



An  
Bord  
Pleanála

## Inspector's Report

### ABP-315012-22

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<b>Development</b>	Section 254 licence for 2 Telecommunications Cabinets & 1 associated 18m pole.
<b>Location</b>	Seafield Grove/St. Gabriel's Road, Greenlanes, Clontarf, Dublin 3.
<b>Planning Authority</b>	Dublin City Council North
<b>Planning Authority Reg. Ref.</b>	TIL019-22
<b>Applicant(s)</b>	Emerald Tower Limited.
<b>Type of Application</b>	Section 254 Licence.
<b>Planning Authority Decision</b>	
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Michael and Helen Reidy.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	03.06.2023
<b>Inspector</b>	Fiona Fair

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## 1.0 Site Location and Description

- 1.1. The subject site is located on the footpath along St. Gabriels Road just prior to the junction with Seafield Grove at Greenlanes, Clontarf, Dublin 3.
- 1.2. The footpath at the site at its widest point is 4.2m. In the immediate area of the site, semi mature trees are located along with hedges and other vegetation. Semi mature trees align both sides of Saint Gabriel's Road and adjoining roads. Street lights and road signs are located throughout the surrounding area.
- 1.3. Saint Gabriel's community centre and Saint Gabriel's centre car park is located to the south east with Saint Gabriels Church and a range of retail and commercial premises such as a florist, café, pharmacy and a medical centre.

## 2.0 Proposed Development

- 2.1. Section 254 licence for 2 Telecommunications Cabinets & 1 associated 18m pole.
- 2.2. The proposal is to install a new 'Streetwork Pole' with Eir's antennae to be encased inside the top of the pole, with space for a second operator's antennae below the Eir antennae, a cabinet for Eir mobile and provision of a second cabinet for subsequent operator to be co-located onto this installation in future. The equipment dimensions are as follows:

- Galvanise Street pole, 18 m in height, diameter / width 406mm.
- Two dark fir green cabinets:
  - First - 1.65m (H) x 1.3m (L) x 0.8m (D)
  - Second - 1.65m (H) x 1.9m (L) x 0.8m (D)
  - Two Grey Dishes 300mm diameter
  - Galvanised Antennas encased inside pole 4m Height x 406mm Diameter

## 3.0 Planning Authority Decision

### 3.1. Decision

Grant Section 254 Licence (for 5 years) subject to three conditions:

C1 – anti climb device fitted

The proposed cabinets and pole shall be maintained regularly.

Any further telecommunications equipment to be attached to the pole shall require a prior grant of a Section 254 licence.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

- The proposed telecommunications cabinets are located to the back of the footpath against the boundary wall, adjacent of a public street light pole and a mature tree. According to Dublin City Council GIS system the footpath facing St. Gabriel's road is approximately 4.3 meters wide and approximately 2.3 m wide facing Seafield Grove Rd. Considering the wide footpath on St. Gabriel's road, the proposed cabinets will only reduce the footpath from 4.3 m to 3.5 m wide, not blocking pedestrian footfall from Seafield Grove road. The proposal would not have impact on the pedestrian footfall considering the noted public lighting pole and mature tree. It is considered that the telecommunications cabinets would not cause obstruction at this location.

### **3.2.2. Other Technical Reports**

- Transportation Planning Division: No objection

## **3.3. Prescribed Bodies**

None on File

## **3.4. Third Party Observations**

A number of third-party observations were submitted. They raise concerns similar to those raised in the third-party appeal summarised in detail below and the concerns are also summarised and included in the PA's report on file.

## 4.0 Planning History

None Relevant.

## 5.0 Policy Context

### 5.1. National Guidelines

- Planning and Development Act 2000, as amended. The development is considered under Section 254(1) (e) (e) of the Planning and Development Act 2000 as amended.
- National Broadband Plan, DCENR, 2012. Sets out a strategy to deliver high speed broadband across the State.
- Circular Letter PL07/12 – This circular updates the guidance document and specifically refers to temporary permissions, removal of separation distances from houses and schools, bonds and contributions, planning considerations related to location and design and health and safety matters, and the establishment of a register / database.
- Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities, DoE, 1996. Provide guidance on, amongst other things, siting of masts. This includes, in city suburbs, to co-locate telecommunications where possible and to locate new telecommunication masts in industrial or in industrially zoned land or commercial or retail areas. The guidance states that only as a last resort, if these alternatives are not available, should free-standing masts be located in a residential area or beside schools. Further, if such a location should become necessary, sites already developed for utilities should be considered and masts and antennae should be designed and adapted for the specific location,

with the support structure be kept to the minimum height consistent with effective operation.

