



An
Coimisiún
Pleanála

Inspector's Report PL-500068-DN

Development	RETENTION: To retain 17 antennas and all associated site works.
Location	Lidl Drimcondra Store, 25/27, Drumcondra Road Upper, Drumcondra, Dublin 9
Planning Authority	Dublin City Council North
Planning Authority Reg. Ref.	WEB2808/25
Applicant(s)	Phoenix Tower Ireland III Limited
Type of Application	Retention
Planning Authority Decision	Refuse Retention
Type of Appeal	First Party Normal Planning Appeal
Appellant(s)	Phoenix Tower Ireland III Limited
Observer(s)	Declan Gilligan Babodana Ltd t/a The Dublin Skylon Hotel
Date of Site Inspection	8 th January 2026
Inspector	Elaine Power

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	4
3.4. Third Party Observations	4
4.0 Planning History.....	4
5.0 Policy Context.....	5
5.1. Dublin City Development Plan 2022 – 2028.....	5
5.4. Natural Heritage Designations	8
5.5. EIA Screening	9
6.0 The Appeal	9
6.1. Grounds of Appeal	9
6.2. Planning Authority Response.....	11
6.3. Observations.....	11
6.4. Further Responses	12
7.0 Assessment.....	12
8.0 Water Framework Directive (Screening).....	22
9.0 Recommendation.....	23
10.0 Reasons and Considerations.....	23
11.0 Conditions	24
Appendix 1: EIA Pre-Screening	

1.0 Site Location and Description

- 1.1. The appeal site is located at the rooftop of the existing 3 storey Lidl Drumcondra Store, 25 – 27 Drumcondra Road Upper. The appeal site is bounded to the south by the Cregan Library which is part of St. Patrick's Training College (DCU) and to the north by the Skylon Hotel. The west (rear) the site is bound by the rear garden of a 2-storey dwelling, no. 11 Home Farm Park. The area surrounding the appeal site is characterised as an urban village with a variety of commercial, retail, educational, leisure and residential uses with a variety of architectural styles.

2.0 Proposed Development

- 2.1. The proposed development is for the retention of 17 no. antennas comprising 3 no. 2.1m high antennas, 6 no. 2m high antenna, 5 no. 0.5m high antenna, and 3 no. 0.7m high antenna. The development also includes the retention of 2 no. 0.3m high transmission dishes on separate ballast mounted supporting poles, 3 no. equipment cabinets, radio equipment, cabling and associated site works.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for the following reason:

The retention of 17 no. antennas and associated telecommunications equipment on the rooftop of the Lidl Drumcondra Store at 25/27 Drumcondra Road Upper would give rise to unacceptable excessive visual clutter in this area, visually dominating the roofline of this building and negatively impacting on the visual amenities of the surrounding area. The development would be contrary to Section 15.5.3 and 15.18.5 of the City Development Plan 2022-208 which requires that telecommunications structures are to be sited to minimise their visual impact. The development would set an undesirable precedent and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. **Planning Authority Reports**

3.2.1. **Planning Reports**

The planners report dated 24th September 2025 acknowledged that the development to be retained may be permitted under the sites zoning objective. However, serious concerns were raised regarding the negative visual impact of the antennas on the streetscape. The report recommends that permission be refused for the reason outlined above.

3.2.2. **Other Technical Reports**

Drainage Division: Report dated 15th September 2025 raised no objection to the development to be retained subject to conditions.

3.3. **Prescribed Bodies**

None

3.4. **Third Party Observations**

The Planning Authority received 1 no. third party observation on behalf of Babodana Ltd, trading as Dublin Skylon Hotel. The concerns raised related to the negative visual impact of the antenna on the adjacent Skylon Hotel and the wider Drumcondra area and health and safety issues relating to antenna.

4.0 **Planning History**

There are a number of planning applications relating to the Lidl Site. The most relevant are noted below.

ABP PL29N.240376, Reg Ref: 3811/11: (Parent Permission): Permission was granted in 2013 for the demolition of a garage and creche and the construction of a mixed-use development including foodstore, restaurant, coffee bar, off-licence with parking and ancillary services, offices, and associated works. This permission was extended in 2018 by Reg. Ref. 3811/11/x1 and amended by Reg. Ref. 2251/20, Reg. Ref. 2818/20 and Reg. Ref. 2597/21.

5.0 Policy Context

5.1. Dublin City Development Plan 2022 – 2028

The subject site is located on lands zoned Z4 (Key Urban Villages and Urban Villages) with the associated land use objective *to provide for and improve mixed-services facilities*.

