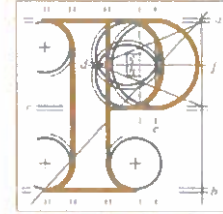


Our Case Number: ABP-317431-23

Planning Authority Reference Number: SD22A/0445



An
Bord
Pleanála

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24



Date: 15 MAR 2024

Re: Erection of telecommunications support structure and associated ancillary works.
Esker House, Esker Road, Esker, Lucan, Co. Dublin (A protected structure)

Dear Sir / Madam,

An order has been made by An Bord Pleanála determining the above-mentioned matter under the Planning and Development Acts 2000 to 2022. A copy of the order and Board Direction is enclosed.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

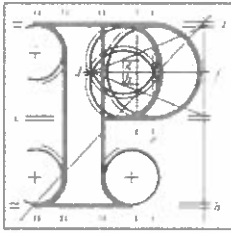
Yours faithfully,

Kieran Somers
Executive Officer

BP100N

Tel (01) 858 8100
Glao Áitiúil LoCall 1800 275 175
Facs Fax (01) 872 2684
Láithreán Gréasáin Website www.pleanala.ie
Ríomhphost Email bord@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902



An
Bord
Pleanála

Board Order
ABP-317431-23

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD22A/0445

APPEAL by Vantage Towers Limited care of Charterhouse Infrastructure Consultants of 27 Market Street, Listowel, County Kerry against the decision made on the 29th day of May, 2023 by South Dublin County Council to refuse permission.

Proposed Development: Erect a 24-metre-high lattice telecommunications support structure together with antennae, dishes and associated telecommunications equipment, all enclosed in security fencing, all at Esker House, Esker Road, Esker, Lucan, County Dublin. The proposed development is located within the curtilage of a protected structure.

Decision

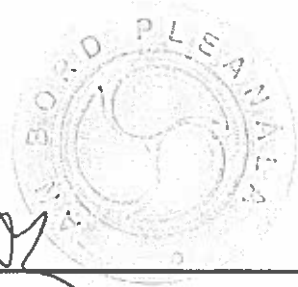
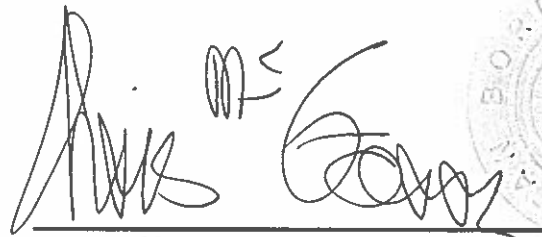
REFUSE permission for the above proposed development for the reasons and considerations set out below.

Reasons and Considerations

1. It is considered that, by reason of its location within the riparian corridor of the River Griffeen, its proximity to the river and associated watercourse to the north of the site, and having regard to the inadequate details provided with the planning application and the appeal, including the absence of a hydromorphological assessment of the river and riparian corridor, the proposed development would fail to protect the integrity of the riparian corridor. The proposed development would be contrary to GI3 Objectives 2 and 3 and Section 12.4.3 of the South Dublin County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

Handwritten signature and initials, possibly 'MSB', in the bottom right corner of the page.

2. It is considered that, in the absence of a comprehensive architectural heritage impact assessment, on the basis of the information submitted with the planning application and the appeal, the Board cannot be satisfied that the proposed telecommunications infrastructure, by reason of its height, design and siting, would not result in a visually dominant feature that would have a significant adverse impact on the character, setting, special interest of the protected structure Esker House (Ref. 101) and its curtilage. On the basis of the information submitted with the planning application and the appeal, the proposed development would be contrary to Section 12.3.7 (iv), NCBH19 Objectives 1 and 2 of the South Dublin County Development Plan 2022-2028, and would, therefore, be contrary to the proper planning and sustainable development of the area.

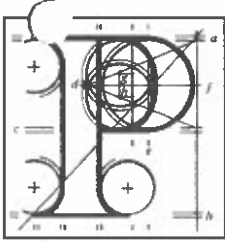


Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 15th day of March 2024.



An
Bord
Pleanála

Board Direction
BD-015692-24
ABP-317431-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/02/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

1. It is considered that the proposed development, by reason of its location within the riparian corridor of the River Griffeen, its proximity to the river and associated watercourse to the north of the subject site, and having regard to the inadequate details provided with the application and appeal, including the absence of a hydromorphological assessment of the river and riparian corridor, would fail to protect the integrity of the riparian corridor. The proposed development would therefore be contrary to GI3 Objectives 2 and 3 and Section 12.4.3 of the South Dublin County Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. It is considered in the absence of a comprehensive architectural heritage and visual impact assessment, that on the basis of the information submitted with the application and appeal, the Board cannot be satisfied that the proposed telecommunications infrastructure by reason of its height, design and siting would not result in a visually dominant feature that would have a significant adverse impact on the character, setting, special interest of the Protected

Structure Esker House (Ref. 101) and its curtilage. In this regard, it is considered that the proposed development, on the basis of the information submitted with the application and appeal, would be contrary to Section 12.3.7 (iv), NCBH19 Objectives 1 and 2 of the South Dublin County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

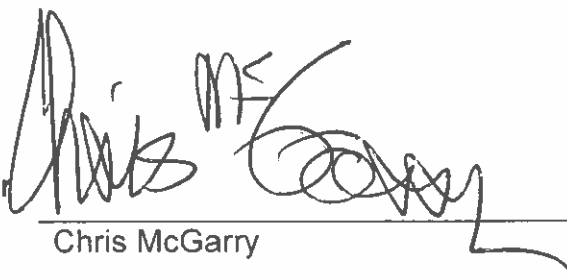
Note 1:

The Board the recommendation of the Inspector to refuse permission on the basis of a lack of information regarding options with respect to co-location with other existing and permitted masts in the vicinity of the site. Specifically, the Board noted the commentary of the inspector regarding a separate, recent grant of permission, however as noted by the Inspector, that permitted mast is over 1 km from the subject site. Having considered the totality of the documentation on file, including the submissions of the planning authorities and all parties and observers, the Board considered that a refusal on this issue was not warranted in this instance.

Note 2:

The Board noted the judgement of the Inspector whereby he did not consider that there is a visual impact on the setting of the protected structure. The Board recognised the judgement of the Inspector in this regard. However, having considered the totality of the documentation on file, the Board concluded that the architectural heritage and visual information submitted by the applicant was insufficient to reach such a conclusion. For example, a broader assessment of the protected structure, in terms of its context with more modern structures already built in its curtilage, along with additional images from parkland areas showing the relationship in views of the proposed mast with the protected structure (and associated more modern structures in its curtilage) would be considered necessary to reach a final determination on the potential impact of the proposed development on the protected structure.

Board Member



Chris McGarry

Date: 04/03/2024

