

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0353 **Application Date:** 21-Dec-2021
Submission Type: New Application **Registration Date:** 21-Dec-2021
Correspondence Name and Address: ESB Telecoms Ltd. Building 2, Swift Square,
Northwood Park, Northwood, Dublin 9
Proposed Development: Retention permission for the existing
telecommunications compound, including enclosure
and ground mounted equipment; Permission for the
replacement of a 25m high lattice tower with a new
monopole carrying antennae, dishes and associated
equipment with ground works, including foundation
(overall height of 20m, excluding lightning finial).
Location: ESB Clondalkin 38kV Substation, Ninth Lock Road,
Clondalkin, Dublin 22.
Applicant Name: ESB Telecoms Ltd.
Application Type: Permission and Retention

(EW)

Description of Site and Surroundings

Site Area: 0.016 Ha.

Site Visit: 08/02/202022

Site Description

The subject site is located at the existing ESB Clondalkin 38kV substation, on the eastern side of Ninth Lock Road, Clondalkin, Co. Dublin and contains an existing 25-metre-high lattice tower structure with associated equipment cabinet and communication building enclosed by palisade fencing. An existing substation building is also located beside the subject lattice tower structure. The Mill Shopping Centre is located west of subject site.

Proposal

- **Retention** permission for the existing telecommunications compound, including enclosure and ground-mounted equipment;

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

- **Permission** for the replacement of a 25m high lattice tower with a new monopole carrying antennae, dishes and associated equipment with ground works, including foundation (overall height of 20m, excluding lightning finial).

Zoning

The site is subject to zoning objective 'TC' – 'To protect, improve and provide for the future development of Town Centres'. The Ninth Lock Road is indicated on Map 5 of the South Dublin County Development Plan 2016 - 2022 as a route under NTA Greater Dublin Cycle Network Plan.

Consultations

H.S.E. Environmental Health Officer – No objections, subject to conditions.

Roads – No objections subject to standard conditions.

Irish Water – No comments received at time of report.

Surface Water Drainage – No objections and no recommendations.

Screening for Strategic Environmental Assessment: Indicates no overlap with the relevant environmental layers.

Submissions/Observations/Representations

Submissions and representations were submitted from third parties. The main issues raised are summarised below:

- The planning application falls short on a number of areas in relation to the South Dublin County Council development plan, the dangers outlined are of considerable concern for the entire community.
- A number of planning applications have been rejected in recent years. It is important to add that the factors resulting in rejection to remain valid today.
- The subject permission should be rejected and reinstate the recommendations of An Bord Pleanála.

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

- This location is very poor aesthetically for Clondalkin Village and the applicant has had ample time to find an alternative location, especially how communication is advancing through 4G and 5G.
- The applicant has no regard for the residents living near to this structure and is acting as an impediment to the development of the Clondalkin Village Area.

The issues raised in the third-party submissions have been considered in assessing this planning application.

Relevant Planning History

Subject Site

SD18A/0456: Permission refused for the retention of existing 25m high free-standing lattice communication structure, carrying antennae and communication dishes with associated ground-mounted equipment cabinets within the existing 2.4 meter high palisade fence and walled compound for a period of 18 months.

Reasons:

1. *The exceptional circumstances that justified a grant of retention permission for a temporary period by An Bord Pleanala in 2014 (SD14A/0113 & PL06S.243666) do not apply, notwithstanding that a new site has not been identified in the four year period that has elapsed. The delay in identifying and transferring to another site does not justify the continued retention of the structure. The Planning Authority finds that there are no exceptional circumstances for the purposes of Circular PL07/12, and pursuant to Ministerial Guidance it would be inappropriate to grant permission for retention for a period of 18 months.*

Having regard to the above, the development would contravene materially a condition attached to an existing permission for development (namely condition 2 of the An Bord Pleanala permission PL06S.243666). Furthermore, the proposed development would be contrary to the Ministerial guidelines issued to planning authorities under section 28 of the Planning and Development Act 2000 (as amended), which relate to 'Telecommunications Antennae and Support Structure Guidelines. Thus, the proposed development would contravene the proper planning and sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

SD17A/0424/ABP-301070-18 – Application for retention refused by SDCC and refused by Bord: Retention of the existing 25m high free standing lattice communication structure carrying antennae and communication dishes within an existing 2.4 metre high palisade fence and walled compound. South Dublin County Council refused permission for retention of the structure. The reason given for refusal was the visual impact of the structure. The decision was appealed to An Bord Pleanála, which upheld the Planning Authority's decision to refuse permission. The Board's reason for refusing permission was given as follows:

Having regard to:

(a) the guidelines relating to telecommunications antennae and support structures which were issued by the Department of the Environment and Local Government to planning authorities in July, 1996, and

(b) Circular PL07/12 issued in October 2012 by the Minister for the Environment, Community and Local Government,

(c) The South Dublin County Development Plan 2016 – 2022 policies and objectives for the town centre of Clondalkin, and

(d) the height, scale and prominent location of the development in an area that is zoned for Town Centre uses,

(e) The Note to the Board's Direction in relation to its previous decision-ABP06S.243666 [see below]

it is considered that the continued use of the development seriously injures the amenities of the area and of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

SD14A/0113/PL06S.243666 – Permission for retention granted by SDCC and granted by Bord for a temporary period of 3 years: Retention of the existing 25m high, free-standing lattice communication structure, carrying antennae and communication dishes within an existing 2.4m high palisade compound; additional antennae and dishes for possible future third party co-location. South Dublin County Council issued a notification of decision to grant temporary permission subject to conditions. The applicant appealed the decision to An Bord Pleanála to seek the omission of conditions 2 and 3. An Bord Pleanála granted temporary permission on 2nd December 2014 **for a period of 3 years.**

Condition no. 2 of the Board decision required the applicant to remove the telecommunications structure at the end of a period of three years, unless another planning permission had otherwise been obtained in the interim period. The applicant has not complied with this condition.

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

In giving its reason for the decision, the Board appended the following note:

The Board considered that the retention of this telecommunications structure for an indefinite period would be unacceptable in light of the existing character of development in the vicinity of the site. However, the Board accepted that the removal of the mast would result in serious disruption to mobile telephony coverage in the area. The Board considered that the issue in this regard amounted to exceptional circumstances for the purposes of Circular letter PL 07/12. Accordingly, the Board considered that it would be appropriate to permit the retention of the telecommunications structure for a temporary period only.

SD10A/0097 – Retention permission granted for a five-year period for (a) the existing 25m high, free standing lattice communication structure, carrying antennae and communication dishes with associated ground-mounted equipment cabinets, within and existing 2.3m high palisade compound previously granted time limited consent Ref. SD05A/0023 and (b) permission to attach 8 no. x 1.3m antennae and 7 no. x 0.6m dishes to allow for future third party co-location.

SD05A/0023 – Retention permission granted to retain a 25 metre high, free standing communications mast, carrying antenna and dishes, within a 2.4 metre palisade compound, with pedestrian gate. Previously granted temporary 2 year permission SD02A/0577.

SD02A/0577 – Retention permission granted to retain a 25 metre high free standing communications mast carrying antennae and dishes within a 2.4 metre palisade compound with pedestrian gate at ESB's existing 38kv substation, previously granted temporary 5 year permission S95A/0521. South Dublin County Council issued a notification of decision to grant temporary permission for a 2 year period, on

S95A/0521/PL06S.098071 – Planning permission applied for to erect at its existing 38kV substation a free-standing steel lattice telecommunications mast, carrying mobile phone cellular antennae and microwave dishes - overall height 25 metres over ground - and associated ground-mounted equipment cabinet, security fence with pedestrian gate, to form part of the second planned G.S.M. (mobile phone) network. Permission was refused by South Dublin County Council and granted by An Bord Pleanála on appeal.

Other Notable Applications

SD16A/0164/PL06S.246944 – Retention of the existing 25m high free-standing monopole communication structure carrying antenna and communication dishes at ESB Telecommunications Compound, Nangor Road, Clondalkin, Dublin 22. South Dublin County Council issued a notification of the decision to grant temporary permission, which was

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

appealed to An Bord Pleanála. The Planning Authority and the Board judged the situation to be 'exceptional circumstances' which required effective control to be retained by way of the granting of temporary permission.