Public service installations are listed as permissible uses under the Z4 zoning. Appendix 15 of the Development Plan defines a public service installation as a building, or part thereof, a roadway or land used for the provision of public services including those provided by statutory undertakers. Public services include all service installations necessary for electricity, gas, telephone, radio, telecommunications, television, data transmission, drainage, including wastewater treatment plants.

Section 9.5.11 Digital Connectivity Infrastructure acknowledges the demand for super connectivity and the importance of secure and reliable communications network.

Section 15.5.3 Alterations, Extensions and Retrofitting of Existing Non – Domestic Buildings In Dublin city centre, states that works of alteration and extension should be integrated with the surrounding area, ensuring that the quality of the townscape character of buildings and areas is retained and enhanced and environmental performance and accessibility of the existing building stock improved.

Section 15.18.5 Telecommunications and Digital Connectivity provides guidance on the provision and siting of telecommunications antennae.

The following Policies and Objectives are considered relevant: -

- **Policy SI45: Support for Digital Connectivity** *To support and facilitate the sustainable development of high-quality digital connectivity infrastructure throughout the City in order to provide for enhanced and balanced digital connectivity that future-proofs Dublin City and protects its economic competitiveness (for further guidance see Section 15.18.5).*
- **Policy SI48: Sharing and Co-Location of Digital Connectivity Infrastructure** *To support the appropriate use of existing assets such as lighting, traffic poles and street furniture for the deployment of telecoms equipment and to encourage the sharing and co-location of digital connectivity*

infrastructure (including small cells, access points, communications masts and antennae) in order to avoid spatially uncoordinated and duplicitous provision that makes inefficient use of city space and negatively impacts on visual amenity and built heritage

- **Objective SIO27: National Broadband Plan** To support and facilitate the delivery of the National Broadband Plan and international fibre communications links, including full interconnection between the fibre networks in Northern Ireland and the Republic of Ireland.

5.2. Eastern & Midland Regional Spatial & Economic Strategy 2019-2031

The RSES supports actions to strengthen communication links to develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis in co-operation with relevant departments in Northern Ireland.

Table 3.1 sets out an asset / potential based criteria approach to the growth Strategy. With regard to infrastructure, it is an aim to enable infrastructure growth through collaboration with providers to deliver telecommunications infrastructure.

5.3. National Planning Policy and Guidelines

5.3.1. Climate Action Plan (CAP) 2025

The Climate Action Plan was published in June 2019 by the Department of Communications, Climate Action and Environment. The Climate Action Plan 2025 (CAP25) is the fourth annual update to Ireland's Climate Action Plan 2019. This plan is prepared under the Climate Action and Low Carbon Development (Amendment) Act 2021, and following the introduction, in 2022, of economy-wide carbon budgets and sectoral emissions ceilings. Climate Action Plan 2025 builds upon [Climate Action Plan 24](#) (CAP24) by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with CAP24.

The transition towards green and digital societies is highlighted throughout the CAP 2025, as an overarching aim to achieve decarbonisation and net zero commitments. Section 10.1.8: Digital Transformation supports the national digital transformation

framework and recognises the importance of this transformation to achieve Ireland's climate targets.

5.3.2. Harnessing Digital. The Digital Ireland Framework.

Section 2.1 aims to enable the physical telecommunication infrastructure and services delivering digital connectivity in line with the National Broadband plan.

5.3.3. National Planning Framework 'Project Ireland 2040' First Revision (April 2025)

The following National Policy Objectives are considered relevant.

National Policy Objective 31: Support and facilitate delivery of the National Broadband Plan as a means of developing further opportunities for enterprise, employment, education, innovation, and skills development for those who live and work in rural areas.

National Policy Objective 62: In co-operation with relevant Departments in Northern Ireland, develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.

5.3.4. National Development Plan 2021-2030

The government recognises that access to quality high speed broadband is essential for today's economy and society.

5.3.5. National Broadband Plan 2020

The National Broadband Plan (NBP) is the Government's initiative to improve digital connectivity by delivering high speed broadband services to all premises in Ireland, through investment by commercial enterprises coupled with intervention by the State in those parts of the country where private companies have no plans to invest.

5.3.6. The Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (DELG, July 1996)

The Guidelines aim to provide technical information in relation to the installation of base stations and other telecoms equipment and offer general guidance so that the environmental impact is minimised, and a consistent approach adopted.

