



An
Bord
Pleanála

Board Direction
BD-015117-24
ABP-315370-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/01/2024. The Board decided to refuse permission for the following reasons and considerations.

Reasons and Considerations

Having regard to the zoning of the site 'LC' Local Centre with an objective to 'Protect, provide for and/or improve local centre facilities', the policies of the Fingal Development Plan 2023-2029, including Objective IUO53 which seeks to ensure a high-quality design of masts, towers, antennae and other such telecommunications infrastructure in the interests of visual amenity, and Objective IUO48 which seeks to facilitate the provision of appropriate telecommunications infrastructure whilst protecting the amenities of urban areas, the Board considered that given the lack of a coherent approach, the proposed development in conjunction with other appeals on the same site, would result in the proliferation of structures in an incongruous way and would result in a negative impact on visual amenity, contrary to Objectives IUO48 and IUO53 of the Fingal Development Plan 2023-2029. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board agreed with, and shared the view of, the planning authority that in the absence of a co-ordinated and coherent approach, the proposed development in conjunction with other applications on the same site would result in a proliferation of such structures in an obtrusive and incongruous way and would result in a negative impact on visual amenity. The Board noted and agreed with the commentary in the

Inspector's report that telecoms sharing on the same building, rather than in a number of proximate locations is supported by the telecommunications guidelines. However, given the stand alone applications on the same site, and in the absence of detailed consistent and consolidated drawings, the Board did not agree with the Inspector that the applicant's approach to co-location, would not represent a proliferation of telecommunications equipment. While the Board agreed with the Inspector that the clustering of telecoms structures may be acceptable, in so far as it would reduce the proliferation of such structures appearing on sites elsewhere in the locality, the Board did not agree that the proposed development in conjunction with concurrent proposals would be visually acceptable.

The Board considered that the proposed development is a project for the purposes of the EIA Directive but agreed with the Inspector that it does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and therefore no preliminary examination, screening for EIA or EIA is required.

Note:

The Board was not satisfied that in the absence of a co-ordinated approach, the proposed development, in conjunction with applications ABP 315571-23 and ABP 315533-23, would cumulatively not have an adverse impact on visual amenity and considered, inter alia, the discrepancies between the plans and particulars submitted.

The Board noted the case cited DCC 2748/20 which was granted permission by Dublin City Council, and noted the view of the planning authority that in that case, the application was made by a single applicant acting on behalf of three operators, and that the design proposed was uniform in nature and matching the building cladding and appearance. The Board agreed with the planning authority that the individual providers should consider applying under one applicant and consider a more uniform approach, design and finishes.

Board Member


Mary Gregg

Date: 02/04/2024