## 5.2. **Development Plan**

5.3. The PA made their assessment having regard to the Dublin City Development Plan 2016 – 2022. However, the City Development Plan has now changed and the pertinent statutory Plan is now the Dublin City Development Plan 2022 – 2028.

5.4. The site is not zoned, as roadways and footpaths are not zoned in the Dublin City Development Plan maps, the surrounding area is zoned 'Z1' - Sustainable Residential Neighbourhoods. Adjoining lands a short distance to the south west are zoned 'Z3' – Neighbourhood Centre.

## 5.5. 14.3.2 Unzoned Lands

Certain small areas of land within the city are unzoned or not covered by a specific zoning objective. These lands are illustrated in white on the zoning maps accompanying the plan and usually correspond with the location of the city's roads, bridges, train lines, or other key infrastructure installations. Development proposals in respect of these unzoned lands will be considered in accordance with the policies and objectives of the plan. Regard will also be had to their compatibility with adjacent land-uses and zonings.

## 5.6. Section 15.18.5 Telecommunications and Digital Connectivity

The provision and siting of telecommunications antennae shall take account of the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, (Department of Environment and Local Government, 1996), as revised by DECLG Circular Letter PL 07/12, and any successor guidance.

Telecommunications antennae and supporting structures should preferably be located on industrial estates or on lands zoned for industrial/employment uses. Possible locations in commercial areas, such as rooftop locations on tall buildings, may also be acceptable, subject to visual amenity considerations. In terms of the design of free-standing masts, masts and antennae should be designed for the specific location.

In assessing proposals for telecommunication antennae and support structures, factors such as the object in the wider townscape and the position of the object with respect to the skyline will be closely examined. These factors will be carefully considered when assessing proposals in a designated conservation area, open space amenity area, historic park, or in the vicinity of protected buildings, special views or prospects, monuments or sites of archaeological importance. The location of antennae or support structures within any of these areas or in proximity to protected structures, archaeological sites and other monuments should be avoided.

Where existing support structures are not unduly obtrusive, the City Council will encourage co-location or sharing of digital connectivity infrastructure such as antennae on existing support structures, masts and tall buildings (see Policy SI48). Applicants must satisfy the City Council that they have made every reasonable effort to share with other operators.

#### **5.7. Natural Heritage Designations**

The site is not located within or adjacent to a Natura 2000 site.

#### **5.8. EIA Screening**

The proposed development is not of a type that constitutes an EIA project and environmental impact assessment is not required.

### **6.0 The Appeal**

#### **6.1. Grounds of Appeal**

A Third Party Appeal has been received from Michael and Helen Reidy 14 Seafield Grove Clontarf. It is summarised as follows:

- The location of the two cabinets and antennae would be located 8.5 m from their house.
- Negative visual impact when viewed from their rear garden.

- Pole would be located directly west of the garden and dominate views from the garden – directly in line of vision from the garden. Dominate the garden and be intrusive and discordant in manner.
- Visually domineering – eyesore
- Not against such telecoms infrastructure in principle. Recognise the need for same, however, the location is unsuitable.
- Operators have a duty to (i) select locations that do not adversely impact upon residents and (ii) utilise equipment that presents the lowest visual impact possible.
- The location selected is not suitable and there are nearby locations which would be more suitable.
- The photomontages selected are not a true representation of the proposed development – selective. Do not give a fair and impartial view of the proposal.
- Section 16.33.1 of the City Development Plan notes that telecoms antennae should ideally be located in industrial estates or areas zoned for industrial / employment use.
- It does not appear that the applicant has provided a technical justification for the location. No information is provided on mast sharing and co location.
- Disagree with DCC opinion that the mast would not be overbearing.
- Photo from rear garden attached.
- Submission / Objection to the Council attached.
  - Added issue of security was raised – height of the cabinets located up against their boundary wall.
  - Damage to roots of trees and plants from the required foundation.

## 6.2. Applicant Response

- Eir require a site in this area of Clontarf.
- The current sites do not provide adequate indoor service for high speed mobile broadband in and around the area.