Section 4.3 of the Guidelines refers to visual impact and notes that only as a last resort, and if the alternatives are either unavailable or unsuitable, should free-standing masts be located in residential areas or beside schools. If such locations should become necessary, sites already developed for utilities should be considered, and masts and antennae should be designed and adapted for the specific location. It also notes that the proposed structure should be kept to the minimum height consistent with effective operation and possibilities offered by some commercial or retail areas should be explored whether as rooftop locations or by way of locating “disguised” masts.

Section 4.5 of the Telecommunications Guidelines states the sharing of antennae support structures will normally reduce the visual impact on the landscape and places an onus on the operators to demonstrate that they have made a reasonable effort to share. It notes that where it is not possible to share a support structure, the sharing of sites or adjacent sites should be encouraged so that masts and antennae may be clustered. It states that the use of the same structure or building by competing operators in urban or suburban areas will almost always improve the situation.

5.3.7. *Circular Letter PL 07/12 (DECLG, October 2012)*

The Circular revised elements of the Telecommunications Guidelines. Section 2.2 advises that only in exceptional circumstances, where particular site or environmental conditions apply, should a permission issue with conditions limiting its life. Section 2.3 advises that planning authorities should avoid including minimum separation distances between masts or schools and houses in their Development Plans. Section 2.4 advises that future permissions should simply include a condition stating that when the structure is no longer required it should be demolished, removed and the site reinstated at the operators’ expense, as opposed to conditioning a security bond in respect of removal. Section 2.6 reiterates the advice in the Guidelines in that planning authorities should not include monitoring arrangements as part of planning conditions nor determine planning applications on health grounds, noting that such issues are regulated by other codes and such matters should not be additionally regulated by the development management process.

5.4. **Natural Heritage Designations**

The appeal site is not located within or immediately adjacent to a designated site.

5.5. 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 (or Part V of the 1994 Roads Regulations). 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

The first party appeal includes background information on the applicant and notes that the intervention of private sector firms, such as the applicant, in the roll out of telecommunications infrastructure is a significant and fundamental pillar in the Government's telecommunication policy and future plans. It is also noted that this application is a commitment by the applicant to provide space to the operators (Three Ireland Limited, Eircom Limited and Vodafone Ireland Limited) which provide the telecommunications network in the area. The appeal notes the separate technical justification documents provided by Three Ireland Limited, Eircom Limited and Vodafone Ireland Limited with the original application to the Planning Authority.

The main grounds of the first party appeal against the Planning Authority's decision to refuse retention permission are summarised below.

Principle of Development

- The appeal site is a replacement site for a multi-operator rooftop site that was previously located on the adjacent Skylon Hotel for more than 2 decades providing important mobile coverage to Drumcondra Village, the road network and the wider urban area. All operators were removed during the renovation of the hotel and a new site is required to maintain service and licence responsibilities issued under the Commission for Communications Regulation (Comreg).
- The Lidl building is the only option with the available height and capacity in the area. Table 1 of the appeal lists alternative locations with a 1km radius of the existing infrastructure and notes that these are not suitable as they are either

outside of the coverage target area of infrastructure already existing with no added benefit.

- The location avoids the need to erect a free standing structure.
- The proposed development is in accordance with the Telecommunications Antennae and Support Structures Guidelines.
- Public utilises are listed as a permissible use under the sites zoning objective.
- The proposed development is in line with national, regional and local planning policy and actively assists in achieving the aims and objectives of the Development Plan by delivering improved telecommunication infrastructure services to the area.
- The Commission recently granted permission (ABP 320737-24) for telecommunication installation on the rooftop of Lidl Portmarnock, which has a similar urban context.

Visual Impact

- The appeal site is located within a busy urban area. The telecommunications equipment is located on a rooftop that forms part of the infrastructure of the area.
- The appeal site is not located within a designated area and does not have any special protection.
- The equipment is exposed from views due to the height of the building and its prominence locally.
- Shrouding the equipment has been considered however the addition of enclosures or a louvered type wall panel would only increase the visual impact by adding unnecessary bulk to the roof line. The roof is not suitable for additional loading without substantial internal modification and has, therefore, been ruled out.
- The building can be successfully utilised to install small scale telecommunications equipment without significant impacts on the amenity of the area of its character.

- The impacts are considered acceptable given the scale of the equipment and the wider urban context.

