



An
Bord
Pleanála

Inspector's Report ABP-319931-24

Development	Installation of telecommunications equipment including a 3.7 metres pole, mounted tri sector antenna and dish, cabinet, GPS beacon, access route and all associated development works.
Location	The Purty Central, Main Street, Clondalkin, Dublin 22, D22 K0T3
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD24A/0062W.
Applicant(s)	Eircom Limited.
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party.
Appellant(s)	Eircom Limited.
Observer(s)	None.
Date of Site Inspection	24 September 2024.

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1.0 Site Location and Description

- 1.1. The site location is the rooftop and part of the interior of the Purty Central, a three-storey building housing a restaurant and pub in Clondalkin village. It occupies an island site at the junction of Main Street, Monastery Road and Orchard Lane, close to the junction with New Road.

2.0 Proposed Development

- 2.1. Installation of telecommunications equipment including a 3.7 metres pole, mounted tri sector antenna and dish, cabinet, GPS beacon, access route and all associated development works.

3.0 Planning Authority Decision

3.1. Decision

Refusal for the following reason:

Having regard to the prominent location of the subject site, the proposed development would be visually obtrusive and result in an incongruous feature that would detract from the visual amenity and sensitive character of the Architectural Conservation Area (Clondalkin Village). The proposed development would thus contravene policy and objectives of the South Dublin County Development Plan 2022-2028 including Policy IE5 Objective 3 which seeks to permit telecommunications antennae and support infrastructure throughout the County, subject to high quality design, the protection of sensitive landscapes and visual amenity; and Policy NCBH20 seeks to preserve and enhance the historic character and visual setting of Architectural Conservation Areas and carefully consider any proposals for development that would affect the special value of such areas. The development, if permitted, would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the amenities of the ACA and surrounding area and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Report dated 17 May 2024 – national and council policy on telecommunications infrastructure provision and architectural heritage protection set out. Verbal response from Clondalkin LAP team referred to, noting the importance of the Round Tower as the dominant vertical feature in the townscape. Requirement for new infrastructure accepted, but application does not sufficiently demonstrate the proposal is appropriate in the ACA.

3.2.2. Other Technical Reports

- Architectural Conservation Officer report dated 14 May 2024 – development not acceptable due to negative visual impacts on Clondalkin village ACA (Architectural Conservation Area).
- Road Department report dated 22 April 2024 – no roads objections.

3.3. Prescribed Bodies

No reports on file.

3.4. Third Party Observations

None on file.

4.0 Planning History

4.1. Planning History on site

- S01A/0014 parent permission for building.
- SD05A/0796 permission granted new exits and fire escape.
- SD05A/0093 retention and permission granted for signage, awning, balcony, and timber surrounds to windows.
- SD09A/0363 permission granted for change of use of second floor from storage to function room and roof terrace, and associated works.

4.2. Recent telecoms applications in Clondalkin

- ABP-313055-22 (SD21A/0353) Grant following a first party appeal by ESB Telecoms against refusal, for retention of telecoms compound, and permission for replacement of 25-metre lattice tower with new 20-metre monopole carrying antennae and dishes, at ESB Clondalkin 38kV Substation, Ninth Lock Road, Clondalkin.
- SD23/0106 – Permission granted to Eircom Ltd. for installation of telecoms equipment to rooftop of Steeple House, Thornfield Square, Clondalkin.
- S25422/07 – Section 254 Licence granted to Cignal Infrastructure for 18m pole with antennas and ground cabinet at Fonthill Road South, Clondalkin, for period of 3 years.

5.0 Policy Context

5.1. Ministerial Guidelines

- 5.1.1. Architectural Heritage Guidelines for Planning Authorities (2011)
- 5.1.2. Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities (1996), as amended by Circular Letter PL 07/12

5.2. South Dublin County Development Plan 2022-28

The subject site is zoned VC, to protect, improve and provide for the future development of village centres.

A number of policies and objectives address Information and Communications Technology.

- **Policy IE5: Information and Communications Technology (ICT)** Promote and facilitate the sustainable development of a high-quality ICT network throughout the County in order to achieve social and economic development, whilst protecting the amenities of urban and rural areas.

