

An
Bord
Pleanála

Board Order
ABP-314512-22

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4203/22.

Appeal by Charterhouse Infrastructure Consultants, Headquarters, 27 Market Street, Listowel, County Kerry, on behalf of Vantage Towers Limited against the decision made on the 5th day of August 2022 by Dublin City Council to refuse permission to Vantage Towers Limited for the proposed development.

Proposed Development: Increase the height of the rooftop chimney for the purpose of enclosing three number telecommunications antennas and one number dish to affix telecommunications equipment upon the building rooftop, together with all associated works at 76 Thomas Street, Protected Structure, 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 condition(s) set out below.

Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2022-2028, the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996), Circular Letter PL07/12 and the nature, scale and location of the proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would be in accordance with national guidance and the development plan, would not seriously injure the historic fabric, architectural detail and character of the Protected Structure or the special architectural character, amenities and setting of the Thomas Street and Environs Architectural Conservation Area. 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 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. 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 the visual amenities of the area.

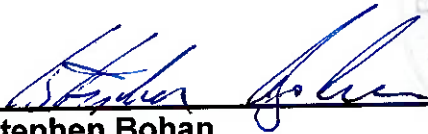
3. The height of the antennas shall be strictly in accordance with the dimensions indicated on the drawing and documentation submitted to the planning authority. Notwithstanding the provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the configuration of the proposed development shall not be altered without a prior grant of planning permission.

Reason: To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

4. (a) In the event of the proposed structure becoming obsolete and being decommissioned, the developers shall, at their own expense, remove the mast, antenna and ancillary structures and equipment.

- (b) The site shall be reinstated on removal of the telecommunications structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority at least one month before the removal of the telecommunications structure and ancillary structures and the works shall be completed within three months of the planning authority's approval in writing of these details.

Reason: In the interest of orderly development.



Stephen Bohan

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

Dated this *8th* day of *November* 2023.