6.2. Planning Authority Response

None

6.3. Observations

Two observations were received from Declan Gilligan and on behalf of Babodana Limited trading as the Skylon Hotel. The observation from Declan Gilligan includes a European Commission Statement on 5G Security: The EU Case for Banning High Risk Suppliers, a copy of the European Declaration on Digital Rights and Principles for the Digital Decade (2023/C 23/01) and a copy of a high court judgment Dublin City Council v Eircom PLC).

The main grounds of the observation are summarised below.

- The development has a negative impact on the visual amenities of the area and there is no attempt to disguise it.
- Potential health and safety risks and exposure to Electromagnetic fields (EMF) were not addressed.
- The telecommunications guidelines require avoidance of sensitive institutions including hotels.
- Examples of negative comments from visitors to the hotel relating to the antenna and a summary of loss of earnings are included in observation.
- Eir have a history of unauthorised telecommunication developments.
- Concerns that the proposed equipment presents national systemic cyber risks and is not future proof digital infrastructure as required by the Development Plan.
- The development is not consistent with the National Planning Framework.
- The development by reason of its location, height, scale, design, security risks, part change of use to the Lidl store adversely impacts and injures the visual and residential amenity of the Skylon hotel.

- Precedent cited by the applicant (ABP-320737-24) contained a smaller number of antenna.

6.4. **Further Responses**

None

7.0 **Assessment**

7.1. Having examined the appeal details and all other documentation on file, and inspected the site, and having regard to relevant policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Visual Amenity
- Health and Safety

7.2. **Principle of Development**

Development to be Retained

- 7.2.1. The proposed development is for the retention of 17 no. antennas comprising 3 no. 2.1m high antennas, 6 no. 2m high antenna, 5 no. 0.5m high antenna, and 3 no. 0.7m high antenna. The development also includes the retention of 2 no. 0.3m high transmission dishes on separate ballast mounted supporting poles, 3 no. equipment cabinets, radio equipment, cabling and associated site works all on the rooftop of the existing Lidl Supermarket in Drumcondra. The Lidl building varies in height from 2 storeys (c. 10) at the rear elevation to 3-storeys (c. 13.7m) at the front elevation, with Drumcondra Road Upper. The building is generally L-shaped with a maximum width of 43m and a maximum depth of c. 70m.
- 7.2.2. The infrastructure to be retained is located in 4 no. separate areas on the existing roof of the Lidl Supermarket. The drawings submitted indicate that the antennas would be located in 3 no. areas referred to as Sector A, Sector B and Sector C.
- 7.2.3. Sector A is located to the rear (west) of the roof. This part of the building is 2-storeys in height (c. 10m) and is adjacent to the rear gardens of dwellings in Home Farm Park

residential estate. This portion of the roof contains 5 no. antennas, in this regard 1 no. 2.1m high antenna, 2 no. 2m high antenna, 1 no. 0.7m high antenna, 1 no. 0.57m high antenna and supporting infrastructure.

- 7.2.4. Sector B is located at the north east (front) corner of the roof, at the sites boundary with the Skylon Hotel. This part of the building is 3-storeys in height (c.13.7m). This portion of the roof contains 1 no. 2.1m high antenna, 2 no. 2m high antenna, 2 no. 0.57m high antenna, 1 no. 0.7m high antenna and supporting infrastructure.
- 7.2.5. Sector C is located at the north west (front) corner of the roof, at the sites boundary with the Cregan Library which is part of St. Patrick's Training College (DCU). This part of the building is 3-storeys in height (c. 13.7m). This portion of the roof contains 1 no. 2.1m high antenna, 2 no. 2m high antenna, 1 no. 0.7m high antenna, 2 no. 0.57m high antenna and supporting infrastructure.
- 7.2.6. The central portion of the roof, where the height increases from 2-storeys to 3-storeys accommodates additional supporting infrastructure including the 3 no. equipment cabinets.
- 7.2.7. Given the overall size of the roof there is a c. 35m separation distance between antennas on the front portion of the roof (Sectors B and C) and a minimum c. 60m separation distance between the antennas at the rear of the roof (Sector A) and the antennas at the front of the roof (Sector B and C).
- 7.2.8. The applicant notes that the development to be retained is a replacement of a multi-operator rooftop site that was previously in place for more than 2 decades at the adjacent Skylon Hotel and notes that all operators were removed during the renovation of the hotel, and a new site is required to maintain the established service and licence responsibilities issued under the Commission for Communications Regulation (Comreg).
- 7.2.9. Having regard to the information provided by the applicant and the images publicly available on Google Maps (which I viewed in January 2025) it would appear that similar antenna and supporting infrastructure was previously located on the adjacent Skylon Hotel.