- **IE5 Objective 1:** To promote and facilitate the provision of appropriate telecommunications infrastructure, including broadband connectivity and other innovative and advancing technologies within the County in a non-intrusive manner.
- **IE5 Objective 3:** To permit telecommunications antennae and support infrastructure throughout the County, subject to high quality design, the protection of sensitive landscapes and visual amenity.
- **IE5 Objective 4:** To discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities.

5.2.1. The site falls within Clondalkin Architectural Conservation Area, one of 18 ACAs in the county. It is described as follows in the Development Plan at Section 3.5.3:

Clondalkin Village *The Round Tower is the renowned symbol of Clondalkin Village, and dates from c.750AD. A number of mills were established on the Camac River, including in the eighteenth century when a series of small gunpowder mills were located in the demesne of Little Corkagh. Clondalkin developed in the eighteenth and nineteenth centuries as a typical mixed-use town acting as a marketplace and providing housing for the local mill workers. The village retains a small number of houses from the nineteenth century. Examples of Clondalkin's distinct character include streetscape, roofscape, views and settings, views towards landmark buildings, including the Round Tower and Church of St. John's, and open spaces.*

5.2.2. Policies and objectives of note are as follows:

- **Policy NCBH20: Architectural Conservation Areas** Preserve and enhance the historic character and visual setting of Architectural Conservation Areas and carefully consider any proposals for development that would affect the special value of such areas.
- **NCBH20 Objective 3:** To ensure that new development, including infill development, extensions and renovation works within or adjacent to an Architectural Conservation Area (ACA) preserves or enhances the special character and visual setting of the ACA including vistas, streetscapes and roofscapes.

- **NCBH20 Objective 5:** To reduce and prevent visual and urban clutter within Architectural Conservation Areas including, where appropriate, traffic management structures, utility structures and all signage.

5.2.3. Chapter 12 deals with Implementation and Monitoring, and the following sections are of relevance;

- Section 12.3.8 Architectural Conservation Areas
- Section 12.11.2 Information and Communications Technology

5.3. **Natural Heritage Designations**

The appeal site is not in or adjacent to any European site or any site designated for nature conservation purposes. The site is c. 830 metres south of the Grand Canal pNHA 002104.

5.4. **EIA Screening**

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A first party appeal was received from the appellant on 13 June 2024 appealing against the refusal by the Local Authority. This appeal included photomontages and an associated Visual Assessment and an Architectural Heritage Impact Assessment. Issues raised include the following:

- There are no other suitable sites for the location of a new antenna to increase coverage and capacity of Eir's 3G and 4G networks in Clondalkin village.

- The proposal is similar to a recently granted application at the Maldron Hotel, 98-107 Pearse Street (4376/23), and to a development at Rossecourt Resource Centre, Lucan (SD22A/0040) and the impacts on visual amenity and protected structures are acceptable. Applications SD23A/0106 (Steeple House, Clondalkin) is also cited as precedent.
- The proposal complies with the relevant standards set out in the South Dublin County Development Plan 2022-28, and is permitted in the VC (Village Centre) zoning.
- The proposal complies with the standards set out in *Telecommunications Antennae and Support Structure – Guidelines for Planning Authorities, DELG, (1996)* and *Circular Letter PL07/12*.
- The accompanying AHIA concludes that the majority of sensitive receptors in the ACA are on Tower Road, and the proposed location is suitably distanced from these – the site itself is not a visually sensitive one.

6.2. Planning Authority Response

The planning authority responded on 4 July 2024, confirming its decision, and stating that the issues raised have been covered in the Chief Executive's Order.

6.3. Observations

None received.

6.4. Further Responses

None received.

7.0 Assessment

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal and the report of the local authority, and having inspected the site, and having regard to the relevant

local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- The Justification for the Development
- Impacts on visual amenity and the Architectural Conservation Area

