



An
Bord
Pleanála

Board Direction
ABP-302441-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on 10/05/2019.

The Board decided, as set out in the following Order, that

Board Order as follows:-

WHEREAS a question has arisen as to *“Whether the attachment of telecommunications antennae to a lamppost supporting structure and erection of ancillary equipment on Monkstown Road is or is not development and is or is not exempted development.”*

AND WHEREAS Dun Laoghaire Rathdown Council requested a Declaration on the said question to An Bord Pleanála on the 29th day of August 2010.

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

- (a) Sections 2, 3(1) and 4 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6 and 9 of the Planning and Development Regulations 2001, as amended,
- (c) Classes 31(f) and 31 (k) of Part 1 of Schedule 2 to the said Regulations.

AND WHEREAS An Bord Pleanála has concluded that -

(a) The works are such that the fixing of antennae to a lamppost supporting structure, together with the installation of the ancillary equipment constitutes development within the meaning of the Act.

(b) The provision of the ancillary cabinet equipment by a statutory undertaker authorised to provide a telecommunications service would come within the scope of Class 31(f) of the said Regulations,

(c) The attachment of the antennas directly to the lamppost supporting structure by a statutory undertaker authorised to provide a telecommunications service would generally come within the scope of Class 31(k)(ii) of the said Regulations.

(d) On the basis of the evidence submitted, the development would comply with the conditions and limitations of the said Class.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the attachment of the telecommunications antennae to a lamppost supporting structure and the provision of the ancillary equipment is development and is exempted development.

Board Member:

Date: 13/05/2019

Michelle Fagan