- All mobile operators namely Three, Eir and Vodafone have an obligation to provide 100% coverage throughout the country including at this location. The nearest existing sites are too far away for the newer technologies to work including 4G and 5G technologies and to a large extent 3G due to the required data speeds for applications like social media, internet browsing and downloading.
- The technology range which depends on the number of users at any one time can be only several hundred meters. What is required is a balance between planning requirements and people's entitlements to a modern communications facility which would affect their quality of life which is tasked by the government as an essential public service like water and electricity as these services are required in all areas unlike the 2G in the late 1990s which had a range of up to 10 kilometres and not several hundred meters for 4G and 5G technologies.
- The siting of the proposed development was decided upon after firstly analysing the requirements to provide new and improved broadband coverage.
- In compliance with each operator's license all attempts to utilize an existing telecommunication structures where they represent the optimum environmental solution have been employed.
- The ComReg site finder mast register was used to search for existing sites in the area which is the most up-to-date source of information.
- During the alternative site assessment there were no suitable existing telecommunication sites identified which would be capable of providing the coverage required in this instance.
- Five existing sites were considered and discounted.
- The closest point of the proposed telecommunications pole is located at 10 meters to the gable side of No.14 Seafield Grove. There are no windows in No. 14 Seafield Grove directly facing proposed pole except a frosted glass bathroom window which will not have clear visibility of the proposal. The site location contains a number of semi mature trees which help to screen the

proposal to a large degree. The pole is a slender pole with antenna encased inside it and are not visible. There are two number 300 millimeter dishes and GPS attached to the side of the pole. The applicant is agreeable to removing the two numbered dishes to make the proposal more acceptable to the occupants of No. 14 Seafield Grove if required which is considered maybe done by way of the condition of any forthcoming grant of permission by the Board.

- The fact that a street pole is being proposed here is due to the fact that Eir mobile have been unable to find a suitable structure to date. There are no industrial or commercial areas here only housing estates and the applicant sought to locate it close to a few commercial buildings outside the large car park to the South where it would have the least negative impact on residential amenity in the area and where it would not be in direct view any dwelling whilst having sufficient space to do so which was a real difficulty in this search area. In doing so it has succeeded in finding the optimal location, where the proposal would not have an overbearing impact on any dwelling.
- The Board has made many rulings on separation distances between telecommunications structures and dwellings over the years and there is substantial precedent in relation to this subject matter.
- It is a well-known tenet of land use planning that there is no right to a view beyond one's own property boundary.
- The photomontages submitted seek to have a realistic image of the proposal in different locations at public vantage points and at different distances away in the surrounding area.
- The visual assessment of three viewpoints in the surrounding area within public vantage point have predicted a moderate low impact in two viewpoints and a negligible visual impact in the third viewpoint which is not significant.
- Consideration was given to any nearby sensitive receptors, however, there were no close by heritage assets or other sensitive designations with residential amenity being the sole sensitive receptor in the surrounding area.

- Compliance with emissions limits is regulated by ComReg. A license to provide services is subject to compliance with strict emission controls. The limits are specified by the International Commission from Non Ionizing Radiation Protection (ICNIRP), including for this site since it was first built. Attached is an ICNIRP declaration as evidence of this compliance.
- The proposal ensures the continuing investment in new and improved broadband in this area for the socioeconomic benefit of the local community and for the wider economic competitiveness of Dublin city.

### 6.3. **Planning Authority Response**

- None Received

### 6.4. **Observations**

- None Received

### 6.5. **Further Responses**

- None Received

## 7.0 **Assessment**

7.1. The proposed development is brought forward under section 254(1) of the Planning and Development Act 2000 (as amended). In their consideration of the development, under section 254(5) of the Act, the Board is required to have regard to:

- a. the proper planning and sustainable development of the area,
- b. any relevant provisions of the development plan, or a local area plan,
- c. the number and location of existing appliances, apparatuses or structures on, under, over or along the public road, and
- d. the convenience and safety of road users including pedestrians.

7.2. Having regard to these requirements, local and national planning policy, the application details, all other documentation on file and my inspection of the site, I consider that the main issues for this appeal relate to:

- Safety of road users and pedestrians,
- Consistency of the development with regard to the zoning of the site, national and local planning policies in respect of the location of telecommunication development and
- The impact of the development on visual and residential amenity.

7.3. The proposed street pole and antennae would have a height of 18m and a diameter of 406mm. The pole would be galvanised and painted. All cables would run internally. The structure would have two 300mm dishes attached to it at a height of c. 15m and Antennas encased inside the pole.