Relevant Enforcement History

S8822: Unauthorised development as per refused permission. (Case open to date)

S8815: Erection of communications structure without planning permission. (Case open to date)

S1884: ESB IN BREACH OF APPLICATION GSM ANTANNAE. 38KV SUBSTATION.
(Case Closed 01-Jan-1980: Pre – Apas)

Pre-Planning Consultation

PP026/20 - Removal of the existing lattice type telecommunications structure and the construction of a panel shrouded aesthetic 25m high structure. (August 2020)

Relevant Policy in South Dublin County Development Plan 2016 – 2022

Chapter 4: Economic Development and Tourism

Policy ET1 Overarching

Chapter 5: Urban Centres and Retailing

Policy UC1 Urban Centres Overarching

Policy U2 Town Centres

Section 5.2.0 Retailing

Policy R5 Clondalkin Town Centre

7.4.0 Information and Communications Technology

Infrastructure & Environmental Quality (IE) Policy 4 Information and Communications Technology (ICT)

It is the policy of the Council to promote and facilitate the sustainable development of a high quality ICT network throughout the County in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas.

IE4 Objective 1:

To promote and facilitate the provision of appropriate telecommunications infrastructure, including broadband connectivity and other innovative and advancing technologies within the County.

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

IE4 Objective 2:

To co-operate with the relevant agencies to facilitate the undergrounding of all electricity, telephone and television cables in urban areas wherever possible, in the interests of visual amenity and public health.

IE4 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.

IE4 Objective 4:

To discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities.

IE4 Objective 5:

To actively discourage the proliferation of above ground utility boxes throughout the County and to promote soft planting around existing ones and any new ones that cannot be installed below the surface to mitigate the impact on the area.

IE4 Objective 6:

To require the identification of adjacent Public Rights of Way and established walking routes by applicants prior to any new telecommunication developments (including associated processes) and to prohibit telecommunications developments that impinge thereon or on recreational amenities, public access to the countryside or the natural environment.

Section 11.6.2: Information and Communications Technology

In the consideration of proposals for telecommunications antennae and support structures, applicants will be required to demonstrate:

- Compliance with the Planning Guidelines for Telecommunications Antennae and Support Structures (1996) and Circular Letter PL 07/12 issued by the DECLG (as may be amended), and to other publications and material as may be relevant in the circumstances,*
- On a map, the location of all existing telecommunications structures within a 2km radius of the proposed site, stating reasons why (if not proposed) it is not feasible to share existing facilities having regard to the Code of Practice on Sharing of Radio Sites issued by the Commission for Communications Regulation (2003),*
- Degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (e.g. visual impacts of masts and associated equipment cabinets, security fencing treatment etc.) and the potential for mitigating visual impacts including low and mid-level landscape screening, tree-type masts being*

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

provided where appropriate, colouring or painting of masts and antennae, and considered access arrangements, and

- *The significance of the proposed development as part of the telecommunications network.*

Section 11.8.1: Environmental Impact Assessment

Section 11.8.2: Appropriate Assessment

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Circular Letter PL 07/12 - Telecommunications Antennae and Support Structure Guidelines, Department of Environment, Community and Local Government (October 2012).

Revises elements of the Telecommunications Guidelines 1996 including:

- *2.2 Temporary Permissions*

'Only in exceptional circumstances where particular site or environmental conditions apply, should a permission issue with conditions limiting their life'.

- *2.3 The Development Plan and Separation Distances*

- *2.4 Bonds for Removal of Redundant Structures*

'in general, 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'.

- *2.5 Register or Database*

'It is recommended that a register of approved telecommunications structures supported by relevant databases be created and maintained by each planning authority in cooperation with operators'.

- *2.6 Health and Safety Aspects*

'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 are regulated by other codes and such matters should not be additionally regulated by the planning process'.

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

Telecommunications Antennae and Support Structures Guidelines for Planning Authorities – Department of Environment & Local Government (1996)

Section 1 states that in order to avoid unnecessary proliferation of masts, owners would be expected to facilitate co-location of antennae with other operators and planning authorities should encourage co-location of antennae on existing support structures and masts.

Section 2.3.1 Antennae sets out guidelines for antennae and states that such structures can be mounted on buildings in urban areas but generally require supporting masts or towers in rural and suburban areas due to the low rise nature of buildings in these areas.

Section 2.4 recognises that in some instances it may be technically possible for operators to share facilities or owners of antennae support structures

Section 4.3 Visual Impact, States that in the vicinity of larger towns and in city suburbs operators should endeavour to locate in industrial estates or in industrial zoned land. It is noted that substations operated by the ESB may be suitable for the location of antennae support structures.

Section 4.5 Sharing Facilities & Clustering All applicants will be encouraged to share and will have to satisfy the authority that they have made a reasonable effort to share. Support structures used by emergency or other essential services are not suitable for sharing with public mobile telephone services.

