

An
Bord
Pleanála

Board Order ABP-315778-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: CTT.22.047-266695

Appeal by Emerald Tower Limited care of Entrust Limited of Unit 1D Deerpark Business Centre, Oranmore, County Galway against the decision made on the 18th day of January, 2023 by Dún Laoghaire-Rathdown County Council to refuse a licence for the proposed development.


Licence Application: Installation of a 15 metre dual operator pole, associated equipment, together with ground-based equipment cabinets and all associated site development works for wireless data and broadband services at Killiney Hill Road (R119)/Castle Court, Ballybrack, 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, directs the planning authority to **REFUSE TO GRANT** a licence, based on the reasons and considerations under and subject to the conditions set out below.

REASONS AND CONSIDERATIONS

The Board considered that the proposed mast and associated cabinetry would be unduly prominent at this location and would have a significant negative impact on the visual amenity of the area. In deciding not to accept the Inspector's recommendation to grant permission, the Board did not agree that the visual impact would not be such as would seriously impact the visual and residential amenity of the receiving environment, and instead considered the visual impact to be unacceptable. In reaching this conclusion, the Board noted the location of the proposed pole and associated cabinets which are not set back against a wall in a prominent position on a narrow verge at the entrance to the Castle Court development in close proximity to an existing street pole which is not proposed to be replaced by the development.



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



Dated this *29th* day of *February* 2024.