

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

**Dublin City**

**Planning Register Reference Number: 3564/15**

An Bord Pleanála Reference Number: PL 29N.245812

**APPEAL** by Edward McKiernan of 142 Claremont Court, Glasnevin, Dublin and by Three Ireland Services (Hutchison) Limited care of Mosaic Ireland of 3<sup>rd</sup> Floor, 5 Harbourmaster Place, IFSC, Dublin against the decision made on the 2<sup>nd</sup> day of November, 2015 by Dublin City Council to refuse permission to the said Three Ireland Services (Hutchison) Limited.

**PROPOSED DEVELOPMENT:** Retention of an existing 45 metres high telecommunications structure (previously granted permission under planning register reference number 4285/09, An Bord Pleanála appeal reference number PL 29N.235982 which was a temporary permission for a period of five years which has expired), carrying antennas and link dishes together with associated equipment cabinets and containers and security fencing at Unit 1 Slaney Road, Dublin Industrial Estate, Slaney Road, Dublin.

## **DECISION**

**REFUSE permission for the above proposed development based on the reasons and considerations set out below.**

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **REASONS AND CONSIDERATIONS**

Having regard to the planning history pertaining to the subject site, and in particular, the permission granted under planning register reference number 4585/09, An Bord Pleanála appeal reference number PL 29N.235982, it is considered that the mast proposed to be retained at this location would contravene materially a condition attached to this previous permission for development, namely condition number 1, which explicitly requires the removal of the telecommunications structure and related ancillary structures within five years from the date of that Order and the reason for the condition being “to enable the operator to make provision for relocating the compound to a more suitable location having regard to the close proximity to residential properties”. The development proposed to be retained would, therefore, be contrary to the proper planning and sustainable development of the area.

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

**Dated this            day of            2016.**