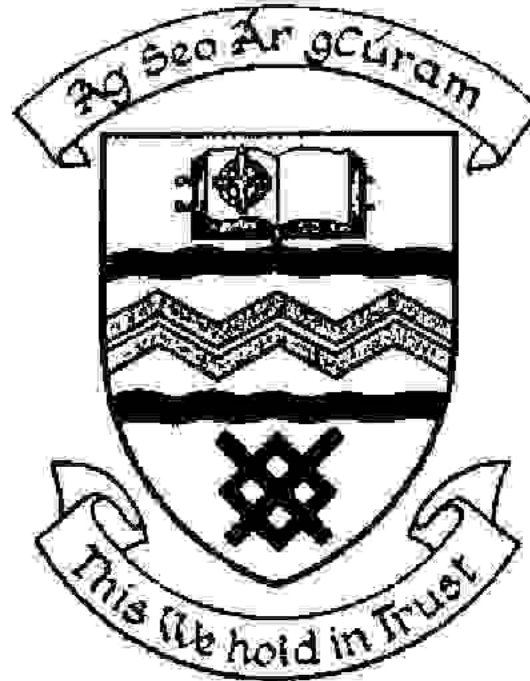


	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S96A/0579	
1. Location	Outer Ring Road, Ballyowen Lane, Lucan, Co. Dublin.		
2. Development	Change of use of Unit 2 of previously approved commercial development (Reg. Ref. S96A/0369) from retail to take away restaurant.		
3. Date of Application	31/10/96	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 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. 2436 Date 17/12/96	Effect AP GRANT PERMISSION	
7. Grant	O.C.M. No. Date	Effect AP GRANT PERMISSION	
8. Appeal Lodged	16/01/97	Written Representations	
9. Appeal Decision	11/03/97	Appeal Withdrawn	
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.	

**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
Fax: 01-462 0104

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

Decision Order Number 2436	Date of Decision 17/12/96
Register Reference S96A/0579	Date 31st October 1996

Applicant Ballymore Homes Ltd.,
Development Change of use of Unit 2 of previously approved commercial development (Reg. Ref. S96A/0369) from retail to take away restaurant.

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

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

Subject to the conditions (13) on the attached Numbered Pages.
signed on behalf of the South Dublin County Council.

.....
for SENIOR ADMINISTRATIVE OFFICER

17/12/96

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

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
REG REF. S96A/0579



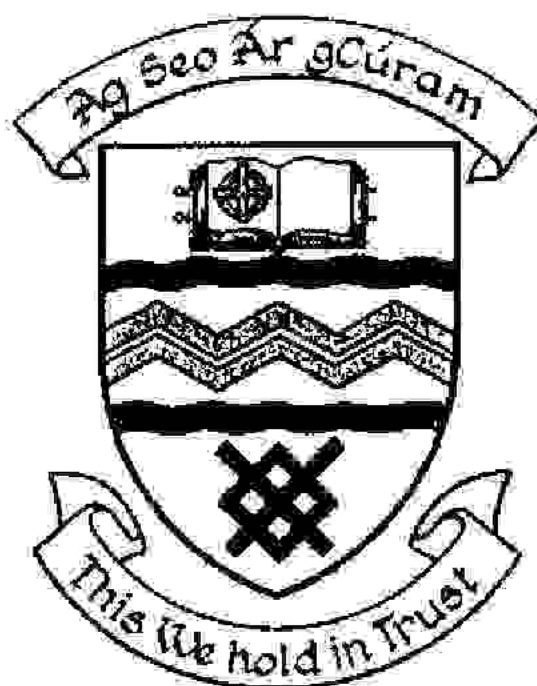
PLANNING
DEPARTMENT
P.O. Box 4122,
Town Centre, Tallaght,
Dublin 24.

Telephone: 01-462 0000
Fax: 01-462 0104

Conditions and Reasons

- 1 Subject to the conditions set out below, the development shall be undertaken strictly in accordance with the submitted plans and details and shall otherwise strictly accord with the terms and conditions of planning permission ref. PL 06S. 096976 (South Dublin County Council reference 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.
- 2 This planning permission relates solely to the change of use of unit no. 2 of the retail element of the development and does not relate to any other aspect of the development.
REASON:
In the interests of clarity.
- 3 The proposed development shall not be open for trade between the hours of 12 mid-night and 08.00 hours on each day.
REASON:
In the interests of the proper planning and development of the area and residential amenity.
- 4 Prior to the commencement of development details for proposed internal layout and design of the proposed development as well as ventilation and odour abatement

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
REG. REF. S96A/0579

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

Telephone: 01-462 0000
Fax: 01-462 0104

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.

- 5 The service door on the northern elevation shall remain closed at all times other than in the case of emergency or receiving related to the use of the unit.

REASON:

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

- 6 Prior to the commencement of development full details of all proposed external advertising signs and devices for the premises and the site, including methods of illumination, if any, shall be submitted to and be to the satisfaction of the Planning Authority.

