



An
Bord
Pleanála

Board Order
ABP-317744-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D23A/0352

Appeal by Vantage Towers Limited care of Charterhouse of HQ, 27 Market Street, Listowel, County Kerry against the decision made on the 14th day of July, 2023 by Dún Laoghaire-Rathdown County Council to refuse permission for the proposed development.

Proposed Development: Retain the existing development consisting of antenna, radio equipment, microwave dishes and all associated telecommunications equipment at Saint Patrick's Church, Harbour Road, Dalkey, County Dublin. Saint Patrick's Church is a Protected Structure.

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.

Reasons and Considerations

Having regard to the nature, extent and design of the development to be retained and the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and relevant National Guidance including Architectural Heritage Protection Guidelines for Planning Authorities, 2011 and Telecommunications Antennae and Support Structures Guidelines for Planning Authorities, 1996, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure Saint Patrick's Church, which is a protected structure, or negatively impact on the residential and visual amenities of the area and that sufficient information has been provided to demonstrate a justifiable need for the structures to be retained at this location. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board considered that the development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Board concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations, 2001, as amended, and therefore no preliminary examination, screening for environmental impact assessment, or environmental impact assessment is required.

Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the further particulars submitted with the appeal on the 9th day of August 2023, 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, and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2.
 - (a) Within six months of the date of this Order, all external dishes and external support structures shall be removed from the bell tower.
 - (b) A method statement and specification proposed by an architect or expert with specialised conservation expertise, shall be submitted to, and agreed in writing with, the planning authority prior to removal of the external dishes and support structures.
 - (c) Works to the protected structure shall be carried out in accordance with the Department of the Environment, Heritage and Local Government, Architectural Heritage Protection, Guidelines for Planning Authorities and in accordance with Best Conservation Practice, under supervision by a suitably qualified professional to be defined under item (b) above.

Reason: In the interest of visual amenity and in order to protect the character of the protected structure.

3. When no longer required, the telecommunications and ancillary equipment shall be removed and the site reinstated. Details relating to such removal shall be submitted to, and agreed in writing with, the planning authority.

Reason: To ensure satisfactory reinstatement of the site in the interest of orderly development.



Joe Boland

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 28TH day of May 2024.