



Planning and Development Acts 2000 to 2018

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD18A/0378

Appeal by ESB Telecoms Limited of 43 Merrion Square East, Dublin against the decision made on the 10th day of December, 2018 by South Dublin County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Continued use for a period of three years of the existing 30-metre high, free-standing lattice communications structure carrying associated communication equipment to be shared with third party operators, all within a 2.4 metre high palisade compound following parent permission, planning register reference number SD13A/0125. The proposed development is located with the Clonburris Strategic Development Zone. All at the existing Balgaddy 38kV Substation, Tullyhall Rise, Lucan, County Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 2 so that it shall be as follows for the reason set out.

2. This permission shall apply for a period of three 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, planning permission shall have been granted for their retention for a further period.

Reason: To enable the impact of the development to be reassessed, having regard to the development of the Clonburr Strategic Development Zone lands, the advances in technology and design of radio equipment and antennae, changes in the design of support structures and more stringent or other standards.

Reasons and Considerations

Having regard to the Guidelines for Planning Authorities 1996: Telecommunications Antennae and Support Structures, Circular Letter PL 07/12, the duration of planning permission sought, being for a period of continuance of use for three years, the location of the development on lands designated as a Strategic Development Zone together with the planning history of the site and the ongoing works to the electricity network in the area, it is considered that the time period proposed for continuance of use would be in accordance with the proper planning and sustainable development of the area.

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.

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

Dated this day of 2019.