

# COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 <b>PLANNING REGISTER</b>		REGISTER REFERENCE  86A/1100						
1. LOCATION	Cherry Orchard Industrial Estate, Ballyfermot								
2. PROPOSAL	Shopping Development, Restaurant & Lounge Bar								
3. TYPE & DATE OF APPLICATION	TYPE	Date Received	<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 style="vertical-align: top;"> 1. Time ext. up to &amp; incl., 30/11/86  27th Nov, 1986 </td> <td style="vertical-align: top;"> 1. ....  2. .... </td> </tr> </table>	Date Further Particulars		(a) Requested	(b) Received	1. Time ext. up to & incl., 30/11/86 27th Nov, 1986	1. .... 2. ....
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4. SUBMITTED BY	Name Michael Larkin & Associates, Address Bettyglen House, Raheny, Dublin 5								
5. APPLICANT	Name Helga Investments Limited, Address Cromwellsfort Road, Dublin 12								
6. DECISION	O.C.M. No. P/322/87 Date 29th Jan., 1987	Notified 29th Jan., 1987 Effect To grant permission							
7. GRANT	O.C.M. No. P/826/87 Date 11/3/87	Notified 11/3/87 Effect Permission granted							
8. APPEAL	Notified  Type	Decision  Effect							
9. APPLICATION SECTION 26 (3)	Date of application	Decision  Effect							
10. COMPENSATION	Ref. in Compensation Register								
11. ENFORCEMENT	Ref. in Enforcement Register 8113 (Section 35)								
12. PURCHASE NOTICE									
13. REVOCATION or AMENDMENT									
14.									
15.									

Prepared by .....

Checked by .....

Copy issued by ..... Registrar.

Date .....

Co. Accts. Receipt No .....

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Prepared by .....

Checked by .....

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Date .....

Co. Accts. Receipt No .....

Ref: *Inf.* 8113

Date: 29.1.92

*V. Healy*  
Administrative Officer,  
Registry Section,  
Planning Department,  
Dublin County Council:

RE:

Reg. Ref. No. *86A/1100*

*Lands at Unit 2, Cherry Orchard Ind*  
*Est., Ballyfermot*

A ~~Warning Notice~~/Enforcement Notice (Section *35-*) has been served on lands covered by the above Reg. Ref. No. Please amend statutory register accordingly.

Details are in Part III.

*W. J. Healy*  
Staff Officer:  
Enforcement Section:

COUNTY COUNCIL OF THE COUNTY OF DUBLIN

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS, 1963-1990

ENFORCEMENT NOTICE pursuant to Section 35 of the Principal Act as amended by Section 9 of the Local Government (Planning & Development) Act 1982.

WHEREAS the County Council of the County of Dublin (hereinafter called "the Council") is the Planning Authority for the County of Dublin (exclusive of any Borough or Urban District therein) in which are situate the lands at Unit 2, Cherry Orchard Industrial Estate, Ballyfermot, in the townland of Ballyfermot, in the electoral division of Cherry Orchard A.

AND WHEREAS planning permission under the Local Government (Planning & Development) Act 1963 was granted on the 11th day of March, 1987 for shopping development, restaurant on the said lands, subject to condition(s), inter alia,

Condition No. 7:

"that a detailed landscape plan with full works specification including a programme for implementation for all on site landscaping i.e. car parking areas, verges etc. shall be submitted to and agreed with the Planning Authority prior to the commencement of development".

Condition No. 10:

"That details of litter bins to be provided at suitable locations within the development shall be submitted to and agreed with the Planning Authority prior to the commencement of development".

Condition No. 13:

"that all car parking areas to the front and rear of the building shall be laid in tarmac and that individual car parking spaces shall be marked out in white paint prior to the commencement of the uses authorised by this permission in the proposed buildings. In this regard, the car parking areas shall not be used as a vehicle storage area at any time".

Condition No. 15:

"that full details of boundary treatment between the site and the adjoining development be fully agreed with the Planning Department prior to the commencement of development. In this regard, a 2m high wall shall be erected along the eastern boundary of the site; a one metre high forticrete block wall shall be erected along the (west) road boundary of the site save to provide vehicular/pedestrian access, (this wall shall be extended along the southern boundary of the site adjoining the existing petrol filling station)."

