

**Planning Department, County Hall, Town Centre, Tallaght, Dublin 24.**  
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PLANNING & DEVELOPMENT ACT 2000, as amended, (Section 254)

PLANNING & DEVELOPMENT REGULATIONS 2001, as amended

APPLICATION FOR A LICENCE UNDER SECTION 254

I hereby apply for a licence to erect/construct/ place/maintain an appliance(s)/ apparatus(s)/structure(s) on/under/over/along a public road in accordance with particulars as under: - {strike out above as relevant}

1. Name of Applicant: NBI Infrastructure DAC

2. Name of Person/Agent acting on behalf of applicant (if any):

Stephen Tiernan

3. Particulars of appliance(s)/apparatus(s)/structure(s) for which a licence is required:

Erect 35No. 9m wooden poles and 57683m overground fibre optic cable

4. Proposed location of appliance(s)/apparatus(s)/structure(s) for which licence is required:

South Dublin County Council / South Dublin MD

*The applicant is advised that a site location map to a scale of not less than 1:2500 is also required to identify the location of the proposal.*

5. Period for which licence will be needed:

From: 17/03/2022 To: 17/03/2023

6. (a) Amount of fee enclosed herewith: €125.00 (to paid quarterly in arrears by EFT)

(b) Basis of calculation of Fee: Circular Letter PL 07/2021

Signature: *Stephen Tuernan*

Date: 23/02/2022

**FOR OFFICE USE ONLY**

Register Reference \_\_\_\_\_

Fee Received € \_\_\_\_\_

Receipt No. \_\_\_\_\_

Date \_\_\_\_\_

**ADDITIONAL CONTACT INFORMATION**

**IMPORTANT**

**THIS PAGE MUST BE SUBMITTED ON A COMPLETELY SEPARATE PAGE AS IT WILL NOT FORM PART OF THE PUBLIC FILE**

**Please note:**

- The applicant's address **must** be submitted on this page.
- If the applicant/agent wishes to submit additional contact information, this may be included here.
- This page will not be published as part of the planning file.

**Applicant (person seeking Section 254 Licence and not an agent on their behalf):**

<i>Address (Required)</i>	3009 Lake Drive, Citywest, Dublin 24
<i>Telephone No.</i>	085 88 16 241
<i>Fax No</i>	
<i>Email Address</i>	stephen.tiernan@nbi.ie

**Person/Agent acting on behalf of the Applicant (if any):**

<i>Address (Required)</i>	
<i>Telephone No.</i>	
<i>Email Address (if any)</i>	
<i>Fax No. (if any)</i>	

**Should all correspondence be sent to the above address? (please tick appropriate box)**

(Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address)

Yes []                      No                      []

## EXPLANATORY NOTES

### PLEASE READ NOTES BELOW BEFORE COMPLETING THE FORM

A licence must be obtained in order to erect, construct, place or maintain any of the following on, under, over or along a public road

- A vending machine
- A town or landscape map for indicating directions or places
- A hoarding, fence or scaffold
- An advertisement structure
- A cable, wire or pipeline
- Overground electronic communications infrastructure and any associated physical infrastructure
- A telephone kiosk or pedestal
- Any other appliance, apparatus or structure, which may be prescribed as requiring a licence under this section of the Planning and Development Act 2000 (as amended).

Section 2 of the Planning and Development Act 2000 (as amended) states that “public road” has the same meaning as in the Roads Act, 1993. Section 2 of the Roads Act 1993 states: *“public road” means a road over which a public right of way exists and the responsibility for the maintenance of which lies on a Road Authority*”.

A person applying for a licence must furnish with the application form such plans and information concerning the position, design and capacity of the appliance, apparatus or structure. Such plans and information should include:

- Completed licence application form
- Site Location Map - 1/2500 scale
- Site Layout Plan showing location of proposed appliance(s)/apparatus(s)/structure(s)
- Drawing to scale of proposed appliance(s)/apparatus(s)/structure(s)
- The appropriate Licence Fee
- Copy of Insurance Confirmation indemnifying South Dublin County Council against claims arising out of any accidents to persons or property.
- Written legal consent of the landowner.