Zoning

7.2.10. The appeal site is located in Drumcondra, within the established urban area of Dublin city. The site is located on lands zoned Z4 (Key Urban Villages and Urban Villages) with the associated land use objective *to provide for and improve mixed-services facilities*. Public service installations are listed as permissible uses under the Z4 zoning. Appendix 15 of the Development Plan defines a public service installation as a building, or part thereof, a roadway or land used for the provision of public services including those provided by statutory undertakers. Public services telecommunications. I am satisfied that the retention of the existing telecommunications infrastructure would be in accordance with the sites zoning objective.

National and Regional Policy and Guidance

7.2.11. The observers raised concerns that the development is not in accordance with the National Planning Framework. As set out in Section 5 above the provision of telecommunications infrastructure is supported by National and Regional policy, in particular National Planning Framework First Revision (April 2025) to develop a stable, innovative and secure digital communications and services infrastructure, the Climate Action Plan which supports the national digital transformation framework and recognises the importance of this transformation to achieve Ireland's climate targets. The National Development Plan 2021-2030 which recognises that access to quality high speed broadband is essential for today's economy and society. The National Broadband Plan 2020 to improve digital connectivity by delivering high speed broadband services to all premises in Ireland and the RSES which aims to enable infrastructure growth through collaboration with providers to deliver. Therefore, I am satisfied that the provision of telecommunications infrastructure is in accordance with National and Regional policy.

Development Plan Policy

7.2.12. The Planning Authority's reason for refusal considered that the development does not comply with Section 15.18.5 of the Development Plan. Section 15.18.5 requires that regard should be had to National Guidance, location, design, visual impact and co-location. These criteria are addressed below.

- 7.2.13. National Guidance: 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.
- 7.2.14. Comment: The Guidelines aim to provide technical information in relation to the installation of base stations and other telecoms equipment and offer general guidance so that the environmental impact is minimised, and a consistent approach adopted and, in my opinion, the criteria set out in Section 15.18.5 overlaps with the guidance set out in the Guidelines.
- 7.2.15. Location: 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.
- 7.2.16. Comment: Section 4.3 Visual Impact of the Guidelines note that there is limited flexibility as regards location, given the constraints arising from radio planning parameters and that visual impact varies depending on the context. With regard to city suburbs it is stated that operators *should endeavour to locate in industrial estates or in industrially zoned land. The possibilities offered by some commercial or retail areas should be explored whether as rooftop locations or by way of locating “disguised” masts. It should also be noted that substations operated by the ESB may be suitable for the location of antennae support structures. This possibility should also be investigated. In urban and suburban areas the use of tall buildings or other existing structures is always preferable to the construction of an independent antennae support structure.*
- 7.2.17. It is noted that there are no industrial estates or industrially zoned land within 1km of the appeal site. The appeal site is located on a rooftop location of a taller building within the existing urban core of Drumcondra village which is in accordance with the provisions of the guidelines. In support of the development the applicant identified 3 no. existing telecommunication sites that could be considered as alternative locations for the development, these are summarised in Table 1 of the appeal. These sites were

not considered suitable as they are either outside of the coverage target area of infrastructure already existing with no added benefit. The appeal also notes that for dense urban environments a base station located more than 500m from a target area typically cannot provide effective local coverage due to several technical factors. Having regard to the information submitted this is considered a reasonable approach and I am satisfied that there are no other appropriate sites within 500m of the appeal site that would provide a suitable and appropriate alternative.

7.2.18. Design: In terms of the design of free-standing masts, masts and antennae should be designed for the specific location.

7.2.19. Comment: Section 4.2 Design and Siting of the Guidelines notes that the design of the infrastructure would be largely dictated by radio and engineering parameters with limited scope for changes in design. The proposed development comprises the retention of 3 no. 2.1m high antennas, 6 no. 2m high antenna, 5 no. 0.5m high antenna, and 3 no. 0.7m high antenna. The development also includes the retention of 2 no. 0.3m high transmission dishes on separate ballast mounted supporting poles, 3 no. equipment cabinets, radio equipment, cabling and associated site works. The technical information provided indicates that this infrastructure is required to retain mobile coverage in the Drumcondra area. It is noted that the third parties also raised concerns that the infrastructure poses a cyber security risk and is not future proofed. However, having regard to the information submitted in the technical documentation from the providers of the service I am satisfied that the infrastructure to be retained is appropriate in this instance.

