



An
Bord
Pleanála

Board Order
ABP-308857-20

Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: S25419/06

APPEAL by Joe Edgeworth on behalf of Kingswood Heights mast opposition committee of 49 Sycamore Avenue, Kingswood Heights, Tallaght, Dublin against the decision made on the 24th day of September, 2020 by South Dublin County Council to grant a licence to Cignal Infrastructure Limited care of Jason Redmond and Associates of 5 Lismard Court, Portlaoise, County Laois.

APPLICATION: Telecommunication Streetworks Solution at Sylvan Drive, Kingswood, County Dublin.

Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Bord Pleanála, based on the reasons and considerations under, **ALLOWS** the appeal and directs the planning authority to **GRANT** a licence 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 provisions of the South Dublin County Development Plan 2016-2022 to support the development of a sustainable telecommunications network throughout the county, and to the nature and scale of the development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be contrary to the site's open space land use zoning objective, and would not seriously injure the residential or visual amenities of the area or property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board concurred with the analysis of the planning authority and was satisfied that the proposed development would not be contrary to the site's open space land use zoning objective, and would not seriously injure the residential or visual amenities of the area or property in the vicinity.

Conditions

1. This licence is for one number 15 metres freestanding pole and antennae and associated operator cabinet only in accordance with the details submitted to the planning authority, as amended by the further plans and particulars submitted on the 25th day of March, 2020.

Reason: In the interest of clarity of the nature and extent of the permitted development to which this licence relates and to facilitate a full assessment of any future alterations.

2. (a) The licence shall be valid for a period of three years from the date of this Order. The telecommunications structure and related ancillary structures, including any access arrangements, shall then be removed and the site lands shall be reinstated on removal of the telecommunications structure and ancillary structures unless, prior to the end of the period, planning permission shall have 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 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. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or within the curtilage of the site without a prior grant of planning permission.

Reason: In the interest of the visual amenities of the area.

4. The structures shall not interfere with existing services, existing drainage systems and shall not obstruct pedestrian access.

Reason: In the interests of orderly development and pedestrian safety.


Paul Hyde

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

Dated this 28th day of MAY 2021