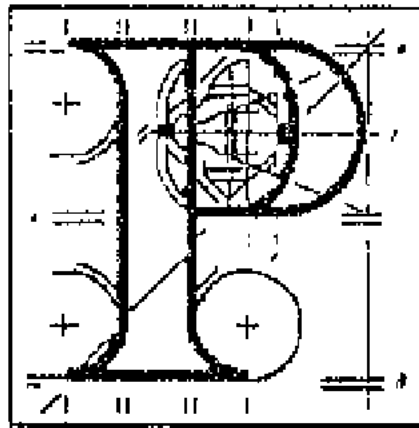




# An Bord Pleanála



LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1999

County South Dublin


Planning Register Reference Number: S99A/0362

**APPEAL** by Cleargate Limited care of Feargall Kenny of 9 Village Crafts Centre, Cornelscourt, Dublin against the decision made on the 21<sup>st</sup> day of October, 1999 by the Council of the County of South Dublin to refuse permission for retention and completion of new palisade fencing to replace existing boundary wall and fence, including renewal of existing gates, at Colberts Fort, off Belgard Road, Tallaght, Dublin:

**DECISION:** Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1999, permission is hereby refused for the retention and completion of the said palisade fencing, including renewal of existing gates for the reason set out in the Schedule hereto.

## SCHEDULE

Notwithstanding the poor visual condition of the existing boundary of the site adjoining Colberts Fort, it is considered that the provision of palisade fencing to replace the wall and gates would open up an industrial site to view from residential accommodation in the area. Visual separation from this accommodation is required in the interest of the maintenance of residential amenity. The development would seriously injure the residential amenities of adjoining property and would, therefore, be contrary to the proper planning and development of the area and would

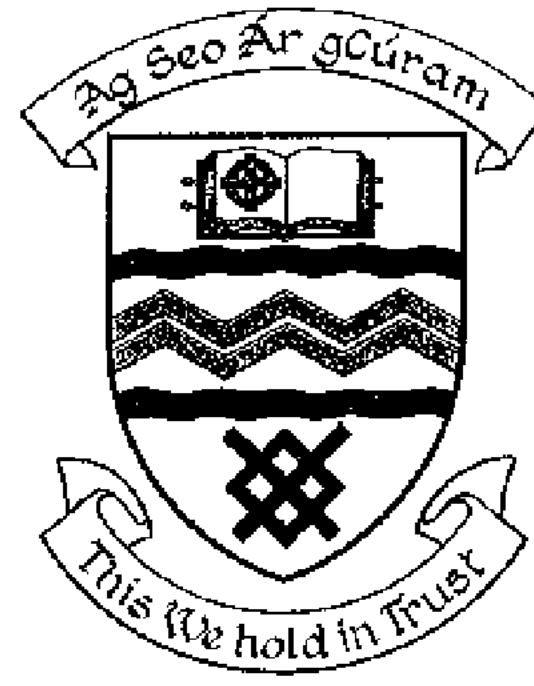
  
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Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.

Dated this 15<sup>th</sup> day of June 2000.

	South Dublin County Council Local Government (Planning & Development) Acts 1963 to 1993 Planning Register (Part 1)	Plan Register No. S99A/0362
1. Location	Colberts Fort, Off Belgard Road, Tallaght, Dublin 24 .	
2. Development	Retention and completion of new palisade fencing to replace existing boundary wall and fence, including renewal of existing gates .	
3. Date of Application	31/05/99	Date Further Particulars (a) Requested (b) Received
3a. Type of Application	Permission	1. 28/07/1999    1. 24/08/1999 2.                    2.
4. Submitted by	Name:        Feargall Kenny Address:    9 Village Craft Centre , Cornelscourt ,	
5. Applicant	Name:        Cleargate Ltd. Address:     Abbey House, 15-17 Upper Abbey St., Dublin 1 .	
6. Decision	O.C.M. No. 2295 Date        21/10/1999	Effect: RP    REFUSE PERMISSION
7. Grant	O.C.M. No. Date	Effect RP    REFUSE PERMISSION
8. Appeal Lodged		
9. Appeal Decision		
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,  
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Telefon: 01-414 9000  
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**PLANNING  
DEPARTMENT**  
P.O. Box 4122,  
Town Centre, Tallaght,  
Dublin 24.

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

Decision Order Number 2295	Date of Decision 21/10/1999
Register Reference S99A/0362	Date 31/05/99

Applicant            Cleargate Ltd.

Development        Retention and completion of new palisade fencing to replace  
                              existing boundary wall and fence, including renewal of  
                              existing gates .

Location             Colberts Fort, Off Belgard Road, Tallaght, Dublin 24 .

Floor Area                            Sq Metres

Time extension(s) up to and including

Additional Information Requested/Received        28/07/1999 /24/08/1999

Clarification of 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 (2) Reasons on the attached Numbered Pages.