REASON:

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

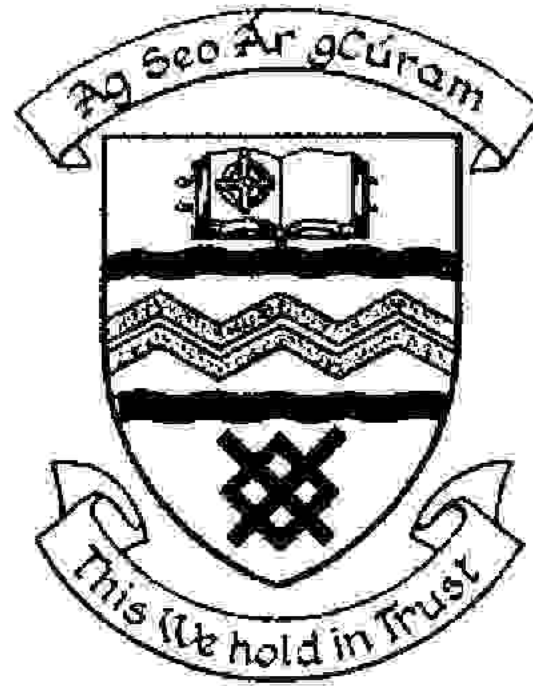
- 7 Notwithstanding condition no. 6 above, no additional advertising signs shall be painted or erected on the premises or the site without first receiving a separate planning permission from South Dublin County Council, whether or not such advertising signs or devices might otherwise constitute exempted development.

REASON:

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

- 8 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the

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
REG REF. S96A/0579

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

Telephone: 01-462 0000
Fax: 01-462 0104

requirements of the County Council.

REASON:

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

- 9 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 the service yard area other than within specifically designated areas.

REASON:

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

- 10 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.

- 11 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 a 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. S94A/0503; arrangements to be made prior to commencement of development on site.

REASON:

To ensure the satisfactory completion of the development.

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

REG. REF. S96A/0579

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

Telephone: 01-462 0000

Fax: 01-462 0104

- 12 That arrangements 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.096076, 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.

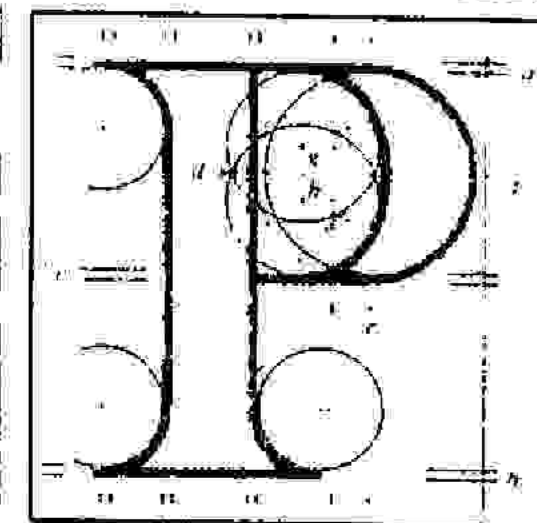
- 13 That arrangements be made with regard to the payment of the financial contribution in the sum of £63,013 (sixty three thousands, and thirteen pounds) in respect of the overall development as required by Condition No. 23 of planning permission granted by An Bord Pleanála under Reference PL 06S.096976,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

REASON:

The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the development should contribute towards the cost of providing the services.

Our Ref: PL 06S.101388
P.A.Reg.Ref: S96A/0579
Your Ref: Ballymore Homes Ltd.

An Bord Pleanála



Project Architects,
Fleming Court,
Fleming's Place,
Dublin 4.

11th March 1997

Appeal Re: Change of use from retail to take-away restaurant.
outer Ring Road, Ballyowen Lane, Lucan, Co.Dublin.

Dear Sir,

I have been asked by An Bord Pleanála to refer to the above appeal and in particular to the notice served by the Board under section 16 (1) of the Local Government (Planning and Development) Act, 1992.

Since the period specified in the notice has expired and the Board has considered any submission made pursuant to the notice, I am to inform you that in accordance with section 16 (2)(a) of the Act, An Bord Pleanála hereby declares that the application shall **be regarded as having been withdrawn.**

Please note that in relation to an application which is regarded as having been withdrawn section 16(3) of the 1992 Act provides that:

- (a) any appeal in relation to the application shall be regarded as having been withdrawn and accordingly shall not be determined by the Board, and
- (b) notwithstanding any previous decision under section 26 of the Principal Act by a planning authority as regards the application, no permission or approval shall be granted under that section by the authority on foot of the application.

Yours faithfully,


Chris Clarke
Senior Executive Officer

NA 74a

Floor 3, Block 6
Irish Life Centre
Lower Abbey Street
Dublin 1

Tel: (01) 872 8011
Fax: (01) 872 2684

Úrlár 3, Bloc 6
Lairíonad Irish Life
Sráid na Mainistreach Íochtarach
Baile Átha Cliath 1