



An  
Bord  
Pleanála

**Board Order  
06F.RL.3561**

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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: FS5/044/16**

**WHEREAS** a question has arisen as to whether the temporary deployment of ZephIR (Z300) LiDAR technology at Rockabill Island, County Dublin is or is not development or is or is not exempted development:

**AND WHEREAS** Gaelectric Developments Limited of Portview House, Thorncastle Street, Ringsend, Dublin requested a declaration on this question from Fingal County Council and the Council issued a declaration on the 23<sup>rd</sup> day of February, 2017 stating that the matter was development and was not exempted development:

**AND WHEREAS** Gaelectric Developments Limited of Portview House, Thorncastle Street, Ringsend, Dublin referred the declaration for review to An Bord Pleanála on the 21<sup>st</sup> day of March, 2017:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) the submissions on file from the referrer,
- (d) the planning authority internal reports and planning assessment, and
- (e) the report of the Inspector:

**AND WHEREAS** An Bord Pleanála has concluded that –

- (a) the placing and/or installation of a battery and a diesel generator to charge the battery within the existing power generator room of Rockabill Lighthouse (RPS Number 772) does not constitute development, as no works are involved and no change of use is occurring,
- (b) the laying of a cable from the generator to the LiDAR device, where the cables are running in existing ducting already in place, does not constitute development.

(c) Having regard to:

- the functionality and character of a lighthouse, whereby the ongoing requirement to operate various types of equipment - including meteorological equipment - is recognised,
- the nature and scale of the lighthouse and its curtilage based on the information on file,
- the purpose of the device in question (meteorological monitoring), and
- the nature of the device in question, which is small in scale and has minimal requirements for operation and servicing,

it is considered that the temporary placing and use of the LiDAR device on Rockabill Island does not result in any material change of use of the lighthouse or its curtilage and, therefore, does not constitute development:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the temporary deployment of ZephIR (ZR300) LiDAR technology at Rockabill Island, County Dublin is not development.