Signed on behalf of the South Dublin County Council

..... 21/10/99  
for SENIOR ADMINISTRATIVE OFFICER

Feargall Kenny  
9 Village Craft Centre ,  
Cornelscourt ,  
Dublin 18 .

SOUTH DUBLIN COUNTY COUNCIL  
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REG REF. S99A/0362

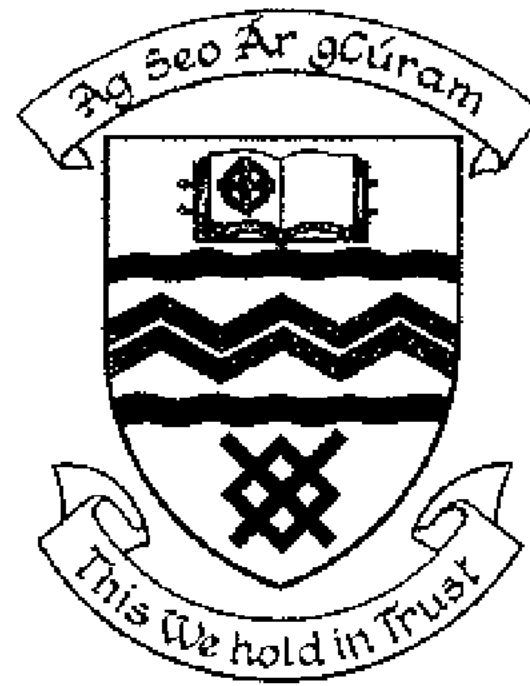
Reasons

- 1 The proposed site lies to the north of Colberts Fort Cottages. The proposed palisade fencing will be clearly visible from the cottages and allow clear views into the industrial site beyond. The proposed palisade fencing would be visually obtrusive at this location, would seriously injure the amenities of property in the vicinity and would be contrary to the proper planning and development of the area.
- 2 It is considered that the traffic generated by the proposal to retain and upgrade the existing entrance gates on this sub-standard cul-de-sac which lacks a footpath on one side, would endanger public safety by reason of a traffic hazard.

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

Decision Order Number 1601	Date of Decision 28/07/1999
Register Reference S99A/0362	Date: 31/05/99

**Applicant** Cleargate Ltd.  
**Development** Retention and completion of new palisade fencing to replace existing boundary wall and fence, including renewal of existing gates .

**Location** Colberts Fort, Off Belgard Road, Tallaght, Dublin 24 .

**App. Type** Permission

Dear Sir/Madam,

With reference to your planning application, received on 31/05/99 in connection with the above, I wish to inform you that before the application can be considered under the Local Government (Planning & Development) Acts 1963-1993, the following **ADDITIONAL INFORMATION** must be submitted in quadruplicate:

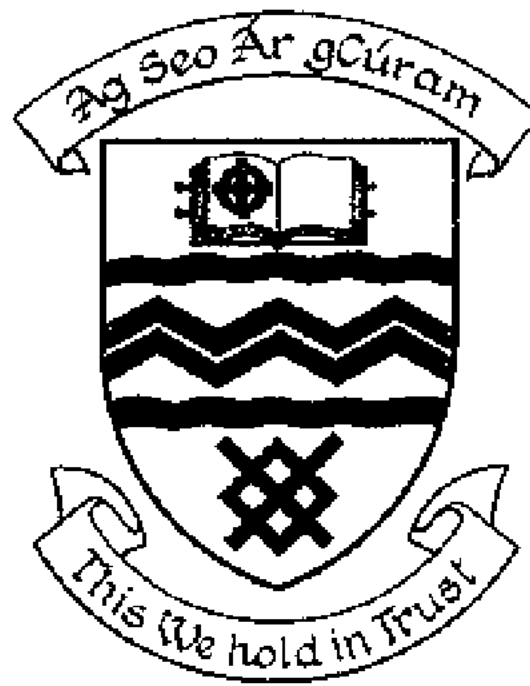
- 1 The applicant is requested to indicate if planning permission was obtained for the existing gate as there are no Council records of such a permission. In this connection the Planning Authority is of the view that Colberts Fort road is not a suitable access for heavy commercial vehicles given its narrow width and the need to protect the residential amenity of properties on its southern side. Given that there appears to be an alternative access for heavy vehicles directly off the Belgard Road the applicant is requested to consider closing off the access from Colberts Fort. Revised drawings should be submitted to indicate how this can be achieved.
- 2 The applicant is requested to indicate if there are any proposals to paint or otherwise colour finish the palisade fencing and to screen the yard from view from Colberts Fort. Again, the objective is to protect the residential amenities of the adjacent houses.

Feargall Kenny  
9 Village Craft Centre ,  
Cornelscourt ,  
Dublin 18 .

SOUTH DUBLIN COUNTY COUNCIL  
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REG REF. S99A/0362

Signed on behalf of South Dublin County Council

.....  
for Senior Administrative Officer

28/07/99