

An
Coimisiún
Pleanála

Commission Order
ACP-322468-25

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB1306/25

Appeal by Declan Gilligan on behalf of Navan Road Residents of 11 Kinvara Avenue, Navan Road, Dublin against the decision made on the 10th day of April, 2025 by Dublin City Council to grant subject to conditions a permission to Eircom Limited trading as Eir care of Charterhouse Infrastructure Consultants of 27 Market Street, Listowel, County Kerry in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of telecommunications development comprising three number pole mounted antenna, each enclosed within a shroud, together with a microwave dish, equipment cabinet and associated equipment at Scouts Hall, Kinvara Rd, Ashtown, 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) the guidelines relating to telecommunications antennas and support structures issued by the Department of the Environment and Local Government to planning authorities in July 1996,
- (b) the Dublin City Development Plan 2022-2028, including the Z1 zoning, Policy S145 (Support for Digital Connectivity) and Section 15.18.5 (Telecommunications and Digital Connectivity),
- (c) Circular Letter PL 07/12 issued by the Department of the Environment, Community and Local Government (October 2012), and
- (d) the nature and scale of the telecommunications support structure proposed to be retained, and the specific case characteristics, including the ongoing development at the subject site and the timing for removal of the structure as set out in the conditions,

it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the visual or residential amenities of the area, would be in accordance with the provisions of the Dublin City Development Plan 2022-2028, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission considered that the development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Commission concluded that the 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, 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 within three months from the date of this order and the development shall be carried out and retained 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 the planning application and, notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

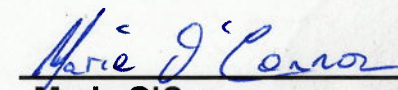
Reason: To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

- 3 In the event of the telecommunications structure and ancillary structures hereby permitted ceasing to operate for a period of 12 months, the structures shall be removed and the site shall be reinstated. Details regarding the removal of the structures and the reinstatement of the site shall be submitted to, and agreed in writing, with the planning authority within six months of the structures ceasing to operate, and the site shall be reinstated in accordance with the agreed details at the operators expense.

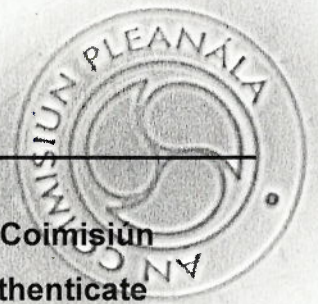
Reason: In the interest of the visual amenities of the area.

- 4 The developer shall provide and make available at reasonable terms the proposed communications structure for the provision of mobile telecommunications antenna of third-party licensed mobile telecommunications operators.

Reason: In the interest of visual amenity and 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 10 day of November 2025