7.4. Two number cabinets proposed, dark fir green in colour, adjacent to the street pole. They measure 1.65m (H) x 1.3m (L) x 0.8m (D) and 1.65m (H) x 1.9m (L) x 0.8m (D)

#### **Safety of road users and pedestrians,**

7.5. The planning authority granted permission on the grounds of a report from the Transportation Planning Division. It was considered that “the proposed telecommunications cabinets are located to the back of the footpath against the boundary wall, adjacent of a public street light pole and a mature tree. According to Dublin City Council GIS system the footpath facing St. Gabriel's road is approximately 4.3 meters wide and approximately 2.3 m wide facing Seafield Grove Rd. Considering the wide footpath on St. Gabriel's road, the proposed cabinets will only reduce the footpath from 4.3 m to 3.5 m wide, not blocking pedestrian footfall from Seafield Grove road. The proposal would not have impact on the pedestrian footfall considering the noted public lighting pole and mature tree. It is considered that the telecommunications cabinets would not cause obstruction at this location”.

7.6. However, having carried out a site visit and noting the location of the proposed telecommunications cabinets on the footpath located tight against the boundary wall. I am of the opinion, given the proposed location of the cabinets and the width of the footpath, the proposal would not impact upon pedestrians or footfall. I therefore agree with the PA in this regard.

7.7. I see no reason that the proposal should be refused planning permission on grounds of traffic hazard or impact upon pedestrian safety.

## **Consistency of the development with regard to the zoning of the site, national and local planning policies in respect of the location of telecommunication development**

- 7.8. In terms of zoning, the site is located on the public footpath, which has an unclassified designation within the Dublin City Development Plan 2022 – 2028. Lands immediately adjoining are zoned ‘Z1’ Sustainable residential neighbourhoods. With the land use zoning: ‘To protect, provide and improve residential amenities’. It is noted that ‘Public Service Installations’ are ‘permitted in principle’ in ‘Z1’ zoned lands.
- 7.9. With respect to ‘unzoned lands’ section 14.3.2 of the city Development Plan states: ‘...Development proposals in respect of these unzoned lands will be considered in accordance with the policies and objectives of the plan. Regard will also be had to their compatibility with adjacent land-uses and zonings’.
- 7.10. With respect to telecommunication Section 15.18.5 of the City Development Plan considers, ‘telecommunications antennae and supporting structures should preferably be located on industrial estates or on lands zoned for industrial/employment uses.’ Possible locations in commercial areas, such as rooftop locations on tall buildings, may also be acceptable, subject to visual amenity considerations. In terms of the design of free-standing masts, masts and antennae should be designed for the specific location.

In assessing proposals for telecommunication antennae and support structures, factors such as the object in the wider townscape and the position of the object with respect to the skyline will be closely examined. These factors will be carefully considered when assessing proposals in a designated conservation area, open space amenity area, historic park, or in the vicinity of protected buildings, special views or prospects, monuments or sites of archaeological importance. The location of antennae or support structures within any of these areas or in proximity to protected structures, archaeological sites and other monuments should be avoided.

Where existing support structures are not unduly obtrusive, the City Council will encourage co-location or sharing of digital connectivity infrastructure such as antennae on existing support structures, masts and tall buildings (see Policy SI48).

Applicants must satisfy the City Council that they have made every reasonable effort to share with other operators.'

- 7.11. The site has no specific amenity designation. There are no protected scenic routes proximate. It is not within an ACA or within a SPA/SAC. There are no protected structures in the vicinity.
- 7.12. In city suburbs national planning guidelines also advocate the location of telecommunication masts in industrial or in industrially zoned land or commercial or retail areas. If such sites are not available, the guidance states that only as a last resort, should free-standing masts be located in a residential area. In such circumstances, the guidelines state that sites already developed for utilities should be considered and masts designed for their specific location, with the mast being a monopole structure and kept to a minimum height consistent with its effective operation.
- 7.13. The appellant argues that they have exhausted all other options in the area for alternative sites. Any existing telecoms structures are not located close enough to the demand area. There are no suitable existing structures in this search area provided by Eir as shown in the documentation submitted which is a very confined search area and entirely residential in nature in which. The local community in this densely populated residential area currently suffer from a severe lack of high speed wireless broadband and data services. Eir would not be looking to provide coverage here if it could do so by its existing structures in the wider area. Due to the sheer amount of intervening vegetation and built form as well as the increasing capacity issues on its network, Eir cannot meet its wireless broadband and data objectives without having a new structure, which is proposed as a last resort, in accordance with the sequencing approach to finding a site in accordance with the 1996 Government Guidelines.
- 7.14. The location has been selected on the basis that it is the optimum location in this search area and the only option which is a last resort. The height (18m) is the lowest height possible to see over surrounding trees and built form in the area for two operators to share the same pole. Following the site survey of the area the proposed location is considered the most optimal location which is not directly facing any

