

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2865/15

An Bord Pleanála Reference Number: PL 29N.246359

APPEAL by Finbarr Kelly of 1 Vernon Heath, Clontarf, Dublin against the decision made on the 25th day of February, 2016 by Dublin City Council to grant subject to conditions a permission to ESB Telecoms Limited of 27 Lower Fitzwilliam Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Continued use of the existing 20 metre high, free standing tree type communication structure, carrying antennae and communication dishes with an existing compound previously granted time limited consent under LPA planning register reference number 2709/10 at ESB's 38kV Substation site, Vernon Avenue, Clontarf, Dublin.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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

It is considered that, subject to compliance with the conditions set out below, the development as proposed, comprising continuation of use of communications structure and associated antennae previously granted under planning register reference number 2709/10, would contribute to the provision of necessary infrastructure, would not impact unduly on the character of the area or conflict with the Dublin City Development Plan and would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

- 1 The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 29th day of January 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The noise level shall not exceed 55 dB(A) L_{Aeq} by a penalty for any tonal or impulsive component) at the nearest dwelling between 0800 and 2000 hours, Monday to Friday inclusive, and shall not exceed 45 dB(A) L_{Aeq} at any other time. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site.

3. The disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

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

Dated this day of 2016.