7.2.20. Visual Impact: 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.

7.2.21. Comment: The impact on visual amenity is addressed below in section 7.3.

- 7.2.22. Co-Location: 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.
- 7.2.23. Comment: Section 4.5 of the Guidelines states the sharing of antennae support structures will normally reduce the visual impact on the landscape and places an onus on the operators to demonstrate that they have made a reasonable effort to share.
- 7.2.24. Policy SI48 of the Development Plan also encourages the sharing and co-location of digital connectivity infrastructure in order to avoid spatially uncoordinated and duplicitous provision that makes inefficient use of city space and negatively impacts on visual amenity and built heritage.
- 7.2.25. The information provided with the appeal and the application indicates that the infrastructure would continue to be provided to the existing operators, Three Ireland Limited, Eircom Limited and Vodafone Ireland Limited, which currently provide the telecommunications network in the area. In my opinion the sharing and co-locating of the infrastructure is welcomed and is in accordance with the provisions of Policy SI48 and Section 15.18.5.
- 7.2.26. Having regard to the above, I am satisfied that the development to be retained is in accordance with the provisions of the Telecommunications Antennae and Support Structures Guidelines and Section 15.18.5 of the Development Plan. Therefore, I do not agree with the Planning Authority that permission should be refused on this basis.
- 7.2.27. In addition to the above, Policy SI45 of the Development Plan encourages the development of high-quality digital connectivity infrastructure, which the development to be retained would support. The technical justification documents provided by the operators of the existing infrastructure (Three Ireland Limited, Eircom Limited and Vodafone Ireland Limited) with the original application to the Planning Authority indicate that the removal of the infrastructure would negatively impact coverage in the Drumcondra area.

Conclusion

7.2.28. The concerns of the Planning Authority and the observers are noted. However, having regard to the information provided by the applicant, the previously located infrastructure at the adjacent Skylon Hotel which has recently been removed I am satisfied that the provision of shared and co-located telecommunications infrastructure at a rooftop location in an established urban area is in accordance with the sites zoning objective and national, regional and Development Plan policy.

7.3. Visual Amenity

7.3.1. The Planning Authority's reason for refusal considered that the retention of 17 no. antennas and associated telecommunications equipment would give rise to unacceptable excessive visual clutter in this area, visually dominating the roofline of this building and negatively impacting on the visual amenities of the surrounding area, would be contrary to Section 15.5.3 and 15.18.5 of the City Development Plan 2022-2208 which requires that telecommunications structures are sited to minimise their visual impact and that the development would set an undesirable precedent. The observers also raised concerns that the development has a negative impact on the visual amenities of the area.

7.3.2. As noted above, Section 15.18.5 of the Development Plan sets out criteria for assessing applications for telecommunication infrastructure that generally relates to compliance with the Telecommunications Antennae and Support Structures Guidelines. It states that *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.*

7.3.3. The proposed development is located within the established urban area of Drumcondra, which is designated as a Key Urban Village in the Dublin City Development Plan 2022-2028. The appeal site is not located within a designated

conservation area, open space amenity area, historic park, special views or prospects, monuments or sites of archaeological importance. The site is located north of St. Patrick's Training College (DCU) which includes a Protected Structure (Ref. 2369) comprising *Dublin City University St. Patrick's Campus original house (Belvedere House), tower, fountain, quadrangle and former church, stone boundary walls, main entrance and gate lodge*. However, the appeal site is located c. 100m from the protected structure and is bound to the south by the Cregan Library which is a contemporary building located within the college campus. Having regard to the nature and scale of the development to be retained and the separation distance between the protected structure and the development to be retained I am satisfied that it does not impact on the setting or character of the protected structure.

7.3.4. Having carried out a site visit and having regard to the booklet of photomontages submitted by the applicant and the photographs provided within the observation from the Skylon Hotel it is my opinion that the infrastructure to be retained, in particular at the front of the building (Sectors B and C) are highly visible from the wider streetscape. It is acknowledged that the development to be retained is visible. However, given the nature and scale of the development, the overall size and variation in height of the roof, the height and contemporary nature of the building and the adjoining buildings and the urban streetscape, in combination with the subdivision of the infrastructure into 4 no. areas with significant separation distances between the clusters of antennae I do not agree with the Planning Authority that the development results in unacceptable excessive visual clutter in this area, visually dominating the roofline of this building and negatively impacting on the visual amenities of the surrounding area. It is my opinion that the location of the development does not negatively impact on the wider skyline and is in accordance with the provisions of the Telecommunications Antennae and Support Structures Guidelines and therefore, section 15.18.5 of the Development Plan.