dwelling and was considered to be the most suitable location regarding space availability in the local area.

- 7.15. The proposed 18m pole solution will provide for optimum coverage as required in an area where there is noted dearth in coverage. All mobile operators namely Three, Eir and Vodafone have an obligation to provide 100% coverage throughout the country including at this location. The nearest existing sites are too far away for the newer technologies to work including 4G and 5G technologies and to a large extent 3G due to the required data speeds for applications like social media, internet browsing and downloading, the technology range which depend on the number of users at any one time can be only several hundred meters.
- 7.16. Having regard to the foregoing, I would accept that the proposed development is in a densely populated urban area, with limited existing facilities or non-residential facilities for the location of a mast to address the existing blackspot. I would also accept that the design of the infrastructure has cognisance to its location and its setting, it will over time appear as normal utility infrastructure.
- 7.17. Regard being had to the zoning of the site, national and local planning policies in respect of telecommunications equipment I consider the development as proposed would be acceptable in principle at the proposed location.

#### **The impact of the development on visual and residential amenity.**

- 7.18. The planning and development department have no objection to the proposed telecommunications cabinets and pole. Their report notes the photomontages submitted in support of the application. It is considered that while the street pole is substantial in height (18m), its slender appearance would not be overly dominant on the immediate streetscape. It is considered that the street pole would not be substantially more obtrusive or have a significant visual impact regard being had to the existing streetlights and trees along Sain Gabriels Road and Seafield Road.
- 7.19. Third party concern has been raised by the occupants of No. 14 Seafield Grove, with respect to height and proximity of the proposed telecommunications pole and cabinets to their rear boundary wall. Concern is expressed with respect to the impact

of the structure when viewed from their rear private garden space. Also concern is expressed that the cabinets could give rise to security issues.

- 7.20. Section 15.18.5 of the new city development plan in relation to siting, design and visual amenity of telecommunications infrastructure states telecommunications antennae and supporting structures should preferably be located on industrial estates or on lands zoned for industrial/employment uses. Possible locations in commercial areas, such as rooftop locations on tall buildings, may also be acceptable, subject to visual amenity considerations..... In assessing proposals for telecommunication antennae and support structures, factors such as the object in the wider townscape and the position of the object with respect to the skyline will be closely examined.
- 7.21. The proposed streetpoll and cabinets will be positioned adjacent to the boundary wall with No. 14 Seafield Grove which comprises of two-story detached dwelling. The boundary is denoted by extensive hedging and vegetation to all sides. The proposed structures will be approximately 8.5 m to 11.1 m from the wall of that dwelling. As indicated the proposed streetpole will have a height of 18 meters and a diameter of 406 mm. Additional GPS and dishes will be positioned c.15 meters it is considered that the structure will be visible from front and rear garden. However, considering the diameter and bulk of the structure the PA do not consider that the streetpole would reduce sunlight or daylight in any significant quantity. It is considered that while it may be argued that the structure will appear somewhere unsightly it is not considered that it would appear as overbearing. It is further considered by the PA that the existing vegetation to the boundaries of the dwelling would mitigate much of the visual impacts.
- 7.22. I note the appeal response submitted by the first party, it notes that the closest point of the proposed telecommunications pole is approx. 10 meters to the gable side of No.14 Seafield Grove. There are no windows in No. 14 Seafield Grove directly facing the proposed pole except a frosted glass bathroom window which will not have clear visibility of the proposal and the site location contains a number of semi mature trees which help to screen the proposal to a large degree. The pole is a slender pole with antenna encased inside it and are not visible. The applicant is agreeable to removing the two numbered 300mm dishes to make the proposed more acceptable to the occupants of No. 14 Seafield Grove if required.



