

An  
Coimisiún  
Pleanála

## Commission Order ABP-322103-25

**Planning and Development Acts 2000 to 2024**

**Planning Authority: South Dublin County Council**

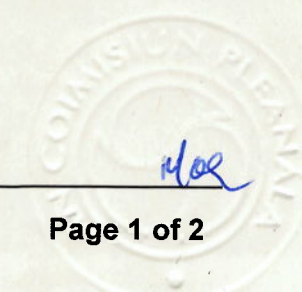
**Planning Register Reference Number: S25424/12**

**Appeal** by Emerald Tower Limited care of Entrust Limited of Unit 1 First Floor, Oranmore Business Centre, Oranmore, County Galway against the decision made on the 7<sup>th</sup> day of February 2025, by South Dublin County Council to grant, to refuse a licence.

**Licence Application:** Section 254 license for the installation of an 18 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 Cheeverstown, Fettercairn Crescent, Dublin.

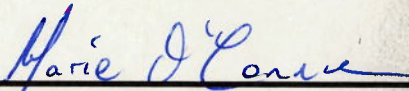
### Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Coimisiún 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 Commission considered that there was insufficient evidence submitted in the application to demonstrate that the site, within an area of green space approximately 1.2 metres from the edge of the public footpath, was located in an area classified as a 'public road', and considered that in the absence of such evidence, the site falls outside the scope of section 254 of the Planning and Development Act 2000 (as amended) to provide for such infrastructure 'on, under, over or along a public road'. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

  
Marie O'Connor

Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.



Dated this 21 day of July 2025.