Condition No. 16:

"that adequate lighting shall be provided in both the front and rear car parking areas. Lamp standards in the rear car parking areas shall not exceed 1.25m in height. Details shall be submitted to and agreed with the Planning Authority prior to the commencement of development".

NOTE:

AND if within the specified period the steps hereinbefore required have not been taken the provisions of Section 35 of the principal Act as amended by Section 8 of the Local Government (Planning & Development) act, 1982, shall apply in so far as same are relevant to this case and you shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £800. (Eight Hundred Pounds) AND if after such conviction you do not as soon is practicable do everything in your power to secure compliance with this Notice you shall be guilty of a further offence and shall be liable on summary conviction to a fine not exceeding £150. (One Hundred and Fifty Pounds) for each day on which the requirements of this Notice remain unfulfilled.

TO; Helga Investments Ltd.,  
The Bungalow,  
Naas Road,  
Rathcoole,  
Co. Dublin.



B

Michael Larkin & Assoc.,

86A-1100

91 Main Street,

Bray,

Co. Wicklow

27th November, 1986.

RE:

Proposed shopping development, restaurant and lounge bar at  
Cherry Orchard Industrial Estate, Ballyfermot for Helga  
Investments Ltd.

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Dear Sirs

With reference to your planning application, received here on 23rd July, 1986, time extension up to and including 30th November, 1986, in connection with the above, I wish to inform you, that before the application can be considered under the Local Government (Planning and Development) Acts, 1963-1983, the following additional information must be submitted in quadruplicate:-

1. The applicant is requested to clarify whether or not off-street car parking can be provided to Development Plan Standards, to serve the proposed uses in this proposed development. In this regard, the applicant is to clarify the position with regard to the motor sales outlet, i.e. where on site it is proposed to store the vehicles generated by this use, both during and after trading hours. Details of loading and unloading facilities and storage facilities should be identified on lodged plans.

Contd./....

2. The applicant to submit the following:-

(i) details of compliance with the Shops Conditions of Employment Act, 1938;  
(ii) details of ventilation to water closet compartments and shopunits;  
(iii) details of compliance with Food Hygiene Regulations 1950/71. In this regard, insufficient information has been submitted in relation to the following:-

- a. nature and extent of food business in restaurant;
- b. layout of equipment, wall, floor and ceiling finishes, preparation area, storage areas;
- c. number of staff;
- d. staff cloakroom facilities;
- e. details of ventilation throughout first floor restaurant and lobbies leading to W.C.'s;
- f. waste disposal and drainage arrangements.

Please mark your reply "Additional Information" and quote the Reg. Ref. No. given above.

Yours faithfully,

  
\_\_\_\_\_  
for Principal Officer.

Michael Larkin & Assoc.,  
Bettyglan House,  
Raheny,  
Dublin 5.

86A-1100

26th September, 1986.

RE: Proposed shopping development, restaurant and lounge  
bar at Cherry Orchard Industrial Estate, Ballyfermot  
for Halga Investments Ltd.

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Dear Sirs,

With reference to your planning application received here on 30th July, 1986,  
(letter for extension period received 26th September, 1986), in connection  
with the above, I wish to inform you that:-

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, 1963, the period for considering this  
application within the meaning of subsection (4A) of Section 26 has been  
extended up to and including the 30th November, 1986.

Yours faithfully,

  
\_\_\_\_\_  
for Principal Officer.



# DUBLIN COUNTY COUNCIL

tel. 724755 (ext. 262/264)

P/8.26/87

PLANNING DEPARTMENT,  
BLOCK 2,  
IRISH LIFE CENTRE,  
LR. ABBEY STREET,  
DUBLIN 1.

GRANT OF  
PERMISSION

## Notification of Grant of Permission/Approval ~~XXXXXX~~

Local Government (Planning and Development) Acts, 1963-1983

To **Michael Larkin & Assocs.,**  
**91 Main Street,**  
**Bray,**  
**Co. Wicklow.**  
Applicant **Helga Investments Ltd.**

Decision Order **P/322/87 - 29/1/87**  
Number and Date  
Register Reference No. **86A-1100**  
Planning Control No.  
Application Received on **30/7/86**  
Time Ext. up to: **30/11/86**  
Add. Info. Rec'd: **2/12/86**

A PERMISSION/APPROVAL has been granted for the development described below subject to the undermentioned conditions. ~~XXXXXX~~

**shopping development, restaurant at Cherry Orchard Industrial Estate,**  
**Ballyfermot**

### CONDITIONS

1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
2. That before development commences, approval under the Building Bye-Laws be obtained and all conditions of that approval be observed in the development.
3. That a financial contribution in the sum of £5,160.00 be paid by the proposer to the Dublin County Council towards the cost of provision of public services in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site.
4. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining lands during the course of the works.
5. That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.

