



An  
Bord  
Pleanála

**Board Direction**  
**BD-016287-24**  
**ABP-317978-23**

The submission on this file and the Inspector's report were considered at a Board meeting a Board meeting on the 07/05/2024.

Decided to refuse the appeal and allow the license.

## **REASONS AND CONSIDERATIONS**

Having regard to the provisions of section 254 of the Planning and Development Act 2000, as amended, and given the design and scale of the proposed development, which comprises a 15-metre 'Alpha 3.0' telecommunication street pole with one number 275-metre antenna AW3836 and associated equipment cabinet, which does not result in adverse visual impacts in terms of its physicality, and its location on a grass verge between the public footpath and the property boundary with Beauvale Park, within a footprint that does not obstruct movement along the public footpath, it is considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the relevant policy framework of the Dublin City Development Plan 2022-2028, would not have adverse impacts on residential and visual amenities, would not inconvenience the safety of road users, including pedestrians, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board considered as this is a licence application not a planning application it is appropriate that the licence be for 5 years in line with the Dublin City Council decision and not 10 years as recommended by the Inspector.

The Board considered that the proposed development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Board concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and, therefore, no preliminary examination, screening for environmental impact assessment, or environmental impact assessment is required.

## Conditions

1. The licence shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions.

**Reason:** In the interest of clarity.

2.
  - (a) This licence shall apply for a period of 5 years from the date of this order. The telecommunications structure and related ancillary structures shall then be removed unless, prior to the end of the period, continuance has been granted for their retention for a further period.
  - (b) The site shall be reinstated on removal of the telecommunications structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority at least one month before the date of expiry of this licence.

**Reason:** To enable the impact of the development to be re-assessed, having regard to changes in technology and design during the specified period.

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

**Board Member**

  
Mary Henchy

**Date:** 13/05/2024