Section 4.6 Health & Safety Aspects

Section 4.7 Obsolete Structures

Section 4.8 Duration of Permission

Assessment

The main issues for assessment are

- Zoning and Council Policy;
- Background/ Previous Reasons for Refusal;
- Visual Impact;
- Town Centre Amenities;
- Environmental Health Officer;
- Services and Drainage;
- Appropriate Assessment;
- Environmental Impact Assessment;

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

Zoning and Council Policy

The site is located in an area which is zoned 'TC' – *'To protect, improve and provide for the future development of Town Centres'* under the South Dublin County Development Plan 2016-2022. Public Services are *'Permitted in Principle'* under the 'TC' zoning objective of the site. The proposed retention would therefore be acceptable, subject to other relevant policies and objectives contained in the County Development Plan.

UC2 Objective 2, which seeks:

To promote Clondalkin Town Centre as a primary urban centre in the County by directing higher order retail, retail services, residential, cultural, leisure, financial, public administration, restaurants/bars, entertainment and civic uses within and adjoining the Core Retail Area of this centre.

It is also noted that the County Development Plan contains detailed policies in relation to communications and broadly supports the strategic development of the network. In particular, the development plan states *'It is the policy of the Council to promote and facilitate the sustainable development of a high-quality ICT network throughout the County in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas'*. The impact of the proposed development on the visual and residential amenities are assessed later in this report.

'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities' – Department of Environment & Local Government (1996) sets out in section 4.3 Visual Impact states that in the vicinity of larger towns and in city suburbs operators should endeavour to locate in industrial estates or in industrial zoned land'.

The proposed retention of the existing telecommunications compound, including enclosure and ground-mounted equipment as well as the erection of new 20-metre-high monopole telecommunications support structure with antennas, dishes and associated telecommunications equipment shall be assessed subject to compliance with relevant policies and objectives and its design being in accordance with the relevant provisions in the County Development Plan.

It is considered in this case that the key aspects of assessment for this development are: visual impact, appropriate use of land in a town centre, and overcoming reasons for refusal of previous applications.

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

Background/ Previous Reasons for Refusal

At the outset, it is important to note that the Planning Authority has consistently held the view that the application site, within the Clondalkin Town Centre, is unsuitable for the provision of a large, standalone telecommunications infrastructure.

Permission for the structure was refused by the Planning Authority and An Bord Pleanála in 2018 (Refs. SD17A/0424/ABP-301070-18). An Bord Pleanála refused the application on the grounds that the proposed development would be unacceptable in relation to height, scale and the prominent location of the development in the town centre of Clondalkin. Council policy has not changed since the decision of both Planning Authority and An Bord Pleanála to refuse permission previously.

A similar proposal development proposal was refused planning permission on the 25th February 2019 (SD18A/0456).

Suitability of the Subject Site

The applicant has applied for permission of a replacement 20m monopole structure in the same location and has outlined eight alternative sites that were previously investigated as part of the 2017 planning application.

It is noted that the eight sites are:

- The Mill Shopping Centre
- Corner of Nangor Road & Ninth Lock Road
- Service Station
- Mormon Church
- Lidl
- Vacant Reserve Area
- Oakfield Trust Industrial /Retail Units
- Securispeed

The applicant states that: *'no alternative site has been found that would provide an equivalent level of service for the existing 2 operators located at the site to the enable them to provide the same level of service to their existing and future customers.'*

Also noted in the report: *The results of the investigation found none of the sites were found to be viable alternatives, mainly due to a reluctance on the part of either owners or occupiers to engage with ESBT in regard to possible relocation.*

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

The applicant describes the strategic nature of the site in the context of the continuing development of telecommunications infrastructure. However, as a planning matter the permanent use of the site for a standalone telecommunications structure has been settled by decision of the Board in 2014 (PL06S.243666), and the subsequent refusals of planning permission under Reg. Ref. SD18A/0456 and SD17A/0424/ABP-301070-18

In the Bords previous decision ABP-301070-18, the Inspector commented as follows:

7.3.2. The applicant submits that 8 options were explored but that only one option was feasible. It is stated that the Council at a pre-planning meeting did not consider the alternative suitable. While the details of the alternatives are not a matter before the Board, I am not satisfied that all alternatives have been fully explored. There are many masts in many towns around the country that are more discreetly located, be it to the rear of buildings or on rooftops.

Notwithstanding that there would be a loss of service in the event of the removal of the structure, it is noted that the provision of broadband services is facilitated throughout the county by way of telecommunications structures; however, this site is not considered by the Planning Authority to be an appropriate site for such a structure and compound (see assessment of 'Town Centre Amenities' below).