### REASONS FOR CONDITIONS

1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. In order to comply with the Sanitary Services Acts, 1878-1964.
3. The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services.
4. To protect the amenities of the area.
5. In the interest of amenity.

Signed on behalf of the Dublin County Council

*[Signature]*  
For Principal Officer

11 MAR 1987

Date

Approval of the Council under Building Bye-Laws must be obtained before the development is commenced and the terms of approval must be complied with in the carrying out of the work

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

7. That a detailed landscape plan with full works specification including a programme for implementation for all on site landscaping i.e. car parking areas, verges etc., shall be submitted to and agreed with the Planning Authority prior to the commencement of development.

8. That no advertising signs or structures, other than those considered exempted development, be erected without the prior approval of the Planning Authority or An Bord Pleanala on appeal.

9. That details of all sewer connections and layouts and the watermain layout be submitted to and agreed with the Sanitary Services Department prior to the commencement of development.

10. That details of litter bins to be provided at suitable locations within the development shall be submitted to and agreed with the Planning Authority prior to the commencement of development.

11. That the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.

12. That the requirements of the Senior Environmental Health Officer be ascertained and strictly adhered to in the development.

13. That all car parking areas to the front and rear of the building shall be laid in tarmac and that individual car parking spaces shall be marked out in white paint prior to the commencement of the uses authorised by this permission in the proposed buildings. In this regard, the car parking area shall not be used as a vehicle storage area at any time.

14. That the proposed security gates at the entrance to the rear car parking area shall remain open during the trading/business hours of the proposed development.

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

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

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

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11. In the interest of safety and the avoidance of fire hazard.

12. In the interest of health.

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

14. To ensure that access can be gained to the proposed car parking areas at all times.

contd./....

11 MAR 1987

Thurs

# DUBLIN COUNTY COUNCIL

Tel. 724755 (ext. 262/264)

P/8.26./87

PLANNING DEPARTMENT,  
BLOCK 2,  
IRISH LIFE CENTRE,  
LR. ABBEY STREET,  
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GRANT OF  
PERMISSION

## Notification of Grant of Permission/Approval

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**shopping development, restaurant at Cherry Orchard Industrial Estate,  
Ballyfermot.**

CONDITIONS	REASONS FOR CONDITIONS
15. That full details of boundary treatment between the site and the adjoining development be fully agreed with the Planning Department prior to the commencement of development. In this regard, a 2m high wall shall be erected along the eastern boundary of the site; a one metre high forticrete block wall shall be erected along the (west) road boundary of the site save to provide vehicular/pedestrian access, (this wall shall be extended along the southern boundary of the site adjoining the existing petrol filling station).	15. To screen the proposed development from adjoining development and to ensure that vehicular access to the site can only be gained via the existing industrial estate road.
16. That adequate lighting shall be provided in both the front and rear car parking areas. Lamp standards in the rear car parking areas shall not exceed 1.25m in height. Details shall be submitted to and agreed with the Planning Authority prior to the commencement of development.	16. To ensure a satisfactory standard of development and to minimise disamenity to adjoining dwellings.
17. That the proposed uses (and respective floor area breakdown) to be carried out in the premises shall be solely as indicated in documentation lodged as additional information dated 2nd December, 1986, viz:- a. ground floor - motor sales; motor factors; tyre sales; consulting rooms (doctor/dentist); newsagent	17. To prevent unauthorised development and to ensure that effective control can be maintained  contd./.....

Signed on behalf of the Dublin County Council

*[Signature]*  
For Principal Officer

11 MAR 1987

Date

Approval of the Council under Building Bye-Laws must be obtained before the development is commenced and the same of approval must be complied with in the carrying out of the work



P/8.26.67

17. Contd./....

b. first floor - restaurant.

In this regard, the lounge bar element indicated  
in the original lodged plans to be omitted from the  
development.

*THH*

11 MAR 1987