

An
Bord
Pleanála

Board Order
ABP-311938-21

Planning and Development Acts 2000 to 2021

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20A/0325

Appeal by ESB Telecoms Limited care of 43 Merrion Square East, Dublin against the decision made on the 18th day of October, 2021 by South Dublin County Council to refuse permission to ESB Telecoms Limited for the proposed development.

Proposed Development: Construction of a 30-metre-high communication structure carrying antennae and dishes with associated ground-mounted equipment to share with other licensed operators within a 2.4-metre-high palisade fence at existing Saggart 38kV substation site, all at Slade, Saggart, County 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

Having regard to national policy to improve connectivity and telecommunications infrastructure in rural communities, to the objectives, as set out in the South Dublin County Development Plan 2016 - 2022 to facilitate the improvement of telecommunications provision in the County, and to the existing use of the application site for an electricity substation, it is considered that, subject to compliance with the conditions set out below, the proposed development would contribute to the improvement of telecommunications in the area, would be in accordance with the objectives, as set out in the current South Dublin County Development Plan, would not negatively impact on human health or on ecology in the area 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 20th day of September, 2021, 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. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

3. The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of amenities, public health and safety.

4. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

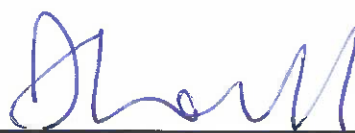
Reason: In the interest of the visual amenities of the area.

5. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site.

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

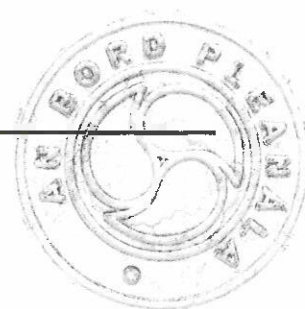
6. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where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

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



Dave Walsh

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



Dated this *21st* day of *March* 2022.