



An
Bord
Pleanála

Board Order
ABP-320323-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3404/24

Appeal by Anthony Whelan of 52 Swilly Road, Cabra, Dublin against the decision made on the 12th day of July 2024, by Dublin City Council to grant subject to conditions a permission to Entrust Services Limited of Unit 1D Deerpark Business Centre, Oranmore, County Galway in accordance with plans and particulars lodged with the said Council.

Proposed Development: The installation of rooftop mounted telecommunications support structure carrying shrouded number 12 antennae (for two operators), dishes, remote radio units (RRU's), cable trays, rooftop-based equipment cabinets and all associated site development works to provide for high-speed wireless data and broadband services at Hamilton Gardens, Block D, Carnlough Road, Cabra West, 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 conditions set out below.

Reasons and Considerations

Having regard to

- (a) Policy SI45 and SI48 of the Dublin City Development Plan 2022-2028,
- (b) the National Strategy regarding the provision of mobile communication services,
- (c) the Guidelines relating to Telecommunications Antennae and Support Structures which were issued by the Department of the Environment and Local Government to Planning Authorities in July 1996, as updated by Circular Letter PL07/12 issued by the Department of the Environment, Community and Local Government on the 19th day of October, 2012,
- (d) the nature and scale of the proposed telecommunications support structure, and
- (e) the pattern of development in the area,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the Z15 zoning for the site, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would be in accordance with the policies set out in the development plan in relation to telecommunications infrastructure. The proposed development would, therefore, be in accordance with 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.



Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 17th day of June 2024, 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. The transmitter power output, antenna type and mounting configuration shall be in accordance with the details submitted with this application and, notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, 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.

3. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.



4. The proposed telecommunications infrastructure and all associated equipment shall be removed from the site when it is no longer required or within one year of it becoming obsolete, and the site shall be reinstated to its pre-development condition.

Reason: In the interest of orderly development.

5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the [residential] amenities of property in the vicinity.



Mary Henchy

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 14th day of February 2025.