

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S96A/0208	
1. Location	Kilsaran Concrete, Balrothery Cross, Dublin 22.		
2. Development	Erect a 30m high steel lattice carrying cellular antennae, a prefabricated equipment container no greater than 6m x 3m x 2.4m, palisade fencing 2.4m high and access driveway to form part of the cellular digital mobile communications network.		
3. Date of Application	12/04/96	Date Further Particulars (a) Requested (b) Received	
3a. Type of Application	Permission	1. 03/05/96 2.	1. 13/05/96 2.
4. Submitted by	Name: Esat Digifone, Address: South Block, The Malt House,		
5. Applicant	Name: Esat Digifone, Address: South Block, The Malt House, Grand Canal Quay, Dublin 2.		
6. Decision	O.C.M. No. 1263 Date 04/07/96	Effect RP REFUSE PERMISSION	
7. Grant	O.C.M. No. Date	Effect RP REFUSE PERMISSION	
8. Appeal Lodged	01/08/96	Written Representations	
9. Appeal Decision	29/11/96	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 1993

County South Dublin

Planning Register Reference Number: S96A/208

APPEAL by Esat Digifone of 76 Lower Baggot Street, Dublin against the decision made on the 4th day of July, 1996 by the Council of the County of South Dublin to refuse permission for development comprising a 30 metre high steel lattice carrying cellular antennae, a prefabricated equipment container no greater than six metres by three metres by 2.4 metres, palisade fencing 2.4 metres high and access driveway to form part of the cellular digital mobile communications network at Kilsaran Concrete, Balrothery Cross, Tallaght, Dublin:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1993, permission is hereby refused for the said development for the reasons set out in the Schedule hereto.

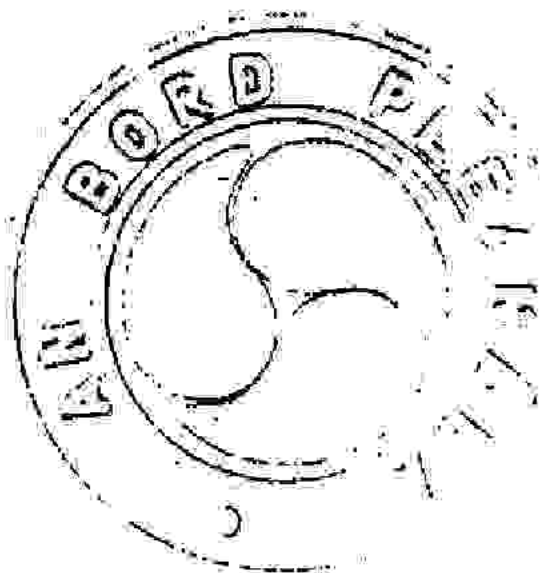
SCHEDULE

Having regard to the designation of the area in which the site is located as a high amenity area in the current development plan, for which the zoning objective is 'G' that is 'to protect and improve high amenity areas'(which objective is considered reasonable), the specific objective in the development plan to provide for the development of a Heritage Park located at Firhouse Weir, incorporating the historic weir, sluices, city watercourse and the surrounding lands (which location is in the proximity of the site) and the designation of the Dodder Valley in the vicinity of the site as an 'Area of Scientific Interest', it is considered that the erection of the proposed mast in an elevated location relatively close to the areas affected by the designations and objectives outlined above, would, by reason of its height, be unduly obtrusive in this setting, would seriously injure the visual amenities of this high amenity area, would contravene materially the zoning objective for the area and would, therefore, be contrary to the proper planning and development of the area thereof.



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

Dated this 29th day of November 1996.



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

Decision Order Number 1263	Date of Decision 04/07/96
Register Reference S96A/0208	Date 12th April 1996

Applicant Esat Digifone,

Development Erect a 30m high steel lattice carrying cellular antennae, a prefabricated equipment container no greater than 6m x 3m x 2.4m, palisade fencing 2.4m high and access driveway to form part of the cellular digital mobile communications network.

Location Kilsaran Concrete, Balrothery Cross, Dublin 22.

Floor Area Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received 03/05/96 /13/05/96

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.

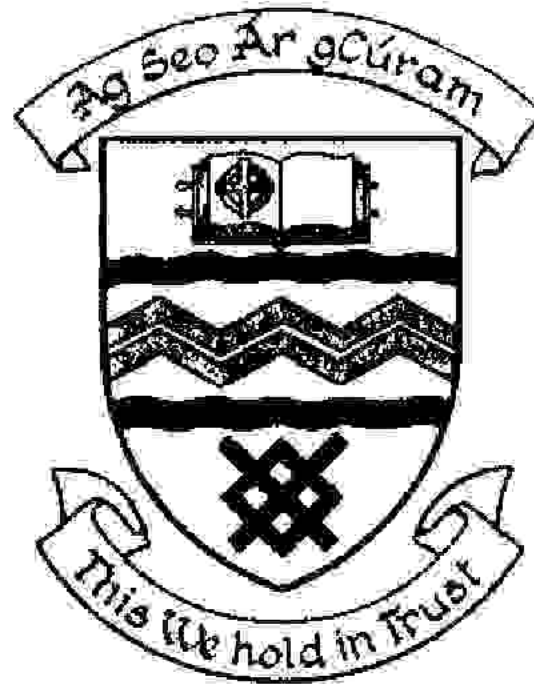
for the (2) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

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for **SENIOR ADMINISTRATIVE OFFICER** 04/07/96

Esat Digifone,
South Block,
The Malt House,
Grand Canal Quay,
Dublin 2.