Visual Impact

In the supporting document by *ESB* dated *December 2021* the applicant states that the proposed development involves the following:

- The decommissioning and removal of the existing 25-metre-high lattice tower and associated equipment.
- Assessment and preparation of foundations.
- Erection of new monopole (overall height of structure to be 20 metre above ground level, excluding lightning final)
- Installation of antennae, dishes, and associated equipment,

The Applicant submitted a (VIS) visual impact study of 21 viewpoints, with the impact on nearby ACA, the Round Tower with, including the neighbouring St. Johns Church. At the outset it is noted that the VIS provides an assessment of the potential visual impact in comparison to the existing 25-meter structure onsite. To be clear, the existing structure on site does not have the benefit of Planning Permission, and therefore its inclusion as part of the baseline assessment and overall justification put forward by the applicant for the proposed 'Monopole' structure is not accepted by the Planning Authority.

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

The applicant states in *Appendix 5* that the proposed new monopole structure would look '*incongruous in the urban street scene, within the grounds of the long-established electricity substation. Away from the immediate proximity of the site due to its modest height and set back from the North Lock Road in particular the proposed monopole would not be unduly visible in the middle or wider area*'.

The Planning Authority considers that the erecting of a 20m lattice tower at this location would remain to have a significantly negative impact on the surrounding area. On the basis of the information submitted, the Planning Authority is not satisfied that the remaining height and obtrusive nature of the proposal will have a positive impact at this Town Centre location and would contravene the zoning UC2 Objective 2, which seeks:

To promote Clondalkin Town Centre as a primary urban centre in the County by directing higher order retail, retail services, residential, cultural, leisure, financial, public administration, restaurants/bars, entertainment and civic uses within and adjoining the Core Retail Area of this centre.

The Planning Authority considers that the proposed development would have an adverse impact on the visual amenity of the surrounding area and contravene the Development Plan objective IE4 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.* Having regard to the proposed development within a Town centre area under the zoning objective TC' - 'To protect, improve and provide for the future development of Town Centres' it is considered that the proposed development will have a significant negative impact on the visual amenities of the surrounding area.

The Planning Authority and An Bord Pleanála have consistently held that the application site, within a town centre location is not suitable for the provision of tall standalone telecommunications infrastructure. Notwithstanding the reduced height of the telecommunications structure from the existing unauthorised 25m to the proposed 20m monopole structure, it is considered that the monopole tower is still highly visible and the following comments in the Planner's Report for application SD17A/0424 remain valid and applicable:

The mast has been in place on this site for many years. In the intervening period, significant redevelopment of the surrounding Clondalkin Town Centre zoned land has taken place. As was noted in previous planning applications the 25 metre high lattice tower is an unattractive feature along this section of the Ninth Lock Road, which is developing as an urban street and locating the mast long term on this site is unacceptable...

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

It remains the opinion of the Planning Authority that granting permission for the permanent location of this large visually unattractive 25 metre high lattice tower structure and communication building on a potential town centre development site would not encourage development of the lands, which is an objective of the County Development Plan. The Planning Authority supports telecommunications infrastructure in appropriate locations within the County. It is considered that the 25 metre high lattice tower structure with its associated equipment would be more visually suited to an industrial area within the County and should not be located on a prime town centre development site; these issues and concerns were detailed in the previous reports and decisions by South Dublin County Council and An Bord Pleanála under SD14A/0113 & PL06S.243666.

Also noting the following comments relating to visual amenity in the Inspector's Report for Appeal ref. ABP-301070-18 also remain valid and applicable in this case:

7.1.2 This site is now part of the Core Retail Area of Clondalkin. The policies for the Core Retail Area include UC2 which seeks to promote Clondalkin Town Centre as a primary urban centre in the County by directing higher order retail, retail services, residential, cultural, leisure, financial, public administration, restaurants/bars, entertainment and civic uses within and adjoining the Core Retail Area of this centre.

7.1.3. I accept that public services are an acceptable use in principle in this zoning, however I am not satisfied that the location of a 25m mast alongside a main pedestrian and vehicular thoroughfare in Clondalkin is appropriate. This part of Clondalkin is a busy area with typical town centre uses such as the Mill Shopping Centre and an Intreo centre in the immediate vicinity of the site. The mast is visually unattractive and will never be satisfactorily screened due to its height and location. I accept that the ESB substation is unlikely to move, but having regard to the much lower height of the pylons and the location of the substation building in front of the pylons, I consider that it is possible to suitably screen that infrastructure. As noted by a previous Inspector on an earlier appeal, the mast is an eye-sore.

