

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S97A/0646	
1. Location	Manor Cottage, 2 Manor Avenue, Wainsfort Grove, Terenure, Dublin 6.		
2. Development	Retention of security cameras and lights on pole to front.		
3. Date of Application	07/10/97	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 2.	1. 2.
4. Submitted by	Name: High Tech Draughting Services, Address: 11 The View, Belgard Heights,		
5. Applicant	Name: Mr. & Mrs. J. Dunney, Address: Manor Cottage, 2 Manor Avenue, Wainsfort Grove, Terenure, Dublin 6.		
6. Decision	O.C.M. No. 4184 Date 04/12/97	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	05/01/98	Written Representations	
9. Appeal Decision	04/08/98	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.	

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1998

County South Dublin

Planning Register Reference Number: S97A/0646

APPEAL by James and Angela Dunney care of Patrick Donaghy and Company, Solicitors of 13/16 Dame Street, Dublin against the decision made on the 4th day of December, 1997 by the Council of the County of South Dublin to refuse permission for the retention of security cameras and lights on pole to front of 2 Manor Avenue, Wainsfort Grove, Terenure, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1998, permission is hereby refused for the retention of the said security cameras and lights on pole for the reason set out in the Schedule hereto.

SCHEDULE

Having regard particularly to the elevated location of the development, adjacent to private gardens of houses to the east, the retention of the development would be visually obtrusive and would be intrusive in relation to the privacy of such properties and would cause excessive intermittent illumination of these properties. Accordingly, it is considered that the development would seriously injure the amenities and depreciate the value of property in the vicinity. The development would, therefore, contravene materially the zoning objective for the area "to protect and improve residential amenity" (which objective is considered to be reasonable) and would be contrary to the proper planning and development of the area.

T. O' Killy

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

Dated this *4th* day of *August* 1998.



AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1998

County South Dublin

WHEREAS a question has arisen as to whether the erection of a steel pole with security cameras and two security lights attached at 2 Manor Avenue, Wainsfort Grove, Terenure, Dublin is or is not development or exempted development within the meaning of the Local Government (Planning and Development) Acts, 1963 to 1998:

AND WHEREAS the said question was referred to An Bord Pleanála by Patrick Donaghy and Company of 13/16 Dame Street, Dublin on behalf of James and Angela Dunney on the 19th day of February, 1998:

AND WHEREAS An Bord Pleanála, in considering this reference, had regard particularly to -

- (a) sections 2, 3 and 4 of the 1963 Act, and
- (b) article 9 of the Local Government (Planning and Development Regulations), 1994, with particular reference to Classes 3 and 43 of Part I of the Schedule to these Regulations:

AND WHEREAS An Bord Pleanála has concluded that -

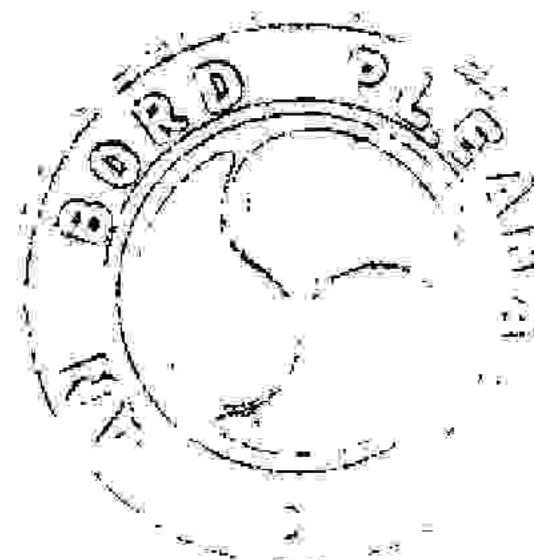
- (a) the erection of the said steel pole with security cameras and lights attached involves the carrying out of works which come within the meaning of development in section 3(1) of the 1963 Act,
- (b) the erection of the said steel pole with security cameras and lights attached does not come within the scope of section 4(1)(h) of the 1963 Act,
- (c) the development the subject of this reference does not comply with condition 1 of the conditions and limitations in column 2 opposite the mention of Class 3 in column 1 of Part 1 of the Second Schedule to the 1994 Regulations, and
- (d) the development the subject of this reference does not come within the scope of Class 43 of Part 1 of the Second Schedule to the 1994 Regulations:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 of the 1963 Act, hereby decides that the erection of the said steel pole with security cameras and lights attached is development and is not exempted development.

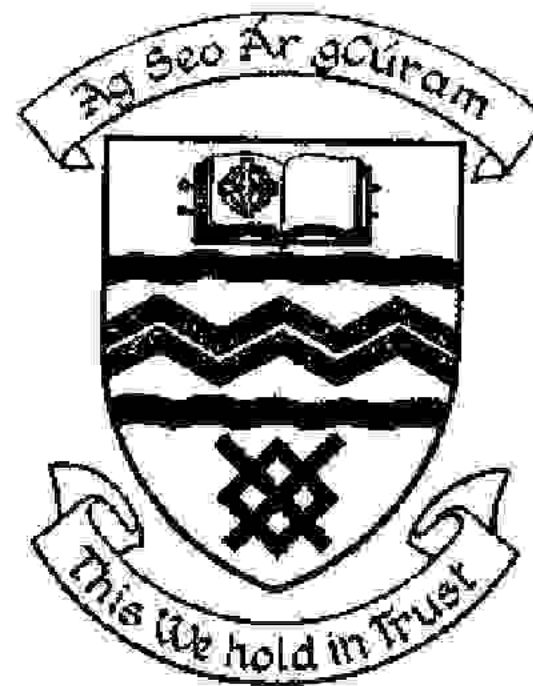
P. O' Sullivan

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

Dated this *4th* day of *August* 1998.



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

Decision Order Number 4184	Date of Decision 04/12/97
Register Reference S97A/0646	Date 7th October 1997

Applicant Mr. & Mrs. J. Dunney,
Development Retention of security cameras and lights on pole to front.
Location Manor Cottage, 2 Manor Avenue, Wainsfort Grove, Terenure,
Dublin 6.
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 **REFUSE PERMISSION** in respect of the above proposal.

for the (1) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

.....
for SENIOR ADMINISTRATIVE OFFICER

04/12/97

High Tech Draughting Services,
11 The View,
Belgard Heights,
Dublin 24.

SOUTH DUBLIN COUNTY COUNCIL
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REG REF. S97A/0646



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Reasons

- 1 The proposed development by reason of visual intrusiveness, excessive levels of light and overlooking of adjacent property is considered to seriously injure the amenities and depreciate the value of property in the vicinity. The proposed development thereby contravenes materially the zoning objective for the area 'to protect and improve residential amenity' and is not consistent with the proper planning and development of the area.