

# CORPORATION OF DUBLIN

<b>PLAN NO.</b> 1858/75.	<b>LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963</b> <b>PLANNING REGISTER (Part I)</b>		<b>REGISTER REFERENCE</b> <del>1858/75.</del> H 2917										
<b>1. LOCATION</b>	6, DODDER PARK DRIVE, RATHFARNHAM, DUBLIN 14.		<b>O.S. NO.</b> 22 VII 1462 2954. <b>GRID REF.</b>										
<b>2. PROPOSED DEVELOPMENT</b>	CHANGE OF USE FROM SHOP TO FISH RESTAURANT.		<b>PREPARED BY:</b> <b>CHECKED BY:</b>										
<b>3. TYPE &amp; DATE OF APPLICATION</b>	<b>TYPE</b>  P.	<b>APPLICATION DATE</b>  2nd July, 75.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">Date Further Particulars</th> </tr> <tr> <th style="width: 50%; text-align: center;">(a) Requested</th> <th style="width: 50%; text-align: center;">(b) Received</th> </tr> <tr> <td>1. ....</td> <td>1. ....</td> </tr> <tr> <td>2. ....</td> <td>2. ....</td> </tr> <tr> <td>3. ....</td> <td>3. ....</td> </tr> </table>	Date Further Particulars		(a) Requested	(b) Received	1. ....	1. ....	2. ....	2. ....	3. ....	3. ....
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1. ....	1. ....												
2. ....	2. ....												
3. ....	3. ....												
<b>4. SUBMITTED BY</b>	Name <b>MUNDEN &amp; PURCELL,</b> Address <b>80, HADDINGTON ROAD, DUBLIN 4.</b>												
<b>5. APPLICANT</b>	Name <b>MACHELE MALIZIA,</b> Address <b>6, DODDER PARK DRIVE, RATHFARNHAM, DUBLIN 14.</b>												
<b>6. DECISION</b>	O.C.M. No. & DATE <b>P2857.</b> 27th Aug. 75. Date NOTIFIED 27th Aug. 75.	<b>EFFECT TO REFUSE PERMISSION</b> (SEE OPPOSITE).											
<b>7. GRANT</b>	O.C.M. No. & DATE Date NOTIFIED	<b>EFFECT</b>											
<b>8. APPEAL</b> <b>8A. DATE OF MINISTER'S DECISION</b>	NOTIFICATION TO 17th Sept, 75. CORPORATION 24th Nov. 75.	Decision <b>PERMISSION REFUSED.</b> (SEE OPPOSITE).											
<b>9. APPLICATION SECTION 26 (3)</b>	Date of application	Decision											
<b>10. COMPENSATION</b>	Ref. in Compensation Register												
<b>11. ENFORCEMENT</b>	Ref. in Enforcement Register <b>E 79/75.</b>												
<b>12. PURCHASE NOTICE</b>													
<b>13. REVOCATION or AMENDMENT</b>													
<b>14.</b>													
<b>15.</b>													
<b>16.</b>													

DATE OF ISSUE OF COPY

CERTIFYING OFFICER

CITY TREASURER'S RECEIPT NO.

**CORPORATION OF DUBLIN**

**Order of the Assistant City and County Manager**

Local Government (Planning & Development) Act, 1963: Local Government (Dublin) Acts 1930-1955

**P2857**

**27 AUG 1975**

**RECOMMENDATION:**

I hereby endorse the recommendation of the

Development Control Assistant Grade 1/Planning Assistant Grade 1:

Decision Order No. .... Date .....

**JC/AC**

Date: **25.8.75**

**2nd July, 1975.**

**REFUSE PERMISSION**

in respect of the Application received on

for **3** reasons,

for the development proposed in Plan No. **1858/75**

Reg. No. **1858/75**

by Applicant **Rachele Melizia**

of **6 Dodder Park Drive, Rathfarnham, Dublin 14.**

namely to: **Change use from shop to fish restaurant at 6 Dodder Park Drive, Rathfarnham, Dublin 14.**

Signed: .....

Assistant Principal Officer. Date: .....

**ORDER:** In accordance with the recommendation of the Assistant Principal Officer, I decide that having regard to the provisions which are included in the Development Plan, the above proposal would be contrary to proper planning and development and I, therefore, decide **TO REFUSE PERMISSION** therefor under the Local Government (Planning and Development) Act, 1963 for the **3** reasons stated below

**REASONS**

- (1) The proposed development by reason of associated noise and nuisance arising from late night trading would be seriously injurious to the amenities and depreciate the value of residential properties in the vicinity and as such would be contrary to the proper planning and development of the area.
- (2) The proposed development would further injure the amenities of the area by reason of fumes, smell and traffic generated by the proposed use.
- (3) The shops in this area, which is zoned for residential service uses in the Dublin Development Plan 1971, are intended to serve the shopping needs of the adjoining residential district and no evidence has been produced to the planning authority that there is a need or demand for a fried fish shop in this location.

*VRK*  
**27/8**

ASSISTANT CITY AND COUNTY MANAGER

to whom the appropriate powers have been delegated by Order of the City and County Manager dated.....day

PL. 23/5/22283

POLISH PHARMACY APPEAL

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963

Cottee Kshing Phalla Atha Cliath

Planning Register Reference Number: 1858/75

APPEAL by Machele Halisia of 6 Dedder Park Drive, Rathfarnham, against the decision made on the 27th day of August 1975 by the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin deciding to refuse permission for the change of use of a shop at Number 6 Dedder Park, Rathfarnham, from use as grocery shop to use as a fish restaurant.

DECISION: Pursuant to subsection (5) of section 26 of the Local Government (Planning and Development) Act 1963, permission is hereby refused for the said change of use for the reasons set out in the Schedule hereto.

SCHEDULE

The proposed change of use to a fish restaurant by reason of late night trading and the noise, fumes and smell associated with the said use would be seriously injurious to the amenities of the adjoining residential area and would be contrary to the proper planning and development of the area.

GIVEN under the Official Seal of the Minister  
for Local Government this 24th day of November 1975.

L.S

TAMIS TIPPY

Minister for Local Government.