



An
Bord
Pleanála

Board Order ABP-319380-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: TIL050-23

Appeal by Emerald Tower Limited care of Entrust Limited of Unit 1D, Deerpark Business Centre, Oranmore, County Galway against the decision made on the 30th day of January, 2024 by Dublin City Council to refuse a licence.

Licence Application: Installation of an 18-metre dual-operator pole, associated equipment, together with ground-based equipment cabinets and all associated site works for wireless data and broadband services, all at Clonskeagh Road, Donnybrook, 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** the appeal against the licence based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the proposed location of the telecommunications cabinet and street pole at a prominent intersection and focal point in the surrounding area, in close proximity to numerous protected structures and residential properties, and within a Residential Conservation Area, as well as existing telecommunications equipment already at this location, it is considered that the proposed development would be contrary to Policy BHA9 of the Dublin City Development Plan 2022-2028 in relation to Conservation Areas, which states that new development should enhance the character and setting of the area and its setting, wherever possible, and Section 15.17.4 (Outdoor Seating and Street Furniture) which states that development should be so located to prevent clutter of all footpaths. The proposed development would seriously injure the visual amenities of the area in terms of a negative visual impact and would, therefore, be contrary to the proper planning and sustainable development of the area.

The Board considered that the proposed 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.



Stephen Bohan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 13th day of November 2024.