

An  
Bord  
Pleanála

## Board Order ABP-314162-22

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

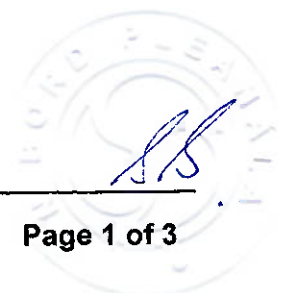
**Planning Register Reference Number: 3899/22**

**Appeal** by Eircom Limited care of Entrust Limited of Unit 1D, Deerpark Business Centre, Oranmore, County Galway against the decision made on the 29<sup>th</sup> day of June, 2022 by Dublin City Council to refuse permission.

**Proposed Development:** Installation of telecommunication antennas and associated equipment concealed within three number shrouds with fitting apparatus and a cabinet and all other associated site development works on the building rooftop. The development will provide high speed wireless data and broadband services, all at Block 1 and 2 Saint Clare's Park, Harold's Cross Road, Dublin (formerly known as Saint Clare's Convent and numbers 115-119 Harold's Cross Road, Dublin) (a protected structure).

### Decision

**REFUSE** permission for the above proposed development for the reasons and considerations set out below.



## Reasons and Considerations

Having regard to:

- (a) the policies and objectives of the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996) and Circular Letter PL07/12, the Architectural Heritage Protection – Guidelines for Planning Authorities (2011) and the Dublin City Development Plan 2022-2028,
- (b) the presence of an existing telecommunications apparatus granted planning permission under planning register reference number 3272/22 on Block 8 of the St. Clare's Park apartment development of which the current appeal blocks 1 and 2 form part,
- (c) the location of the proposed telecommunications apparatus within the setting of a protected structure (RPS reference number 3583 (Mortuary Chapel, main Convent building and chapels of the former St. Clare's Convent) and recognition of the Church/Chapel and Convent/nunnery as being of Architectural, Artistic and Social Interest given Regional Ratings on the NIAH (reference numbers 50081053 and 50081054),
- (d) the proposed siting, height and design of the proposed telecommunications apparatus, and
- (e) the visibility from sensitive residential and community receptors and in the wider streetscape, including along Harold's Cross Road,

it is considered that the proposed development would constitute a series of visually obtrusive and dominant forms that would detract from the setting of a protected structure, would injure the visual amenities of the protected structure, Mortuary Chapel, main convent building and chapels of the former St. Clare's Convent at St. Clare's Park, would contravene policy BHA2 of the Dublin City Development Plan 2022-2028, and would set an undesirable precedent. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



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**Stephen Bohan**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *28* day of *November* 2023.