7.1.4. The policies for Clondalkin town centre seek to enhance and redevelop town centre sites – this infrastructure in this location does not accord with those policies.

7.1.5. The Clondalkin Round Tower is c.300m directly south of the site along the same stretch of road. A new Heritage Centre has recently been opened with the intent of increasing tourism and understanding of the local heritage. The existence of the mast in this prominent location does not enhance the tourism profile of the area.

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

The applicant's proposal for the retention of the 'existing compound' including enclosure with equipment and the permission of the 20m monopole structure would remain harmful to the character of the area. The visual impact of the subject structure at this subject site location and of this application has been determined in 2014 and 2017-18 to be injurious to the character of the area and inappropriate in the context of the 'Town Centre' zoning and related policies for Clondalkin Town Centre (SDCC Reg. Refs. SD14A/0113 and SD17A/0424 and ABP Refs. PL06.243666 and ABP-301070-18).

Town Centre Amenities

The National Planning Framework and RSES each promote the efficient use of urban land in close proximity to sustainable transport nodes and this is reflected in the Settlement Strategy contained in the current South Dublin County Council Development Plan 2016 – 2022 and the Draft County Development Plan. The summary outcome of these policies is to direct an attractive mix of uses into major urban centres and serviced areas in the county and region.

Policy UC1 of the CDP promotes the development of urban centres in the county according to a number of criteria set out in objectives. Objective 3 of the policy specifically reads as follows:

“To protect the quality, ambiance, vibrancy and vitality of urban centres by promoting an appropriate mix of day and night-time uses, including commercial, recreational, civic, cultural, leisure and residential uses and to limit or control uses that might have a detrimental impact on the amenities of centres.”

Policy UC2 of the CDP promotes Clondalkin as a major town centre, one of two town such town centres in the county. It is the policy and objective of the Planning Authority to direct higher order retail, commercial uses and a mix of other uses into the town centre.

The use of the application site, on a main street in a major town centre as a compound for a telecommunications mast, is considered inappropriate and contrary to the above policies and objectives as it would be an inefficient use of the site and would militate against the quality, ambiance, vibrancy and vitality of the town centre.

Surface Water Drainage

The report from the Surface Water Drainage Department states no objections as not affecting water infrastructure.

EHO

The report from the EHO Department states no objections subject to noise / audible levels as standard conditions.

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Environmental Impact Assessment

Having regard to the nature and scale of the proposal, it is considered that an EIA is not required.

Conclusion

Having regard to the height, scale of the proposed development, which would occupy a prominent location in an area that is zoned for Town Centre uses it is considered that proposed retention for the existing telecommunications compound, including enclosure and ground-mounted equipment and the proposed replacement of a 25m high lattice tower with a new monopole carrying antennae, dishes and associated equipment would seriously injure the visual amenities of this town centre site and the character of the area. It is considered that the subject application is would result in a form of development that is inappropriate and contrary to the policies and objectives of the South Dublin County Council Development Plan 2016 – 2022 and would constitute an inefficient use of the site, which would militate against the quality, ambience, vibrancy and vitality of the town centre and therefore should be refused.

Recommendation

I recommend that a decision to Refuse Permission & Refuse Retention be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

SCHEDULE

REASON(S)

1. The Planning Authority considers that the proposed retention of the existing telecommunications compound, including enclosure and ground-mounted equipment and the proposed construction of a 20 meter tall 'monopole' and associated equipment, by reason of its overall design and siting on a central and highly visible site within the Clondalkin Town Centre, would give rise to unacceptable visual impacts upon the surrounding area. Furthermore, the development, if permitted, would have the potential to preclude the sustainable development of a centrally located site within a primary urban centre as identified within the South Dublin County Council Development Plan 2016 – 2022. The development would therefore be contrary Policy UC1 and UC2 Objective 2

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

contained within the South Dublin County Council Development Plan 2016 – 2022 and the proper planning and sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/0244/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0353

**LOCATION: ESB Clondalkin 38kV Substation, Ninth Lock Road, Clondalkin, Dublin
22.**

Colm Harte

**Colm Harte,
Senior Executive Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission & Refuse Retention for the above proposal for the reasons set out above is hereby made.

Date:

23/2/22

Eoin Burke

Eoin Burke, Senior Planner