7.1. The Justification for the Development

- 7.1.1. The Development Plan has objectives to promote and facilitate telecoms infrastructure, while discouraging a proliferation of masts in the county, and detailed guidance at Section 12.11.2 regarding assessment of proposals. The appellant has indicated (at 2.9, 2.10, and 2.11 of the appeal document) that there is a 'coverage hole' in Clondalkin village, and that the proposed infrastructure (referred to as DN-2945/01) will partly address this issue, providing additional coverage along parts of Main Street, New Road, Laurel Park, Monastery Road, Floraville Avenue, Boot Road, Convent Road, and Moyle Crescent, and part of the grounds of Moyle Park College. The applicant notes that the 25-metre lattice structure at the ESB site at Ninth Lock Road has been decommissioned, and the replacement 20-metre pole granted under ABP-313055-22 is too low for the Eir mobile deployment. The proposed development is intended to address the coverage gap in Clondalkin village.
- 7.1.2. The appellant has submitted a list of existing telecommunications sites in the vicinity, each with a reason for unsuitability to provide for coverage in Clondalkin village. I note the map in the submitted report with the appeal shows a search ring around Kinsale, Co. Cork. However, the map in the original application (p. 13 of the planning statement) shows a 1250 metre radius search ring around the Purty Central site, with 9 existing telecom sites considered.
- 7.1.3. The applicant notes that to ensure the efficient operation of a radio network, alternative sites must be within a short radius of the cell search area, which is centred in Clondalkin village centre. The applicant does not state what this radius is, or indicate it on the map, but notes that the majority of the existing sites within the search ring are too far away to meet Eir's coverage requirements, the closest of these being 775 metres away.

- 7.1.4. The applicant has not included site THR_DU1611, consented under a Section 247 Licence in 2023 (S25422/07) in their list or in their map. This is an 18-metre monopole erected in 2024 (the Comreg siteviewer was updated with its details on 12 April 2024) on the Fonthill Road South, c. 520 metres to the south-west of Main Street, and within the coverage gap indicated. I note *IE5 Objective 4: To discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities*. In addition, *Section 12.11.2 Information and Communications Technology* states that applicants will be required to state reasons why it is not feasible to share existing facilities having regard to the Commission's Code of Practice on Sharing of Radio Sites.
- 7.1.5. I am not satisfied that the appellant has demonstrated a justification for the proposed infrastructure, given that no consideration has been given to co-location on this mast, which is within the search ring, within the coverage gap, and has not been indicated as being outside the required radius of the cell search area.
- 7.1.6. In the absence of such justification, and in light of IE5 Objective 4, and the requirements set out in Section 12.11.2 of the plan, I am minded to recommend a refusal on this issue.

7.2. Impacts on visual amenity and the Architectural Conservation Area

- 7.2.1. The existing three-storey flat-roofed building is 9 metres tall in the main, with a staircase tower reaching 11 metres tall at the north-west corner. Due to its location at the junction of multiple roads, it occupies a prominent position, visible the length of Main Street, closing the vista from Monastery Road and Orchard Road, and visible also from New Road.
- 7.2.2. The proposed antenna is 3.7 metres long, raised above the tower, and supported on a mast fixed to the rear of this tower. The effective height of the antenna and mast combined is 6.5 metres above the roof of the top floor, 4.5 metres above the roof of the stair tower, and c. 15.5 metres above ground level.
- 7.2.3. The appeal includes an Architectural Heritage Impact Assessment (AHIA). This Assessment states that the built heritage that has triggered the formation of the ACA is located on or near Tower Road from which the site is not visible; that the site is

located in a modern commercial area; and that the curved streets and angular approaches prevent clear views from a distance.

- 7.2.4. The first edition Ordnance Survey map (shown on p. 6 of the AHIA) shows the street pattern established in Clondalkin village with a number of scattered buildings on Tower Road, Main Street, and around the subject site, and the third edition Ordnance Survey map shows Main Street laid out. Additionally, the historic town of Clondalkin – listed on the Record of Monuments and Places, site DU017-041 – refers to the street pattern of the medieval town as follows: *‘The curving boundary of the early monastic site is preserved in Orchard Lane and its continuation southwards, and in Main Street as far as the junction with Boot Road. Monastery Road, the old road from Dublin, also evidentially runs along the line of an ancient street’*. As such, I find that the submitted AHIA has mischaracterized the site as being part of a modern commercial area as opposed to part of the historic core of Clondalkin village.
- 7.2.5. The Clondalkin Architectural Conservation Area includes a number of streets, including Tower Road, Main Street, and the subject island site (see map extract p. 5 AHIA). The Development Plan text refers to the Round Tower, and Clondalkin’s more recent history as a mill town and market place. It notes the streetscape, roofscape, views and settings as examples of Clondalkin’s distinct character. The AHIA’s assertion that the ACA’s purpose is the protection of the character of Tower Road is not reflected in the ACA itself; the ACA map also includes Main Street, and the text refers to the history and development of the village itself, not just the ecclesiastical complex, and refers to views and settings in general, as well as specific views of the tower and landmark buildings. Main Street is the traditional principal commercial street of the village, and it is reasonable that the ACA would protect its character.
- 7.2.6. Having undertaken a site visit, I can confirm that the subject site is not visible from the immediate vicinity of the Round Tower, and there are only incidental views of the Round Tower and the subject site together (from the junction of Main Street and Tower Road, and from parts of New Road). The proposed development would not have negative impacts on the Round Tower, a protected structure and national monument in state care.