7.3.5. Section 15.5.3 of the Development Plan relates to Alterations, Extensions and Retrofitting of Existing Non-Domestic Buildings and states *that minor external additions to buildings such as plant, telecommunications and other equipment and associated cables and fixings shall be concealed within the building envelope where feasible or designed and sited to minimise their visual impact*. The appeal notes that

the siting of the infrastructure is limited as the roof is not suitable for additional loading without substantial internal modification and also notes that the equipment requires interconnection or line of sight with adjacent base stations as well as proximity to end users where demand arises. Given the information provided it would appear that it is not feasible to conceal the development within the building envelope. In addition, given the nature of the development there is also limited scope to alter the design of the equipment.

7.3.6. With regard to the siting of the development it is acknowledged that the infrastructure, in particular the antennas, have not been sited to minimise their visual impact. It is stated in the appeal that consideration was given to screening the existing infrastructure, with individual enclosures or a louvered type wall panel. However, it was considered that this would add unnecessary bulk to the roof line. This design approach has not been submitted. Given the contemporary design of the building and the proximity of the infrastructure to the buildings edges I have concerns that without a comprehensive assessment the provision of screening could negatively impact the visual amenity of the building, adding to the bulk and scale of the roof, which could be out of proportion with the building. Therefore, it is my view that, in this instance, it is not appropriate to attach a condition that the infrastructure be screened.

7.3.7. As the development has not been concealed within the building envelope (where feasible) or designed and sited to minimise its visual impact I agree with the Planning Authority that it does not comply with Section 15.5.3 of the Development Plan. Notwithstanding this, it is my opinion that the development would support the overarching national and regional policy, in particular National Planning Framework First Revision (April 2025) to develop a stable, innovative and secure digital communications and services infrastructure, the Climate Action Plan which supports the national digital transformation framework and recognises the importance of this transformation to achieve Ireland's climate targets. The National Development Plan 2021-2030 which recognises that access to quality high speed broadband is essential for today's economy and society. The National Broadband Plan 2020 to improve digital connectivity by delivering high speed broadband services to all premises in Ireland and the RSES which aims to enable infrastructure growth through collaboration with providers to deliver. In addition, at a local level the development would continue to

provide mobile network to the Drumcondra area that would otherwise be without a service as there is no alternative location available. It is also my opinion that the development to be retained is in accordance with Policy SI45 Support for Digital Connectivity and Policy SI48: Sharing and Co-Location of Digital Connectivity Infrastructure of the Dublin City Development Plan 2022-2028. Therefore, on balance, it is my view that while the development may not be considered to comply with Section 15.5.3 it is acceptable in this instance.

7.3.8. Specific concerns are raised in the observation from the Skylon Hotel that the development to be retained is negatively impact on the visual amenities of the hotel which is negatively impacting on the hotels business. The development is located to the south of Skylon Hotel and projects beyond the front building line of the hotel. The infrastructure is located at roof top level (c. 13.7m). The Skylon Hotel is a part 4 / part 5 storey building (c. 17m). Therefore, it is acknowledged that the development is visible from some rooms within the hotel, particularly at third and fourth floor level on the southern elevation of the hotel. The observer also raised concerns regarding the proximity of the infrastructure to the hotel bedrooms. Circular PL07/2012 states that there is no prescribed separation distance requirement between a telecommunications structure and houses and that flexibility is required to facilitate a viable and effective telecommunications network. While the concerns of the third party are noted and it is acknowledged that the development to be retained is visible from the hotel, given the urban location, the relatively limited number of rooms likely to be directly impacted and the overarching national and regional policy and objectives relating to telecommunications infrastructure it is my opinion that it is acceptable in this instance.

7.3.9. The appeal site is also bound to the rear (west) by the rear garden of no. 11 Home Farm Park. The infrastructure located at the rear of the roof in Sector A is located c. 5m from the boundary with the rear garden of the adjoining residential property and c. 40m from the nearest dwelling. It is noted that the development would be visible from the rear gardens of a number of residential properties in the Home Farm Park residential estate. However, given the separation distance between the development and the existing dwellings and as there are no directly opposing windows, I am satisfied that the development to be retained would not negatively impact on the

existing residential or visual amenities of the existing dwellings to the rear (west) of the appeal site.

