

An
Bord
Pleanála

Board Order
ABP-312095-21

Planning and Development Acts 2000 to 2021

Planning Authority: South Dublin County Council

Planning Register Reference Number: S25419/08

APPEAL by Audrey Clarke care of Armstrong Planning of 12 Clarinda Park North, Dún Laoghaire, County Dublin against the decision made on the 24th day of September, 2020 by South Dublin County Council to grant a licence to Signal Infrastructure Limited care of Jason Redmond and Associates of 5 Lismard Court, Portlaoise, County Laois.

APPLICATION: Telecommunication Streetworks Solution at Tymon North, 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, **DISALLOWS** 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 section 254 of the Planning and Development Act, 2000 (as amended), the South Dublin County Development Plan 2016-2022, and the 'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities' (1996) (as updated by Circular Letters PL07/12 and PL11/2020, respectively), it is considered that, subject to compliance with the conditions set out below, the proposed development would not be visually intrusive or seriously injurious to the visual or residential amenity of the area, or of properties in the vicinity, 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 30th day of April, 2020 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 licence shall be valid for 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.

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. Provision shall be made for a lamp standard to be accommodated on the proposed monopole structure, and the existing adjacent lamp standard which is located to the east of the proposed development shall be removed, to the satisfaction of the planning authority. Details of this 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.

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. A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

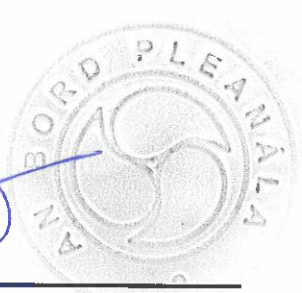
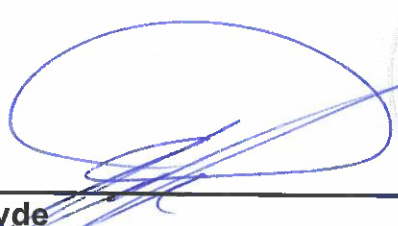
Reason: In the interest of public safety.

6. Landscaping of the site shall be carried out in accordance with a landscaping scheme which 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.

7. 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.



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

Dated this *30th* day of *March* 2022