The Planning Authority may grant a licence for a specified period and subject to conditions.

The decision of the Planning Authority can be appealed to An Bord Pleanala.

Where in the opinion of the Planning Authority that due to the:

- Increase or alteration of traffic on the road
- Widening of the road
- Any improvement to the road
- The appliance, apparatus or structure causes an obstruction or becomes dangerous, the authority may, by notice in writing, withdraw the licence and require the licensee to remove the appliance, apparatus or structure at their own expense.

## Article 202 – Fees for Licences under Section 254 of the Act

(1) Where a licence is granted by a planning authority under section 254 of the Act—

(a) to erect, construct, place and maintain, or

(b) to maintain,

a specified appliance, apparatus or structure referred to in Part 1 of Schedule 12, the amount of the fee to be paid to the planning authority shall, subject to the provisions of Article 203, be:

- (i) where the licence is for a period of one year, the appropriate amount indicated in column 2 of that Schedule opposite the reference in column 1 of that Schedule to the specified appliance, apparatus or structure,
- (ii) where the licence is for a period of more than one year, an amount equal to the fee for one year for each year or part of a year for which the licence is granted, and
- (iii) where the licence is for a period of less than one year, an amount equal to one tenth of the fee for one year for each month or part of a month for which the licence is granted.

(2) Where a licence is granted by a Planning Authority under Section 254 of the Act to erect, construct, place and maintain a specified appliance, apparatus or structure referred to in Part 2 of Schedule 12, the amount of the fee to be paid to the planning authority shall be the amount indicated in column 2 of that Schedule opposite the reference in column 1 of that Schedule to the specified appliance, apparatus or structure, and no fee shall be payable in respect of any renewal of a licence for such an appliance, apparatus or structure.

Column 1 Appliance, Apparatus or Structure	Column 2 Licence Fee
<p>Part 1 Appliances, apparatus and structures:</p> <p>(a) A vending machine or coin operated machine (not being a weighing machine).</p> <p>(b) A town or landscape map for indicating directions or places.</p> <p>(c) A hoarding, fence or scaffold (not being a hoarding, fence or scaffold bounding a public road).</p> <p>(d) An advertisement structure (other than an advertisement structure specified in paragraph (dd)).</p> <p>(dd) An advertisement structure (being of a fingerpost type not exceeding 1 metre in length) consisting of a direction sign.</p> <p>(e) A cable, wire or pipeline (not being a cable for conducting electricity for domestic or agricultural purposes or a drain or waterpipe).</p> <p>(f) A telephone kiosk or pedestal.</p> <p>(g) A case, rack, shelf or other appliance, apparatus or structure for displaying articles, whether or not for the purpose of advertisement or sale in or in connection with any adjacent business premises.</p> <p>(h) Tables and chairs outside a hotel, restaurant, public house or other establishment where food is sold for consumption on the premises.</p> <p>(i) An advertisement consisting of any text, symbol, emblem, model, device or logo.</p> <p>(j) A pipe or an appliance with a pipe attachment for dispensing air or water, not being a pipe or appliance attached to a petrol or oil pump.</p> <p>(k) A weighing machine.</p> <p>(l) A bring facility.</p>	<p>€125.</p> <p>€25.</p> <p>€1,250.</p> <p>€630.</p> <p>€50.</p> <p>€25 per 100 metres length or part thereof.</p> <p>€630.</p> <p>€125.</p> <p>€125 per table.</p> <p>€630.</p> <p>€25.</p> <p>€63</p> <p>€25</p>
<p>Part 2</p>	
<p>(a) (A cabinet used as part of a wired broadcast relay system by a person licensed under the Wireless Telegraphy (Wired Broadcast Relay Licence) Regulations, 1974.</p> <p>(b) A lamp-post.</p>	<p>€125.</p> <p>€25.</p>

(c) A bridge, arch, tunnel, passage or other similar structure used or intended for use other than by the public and constructed on or after 1 October 1964.	€125.
(d) A cellar or other underground structure constructed on or after 1 October 1964.	€125.
(e) A cable for conducting electricity for domestic or agricultural purposes.	€125.