



Planning and Development Acts 2000 to 2020

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D20A/0380

Appeal by Three Ireland (Hutchison) Limited care of Jordana Corrigan of CK Hutchison Networks Ireland, 28/29 Sir John Rogerson's Quay, Dublin against the decision made on the 24th day of July, 2020 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Replacement of four louvres in the bell tower with radio-friendly louvres to allow for the installation of a telecommunications installation comprising of six antenna, one dish and ancillary equipment and cabinets at Saint Matthias Church, Church Road, Killiney, County Dublin a protected structure.

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

Having regard to the nature, extent and design of the proposed development and the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016–2022 and relevant National Guidance in relation to Protected Structures and to Telecommunications, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure Saint Matthias Church, which is a protected structure, or negatively impact on the residential and visual amenities of the area. The applicant/appellant has provided sufficient information to demonstrate that the site is appropriate for a telecommunication installation and that there is a justifiable need for this structure in this location. The proposed development 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, 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 transmitter power output, antenna type and mounting configuration shall be in accordance with the details submitted with this application and, notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

Reason: To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

3.
 - (a) All works to the protected structure, shall be carried out under the supervision of a qualified professional with specialised conservation expertise.
 - (b) The details provided in Appendix 1 – ‘Method Statement’ of the ‘Architectural Heritage Impact Assessment’ prepared by Southgate Associates shall be undertaken in full by the developer. Any original materials to be removed shall be catalogued, suitably protected, and stored on site in a safe location.

Reason: To secure the authentic preservation of this protected structure and to ensure that the proposed works are carried out in accordance with best conservation practice.

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between the hours of 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

5. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this day of 2020