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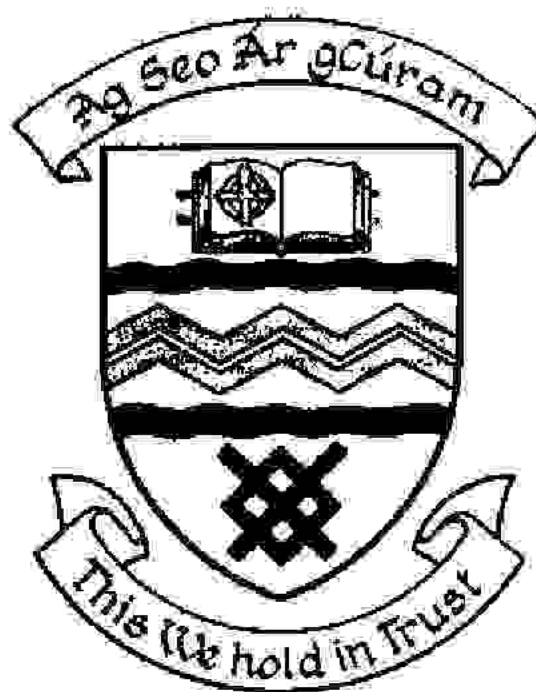
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Reasons

- 1 The area in which the site is located has been designated as an area of high amenity along the River Dodder adjacent to the Firhouse Weir Heritage Park for which the zoning objective in the 1993 Dublin County Development plan is "G", that is, "to protect and improve high amenity areas". The proposed development would be unduly obtrusive in this landscape setting by reason of its height, would cause serious injury to the visual amenities of this high amenity area and would, therefore, contravene materially the said zoning objective.

- 2 The proposed development would interfere with a view of special amenity value which it is an objective of the 1993 Dublin County Development plan to preserve i.e. the view to the south from the Tallaght By-Pass between the Balrothery junction and Bolbrook Community Centre. The proposed development would, therefore, be seriously injurious to the visual amenities of the area and be contrary to the proper planning and development of the area.

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S96A/0208

Esat Digifone,
South Block,
The Malt House,
Grand Canal Quay,
Dublin 2.

03/05/96

Register Reference S96A/0208

Applicant Esat Digifone,

Location Kilsaran Concrete, Balrothery Cross, Dublin 22.

Application Type Permission

Dear Sir/Madam,

I refer to the above planning application and wish to inform you

(A) In accordance with Article 29(2)(b)(ii) of the Local Government (Planning and Development) Regulations, 1994, you are required to submit the following further particulars:

- (i) Four complete sets of drawings to appropriate stated scales of the proposed mast and antennae structures. These drawings should include detailed plans elevations and sections to a scale of not less than 1:100.
- (B) An inspection carried out on 22.04.1996 has shown that a site notice was not erected on the site of the proposed development as required by Article 14(1)(b) of the Local Government (Planning and Development) Regulations, 1994.

You must erect a new notice on the site and submit the following to this department:

- (a) a copy of the text of the notice

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REG. REF. S96A/0208

- (b) a plan 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 fulfil 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.
2. The newspaper notice submitted with the application does not comply with the requirements of Article 15(1) of the Local Government (Planning and Development) Regulations, 1994 as it does not clearly indicate the type of permission required for the proposed development. The applicant is advised to arrange publication of a new notice in a newspaper circulating in the district, which shall contain SOUTH DUBLIN COUNTY COUNCIL as a heading and shall state:
 - (a) The name of applicant.
 - (b) The nature of the application, indicating which aspects of the proposal are for outline permission and which are for permission.
 - (c) The location of the development.
 - (d) The nature and extent of the development and indicating if any of the development is for retention.

No further consideration will be given to this application until you comply with these requirements.

Yours faithfully,

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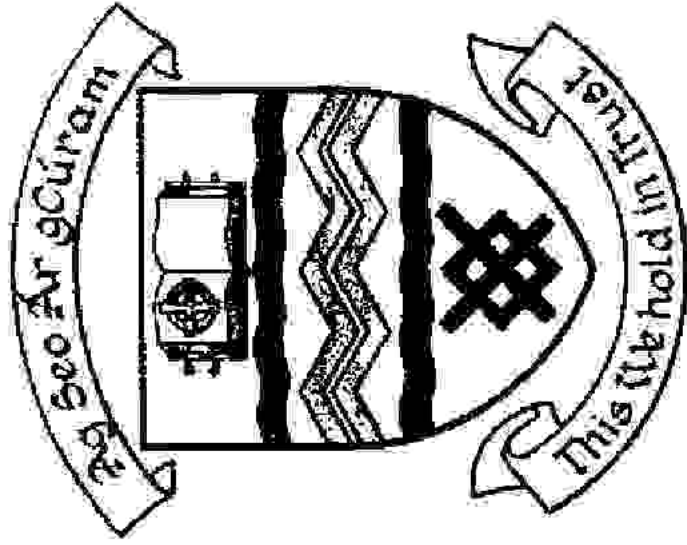
[Signature]
for Senior Administrative Officer

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.....
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