- 7.23. Cognisance is had to the justification for the location chosen by the first party. The applicant has provided sufficient technical justification, in my opinion, for the infrastructure. The applicant sought to locate the proposal as close as possible to non residential uses and not within the center of a housing estate which was difficult given the constraints of the search ring provided. For that reason the focus was as close as possible to the large car park to the south of the site which is opposite the existing commercial / retail units. However, there was no space available beside the road here, so, the applicant choose a location as close to the commercial units as possible and where it does not directly face any dwelling either across the road to the west or adjacent to the dwelling to the east (No. 14 Seafield Grove).
- 7.24. I consider the proposed telecommunication structure is acceptable in its context at the proposed location, the trees and street lights provide some screening for the proposal and help absorb the structure into the streetscape. This is necessary infrastructure and will assimilate into the area overtime. A condition should be attached to any decision to grant that the proposed cabinets and pole be maintained regularly and be kept graffiti free. Also, that the cabinets shall have an anti-climb device fitted and pitched metal capping to the top surface of the cabinet to prevent sitting or standing on the cabinet. The 2 number 300mmm dishes should be omitted given this is an option, it will help assimilation of the infrastructure.
- 7.25. I have reviewed the anticipated visual impact assessment, / 'visual reference points' submitted by the applicant which includes 3 photomontages of the proposed development from Saint Gabriel's Road south of the site, Seafield Grove east of the site and Mount Prospect Avenue and Park Lawn Junction north of the site. The proposed slimline pole would be of neutral sky grey, which will reflect the skyline and therefore assimilate with regards to its colour/texture and therefore complies with best practice of siting and design.
- 7.26. In my view, telecommunications equipment is crucial functional infrastructure, which contributes to successful place making, in a modern day, functional public realm. While the structure will be visible, especially, as one observes the structure in middle to near distance, overall, having regard to the scale of the proposed development, there would be no negative impact on the visual amenities of the area with only slight visual impacts being perceived. I do not consider the proposed development will

unduly impact on the skyline or the streetscape when viewed from various vantage points. Cognisance is had to similar tall structures in the landscape (lighting poles) and roadside trees.

- 7.27. Should the Board be minded to grant permission, I am of the view that a condition limiting exempt development provisions should be included in any grant of permission. This in my view is warranted considering the location of the infrastructure in a residential area as opposed to an industrial/employment area, where the intensification of antennae on the existing support structure above what is hereby permitted could have the potential to negatively impact on the visual amenity of the area.
- 7.28. Overall, I consider the proposal accords with the proper planning and sustainable development of the area. Accords with the relevant provisions of the Development Plan. Does not detract from the convenience and safety of road users including pedestrians. Assimilates within the existing pattern of street furniture, lighting poles and trees stands, or other structures along the public road.
- 7.29. I note circular letter PL07/12 states planning considerations in the assessment of telecommunications infrastructure should be related to location and design and not health and safety matters. In my view the location of the telecommunications infrastructure within a residential area does not give rise to any issues in terms of residential amenity.

### **Appropriate Assessment**

- 7.30. Having regard to the nature of the development, its location in a serviced urban area, and the separation distance to any European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **8.0 Recommendation**

- 8.1. It is recommended that permission be granted.

## 9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Dublin City Development Plan 2022 - 2028, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, or of property in the area, or give rise to a traffic or pedestrian hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1. The development shall be carried out and completed 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 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. (a) This permission shall apply for a period of five years from the date of this order. The telecommunications structure and related ancillary structures shall then be removed unless, prior to the end of the period, permission shall have been granted for their retention for a further period.

(b) The site shall be reinstated on removal of the telecommunications structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to and agreed in writing with the planning authority at least one month before the date of expiry of this permission.

**Reason:** To enable the impact of the development to be re-assessed, having regard to changes in technology and design during the specified period.

3. Notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, the telecommunication structures shall not be altered and no additional apparatus shall be attached, without a prior grant of permission.

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

4. The two number 300mm dishes proposed externally on the telecommunications streetpole structure shall be omitted.

**Reason:** In the interests of visual amenity of the area.

5. The proposed cabinets and pole shall be maintained regularly and shall be kept graffiti free.

**Reason:** In the interests of visual amenity of the area.

6. The cabinets shall have an anti-climb device fitted and pitched metal capping to the top surface of the cabinet to prevent sitting or standing on the cabinet.

**Reason:** In the interests of protecting residential amenity.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Fiona Fair  
Senior Planning Inspector

03.06. 2023