- 7.3.10. The Planning Authority's reason for refusal also raised concerns regarding precedent. Having regard to the information provided by the applicant and the images publicly available on Google Maps (which I viewed in January 2026) it would appear that similar antenna and supporting infrastructure was previously provided on the adjacent Skylon Hotel. It is also noted that telecommunication infrastructure is provided throughout the urban area and that each application would be subject to its own assessment against national, regional and local policy. Therefore, I am satisfied that the development does not set an undesirable precedent.

7.4. Health and Safety

- 7.4.1. The observers also raised concerns that health and safety risks and exposure to Electromagnetic fields (EMF) were not addressed. In relation to health considerations, Circular Letter 07/12, issued by the then DoECLG, reiterates the advice contained in the Telecommunication Guidelines, specifically that planning authorities should not determine planning applications on health grounds, that planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have competence for health and safety matters in respect of telecommunications infrastructure. These matters are regulated by other codes, and such matters should not be additionally regulated by the planning process.

8.0 Water Framework Directive (Screening)

- 8.1. The appeal site is located in the suburban area of Dublin City Centre, c. 450m north of the River Tolka (TOLKA_050). The proposed development comprises the retention of telecommunication equipment on the rooftop of an existing Lidl Supermarket. No water deterioration concerns were raised in the planning appeal submissions.
- 8.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am

satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and / or groundwater water bodies either qualitatively or quantitatively.

8.3. The reason for this conclusion is as follows

- The small scale and nature of the development
- Location-distance from nearest water bodies
- Lack of hydrological connections

8.4. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

9.0 Recommendation

It is recommended that permission be granted subject to conditions.

10.0 Reasons and Considerations

Having regard to:

- Climate Action Plan (CAP) 2025,
- National Planning Framework 'Project Ireland 2040' First Revision (April 2025),
- Eastern & Midland Regional Spatial & Economic Strategy 2019-2031
- The Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (DELG, July 1996),
- Circular Letter PL 07/12 (DECLG, October 2012),
- The sites Z4 zoning objective which permits public service installations which includes telecommunication infrastructure,

- Policy SI45 Support for Digital Connectivity and Policy SI48: Sharing and Co-Location of Digital Connectivity Infrastructure of the Dublin City Development Plan 2022-2028, and
- The nature, scale and location of the proposed telecommunications structure,

It is considered that the development to be retained would contribute to the provision of necessary infrastructure and would be in accordance with National and Regional Policy, guidance on telecommunications infrastructure and generally in accordance with the provisions of the Dublin City Development Plan 2022-2028. It is also considered that the development to be retained does not adversely impact the character of the area or be seriously injury the visual or residential amenities of the area. The development to be retained, therefore, is in accordance with the proper planning and sustainable development of the area.

11.0 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 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. The antennae type and mounting configuration shall be in accordance with the details submitted with the appeal, and notwithstanding the provisions of the Planning and Development Regulations 2001, 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 permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

3. In the event of the proposed structures becoming obsolete and being decommissioned, the developers shall, at their own expense remove the telecommunications structures and associated equipment.

Reason: In the interest of orderly development.

4. Surface water drainage arrangements for the development to be retained shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

5. The developer shall provide and make available on reasonable terms the proposed support structure for the provision of mobile telecommunications antenna of third-party licenced telecommunications operators.

Reason: In the interest of avoidance of multiplicity of telecommunications structures in the area, in the interest of visual amenity and the proper planning and sustainable development of the area.

6. No advertisement or advertisement structure shall be erected or displayed on the proposed telecommunications structures or associated equipment without a prior grant of planning permission.

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

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.

Elaine Power

Senior Planning Inspector

15th January 2025

**Appendix 1:
EIA Pre-Screening**

Case Reference	PL-500068-DN
Proposed Development Summary	Retention of 17 no. antenna and all associated works.
Development Address	Lidl Drumcondra Store, 25/27 Drumcondra Road Upper, Drumcondra, Dublin 9.
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?

No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.

No Screening required.

Yes, the proposed development is of a Class and meets/exceeds the threshold.

EIA is Mandatory. No Screening Required

Yes, the proposed development is of a Class but is sub-threshold.

Preliminary examination required. (Form 2)

OR

If Schedule 7A information submitted proceed to Q4. (Form 3 Required)

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?

Yes <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____