

An
Bord
Pleanála

Board Order
ABP-312083-21

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: CRM 166629

Appeal by Barry Saul of 36 Thornhill Road, Mount Merrion, County Dublin against the decision made on the 9th day of July, 2021 by Dún Laoghaire-Rathdown County Council to grant, subject to conditions, a licence to Cignal Infrastructure Limited care of Jason Redmond and Associates Consulting Engineers of 5 Lismard Court, Portlaoise, County Laois.

Licence Application: Place and maintain one number telecommunications cabinet measuring externally 1.54 metres cubed (1.17 metres long by 0.798 metres wide by 1.652 metres high), and a pole area 0.824 square metres (height 15 metres) at the R825, Lower Kilmacud Road, 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, directs the planning authority to **GRANT** a licence, based on the reasons and considerations under and subject to the conditions set out below.

REASONS AND CONSIDERATIONS

Having regard to the nature, scale and design of the development, which is a 15 metre high freestanding monopole carrying telecommunications equipment with ancillary ground-mounted infrastructure, the provisions of section 254 of the Planning and Development Act, 2000, as amended, the Dún Laoghaire-Rathdown County Development Plan 2022-2028, and the 'Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities' issued by the Department of the Environment and Local Government in July, 1996 as updated by Circular Letters PL 07/12 issued by the Department of the Environment, Community, and Local Government in 2012 and PL 11/2020 issued by the Department of Housing, Local Government and Heritage in 2020, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the visual or residential amenities of the area or the amenities of property in the vicinity of the site, and would be acceptable in terms of the convenience and safety of road users including pedestrians. 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 within three months of the date of this Order and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. This licence shall be valid for a period of five years from the date of this Order. The telecommunications structure and related ancillary structures shall then be removed and the lands shall be reinstated on removal of the telecommunications structure and ancillary structures unless, prior to the end of the period, continuance shall have been granted for their retention for a further period. Details relating 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 structure or within the curtilage of the site without a prior grant of planning permission.

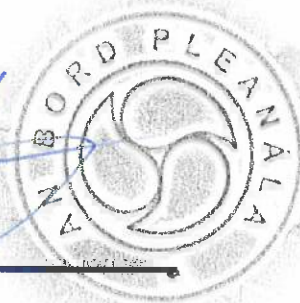
Reason: In the interest of the visual amenities of the area.

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

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

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

Reason: In the interest of visual amenity.



Tom Rabbette

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 24th day of August 2023.