- 7.2.7. The AHIA makes no reference to visual impacts on Main Street, which is a short, straight street with views of the proposed site along its length, as far as its junction with Tower Road and Convent Road. The photomontage document submitted does not include any view of the site from Main Street. The Purty Central is a three-storey building, and the buildings on Main Street are single- or two-storey (with those on the south side being of traditional character and appearance), and as such, it is a prominent location for the proposed development, which is a particularly large antenna raised on a tall mast above the tallest point of the roof. There is a certain amount of pre-existing visual clutter in existence on Main Street; given that NCBH20 Objective 5 is specifically to reduce and prevent visual and urban clutter in ACAs, it would not, in my view, be prudent to treat this as a positive planning precedent.
- 7.2.8. The applicant has submitted as precedent developments at Pearse Street, Dublin 2, Rossecourt Resource Centre, Lucan, and Steeple House Clondalkin. I note that none of these sites lie within an Architectural Conservation Area, and in each case, the installation is smaller and the supporting building taller than the proposed development. While the Purty Central is taller than its immediate surroundings, its prevailing height of 9 metres is relatively modest in terms of telecoms equipment, requiring a tall mast.
- 7.2.9. The applicant refers to 1996 Ministerial Guidelines stating a preference for rooftop locations over independent antennae support structures, and Council policy preferring commercial rooftops. I found no such policy in the South Dublin Development Plan 2022-28; I note that 'public services' are permitted in principle in a wide variety of zonings, and freestanding masts have been both permitted and licensed in the wider vicinity. I further note that the 1996 Guidelines' recommendation for the use of tall buildings rather than independent support structures in urban and suburban areas was on Visual Impact grounds; given the visual impact of this proposal, it would appear counterproductive to follow the letter of the law rather than its spirit in this instance.
- 7.2.10. On the whole, I find that the proposed development of this antenna, mast, RRU modules, and dish would be likely to create visual clutter with unacceptable visual impacts on the Conservation Area, and a refusal is in order.

8.0 AA Screening

Having regard to the nature and small scale of the proposed development and the distance from the nearest 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 any European site.

9.0 Recommendation

I recommend that permission be refused for the reasons and considerations below.

10.0 Reasons and Considerations

The proposed development of an antenna, mast and associated hardware, by reason of its height, prominence, and visibility on a prominent building at a junction, would contribute to visual clutter and materially affect the character of the Clondalkin Village Architectural Conservation Area, and would thereby seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area. It would be contrary to Policy NCBH20, NCBH20 Objective 3, and NCBH20 Objective 5, and IE5 Objective 3 of the South Dublin County Development Plan 2022-28.

Furthermore, having regard to IE5 Objective 4 and the requirements set out in Section 12.11.2 of the plan to avoid a proliferation of masts, the applicant has not justified the requirement for the development.

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.

Natalie de Róiste
Planning Inspector

19 November 2024

Appendix 1 Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	319931-24		
Proposed Development Summary	Installation of telecommunications equipment including a 3.7 metres pole, mounted tri sector antenna and dish, cabinet, GPS beacon, access route and all associated development works.		
Development Address	The Purty Central, Clondalkin, Dublin 22		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	✓
		No	Tick if relevant. No further action required
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes		Class/Threshold	EIA Mandatory EIAR required
No	✓		No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes		Threshold	EIA Mandatory EIAR required
No			Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes		Size/Threshold	Preliminary examination required (Form 2)
5. Has Schedule 7A information been submitted?			
No	✓	Screening determination remains as above (Q1 to Q4)	
Yes		Screening Determination required	

Inspector: _____

Date: _____