

An
Bord
Pleanála

Board Order
ABP-312421-22

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3508/21

Appeal by Shared Access Limited care of Pegasus Group of Equinox North, Almondsbury, Bristol, United Kingdom against the decision made on the 17th day of December, 2021 by Dublin City Council to refuse a permission to Shared Access Limited for the proposed development.

Proposed Development: Permission for the development of a 21-metre monopole to support telecommunications antenna and ancillary equipment, cabinets, fencing and all associated site works for use by Three Ireland (Hutchison) Limited and other operators, all at Goldenbridge Industrial Estate, Goldenbridge North, Inchicore, 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:

- (a) national policy regarding the provision of mobile and telecommunications services;
- (b) 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 Letter PL07/12, issued by the Department of the Environment, Community and Local Government on the 19th day of October, 2012;
- (c) the policy of the planning authority, as set out in the Dublin City Development Plan 2016 - 2022 to support the provision of telecommunications infrastructure; and
- (d) the nature and scale of the proposed telecommunications support infrastructure,

it is considered that, on balance, and subject to compliance with the conditions set out below, the proposed development would not seriously injure the special interest and character of the Grand Canal Conservation Area and would not be contrary to objective CHC4 of the Dublin City Development Plan 2016 - 2022 or the overall provisions of the Development Plan. 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 was satisfied, having regard to the pattern of development in the area and the site's context, that the proposed development, whilst located adjacent the Grand Canal Conservation Area, would not seriously injure the special interest and character of the Conservation Area to the south. The Board considered that the nature and scale of the proposed monopole would not constitute a discordant structure and furthermore, the Board was satisfied that the applicant had provided sufficient grounds for the need for a mast at this location.

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. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages 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.

3. The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antennae onto the proposed mast.

Reason: In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

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 commencement of development.

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

6. The proposed monopole structure and all associated antennae, equipment and fencing shall be demolished and removed from the site when it is no longer required. The site shall be reinstated to its predevelopment condition at the expense of the developer.

Reason: In the interest of orderly development.

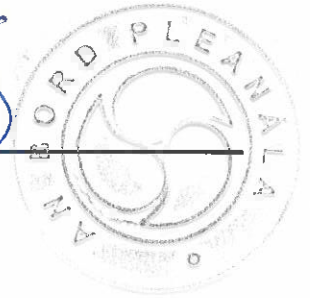
7. The construction of the development shall be managed in accordance with a Construction Traffic Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of the timing and routing of construction traffic to and from the construction site, associated directional signage, proposals to facilitate the delivery of abnormal loads to the site, and measures to obviate queuing of construction traffic on the adjoining road network.

Reason: In the interests of public safety and residential amenity.


Paul Hyde

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 8th day of April 2022.